

MAR 29 1985

MEMORANDUM FOR: Executive Director

VIA: Deputy Director for Administration

FROM: Robert W. Magee
Director of Personnel

SUBJECT: Employee Couples Policy

REFERENCE: Memo fr D/OP to ExDir, dtd 19 March 85, Same Subject

1. Action Requested: That you approve recommendation five in the attached memorandum on Employee Couples.

2. Background:

a. I understand your concern that superficially it appears that we are willing to adjust a tour of duty up front at the time of assignment (recommendation four), but not at the end of a tour by allowing a return short of tour (recommendation five). Our rationale is explained below.

b. We are trying to maintain the integrity of the Service Abroad Agreement which obligates the employee to serve a specific tour of duty. Recommendation four does so by allowing a non-standard tour to be established in accordance with current regulations at the time of assignment. This will permit most couples to complete their tours and return together.

c. The intent of recommendation five regarding short-of-tour returns is to ensure that the short-of-tour return of one member of the couple does not guarantee an automatic short-of-tour return for the other. The message we want to leave with employees, both married and single, is that receipt of certain benefits when assigned overseas as an individual employee carries with it certain obligations regardless of marital status.

d. In actuality, many requests for return short of tour with a spouse would be approved. For example, when one party is PNG'd and the remaining spouse is ostensibly at post as a dependent, it would be extremely awkward to have him/her remain at post alone. On the other hand, there will be cases when a station or base would be seriously disadvantaged if both

ADMINISTRATIVE - INTERNAL USE ONLY

DCI
EXEC
REG

P100

SUBJECT: Employees Couples Policy

employees leave together short of tour. Career Services may find themselves with sufficient justification, and appropriate circumstances which dictate the need to have one of the spouses remain and we feel it would be imprudent to deny them this option.

STAT

[Redacted Signature Box]

Robert W. Magee

Attachment

CONCUR:

STAT

[Redacted Signature Box]

Deputy Director for Administration

4/1/85
Date

APPROVED:

STAT

[Redacted Signature Box]

Executive Director

4/3/85
Date

P.S. Your other recommendations are being implemented.

STAT

[Redacted Signature Box]

SUBJECT: Employees Couples Policy

employees leave together short of tour. Career Services may find themselves with sufficient justification, and appropriate circumstances which dictate the need to have one of the spouses remain and we feel it would be imprudent to deny them this option.

7s/ Robert W. Magee

Robert W. Magee

Attachment

CONCUR:

Marry E. Fitzwater

1 APR 1985

Deputy Director for Administration

Date

APPROVED:

STAT

[Redacted Signature]

Executive Director

03 APR 1985

Date

STAT

OP/P&RS/ [Redacted] (29Mar85)

Distribution:

- Original & 1 - Adse (to be returned to D/OP) w/att
- 1 - ER w/att
- 1 - DDA w/att
- 1 - D/OP w/att
- 1 - DD/PA&E w/att
- 1 - C/P&RS w/att
- 1 - Subject w/att
- 1 - Chrono wo/att

CONFIDENTIAL

35-087

DDA Registry
85-0810

MAR 19 1985

MEMORANDUM FOR: Executive Director
VIA: Deputy Director for Administration
FROM: Robert W. Magee
Director of Personnel
SUBJECT: Employee Couples Policy

Bob - very good piece of work. One question remains.

1. Action Requested: That you approve the recommendations contained in paragraph three.

2. Background:

a. We have completed a review of Agency policy on employee couples and are recommending some changes which will facilitate dual assignments for employee couples; simplify procedures; [redacted] policy when feasible. We tried to resolve problems within existing authorities [redacted]

25X1
25X1

Background information and the rationale for these recommendations are contained in the attached "Report on the Assignment of Employee Couples and the WAE Spouse Program."

b. These recommendations were coordinated with the DDA, DDI, DDO, DDS&T, the Chairman of the E Career Service, the Inspector General, Office of General Counsel, and the Federal Women's Council. The response was very favorable. Concurrences were received on all recommendations with one exception. The DDI disagreed with recommendation six based on the belief that the employee should be the grade of the position. We believe that the use of the PRA concept will eliminate the numerous complaints and grievances which have resulted from inconsistent application of using the grade of the position. The proposal is also in accordance with the Agency's rank-in-person concept.

*3. Recommendations:

Recommendation One: Each employee who is subject to field assignments and who wishes to be considered for a dual assignment with his or her Agency spouse should submit a written statement indicating:

*The page numbers after each recommendation refer to the rationale given in the attached report.

UNCLASSIFIED WHEN SEPARATED
FROM ATTACHMENT

CONFIDENTIAL

25X1

25X1

SUBJECT: Employee Couples Policy

- ° that the employee will or will not pursue his or her own career, even if at a different post;
- ° that if necessary, the assignment of one member should take precedence over the other (if applicable);
- ° the assignment preference for each;
- ° and including the signatures of both employees (pp. 7-8). (Attachment D of the Report on the Assignment of Employee Couples provides a suggested outline.)

Approved (✓)

Disapproved ()

Recommendation Two: When the identified field position is a lower grade than the employee, allow a PRA not to exceed two grades (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Three: When a position will become available within 60 days of an employee's arrival at the station, the assignment may be made prior to departure from Headquarters and annual leave and LWOP allowed during the interim. Overseas pay should be allowed, if the employee is otherwise qualified (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Four: A non-standard tour should be considered for one member of an employee couple when joint assignments are identified but are not concurrent (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Five: Spouses who travel on their own travel orders, sign a Service Agreement, and receive allowances in their own right incur an obligation to complete their tour. Requests to return short of tour to accompany a spouse should be processed on the same basis as other requests to cut tours short and approval should not be automatic (p. 10).

