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CHAPTER 334. INTERGOVERNMENTAL ASSIGNMENTS

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CHAPTER 334. INTERGOVERNMENTAL ASSIGNMENTS

1. SCOPE

a. This chapter contains the VA policies and procedures that are to be followed in implementing the IPA (Intergovernmental Personnel Act) of 1970. The Office of Personnel Management instructions are contained in 5 CFR Parts 334 and 410.

b. As a general rule, only regular full-time VA employees will be considered for temporary assignments to State and local governments and institutions of higher education under the mobility provisions of the Act (Title IV). This includes employees in the Veterans Health Administration appointed under 38 U.S.C. chapter 73 and 74 and employees in the Veterans Canteen Service appointed under 38 U.S.C. chapter 78.

c. The goal of the IPA Mobility program is best served when it involves employees who have a continuing career interest in the Federal service and are likely to return to a VA position upon completion of their assignment. It is, therefore, inappropriate to have VA employees holding time-limited appointments, noncareer executive assignments, or Schedule C appointments participate in this IPA Mobility program. Additionally, employees in regular part-time positions will not normally be considered for temporary assignments under the Act. All requests for the assignment of such part-time employees must have the prior approval of the person having approval authority for filling the position as described in MP-5, part I, chapter 250.

2. POLICY

a. The VA will cooperate with State and local governments, institutions of higher education and Indian tribal governments in carrying out the provisions of the Act. Indian tribal governments and organizations are included in the term State and local governments when used in this chapter. Before a VA employee enters into a temporary assignment, however, a determination must be made that such action will contribute to more effective intergovernmental relations and programs. There also must be assurance that such assignments are filled by highly qualified, effective employees.

b. The temporary assignment of a VA employee must not impair VA services to veterans and their beneficiaries.

NOTE: This policy does not change any relationships that the VA has or may establish with medical, professional, and other schools affiliated with VA for training purposes.

3. ASSIGNMENT AGREEMENTS

a. VA Employees

(1) A VA employee may be detailed or placed on leave without pay, as described below, to the State or local government or institution of higher education. In either case, the individual continues to be a VA employee and retains the rights, benefits, and obligations attached to that status. (See 5 CFR Part 334, Sec. 334.107(b))

(2) An employee given a temporary assignment of 90 days or less may be placed on leave without pay or detailed, with the assignment being made on a reimbursable, nonreimbursable, or a shared cost basis, as deemed most advantageous by those concerned in approving the agreement. However, because of the VA Appropriation Act limitations, any detail of a Veterans Health Administration employee involved in the examination of other than VA beneficiaries, must be on a reimbursable basis. For a temporary assignment over 90 days, an employee may be placed in a leave without pay status or he/she may be detailed. Any VA expenditures for assignments over 90 days will be fully reimbursable and be credited to the VA appropriation from which payment is made. Exceptions to this policy may be approved by the person having approval authority for filling the position as described in MP-5, part I, chapter 250.

(3) If an employee terminates an assignment before the agreement ending date, and provided this happens in less than 1 year, applicable travel and transportation expenses paid are recoverable from the employee unless the assignment is terminated for reasons which are beyond the employee's control and are acceptable to the VA. The approving authority will be guided by the criteria for waiving such recovery as described in MP-1, part II, chapter 2, appendix H. Any recovery will be returned to the paying office where the VA was initially reimbursed for such expenses.

b. Non-VA Employees. Temporary assignment agreements for employees of State and local governments and institutions of higher education who are to be detailed or to be appointed in the VA will be made in accordance with the instructions in 5 CFR Part 334. Details of these employees may be made on a reimbursable, nonreimbursable, or a shared cost basis.

c. Approving Officials. The VA official approving an agreement or its extension for a total period of 2 years or less will be the person having approval authority for filling the position as described in MP-5, part I, chapter 250. Extensions of an agreement beyond 2 years, but not to exceed 2 additional years, will be approved by the appropriate department/staff office head or the Secretary for positions centralized to the Secretary.

d. Optional Form 69. Assignment agreements will be documented on Optional Form 69. Facility Directors and other officials entering into agreements will request copies of the form from the Leader, Customer Advisory and Consulting Group (051).

e. Distribution of Agreements.

(1) When an assignment agreement has been approved, copies will be furnished to the agency concerned, the human resources management and fiscal offices in the VA, and the employee. An informational copy will also be forwarded promptly, through channels, to the Leader, Customer Advisory and Consulting Group (051).

(2) Whenever an agreement is terminated (by expiration or otherwise), a notice to that effect will be sent, through channels, to the Leader, Customer Advisory and Consulting Group (051). The station fiscal office will also be notified.

4. TRAINING

a. VA stations are encouraged to admit State and local government employees to training programs established for station employees. In many instances the training can be provided with little

or no additional cost. In such cases, reimbursement from the State or local government will not be requested. As a general guide, reimbursement will usually be required only in instances where the additional costs involved in providing the training exceed \$100.

b. Training shall be provided only upon written request of a State or local government, and the request shall normally be made by the chief executive or other responsible official of these entities. The appropriate level of the requesting official will depend on the training requested. For example, a request from the top official of a State office in the same locality as a VA installation to add one person or a few persons to a particular course would meet the requirement. Adding a number of persons over a period of time might require a higher requesting level. In any event, appropriateness of the level of the requesting official is left to station determination.

c. If a request from a State or local government is denied, the station shall refer the requesting entity to the Training Center Director of the appropriate Office of Personnel Management regional office so that alternative sources for the requested training may be found.

d. Where VA employees receive training from a State or local government the provisions of VA Manual MP-5, part I, chapter 4, paragraph 7, apply.

5. REPORTS

Recurring reports on this program are not required. Approving officials, however, should be prepared to furnish an evaluation of the benefits resulting from each mobility assignment.

6. IPA MOBILITY COORDINATORS

a. Field station human resources management officers will serve as IPA mobility coordinators for their respective stations. They will be the principal point of contact for mobility assignment matters at their respective stations.

b. The Leader, Customer Advisory and Consulting Group (O51) is the VA IPA Mobility Coordinator, and is the principal agency point of contact for matters relating to mobility assignments. Any inquiries or requests which cannot be promptly and properly acted on at the local level should be expeditiously referred through channels to this coordinator.