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Civilian Personnel

Local National Transfer and Appointment Benefits in Germany

***This regulation supersedes AE Regulation 690-68, 10 September 2003.**

For the CG, USAREUR/7A:

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Summary. This regulation prescribes policy and procedures pertaining to out-of-tariff benefits for local national (LN) employees who are transferred or accept an appointment from outside the commuting area of the new permanent duty station.

Head Works Council Concurrence. The Head Works Council, USAREUR, concurs with those parts of the regulation that are subject to the co-determination procedure according to section 69 in conjunction with section 75, paragraph 3, number 4, of the modified version of the German Personnel Representation Law. The German version of this regulation is the governing directive.

Summary of Changes. This regulation has been revised to—

- Update the title of AE Form 690-99J (para 2b(4)).
- Use new organization titles.

Applicability. This regulation applies to LN personnel—

- Employed by the U.S. Forces in Germany under the provisions of the Collective Tariff Agreement, 16 December 1966, for the Employees of the Sending States Forces in Germany, except for personnel employed by the United States Air Forces in Europe and its tenant activities. For the purpose of this regulation, U.S. Forces include all activities serviced by the Civilian Human Resources Agency (CHRA) and Army and Air Force Exchange Service, Europe (AAFES-Eur).
- Paid from appropriated or nonappropriated funds.
- In the civilian support agencies in Germany.

NOTE: The terms civilian personnel advisory center (CPAC) and Civilian Personnel Operations Center (CPOC) used in this regulation do not apply to AAFES-Eur. Except where AAFES-Eur is specifically mentioned in this regulation, the Commander, AAFES-Eur, may use internal forms and establish internal systems and procedures for meeting the intent of this regulation to include all policy requirements.

Supplementation. Organizations will not supplement this regulation without the USAREUR G1 (AEAGA-CL) approval.

Forms. This regulation prescribes AE Form 690-68A. AE and higher-level forms are available through the Army in Europe Publishing System (AEPUBS) at <https://aepubs.army.mil>.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Management Information System website at <https://www.armis.army.mil/ae/public/main.asp>.

Suggested Improvements. The proponent of this regulation is the USAREUR G1 (AEAGA-CL, DSN 375-2517). Users may suggest improvements to this regulation by sending DA Form 2028 to the USAREUR G1 (AEAGA-CL), Unit 29351, APO AE 09014-9351.

Distribution. C (AEPUBS).

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1. PURPOSE

This regulation provides policy and procedures for out-of-tariff payments to local national (LN) employees for—

- a. Transfers to another duty station when the employee's previous permanent duty station is located outside the commuting area of the new permanent duty station.
- b. Appointments from outside the commuting area of the permanent duty station.

2. REFERENCES

a. Publications.

- (1) Federal Housing Allowance Act (*Wohngeldgesetz*).
- (2) Tariff Agreement, 2 July 1997, Protection From Rationalization Measures, Termination of Employment, and Income Protection (Protection Agreement).
- (3) USAREUR Regulation 690-84, Reduction in Force—Local National Employees in Germany.
- (4) AE Pamphlet 690-60-G, *Tarifverträge für die Arbeitnehmer bei den US-Streitkräften in Deutschland*.

b. Forms.

- (1) DA Form 2028, Recommended Changes to Publications and Blank Forms.

(2) AE Form 690-60B, Notification of Employment Status (*Mitteilung über den Stand des Arbeitsverhältnisses* (Germany)).

(3) AE Form 690-68A, Application for Lodging Allowance (*Antrag für Übernachtungskostenzuschuss*).

(4) AE Form 690-99J, Claim Record and Voucher for One-Day Duty Travel and Duty Trips (CTA II, App R-II and App R-IV) (*Forderungsnachweis und Abrechnung über eintägige Dienstreisen und -fahrten* (TVAL II Anhang Anh R-II und Anh R-IV)).

3. EXPLANATION OF ABBREVIATIONS AND TERMS

The glossary explains abbreviations and terms.

4. POLICY

a. General.

(1) Agency chiefs and the Commander, Army and Air Force Exchange Service, Europe (AAFES-Eur)—

(a) Must grant out-of-tariff benefits for eligible LN employees based on the provisions of this regulation if—

1. The employee is transferred from outside the commuting area of the new permanent duty station.

2. The action is in the interest of the gaining organization.

3. The required funds are available.

(b) Are authorized, based on the prerequisites in (a)2 and 3 (above), to approve benefits in case of appointments from outside the commuting area.

(2) Employees will—

(a) Agree to the conditions for receiving benefits according to this regulation.

(b) Refund benefit payments if they do not comply with the conditions agreed to in (a) above.