Approved ()

Disapproved ()

I don't understand this point - in relation to rec. #4.

SUBJECT: Employee Couples Policy

Recommendation Six: The following policy should apply when employees who are present in the field under the auspices of the WAE Spouse Program are reactivated on either a full-time or part-time basis:

- (a) When employees' grades are equal to or lower than the grade of the position or requirement, they should retain their grade and step.
- (b) When employees' grades are higher than the grade of the position or requirement, they should retain their grade/step if it is within two grades higher than the position or requirement.
- (c) When employees' grades are more than two grades higher than the grade of the position or requirement, they should be downgraded to no more than two grades above the position or requirement, and their salary should be determined in accordance with existing rules in for changes to lower grade including:
- employees will be paid at the highest step in the lower grade that does not exceed their existing rate of compensation;
 - except that the higher of the two steps may be used if the compensation in the higher grade falls between two steps in the lower grade.

In all instances, employees would be eligible for promotion and within-grade advancement in accordance with existing Agency rules and procedures.

(d) Intermittent employees should be paid at the rate of their grade if working in their career field, otherwise they should be paid at the rate of the work performed (pp. 10-12).

Approved (✓)

Disapproved ()

Recommendation Seven: Once a policy is determined, a statement of the basic benefits and allowances should be included in the Memorandum of Understanding signed by employees converting to the WAE Spouse Program (pp. 12-13).

Approved (✓)

Disapproved ()

* within 3 months, please.

SUBJECT: Employee Couples Policy

Recommendation Eight: Retain the present policy that the WAE Spouse Program applies only to couples in which both husband and wife are CIA employees (pp. 13-14).

Approved (✓)

Disapproved ()

Recommendation Nine: Completion of the trial period should be eliminated as an eligibility requirement for the WAE Spouse Program (p. 14).

Approved (✓)

Disapproved ()

Provided it is clear that the trial period must be completed.

Recommendation Ten: The Office of Personnel should develop a mechanism for collecting information on the number of employee couples, as well as statistics on the WAE Spouse Program in order to judge its effectiveness (p. 15).

Approved (✓)

Disapproved ()

and report to us annually as to how we are satisfying our own employee needs.

Recommendation Eleven: In addition to the foregoing, it is recommended that the following existing aspects of the WAE Spouse Program be revalidated:

- components are to make every effort to provide work assignments for employee couples wherever possible; however, suitable assignments cannot be guaranteed;
- in order to ensure equity for all employees, making inappropriate assignments as accommodations for individual employees is prohibited;
- an employee accompanying an Agency employee spouse to his or her assignment overseas or to a domestic post may convert to Reserve Appointment, WAE status when no assignment is available;
- the basic period of absence allowed for the WAE spouse is a cumulative total of 52 months, with Career Service option to extend;

CONFIDENTIAL

SUBJECT: Employee Couples Policy

- ° Career Service approval of an employee's request to enter the WAE Spouse Program obligates the Career Service to restore the employee to active employment at the grade, but not necessarily the position, held at the time of departure;
- ° employees whose absences are not approved may enter or remain in the program but with no Career Service obligation for restoration to active employment or to the previously held grade.

Approved ()

Disapproved ()

[Redacted Signature Box]

Robert W. Magee

Attachment

CONCUR:

[Redacted Signature Box]

Deputy Director for Administration

3/18/85
Date

APPROVED:

[Redacted Signature Box]

Executive Director

3/25
Date

CONFIDENTIAL

MAR 29 1985

MEMORANDUM FOR: Executive Director

VIA: Deputy Director for Administration

FROM: Robert W. Magee
Director of Personnel

SUBJECT: Employee Couples Policy

REFERENCE: Memo fr D/OP to ExDir, dtd 19 March 85, Same Subject

1. Action Requested: That you approve recommendation five in the attached memorandum on Employee Couples.

2. Background:

a. I understand your concern that superficially it appears that we are willing to adjust a tour of duty up front at the time of assignment (recommendation four), but not at the end of a tour by allowing a return short of tour (recommendation five). Our rationale is explained below.

b. We are trying to maintain the integrity of the Service Abroad Agreement which obligates the employee to serve a specific tour of duty. Recommendation four does so by allowing a non-standard tour to be established in accordance with current regulations at the time of assignment. This will permit most couples to complete their tours and return together.

c. The intent of recommendation five regarding short-of-tour returns is to ensure that the short-of-tour return of one member of the couple does not guarantee an automatic short-of-tour return for the other. The message we want to leave with employees, both married and single, is that receipt of certain benefits when assigned overseas as an individual employee carries with it certain obligations regardless of marital status.

d. In actuality, many requests for return short of tour with a spouse would be approved. For example, when one party is PNG'd and the remaining spouse is ostensibly at post as a dependent, it would be extremely awkward to have him/her remain at post alone. On the other hand, there will be cases when a station or base would be seriously disadvantaged if both

ADMINISTRATIVE - INTERNAL USE ONLY

SUBJECT: Employees Couples Policy

employees leave together short of tour. Career Services may find themselves with sufficient justification, and appropriate circumstances which dictate the need to have one of the spouses remain and we feel it would be imprudent to deny them this option.

