



Change Notice

DIRECTIVE AFFECTED: 2272.06
CHANGE NOTICE NUMBER: 2272.06
DATE: 6/11/98

1. PURPOSE AND SCOPE. To revise the Program Statement on Temporary Duty Assignments (Emergency Situations) to integrate changes negotiated with the Council of Prison Locals, American Federation of Government Employees.

2. SUMMARY OF CHANGES. Highlights of changes include:

- Changes were made in language regarding the employee's right to request early departure from the TDY assignment, as well as the employer's obligation to consider any adverse effect the TDY assignment may have on the employee or his or her family.
- Staff will be given 100 percent of estimated expenses, less common carrier costs. Staff may request a Government-issued American Express card if their TDY assignment is known at least 30 days in advance.
- Language was added strengthening provisions that direct the Bureau to provide transportation for TDY employees to and from the TDY work site and for other necessary purposes outlined in the Federal Travel Regulations.
- The Council of Prison Locals President retains the right to designate the Union representative for the TDY site.

3. ACTION. File this Change Notice in front of the Program Statement on Temporary Duty Assignments (Emergency Situations).

/s/
Kathleen Hawk Sawyer
Director



Program Statement

OPI: HRM
NUMBER: 2272.06
DATE: 6/11/98
SUBJECT: Temporary Duty
Assignments (Emergency
Situations)

1. PURPOSE AND SCOPE. To provide standard procedures for temporary duty assignments of Bureau staff during or resulting from emergency situations within the Federal Bureau of Prisons.

In recent years there have been emergency situations requiring the temporary assignment of Bureau staff away from their home duty stations. While each situation was somewhat unique, there were common problems involving assignment and administration of personnel matters. This policy provides a ready reference document for administrators responsible for the set-up and operation of a temporary Bureau facility or operation during an emergency situation.

2. PROGRAM OBJECTIVES. The expected results of this program are:

- a. The Bureau's emergency response capabilities will be enhanced by deploying needed staff from Bureau work sites to institutions undergoing emergencies.
- b. Costs for maintaining temporary duty assignment employees will be incurred consistent with government regulations.

3. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 2272.05 Temporary Duty Assignments (Emergency
Situations) (10/7/97)

b. Directives Referenced

PS 2200.01 BOP Travel Regulations (11/1/84)
PS 3000.02 Human Resource Management Manual (11/1/93)
PS 3420.08 Standards of Employee Conduct (3/7/96)

FPMR 101-38.3 Official Use of Motor Vehicles
41 CFR § 301 Federal Travel Regulations

4. STANDARDS REFERENCED

a. American Correctional Association 3rd Edition Standards for Adult Correctional Institutions: 3-4055, 3-4058, and 3-4064.

b. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-1C-04, 3-ALDF-1C-08, 3-ALDF-1C-09, 3-ALDF-1C-11, and 3-ALDF-1C-20.

c. American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-1C-03, 2-CO-1C-13, and 2-CO-1C-16.

d. American Correctional Association Standards for Adult Correctional Boot Camp Programs: 1-ABC-1C-03, 1-ABC-1C-09, 1-ABC-1C-10, 1-ABC-1C-14, and 1-ABC-1C-19.

5. DEPLOYMENT OF TEMPORARY DUTY (TDY) STAFF. The following procedures will be used to deploy staff during TDY situations:

a. Deployment of TDY staff within a specific region is at the Regional Director's discretion and every effort shall be made to keep TDY deployment within the region affected. Deployment of temporary duty staff outside of the region where the situation exists requires the Director's authorization.

b. The Regional Director, after consultation with the Warden of the institution to which TDY staff are being sent, shall determine TDY position needs. The regional office staff shall select institutions to send TDY staff based on current staff complements and the operational needs of the sending institution.

A sufficient complement of staff shall be deployed to ensure that the TDY facility is able to meet necessary operational needs while preventing extensive overtime.

c. Once an institution is identified to provide TDY staff, volunteers shall, insofar as possible, be solicited from affected departments (e.g. Food Service, Correctional Services, Medical Services, Human Resources, Facility Management, Chaplaincy).