(3) Servicing civilian personnel advisory centers (CPACs) will oversee the allowances program in their areas of responsibility.

(4) The gaining organization will pay benefits, except when paragraph (5) below applies.

(5) When an employee is transferred under the provisions of USAREUR Regulation 690-84 or Article 4, paragraph 3a, Tariff Agreement on Protection From Rationalization Measures, Termination of Employment, and Income Protection outside his or her commuting area because of a reduction in force (RIF) or in lieu of a RIF, the benefits listed in subparagraphs b through h below are mandatory. These costs are centrally funded by HQ USAREUR/7A for USAREUR employees. The losing agency will pay the costs when non-USAREUR employees are transferred during a RIF.

(6) If the spouse or other family member lives in a joint household and is employed with the U.S. Forces and transferred to the same new duty station, only one person will be entitled to the benefits listed in subparagraphs b through h below. The employees will decide who claims and receives benefits.

(7) The Commander, AAFES-Eur, may establish internal policy and procedures for processing the required documentation for employees covered by this regulation (para 5).

b. Travel Costs. Travel expenses for the first trip to the new duty station will be paid according to CTA II, appendixes R-II and R-IV.

c. Reimbursement of Moving Expenses, Including Broker Fees and Incidental Costs. Employees who are willing to move may be reimbursed for their moving expenses, including broker fees and incidental costs if they have occupied quarters outside of the commuting area of their new duty station and move to a locality within the commuting area of the new duty station within the given timeframe.

(1) Reimbursement of Moving Expenses. Reimbursement of moving expenses for household goods is limited to 10 van-meters for one person and 20 van-meters for two or more persons. In rare cases, agency chiefs may waive this limitation if justified by the size of the household. The employee's request, including justification, and necessary van-meters must be submitted and approved before the move. Employees are required to execute the move with the most cost-effective carrier.

(2) Reimbursement of Broker Fees. On presentation of the bill, broker fees may be reimbursed up to the equivalent of 2 months' net rent.

(3) Reimbursement of Incidental Costs. The rate for incidental expenses for married employees is €1,050. The rate for incidental expenses for all other employees is €525. These rates will increase by €231 for each single child, stepchild, or foster child who continues to live in the household of the employee.

(4) Expiration of Authorization. The authorization for reimbursement of expenses in (1) through (3) above expires if—

- (a) The employee fails to move within 12 months of the effective date of transfer or appointment, or
- (b) The employment ends before the move.

(5) Extensions. Agency chiefs may extend the timelimit up to a maximum of 12 months if—

- (a) The move has been delayed for valid reasons beyond the control of the employee, and
- (b) A proposed date for the move has been established at the date of extension.

(6) RIF. If the employee who was reimbursed for the move to the new duty station is separated due to a RIF within 24 months after the date of the transfer or appointment, the employee will be reimbursed for the move back to his or her original domicile. This benefit will be forfeited, however, if the move is not completed within 6 months after the date the employment ends.

d. Paid Time Off. Employees will receive 2 days paid time off for the move in accordance with CTA II, paragraph 28, subparagraph 1b(4).

e. Lodging Allowance. A lodging allowance may be approved for employees who are willing to move without limitation and incur expenses by maintaining accommodations at the new duty station. The allowance may be paid for a period of up to 365 calendar days.

(1) At the time of the transfer or appointment, the employee must sign an agreement stating that he or she is willing to move without limitation and will immediately notify the servicing CPAC of all circumstances affecting receipt of the lodging allowance.

(2) The lodging allowance—

(a) May be paid from the first day of employment at the new duty station until the day of the move into the new quarters.

(b) Will be reclaimed and offset from the monthly earnings if the employee does not move within the prescribed timeframe.

(3) The lodging allowance per calendar day is €14. Should the overnight cost documented on a receipt be lower than the daily lodging allowance multiplied by the number of calendar days of the corresponding month, only the documented actual overnight expenses will be paid.

(4) Payment of benefits under this paragraph will cease on the day of the move or upon termination of employment.

(5) Employees may be paid a commuters allowance for one round trip each month to the permanent residence in accordance with paragraph f(1) below. Travel costs will not be reimbursed during months in which the employee was at the new duty station for less than 15 calendar days.

f. Commuters Allowance. Employees who meet the prerequisites for the receipt of a lodging allowance, do not maintain accommodations at the new duty station, and return to their permanent residence daily will receive a commuters allowance. The basis for the computation of the commuters allowance is the difference between the kilometers for the round trip driven from the residence to the old and the new duty stations. The conditions stipulated in a(1), (3), and (5) above apply accordingly.

(1) The commuters allowance amounts to €0.18 for each calculated kilometer regardless of the mode of transportation.