/s/ Robert W. Magee

Robert W. Magee

Attachment

CONCUR:

Deputy Director for Administration

Date

APPROVED:

Executive Director

Date

OP/P&RS/ (29Mar85)

Distribution:

- Original & 1 - Adse (to be returned to D/OP) w/att
- 1 - ER w/att
- 1 - DDA w/att
- 1 - D/OP w/att
- 1 - DD/PA&E w/att
- 1 - C/P&RS w/att
- 1 - Subject w/att
- 1 - Chrono wo/att

25X1

CONFIDENTIAL

35-0687

DD/A Registry
RT-0810

MAR 19 1985

MEMORANDUM FOR: Executive Director
VIA: Deputy Director for Administration
FROM: Robert W. Magee
Director of Personnel
SUBJECT: Employee Couples Policy

Bob - very good piece of work. One question remains.

1. Action Requested: That you approve the recommendations contained in paragraph three.

2. Background:

a. We have completed a review of Agency policy on employee couples and are recommending some changes which will facilitate dual assignments for employee couples; simplify procedures; and coincide with State Department policy when feasible. We tried to resolve problems within existing authorities so as not to create separate standards based on marital status. Background information and the rationale for these recommendations are contained in the attached "Report on the Assignment of Employee Couples and the WAE Spouse Program."

b. These recommendations were coordinated with the DDA, DDI, DDO, DDS&T, the Chairman of the E Career Service, the Inspector General, Office of General Counsel, and the Federal Women's Council. The response was very favorable. Concurrences were received on all recommendations with one exception. The DDI disagreed with recommendation six based on the belief that the employee should be the grade of the position. We believe that the use of the PRA concept will eliminate the numerous complaints and grievances which have resulted from inconsistent application of using the grade of the position. The proposal is also in accordance with the Agency's rank-in-person concept.

*3. Recommendations:

Recommendation One: Each employee who is subject to field assignments and who wishes to be considered for a dual assignment with his or her Agency spouse should submit a written statement indicating:

*The page numbers after each recommendation refer to the rationale given in the attached report.

UNCLASSIFIED WHEN SEPARATED FROM ATTACHMENT

CONFIDENTIAL

CONFIDENTIAL

SUBJECT: Employee Couples Policy

- ° that the employee will or will not pursue his or her own career, even if at a different post;
- ° that if necessary, the assignment of one member should take precedence over the other (if applicable);
- ° the assignment preference for each;
- ° and including the signatures of both employees (pp. 7-8). (Attachment D of the Report on the Assignment of Employee Couples provides a suggested outline.)

Approved (✓)

Disapproved ()

Recommendation Two: When the identified field position is a lower grade than the employee, allow a PRA not to exceed two grades (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Three: When a position will become available within 60 days of an employee's arrival at the station, the assignment may be made prior to departure from Headquarters and annual leave and LWOP allowed during the interim. Overseas pay should be allowed, if the employee is otherwise qualified (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Four: A non-standard tour should be considered for one member of an employee couple when joint assignments are identified but are not concurrent (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Five: Spouses who travel on their own travel orders, sign a Service Agreement, and receive allowances in their own right incur an obligation to complete their tour. Requests to return short of tour to accompany a spouse should be processed on the same basis as other requests to cut tours short and approval should not be automatic (p. 10).

Approved ()

Disapproved ()

I don't understand this point - in relation to rec. # 4.

CONFIDENTIAL

SUBJECT: Employee Couples Policy

Recommendation Six: The following policy should apply when employees who are present in the field under the auspices of the WAE Spouse Program are reactivated on either a full-time or part-time basis:

(a) When employees' grades are equal to or lower than the grade of the position or requirement, they should retain their grade and step.

(b) When employees' grades are higher than the grade of the position or requirement, they should retain their grade/step if it is within two grades higher than the position or requirement.

(c) When employees' grades are more than two grades higher than the grade of the position or requirement, they should be downgraded to no more than two grades above the position or requirement, and their salary should be determined in accordance with existing rules in for changes to lower grade including:

- ° employees will be paid at the highest step in the lower grade that does not exceed their existing rate of compensation;
- ° except that the higher of the two steps may be used if the compensation in the higher grade falls between two steps in the lower grade.

In all instances, employees would be eligible for promotion and within-grade advancement in accordance with existing Agency rules and procedures.

(d) Intermittent employees should be paid at the rate of their grade if working in their career field, otherwise they should be paid at the rate of the work performed (pp. 10-12).

Approved (✓)

Disapproved ()

Recommendation Seven: Once a policy is determined, a statement of the basic benefits and allowances should be included in the Memorandum of Understanding signed by employees converting to the WAE Spouse Program (pp. 12-13).

Approved (✓)

Disapproved ()

* within 3 months, please.

SUBJECT: Employee Couples Policy

Recommendation Eight: Retain the present policy that the WAE Spouse Program applies only to couples in which both husband and wife are CIA employees (pp. 13-14).

Approved (✓)

Disapproved ()

Recommendation Nine: Completion of the trial period should be eliminated as an eligibility requirement for the WAE Spouse Program (p. 14).

Approved (✓)

Disapproved ()

Provided it is clear that the trial period must be completed.

Recommendation Ten: The Office of Personnel should develop a mechanism for collecting information on the number of employee couples, as well as statistics on the WAE Spouse Program in order to judge its effectiveness (p. 15).

Approved (✓)

Disapproved ()

and report to us annually as to how we are satisfying our own employer needs.