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When a list of volunteers has been established, the Warden shall select TDY staff based on their experience, special knowledge, and the specific requirements of the TDY assignment.

d. If there are no volunteers, the sending Warden shall assign employees in accordance with the agency's right to carry out its mission. The Employer will consider any adverse effects on an employee's financial condition should they be ordered to a TDY assignment.

e. Every effort shall be made to avoid sending probationary employees on TDY assignments of this nature. If it is necessary to send probationary employees, only those who have completed Introduction to Correctional Techniques Training at the Staff Training Academy at Glynco, Georgia shall be selected.

f. The services of some support positions (e.g. secretaries) may be obtained through local job placement centers.

g. Reasonable efforts shall be made to assign duties to TDY staff which are similar to the duties they ordinarily perform at their home institution.

h. Prior authorization from the Director is necessary before non-law enforcement covered staff are deployed.

6. LENGTH OF TDY ASSIGNMENTS

a. Employees will be notified in advance of the expected length of the TDY assignment. Ordinarily, employees shall stay the length of the situation for TDY assignments less than 30 days.

b. If a TDY situation is anticipated to exceed 30 days, the initial staffing assignments will be 30 days for 50% of the staff and 45 days for the other 50% of the staff.

This procedure ensures some operating continuity during the relief of TDY staff. Subsequent assignments ordinarily shall be in 30-day increments. Both Wardens will coordinate the relief of TDY staff as needed.

c. With the approval of both the home and TDY institutions' Wardens, staff may voluntarily extend their TDY assignment for an additional 30-day tour. The voluntary extension shall be in accordance with 5 U.S.C. 3341. Early departure from the TDY facility for any reason shall require both Wardens' approval. At any time an employee may request, through management, early departure from the TDY assignment. The Employer will consider

any adverse effect the assignment may be placing on the employee or the employee's family.

7. TDY TRAVEL AND ENTITLEMENTS

a. All travel to and from the TDY site will be on government time, if practicable. However, travel to emergency situations shall be authorized to provide the most expeditious response.

b. For TDY assignments longer than 30 days, staff who are eligible shall receive a travel advance for 100% of estimated expenses, less common carrier costs. Alternatively, when it is known at least 30 days in advance that an employee will be in a TDY assignment, the employee may apply for a Government issued American Express Card for official use only. If such a card is issued to the employee, it is understood that no travel advance will be authorized.

- If applicable, additional travel advances will be granted only if the TDY status of the employee has been extended and the employee has submitted to the sending institution a voucher to settle the initial advance.
- Vouchers may be submitted through the TDY institution's business office to facilitate the process. The TDY Business Office shall immediately forward all vouchers for settlement to the home Business Office.
- All travel must be submitted for settlement within five working days of returning to the home institution.

c. All travel shall be by air or government vehicle unless circumstances dictate otherwise. Use of privately owned vehicles (POV) shall be authorized when it is determined to be advantageous to the government.

- When POV use is approved for personal convenience, reimbursement cannot exceed the cost of the transportation by common carrier. Such authorization must be made in advance in accordance with the Federal Travel Regulations.

d. When a POV is authorized, the time allotted for en route travel must be sufficient to allow the employee to safely travel to the TDY facility. The employee shall travel an average of 300 miles per day.

e. If necessary, the government will provide transportation from lodging to the TDY facility and back for shift changes.

- If government transportation is not made available, TDY staff with a POV shall be reimbursed for mileage driven between their lodging site and the TDY institution during daily duty assignments.

f. The agency will ensure that enough vehicles are available or that arrangements are made to ensure TDY staff are able to travel back and forth from work at the TDY site, as well as for off duty purposes in accordance with Federal Travel Regulations (laundry, groceries, etc.).

- Personal POV use (shopping, entertainment, etc.) shall be at the employee's expense.

g. In extended temporary duty situations, it is recommended that agreements be negotiated with lodging sites to establish special lodging rates for TDY staff. Lodging agreements should not exceed the allowable rate for that particular area.