(2) The daily commuters allowance will not exceed the daily lodging allowance rate and is limited to 12 months.

g. Rental Subsidy. Employees who have not exhausted the authorized amount of lodging allowance may be paid a monthly rental subsidy. The total amount of rental subsidy may not exceed the total amount of lodging allowance for 365 calendar days reduced by the amount already paid as lodging allowance or commuters allowance.

(1) A rental subsidy may be paid when the following conditions are met:

(a) Rental costs for adequate quarters are higher than the rental costs at the previous location and exceed 18 percent of the employee's monthly basic compensation on the date of approval.

(b) The employee is not eligible for housing allowance under the Federal Housing Allowance Act (*Wohngeldgesetz*) and rental costs are not shared by other persons or household members. The employee has to provide a respective binding written statement.

(c) The employee's remaining lodging allowance, which will be paid as a monthly rental subsidy, amounts to at least €150. Lesser amounts will be paid to the employee as a one-time lump sum payment.

(2) The monthly subsidy payments will amount to the rental charges that exceed 18-percent of the employee's basic compensation. When computations result in an amount less than €50 per month, a monthly minimum payment of €50 will be made until the remaining amount is exhausted. For example, if the remaining amount is €175, the rental subsidy will be distributed over 3 monthly payments of €50, €50, and €75.

(3) If the employee purchases a house or an apartment at the new duty station, the local rental value for the property will be based on the local rent table and will be used to calculate the rental subsidy. The same procedure will apply to employees who owned a house or apartment at the old duty station.

h. Lump Sum Compensation.

(1) A one-time lump sum payment can be granted to employees who maintain their own household and do not want to or cannot move to the new duty station.

(2) The lump sum compensation amounts to €1,200.

(3) The employee must agree in writing that he or she will refund the lump sum compensation if he or she resigns or is terminated due to his or her own fault within 12 months after transfer or appointment.

5. PROCEDURES

Agency chiefs may approve the benefits outlined in this regulation by submitting a request for personnel action (RPA) through the servicing CPAC to the CPOC. Supporting documents and statements signed by the employees may be scanned and attached to the RPA or may be submitted by fax or mail. Original receipts will be mailed to CPOC. The CPOC will initiate payment of benefits by completing an AE Form 690-60B and submitting it to the Foreign Forces Payroll Office (FFPO).

a. Travel expenses in accordance with paragraph 4b will be claimed by the employee on AE Form 690-99J and reimbursed based on the respective entry on the time and attendance report.

b. When reimbursement of moving expenses, broker fees, and incidental costs is approved, the nature of the action will be "Reimbursement of Moving Expenses". In the remarks section of AE Form 690-60B, the allowances will be listed as in figure 1.

Moving Expenses: € _____.

Broker Fees: € _____.

Incidental Costs: € _____.

Figure 1. Reimbursement of Costs

(1) Moving expenses and broker fees must be documented with receipts. The employee must also provide a copy of his or her *polizeiliches Anmeldeformular* (police registration form). If an employee requests benefits for family members according to this regulation, registration forms that certify the name and type of relationship for all family members for whom benefits are claimed must be provided. These documents must be filed in the employee's official personnel folder.

(2) The CPOC will document on AE Form 690-60B approved extensions to the 12-month timelimit in accordance with paragraph 4c(5).

c. If a lodging allowance is granted under the provisions of paragraph 4e, the following applies:

(1) The employee will sign the following statement and submit it through the CPAC to the CPOC:

"Ich erkläre, uneingeschränkt umzugswillig zu sein. Ich werde alle Umstände, die sich auf den Bezug des Übernachtungskostenzuschusses auswirken, unverzüglich dem zuständigen Personalbüro melden. Ich werde den Übernachtungskostenzuschuss, der die Leistung nach Paragraph 4h der AE Regulation 690-68 übersteigt, zurückzahlen, sollte ich nicht innerhalb der vorgegebenen Frist umziehen."

"I acknowledge my willingness to move without restriction. I will notify the servicing civilian personnel advisory center of any circumstances affecting the receipt of lodging allowance. I will refund the lodging allowance that exceeds the allowance in paragraph 4h of AE Regulation 690-68 if I do not move within the prescribed timeframe."

(2) AE Form 690-60B must specify the daily rate and the length of time for which payment is authorized. The employee is obligated to submit proof of actual monthly lodging costs. Monthly submission of AE Form 690-68A will prevent possible overpayment. AE Form 690-68A will be completed by the employee and signed by the supervisor. To ensure timely payment, the form together with the proof of lodging costs must be submitted to the servicing CPAC by the third workday of the following month. The servicing CPAC will countersign the request and forward it to the FFPO without delay.