Recommendation Eleven: In addition to the foregoing, it is recommended that the following existing aspects of the WAE Spouse Program be revalidated:

- components are to make every effort to provide work assignments for employee couples wherever possible; however, suitable assignments cannot be guaranteed;
- in order to ensure equity for all employees, making inappropriate assignments as accommodations for individual employees is prohibited;
- an employee accompanying an Agency employee spouse to his or her assignment overseas or to a domestic post may convert to Reserve Appointment, WAE status when no assignment is available;
- the basic period of absence allowed for the WAE spouse is a cumulative total of 52 months, with Career Service option to extend;

SUBJECT: Employee Couples Policy

- Career Service approval of an employee's request to enter the WAE Spouse Program obligates the Career Service to restore the employee to active employment at the grade, but not necessarily the position, held at the time of departure;
- employees whose absences are not approved may enter or remain in the program but with no Career Service obligation for restoration to active employment or to the previously held grade.

Approved ()

Disapproved ()

[Redacted Signature Box]

Robert W. Magee

Attachment

CONCUR:

[Redacted Signature Box]
Deputy Director for Administration

Date

3/18/85

APPROVED:

[Redacted Signature Box]
Executive Director

Date

3/25

CONFIDENTIAL

D/Bus 95-087

DD/A Registry
95-0810

MAR 19 1985

MEMORANDUM FOR: Executive Director
VIA: Deputy Director for Administration
FROM: Robert W. Magee
Director of Personnel
SUBJECT: Employee Couples Policy

Bob - very good piece of work. One question remains.

1. Action Requested: That you approve the recommendations contained in paragraph three.

2. Background:

a. We have completed a review of Agency policy on employee couples and are recommending some changes which will facilitate dual assignments for employee couples; simplify procedures; and coincide with State Department policy when feasible. We tried to resolve problems within existing authorities so as not to create separate standards based on marital status. Background information and the rationale for these recommendations are contained in the attached "Report on the Assignment of Employee Couples and the WAE Spouse Program."

b. These recommendations were coordinated with the DDA, DDI, DDO, DDS&T, the Chairman of the E Career Service, the Inspector General, Office of General Counsel, and the Federal Women's Council. The response was very favorable. Concurrences were received on all recommendations with one exception. The DDI disagreed with recommendation six based on the belief that the employee should be the grade of the position. We believe that the use of the PRA concept will eliminate the numerous complaints and grievances which have resulted from inconsistent application of using the grade of the position. The proposal is also in accordance with the Agency's rank-in-person concept.

*3. Recommendations:

Recommendation One: Each employee who is subject to field assignments and who wishes to be considered for a dual assignment with his or her Agency spouse should submit a written statement indicating:

*The page numbers after each recommendation refer to the rationale given in the attached report.

DCI
EXEC
REG

UNCLASSIFIED WHEN SEPARATED
FROM ATTACHMENT

CONFIDENTIAL

P100

25X1

25X1

CONFIDENTIAL

SUBJECT: Employee Couples Policy

- that the employee will or will not pursue his or her own career, even if at a different post;
- that if necessary, the assignment of one member should take precedence over the other (if applicable);
- the assignment preference for each;
- and including the signatures of both employees (pp. 7-8). (Attachment D of the Report on the Assignment of Employee Couples provides a suggested outline.)

Approved (✓)

Disapproved ()

Recommendation Two: When the identified field position is a lower grade than the employee, allow a PRA not to exceed two grades (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Three: When a position will become available within 60 days of an employee's arrival at the station, the assignment may be made prior to departure from Headquarters and annual leave and LWOP allowed during the interim. Overseas pay should be allowed, if the employee is otherwise qualified (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Four: A non-standard tour should be considered for one member of an employee couple when joint assignments are identified but are not concurrent (pp. 8-9).

Approved (✓)

Disapproved ()

Recommendation Five: Spouses who travel on their own travel orders, sign a Service Agreement, and receive allowances in their own right incur an obligation to complete their tour. Requests to return short of tour to accompany a spouse should be processed on the same basis as other requests to cut tours short and approval should not be automatic (p. 10).

Approved ()

Disapproved ()

I don't understand this point - in relation to rec. # 4.

CONFIDENTIAL

SUBJECT: Employee Couples Policy

Recommendation Six: The following policy should apply when employees who are present in the field under the auspices of the WAE Spouse Program are reactivated on either a full-time or part-time basis:

(a) When employees' grades are equal to or lower than the grade of the position or requirement, they should retain their grade and step.

(b) When employees' grades are higher than the grade of the position or requirement, they should retain their grade/step if it is within two grades higher than the position or requirement.

(c) When employees' grades are more than two grades higher than the grade of the position or requirement, they should be downgraded to no more than two grades above the position or requirement, and their salary should be determined in accordance with existing rules in for changes to lower grade including:

- employees will be paid at the highest step in the lower grade that does not exceed their existing rate of compensation;
- except that the higher of the two steps may be used if the compensation in the higher grade falls between two steps in the lower grade.

In all instances, employees would be eligible for promotion and within-grade advancement in accordance with existing Agency rules and procedures.

(d) Intermittent employees should be paid at the rate of their grade if working in their career field, otherwise they should be paid at the rate of the work performed (pp. 10-12).

Approved (✓)

Disapproved ()

Recommendation Seven: Once a policy is determined, a statement of the basic benefits and allowances should be included in the Memorandum of Understanding signed by employees converting to the WAE Spouse Program (pp. 12-13).

Approved (✓)

Disapproved ()

* within 3 months, please.