- TDY staff are responsible for paying lodging expenses at the agreed upon rate.
- Based on the operational needs of the TDY institution (for instance, the accessibility and transport of staff), the number of authorized lodging sites may be limited.
- Lodging receipts are required in order to claim reimbursement and settle the travel voucher.

h. The maximum per diem rate as prescribed in Federal Travel Regulations (41 CFR 301) shall apply in all cases and the meals and incidental expenses (M&IE) rate shall not be reduced. Per diem is intended to cover meals, incidental expenses, laundry, dry cleaning, and lodging and cannot exceed the maximum allowed in the Federal Travel Regulations.

i. Personal telephone calls will be reimbursed in accordance with the BOP Travel Regulations.

8. TIME AND ATTENDANCE RECORDS AND PAY ENTITLEMENTS

a. Time and attendance (T&A) documentation shall be maintained at the temporary duty site for all TDY staff. Actual clock hours worked must be recorded for each employee. The Human Resource Manager, or designee, at the temporary duty site is designated to certify and forward T&A data to the home institution.

b. Overtime authorizations and employee work schedules shall be facsimiled or transmitted by BOPNet GroupWise to the Human Resource Manager of the home institution. From this documentation, the staff member's T&A shall be generated and approved by the appropriate department head.

c. Care should be taken to schedule travel to and from TDY sites during the employee's regular eight hour work day since overtime or compensatory time for travel is generally not payable.

Particular attention should be given to avoiding situations in which an employee completes one work assignment, travels to the new duty station and is required to report for work with little or no break.

- In emergency situations, overtime for travel can be authorized (as travel to the site of an uncontrollable event) in order to respond expeditiously.
- In circumstances other than emergencies, employees traveling to or from the temporary duty site shall be allowed to travel during regular duty hours.
- Should circumstances require travel outside regular duty hours, the person ordering such travel shall document the reasons.

d. In extended TDY situations which last over 30 days, Human Resource Managers at employees' home institutions shall make available, by facsimile or BOPNet, all local vacancy announcements to TDY staff.

It is the employee's responsibility to forward an application for a vacancy, which he/she is interested in, to the TDY institution's Human Resource Manager.

e. Unless the Director approves otherwise, staff at the GS-12 or higher grade level are only eligible for compensatory time in lieu of overtime pay.

f. Wardens of TDY sites shall ensure that overtime allotments do not exceed regulated pay caps.

g. Temporary assignments to higher-graded positions shall be handled in accordance with Bureau Merit Promotion Plans contained in the Human Resource Management Manual.

9. TDY PERSONNEL MANAGEMENT AND STAFF SUPPORT

a. In any emergency or extended TDY situation, a briefing period for newly arriving staff, completed on government time and normally not to exceed two hours, is required.

b. The Warden of the TDY site, in coordination with the regional office, shall acquire all necessary health, safety, and communications equipment as soon as possible.

c. For TDY situations exceeding 30 days, the Council of Prison Locals President will be contacted and requested to appoint a representative for the TDY site. This person will act as a liaison with the temporary institution Warden. The institution will provide access to the President of the Council of Prison Locals and any appointed representatives to carry out representational responsibilities that may be required.

d. Employee conduct issues occurring at a TDY facility which may require disciplinary action will be handled at the employee's home institution to ensure proper representation, personnel actions, and other procedures.

- Any and all documents pertaining to the disciplinary action shall be forwarded to the employee's home institution's Human Resource Manager.
- In such circumstances, the employee's TDY assignment may be terminated and the employee returned to the home institution.

All investigative reports and/or documentation shall be forwarded to the employee's home institution for review and processing. Care must be taken to ensure the rights of the employee are protected at all times. Any union concerns or questions should be directed to the Council President's designated representative. Other questions may be directed to the Human Resource Manager, or Labor Management Relations Section, Central Office.

e. For TDY situations exceeding 30 days, a memorandum documenting performance shall be sent to the employee's immediate supervisor at the home institution for consideration in making entries in the employee's Performance Log.

f. When practicable, an orientation package containing area information shall be forwarded from the TDY institution to sending institutions.

g. The institution Human Resource Manager, or designee, shall ensure that TDY employees are provided with the informational handout (Attachment A) summarizing employee entitlements and obligations during the TDY assignment. The institution Controller, or designee, is responsible for answering questions pertaining to pay and travel.