(3) Approved monthly trips home in accordance with paragraph 4e(5) will be documented on the same AE Form 690-60B on which the lodging allowance is documented. The employee, however, must account for each trip individually on AE Form 690-99J. Reimbursement of travel costs will be based on the respective entry in the time and attendance report.

(4) If a commuter's allowance in accordance with paragraph 4f is paid instead of lodging allowance, authorization for reimbursement of travel expenses will be documented on the AE Form 690-60B effecting transfer or appointment. The employee will submit a monthly request for reimbursement (AE Form 690-99J) certifying travel by common carrier or privately owned vehicle. AE Form 690-99J will be countersigned by the supervisor and will be retained by the organization. Reimbursement of commuters allowance will be based on the respective entry in the time and attendance report.

d. If a rental subsidy (para 4g) was approved, a copy of the rental or purchase contract and the rent table must be forwarded to the CPOC. The CPOC will enter the monthly amount of the subsidy and the period of payment on AE Form 690-60B. The net rent will be used to calculate the amount. The monthly rental subsidy or the lump sum payment in accordance with paragraph 4g(1)(c) will be paid with the earnings for the first full calendar month after the move took place.

e. If lump sum compensation is approved, the following applies:

(1) The employee will sign the following statement:

"Ich erkläre, dass ich bei eigener Kündigung oder fristloser Entlassung innerhalb von 12 Monaten nach der Versetzung oder Einstellung die pauschale Aufwandsentschädigung in Höhe von €1.200,- zurückzahlen werde."

"I acknowledge that I will refund the lump-sum compensation in the amount of €1,200 if I resign or if my employment is terminated with extraordinary notice within 12 months of transfer or appointment".

(2) The statement will be submitted through the servicing CPAC to the CPOC. The CPOC will prepare AE Form 690-60B and forward it to the FFPO.

f. Fund cites for benefits that are granted to USAREUR employees based on a transfer due to a RIF, will be obtained from the USAREUR G1 (AEAGA-CM), Unit 29351, APO AE 09014-9351.

GLOSSARY

SECTION I ABBREVIATIONS

AAFES-Eur	Army and Air Force Exchange Service, Europe
AE	Army in Europe
AEPUBS	Army in Europe Publishing System
CHRA	Civilian Human Resources Agency
CPAC	civilian personnel advisory center
CPOC	Civilian Personnel Operations Center
CTA II	Collective Tariff Agreement (CTA II), December 16, 1966, for the Employees of the Sending States Forces in the Federal Republic of Germany
DA	Department of the Army
FFPO	Foreign Forces Payroll Office
HQ USAREUR/7A	Headquarters, United States Army, Europe, and Seventh Army
LN	local national
RIF	reduction in force
RPA	request for personnel action
USAREUR	United States Army, Europe

SECTION II TERMS

agency chiefs

All management representatives responsible for managing an agency, regardless of whether they have delegated personnel authority or not.

commuters allowance

Employer's contribution to additional travel costs resulting from daily commutes to the new duty station.

commuting area

All communities within a radius of 60 kilometers from the community of the permanent duty station, measured from town center to town center.

CTA II

Collective Tariff Agreement II (published in USAREUR Pamphlet 690-60), which provides minimum employment conditions for local national employees of the U.S. Forces in Germany.

employee

The term denotes female and male employees.

household goods

Furniture and a reasonable amount of other movable items and pets in the possession of or in use by the employee or other persons who on the day before household goods are moved live with the employee in a joint household. Motor vehicles are not included.

local national employees

Personnel employed under German labor laws as modified by the NATO Status of Forces Supplementary Agreement, Article 56.

lodging allowance

An allowance to partially compensate personnel for additional expenses resulting from dual housekeeping.

lump-sum compensation

One-time lump sum payment to partially cover the daily additional expenses for subsistence and accommodation at the new duty station or for travel between the residence and the new duty station.

married

For the purpose of this regulation, an employee is considered to be married if he or she is living with his or her spouse in a joint household.

quarters

A closed unit of several rooms in which a household is maintained. Quarters include a kitchen or a room with cooking facilities, a water supply, a sink, and a toilet.

reimbursement of incidental costs

One-time lump sum payment for additional expenses the employee incurs in connection with the move to the new duty station.

reimbursement of moving expenses

Reimbursement of expenses for the movement of household goods and broker fees for obtaining housing or living quarters.

rental subsidy

Monthly payment to compensate for higher rental charges at the new duty station.

willing to move without limitation

An employee's willingness to move to a new duty station using all means available to seek housing on arrival at the new duty station. Being willing to move without limitation is evident by not delaying the move because of improper expectations regarding quarters or other noncompelling reasons.