CONFIDENTIAL

25X1

CONFIDENTIAL

SUBJECT: Employee Couples Policy

Recommendation Eight: Retain the present policy that the WAE Spouse Program applies only to couples in which both husband and wife are CIA employees (pp. 13-14).

Approved (✓)

Disapproved ()

Recommendation Nine: Completion of the trial period should be eliminated as an eligibility requirement for the WAE Spouse Program (p. 14).

Approved (✓)

Disapproved ()

Provided it is clear that the trial period must be completed.

Recommendation Ten: The Office of Personnel should develop a mechanism for collecting information on the number of employee couples, as well as statistics on the WAE Spouse Program in order to judge its effectiveness (p. 15).

Approved (✓)

Disapproved ()

and report to us annually as to

how we are satisfying our own employee needs.

Recommendation Eleven: In addition to the foregoing, it is recommended that the following existing aspects of the WAE Spouse Program be revalidated:

- components are to make every effort to provide work assignments for employee couples wherever possible; however, suitable assignments cannot be guaranteed;
- in order to ensure equity for all employees, making inappropriate assignments as accommodations for individual employees is prohibited;
- an employee accompanying an Agency employee spouse to his or her assignment overseas or to a domestic post may convert to Reserve Appointment, WAE status when no assignment is available;
- the basic period of absence allowed for the WAE spouse is a cumulative total of 52 months, with Career Service option to extend;

CONFIDENTIAL

CONFIDENTIAL

SUBJECT: Employee Couples Policy

- ° Career Service approval of an employee's request to enter the WAE Spouse Program obligates the Career Service to restore the employee to active employment at the grade, but not necessarily the position, held at the time of departure;
- ° employees whose absences are not approved may enter or remain in the program but with no Career Service obligation for restoration to active employment or to the previously held grade.

Approved ()

Disapproved ()

25X1

Robert W. Magee

Attachment

CONCUR:

25X1

Deputy Director for Administration

Date 3/18/85

APPROVED:

25X1

Executive Director

Date 3/25

REPORT ON THE ASSIGNMENT OF
EMPLOYEE COUPLES AND THE
WAE SPOUSE PROGRAM

Policy and Programs Staff
Office of Personnel
22 February 1985



25X1

TABLE OF CONTENTS

	Page
A. Introduction	1
B. Methodology	1
C. Historical Review	1
D. Current Policy	2
E. Statistical Review	3
G. Summary of Findings	5
H. Dual Assignments	5
I. WAE Spouse Program	9
J. Information Needed	14
K. Recommended Procedural Changes and Policy Clarifications.....	14

25X1

ATTACHMENTS:

- A. OPM 20-61-11, Memoranda of Understanding
- B. Questions on Employee Couples and WAE Spouse Program
- C. Historical Chronology of Employee Couples Policy
- D. Dual Field Assignments for Agency Employee Couples
- E. State Department's Request for Updated Information on Tandem Couples

25X1

22 February 1985

REPORT ON THE ASSIGNMENT OF EMPLOYEE
COUPLES AND THE WAE SPOUSE PROGRAM

A. INTRODUCTION

25X1 Current CIA policies on dual assignments and employees accompanying spouses to other geographical areas (WAE Spouse Program) are stated in [redacted] (see Attachment A). Based on the number of questions posed to the Policy and Programs Staff (P&PS) since July 1982, a thorough review of the subject was deemed appropriate. This paper describes the evolution of the policies, the review process and the results. It then identifies problem areas and suggests policy changes. The term employee couple, as used in this paper, means two Agency employees married to each other.

B. METHODOLOGY

The first step in the review process was to look at the recommendations of the "1979 Report of the Task Force on Working Married Couples" for relevancy. Next, we examined the issues and questions that have been raised and reviewed the literature for possible alternatives. In order to learn the experiences of others, we consulted Foreign Service and NSA officials. We discussed the issues with Agency officials, including representatives from the DA, DO, and IG. Based on the information gathered, we developed a list of pertinent questions (see Attachment B) which served as a basis for meetings with groups of Personnel Officers from the five Career Services in March 1984. The purpose of these meetings was to hear of their experiences processing and counseling employee couples, to identify additional problem areas, and to elicit suggestions for either procedural or policy revisions. Therefore, the recommendations contained herein are based on a broad spectrum of opinions within the Agency.

C. HISTORICAL REVIEW

1. "Career Status of Women Who Accompany Their Husbands Abroad" was the item on the agenda for a meeting of the CIA Career Council on 15 May 1958. The policy approved by the Council that day was to be incorporated into a regulation and stated that the Head of the Career Service, with the cooperation of the Director of Personnel, would determine whether a suitable position existed at the overseas post to permit the continued staff employment

of the wife. If not, she would resign, but could be employed overseas under contract. The policy further stated that these women would be given preferential consideration for vacancies upon their return. Due to disagreements over how and where to include these recommendations, they were not published.

2. In October 1972, the Executive Director-Comptroller approved a policy which allowed a maximum of three years Leave Without Pay (LWOP) for employees who accompanied spouses to foreign duty stations. Return to active duty was subject to the availability of an appropriate position, and no grade retention was guaranteed. A 1976 update added that in granting LWOP the Career Service incurred an obligation to make every effort to provide active employment upon return and insofar as possible, reemployment should be provided at the employee's previously held grade and in a position of like status.