/s/
Kathleen Hawk Sawyer
Director

TEMPORARY DUTY ASSIGNMENTS - EMPLOYEE ENTITLEMENTS & OBLIGATIONS

INTRODUCTION

You have been selected for temporary duty (TDY) assignment as authorized by the Director/Regional Director.

In keeping with the philosophy of the Bureau, temporary duty assignments, to the extent possible, are made on a voluntary basis. Your selection was based on the unique skills you bring to the mission of the temporary duty assignment. Because of your particular skills, you may have been selected by other than voluntary means.

1. As with all TDY assignments, you will be temporarily placed under authority of the Warden and management/supervisory staff in place at the temporary duty facility. This TDY assignment may include duties which are different from your normal assignments.
2. For the initial staffing of a temporary duty facility, 50% of the TDY complement will stay for 30 days and the other 50% will stay for 45 days. This will ensure that trained staff, familiar with the unique operational aspects of the TDY assignment, are in place at all times. All subsequent temporary duty assignments will ordinarily be in 30 day increments. Your supervisor will inform you of your expected length of assignment prior to your departure.

TDY staff may be allowed to extend for an additional 30 day tour of duty when requested, but only with the approval of the sending and receiving Warden. If the TDY assignment is anticipated to be for less than 30 days, you will be advised prior to your departure. Early departure from the TDY facility requires the approval of both the Warden of your home institution and the TDY site Warden.

3. If you are involved in conduct at the TDY facility which may require disciplinary action, you may be returned to your home institution where the action will be processed to ensure proper representation, personnel actions, and procedures are followed. Care will be taken to ensure your rights are fully protected at all times.

Any union concerns or questions you have while in TDY status should be directed to the union representative assigned by the Council of Prison Locals' President.

4. Your TDY assignment may include voluntary and/or mandatory overtime. An assignment roster (work week schedule) will be provided to you upon your arrival.

TRAVEL ENTITLEMENTS

This section will explain your travel entitlements while you are on your extended TDY assignment.

1. Travel Authorization

As soon as you are officially notified of your TDY assignment, a travel authorization will be prepared for you. Your local Office of Financial Management will assist you with this procedure. The travel authorization must include the location and exact dates of your TDY assignment, per diem rate, mode of transportation, and an estimate of the total cost of your trip.

The mode of transportation authorized will be by common carrier (air) or government vehicle unless circumstances dictate otherwise. If you are authorized to travel by privately owned vehicle (POV), you will be allowed sufficient en route travel time to drive safely to the TDY location.

2. Travel Advances

If eligible, you will receive a travel advance for 100% of estimated expenses, less common carrier costs. If you have a Government Contractor Issued Charge Card, you will not be authorized a travel advance but may obtain travelers checks or an ATM advance.

3. Authorized Travel Expenses

While in TDY status, you will be authorized certain travel expenses: per diem, transportation and miscellaneous as described below:

- **Per Diem**

The per diem allowance is a daily payment for actual lodging expenses and an additional amount for meals, and related incidental expenses. The per diem rate authorized for you will be the maximum rate established by Federal Travel Regulations (41 CFR § 301) for the location of your TDY assignment. The meals and incidental expenses (M&IE) rate will not be reduced. If you are authorized to spend the

night in a location while en route to your TDY assignment (such as when a POV is authorized), your per diem rate for that day will be determined by where you spend the night.

You will be reimbursed for your actual lodging costs plus tax, if applicable, not to exceed the maximum allowable rate. Efforts will be made to negotiate a lodging rate that is within your authorized per diem. The number of lodging sites utilized may be limited based on the operational needs of the TDY facility. You must retain receipts for all lodging costs.

The incidental expenses covered by per diem include laundry, dry cleaning, and tips.

- Transportation

You will be reimbursed for all transportation expenses authorized on your travel authorization. If you are authorized common carrier (air), and do not possess a Government Contractor Issued Charge Card, your institution will purchase your ticket for you. If you possess a Government Contractor Issued Charge Card, you should charge the ticket to your issued card.

If transportation by a POV is considered advantageous to the government, you will be authorized to travel to the TDY site using your personal vehicle. Reimbursement will be made on a mileage basis. You will be reimbursed for the mileage driven to the TDY location and return and for mileage driven to and from work at the TDY location, unless government transportation is provided. You may also claim tolls and parking when duty-related.

If you choose to drive your POV for personal convenience, reimbursement may not exceed the cost of transportation by common carrier. You will not be reimbursed for mileage driven to and from work if government transportation is available and you will not be reimbursed mileage for personal POV use.

- Miscellaneous

Personal telephone calls will be reimbursed in accordance with the BOP Travel Regulations. You should check with your local Controller who will give you specifics on phone call limitations.

You also may be reimbursed if you are charged for purchasing traveler's checks with your travel advance. You must have a receipt to claim reimbursement for this.

- Settling Your Travel Voucher

You must settle your travel voucher within five working days after returning from your TDY assignment. If your TDY assignment has been extended, you must submit a voucher for the prior period to your home institution before you will be issued another travel advance. The business office at your TDY location will assist you in submitting this voucher.

HUMAN RESOURCES MANAGEMENT ISSUES

Contained in this section are Human Resource Management issues that will affect you while on your TDY assignment.

1. Your time and attendance records will be maintained at the TDY location by a designated time keeper. At the end of each pay period, your work schedule will be transmitted to your home institution for processing to the National Finance Center.
2. Please be sure to make appropriate arrangements to receive your paycheck while in a TDY status. This should be done, if possible, prior to leaving for your TDY assignment. See your local Human Resource Manager for assistance.
3. The President of the AFGE, Council of Prison Locals has designated a union official to serve as the union representative for the TDY site. Any union related concerns or questions should be referred to this individual.
4. Vacancy announcements will be made available for staff while in a TDY assignment status. It is the employee's responsibility to submit a complete application to the TDY site Human Resource Manager.
5. Federal law precludes the payment of biweekly salary which exceeds the statutory pay cap. Your basic pay plus night pay, Sunday pay, overtime pay and holiday pay may not exceed this cap. If you feel your assigned schedule will put you above the cap, please bring the matter to the attention of your TDY supervisor for resolution.

6. In an extended TDY situation, 30 days or more, a memorandum documenting your performance will be forwarded to your immediate supervisor at your home institution for consideration when making entries into your performance log.
7. The Warden may authorize overtime for travel in limited situations. Otherwise, care shall be taken to schedule travel to and from TDY sites during your regular 8-hour work day, since overtime or compensatory time for travel is generally not payable.

Particular attention will be given to avoiding situations in which you are required to complete one work assignment, travel to a new duty station, and be required to report for work with little or no break.

8. A Human Resource Management employee will usually be assigned to the TDY site to assist you with personnel related issues or questions you may have during your assignment.

GENERAL ISSUES

1. As a newly arriving TDY staff member, you will be required to attend a brief orientation. This orientation will be completed on government time and will provide you with work schedules and general information necessary to effectively perform your duties. You will be notified in advance of the time, date, and location of this orientation. You must schedule your travel arrangements so that you will be able to attend this meeting.
2. The Warden of the TDY site shall acquire all necessary duty-related health, safety, and communications equipment as soon as possible. SORT teams being deployed to a TDY site shall bring their own equipment. Personal equipment such as rain gear, belt clips, key chains, hats, proper clothing and/or uniforms for the climate at the site must be brought by each employee.
3. As TDY staff you will be under the direct supervision of the supervisory staff located on-site. This may or may not be a supervisor from your home institution. You are expected to follow the direction of the management and supervisory staff on-site.

4. You have been provided with a travel advance or traveler's checks and the payment of all bills incurred is your responsibility.
5. A TDY situation may create a great deal of public interest and scrutiny. In view of this, always remember that you represent the Bureau of Prisons and you must conduct yourself accordingly.

I acknowledge receipt of Attachment A, Temporary Duty Assignments
- Employment Entitlements & Obligations.

Employee signature: _____

Date: _____