3. By 1976 the number of employee couples was increasing. During the period 1976-1978, many employee complaints were made to management, the Inspector General and the Federal Women's Program Manager. In August 1978, the DCI sent a memorandum to the Deputy Directors expressing his concern over working married couples and asking for a colloquium on the topic, to include Agency employee couples. In response, in October 1978 the DDA established an Agency Task Force on Working Couples, whose report and recommendations were approved by the DDCI in July 1979. Meanwhile, a 1978 policy change allowed an extension to the three-year LWOP for the convenience of the government and allowed subsequent grants of LWOP if interspersed with staff assignments. Also, the Executive Advisory Group approved the policy that these spouses be given first consideration by their parent organization for vacancies, if qualified.

4. In 1980, the policy changed to 90 days LWOP followed by automatic conversion to WAE contract status, without a break in service, and including for the first time a firm commitment for reinstatement to staff status at the same grade in the same Career Service. A 1981 policy added the completion of the trial period as a criteria for eligibility and a 52-month cumulative limit on absence under this program. An historical chronology can be found in Attachment C.

D. CURRENT POLICY

1. Current policy (Attachment A) states that components will make every effort to provide staff positions for employee couples wherever possible. Employment of spouses is also governed by [redacted] Restrictions on Employment of Relatives. When dual assignments are not possible, the WAE Spouse Program provides a way to maintain an employment relationship with the spouse during absences from the parent Career Service. To be eligible for this program an employee must either have completed the trial period, or receive a waiver. The eligible employee is converted to a Reserve Appointment in WAE status. The employee thus retains staff status and may be reactivated easily by the

25X1

field installation should an appropriate position become available. A 52-month cumulative limitation is placed on absences under this program, but the Career Service may grant an extension.

2. When an employee has not completed the trial period and a waiver is not granted, 90 days LWOP will be allowed. When no position in the field develops, the employee will be required to resign. An employee who has completed the trial period and whose absence (including extension of the 52-month limit) is not approved by the Career Service may stay in place, resign to accompany the spouse, or may convert to Reserve Appointment WAE status with no Career Service obligation for restoration.

3. Approval by the Career Service incurs an obligation to restore the employee to active duty at the same grade, but not necessarily the same position, upon return from the field. The employee is required to sign a Memorandum of Understanding appropriate to the circumstances of his or her absence.

4. This program does not apply to employees whose spouses are not Agency employees. An employee who wishes to accompany a non-Agency spouse may apply for LWOP under Agency leave procedures.

E. STATISTICAL REVIEW

1. We are unable to determine the number of employee couples in CIA. In August 1978, at the request of the DCI, the Office of Personnel attempted to

2. The number of employees who received dual field assignments with their spouses is not known. However, we were able to track those who did not receive a dual assignment and converted to the WAE Spouse Program. A manual count was made of those employees who went through the official exit processing procedure in the Office of Personnel and who were departing on WAE status to accompany a spouse to the field (foreign and domestic) during the 18-month period from January 1983 through June 1984.

25X1

Page Denied

G. SUMMARY OF FINDINGS

1. Of the ten recommendations of the 1979 Task Force on Working Married Couples, four remain relevant in 1984. Two are addressed in this paper under recommendations and are: the need for statistical information on employee couples; and the use of Personal Rank Assignment (PRA) instead of downgrading for spouses employed overseas. The remaining two are addressed under procedural changes and are: simplify the procedures for converting the contract spouse to staff upon return to Headquarters; and the need for a central reference point to provide guidance on which components may have positions at a specific locale.

2. The questions currently being asked regarding assignment, selection process, home leave, PRA, pay level and allowances for employee couples assigned overseas are for the most part already addressed in Agency regulations. Problems have arisen, however, because of selective application of the regulations or due to the various interpretations of the regulations by the different subgroups, resulting in a wide disparity in treatment of employee couples. For example, some subgroups give employee couples preference in the assignment process, others don't. Some subgroups regularly

allow PRAs to spouses assigned overseas, others don't. Since most overseas stations are comprised of employees from different subgroups, the disparity in treatment is visible and is a continuing point of controversy. We have identified specific problem areas and recommended changes in Agency policy which would provide standard parameters while allowing Career Services the necessary flexibility.

H. DUAL ASSIGNMENTS

1. Survey Results

25X1 a. Few policy changes were suggested during this review. Most of the problems described to us were a result of uneven application of current Agency policies. The reaction generally was that the Agency is now much more accommodating in locating dual assignments than ever before, but that we have a long way to go. We were told that some components almost never send a spouse PCS in his or her own right with dual travel allowances as outlined in [redacted] even though jobs are identified in advance. Employees who travel to the field as dependents only to find a job being held for them, are then upset at the loss of home leave and overseas pay. Some station chiefs insist on interviewing and selecting spouses in the field. This practice precludes assignment from Headquarters in his or her own right and eliminates any possibility of home leave or overseas pay. The opinion was often expressed that we continue to view spouses mainly as resources for performing clerical functions at the station and do not seriously attempt to locate dual assignments.

b. The opposite point of view was also expressed. Some believed we had "gone overboard" in assigning spouses regardless of their qualifications, and to the disadvantage of other employees. Fortunately there was a middle ground. Some innovative personnel officers, supported by committed managers, worked hard to locate field positions in other Career Services or subgroups and to coordinate successful dual assignments. The main concerns of all parties can be summarized as:

- the escalating expectations of employees that a job for their spouse is a "right";
- the uneven application of current Agency policy;
- discrimination against single employees; and
- the "misinformation" given to employees.

c. When it came to answers, two differing viewpoints were obvious. Some encouraged maximum flexibility and benefits in order to motivate employee couples to serve overseas, noting that spouses often are essential to the

operation of the stations. Others felt that inequities are increasing and that a more clearly defined policy is needed to differentiate between employees willing to pursue a career in their own right and those limited by their spouse's assignment. Probably the only point of agreement was that we need a policy that places the burden of career decisions on the employees. With a clear Agency-wide policy, employees can be counseled on their options and can then make their own decisions. A discussion of specific problems and recommendations follows.

2. Problem: Officers responsible for assignments often are unaware that a prospective assignee has a spouse who also is an Agency employee. This lack of timely information can impact adversely on dual assignments.

a. Agency management is on record with a commitment to make every reasonable effort to identify joint field assignments for employee couples. In our talks with representatives from each of the four Directorates, we found this policy was being followed in varying degrees. Non-DO components reported less success in locating a position for the spouse, which is to be expected. While sympathetic with the right of the DO to fill its slots with its own people, some felt that more consideration could be given to non-DO secretaries, including training in DO procedures at Headquarters prior to departure. In addition, concern was expressed that in our zeal to find joint assignments for couples we may not be giving equal consideration for assignment to single employees. The complexities of dual assignments to an overseas station are increased by the impact of official presence, cover, and the limitations on full-time permanent positions.

b. A common problem uncovered in our discussions was the lack of timely awareness that an employee selected to fill a field assignment had a spouse who was also an Agency employee and wanted to work. Even in instances where a husband and wife both worked in the same Directorate there was no assurance that couples were initially considered for a joint assignment. Usually it was left to the employee being assigned overseas to raise the subject that his or her spouse was also an Agency employee and desired employment. When this information is not received early in the assignment process, it obviously results in the spouse not being considered for forthcoming vacancies.

c. To resolve this problem and at the same time allow management to make every effort to identify dual assignments, we believe more timely information is required regarding the assignment preferences and or limitations of each spouse. This information is particularly important since recent experience has shown that our former assumption that couples would only accept field assignments at the same post is outdated. We believe it is the responsibility of employees to provide appropriate officials with timely information concerning their availability for field assignments. The

25X1

25X1

[redacted] The plan is to publish initially a notice to employees requesting the information and asking them to initiate an update as necessary. Based on our experience with this notice, we can determine future actions. For example, we could request the information again after a year or explore the possibility of incorporating the information into the Field Reassignment Questionnaire (FRQ).

d. Recommendation: Each employee who is subject to field assignments and who wishes to be considered for a dual assignment with his or her Agency spouse should submit a written statement indicating:

- that the employee will or will not pursue his or her own career, even if at a different post;
- that if necessary, the assignment of one member should take precedence over the other (if applicable);
- assignment preference for each;
- and including the signatures of both employees.

3. Problem: More flexibility is needed in the assignment process to increase the possibility of dual assignments for employee couples.

a. The definition of the terms "dual or joint assignments" is that each member of the couple is assigned to a field position in his or her own right, according to the Career Service's usual PCS assignment procedures. Each member is entitled to the benefits and allowances of a field tour and accepts all obligations of a field tour. Each member signs a Service Abroad Agreement or, in the case of a domestic assignment, a Service Agreement. Each should be issued Agency travel orders, [redacted] necessary. For overseas assignments, each is entitled to certain travel, transportation, and allowances, in recognition of his or her individual employee status, as outlined [redacted] Domestic travel is governed by Federal Travel Regulations as stated in [redacted] and only one family member is entitled to allowances. Inherent in this concept of dual assignments is the premise that both employees are qualified. Agency policy already prohibits "making inappropriate assignments as accommodations for individual employees." The selection process should include consideration of all qualified employees, regardless of marital status. Identifying two positions at a given locale, which match two employees as to timing, grade and qualifications is very difficult. We are suggesting additional flexibility to the process. However, it should be recognized that some employees may view these actions as special accommodations based on marital status.

25X1

b. Present practices on PRA vary. We advocate the use of PRA when the grade of the field position identified for one member is lower than his or her present grade. Of course the employee must be otherwise qualified for the

25X1
25X1

25X1 job. The PRA should be in accordance with existing regulations [redacted] which state: employees are not normally assigned to positions more than two grades lower than their grade; for overseas assignments, PRAs may be approved for periods in excess of two years to allow for completion of the tour, home leave, and necessary processing. The rationale for this proposal is that the skills and experience of the employee should enhance the work to be performed and ultimately benefit the station. When a difference of more than two grades exists, a PRA is difficult to justify and downgrading should be considered. In this situation the employee should be counseled on the options and the consequences of each and then allowed to decide. The options are: remain in place and do not accompany spouse; accept the field position as offered; or convert to the WAE Spouse Program.

25X1 c. On occasion, a position for one member of an employee couple is identified but the vacancy will not occur until after the employee's arrival at the station. We propose that the assignment be made in advance from Headquarters as long as the effective date of the tour begins within 60 days. The employee would be granted annual leave and LWOP until the new tour begins. 25X1 If otherwise qualified under [redacted] (Overseas Pay Schedules, dated 29 March 1983), the employee should be eligible for overseas pay. The employee would be issued separate Agency travel orders. If overseas, the 25X1 employee would be entitled to the provisions [redacted] for travel and transportation allowances, as of the effective date of the tour with no retroactive provisions. [redacted] 25X1

d. To simplify matters in the above or similar situations of non-concurrent tours, we suggest the use of a nonstandard tour for one member. The tours of both employees would then end at the same time, allowing joint return travel and home leave. This action should be taken at the time of assignment, and is preferable to allowing an employee to depart short of tour in order to accompany a spouse. [redacted] 25X1

[redacted] An employee granted a nonstandard tour to coincide with the tour of a spouse must meet existing Agency requirements in order to be eligible for home leave and R&R.

e. Recommendation: When the identified field position is a lower grade than the employee, allow a PRA not to exceed two grades.

f. Recommendation: When a position will become available within 60 days of an employee's arrival at the station, the assignment may be made prior to departure from Headquarters and annual leave and LWOP allowed during the interim. Overseas pay should be allowed, if the employee is otherwise qualified.

g. Recommendation: A nonstandard tour should be considered for one member of an employee couple when joint assignments are identified but are not concurrent.

4. Problem: A problem arises when one spouse departs short of tour at the convenience of the Government.

a. Following the rationale that each spouse has a career in his or her own right, the question is whether the remaining employee should be permitted to depart short of tour solely because his or her spouse is departing. In our discussions with Directorate representatives, some felt that if spouses receive the benefits derived from traveling on their own travel orders, they also should incur a commitment to honor their Service Agreement. To do otherwise gives married couples a distinct exception to Agency regulations and creates a double standard. On the other hand, others felt this was a non-issue and we should remain flexible as we have in the past

[redacted]

25X1

b. Recommendation: Spouses who travel on their own travel orders, sign a Service Agreement, and receive allowances in their own right incur an obligation to complete their tour. Requests to return short of tour to accompany a spouse should be processed on the same basis as other requests to cut tours short and approval should not be automatic.

I. WAE SPOUSE PROGRAM

1. Survey Results: The WAE Spouse Program is for those employees who did not receive an assignment and are accompanying an Agency spouse to the field as a dependent. Few problems were noted with the current program. The requirement for completion of the trial period in order to qualify for the program usually has been waived. Some thought this requirement irrelevant. Requests for the extension of the 52-month limitation have been few to date but usually were granted. Reinstatement at the same grade upon return to Headquarters appears to be working smoothly, though clarification is needed regarding the step of the grade. Some suggested extending WAE status to those employees whose spouses are State or DoD.

[redacted]

25X1
25X1

Therefore, we should emphasize that under existing Agency policy, an employee must request approval before accepting employment with another agency. Substantial disagreements were found in two major areas. One was benefits and compensation due a WAE spouse reactivated in the field. The question is whether these employees are now serving a tour in their own right or are considered "local-hires." The other area was the grade and step at which reactivated in the field and the use of PRA or downgrading procedures. A discussion of specific problems and recommendations follows.

2. Problem: When employees in the field under the auspices of the WAE Spouse Program are reactivated in a job or grade different from that at Headquarters, the determination of salary can be a problem.

a. The most controversial of the problems associated with employee couples is determination of the salary of the WAE spouse who subsequently is reactivated in the field. The DO has had, for many years, a set of guidelines

for setting pay for field-hires, including reactivated WAE spouses. Unfortunately, those guidelines have not been uniformly applied throughout the DO and, if known outside the DO, have been ignored by other Directorates who may have positions in DO stations. The resulting confusion has contributed to the perceptions of unequal and unfair treatment, and has led to grievances on this issue. Generally, there has been no problem when employees' grades are equal to or lower than the grade of the position or requirement being filled. The controversy develops when employees' grades are higher and/or when they are working at the field station in an occupational category different from their usual one.

b. We concluded that simplicity was in order after considering options for: full-time positions and part-time requirements (part-time employees are budget-controlled and not assigned to positions); DO and non-DO careerists; within-grade steps for "relevant" experience; and occupational specialties. Basically, it would be simplest to provide the same base for all WAE spouses reactivated in the field, whether full-time or part-time, in the same or in a different occupational specialty. The PRA rules could be applied to the full-time employee who occupies an established position, and the PRA concept could be applied to the part-time employee who fills a requirement. Everyone agrees that it makes little sense to pay a GS-13 analyst that level of salary to do secretarial or clerical work. We could allow the GS-13 to be downgraded to within two grades of the position or requirement within the current PRA regulation.

c. When employed in intermittent status, WAE spouses are filling temporary, ad hoc requirements of a short-term nature. Therefore, the current practice should be continued. If the work being performed is within their career field, employees are paid at the rate of their grade. If the work is not within their career field (such as the GS-13 recalled to substitute for a clerk), they are paid at the rate of the work performed.

d. While some might argue that inequity still would exist since employees would be receiving different salaries for doing similar work, or be paid at rates higher than the duties deserve, in fact it would be no different than normal operating procedure for the entire Agency. Because employee spouses have been a vital part of our overseas activities from the beginning and will continue to be, we believe it imperative to reduce the bureaucratic red tape, simplify a somewhat complex administrative procedure, and reduce the number of potential grievance situations.

e. Recommendation: The following policy should apply when employees who are present in the field under the auspices of the WAE Spouse Program are reactivated on either a full-time or part-time basis:

(1) When employees' grades are equal to or lower than the grade of the position or requirement, they should retain their grade and step.

(2) When employees' grades are higher than the grade of the position or requirement, they should retain their grade/step if it is within two grades higher than the position or requirement.

(3) When employees' grades are more than two grades higher than the grade of the position or requirement, they should be downgraded to no more than two grades above the position or requirement, and their salary should be determined in accordance with existing rules in [redacted] for changes to lower grade including:

- employees will be paid at the highest step in the lower grade that does not exceed their existing rate of compensation;
- except that the higher of the two steps may be used if the compensation in the higher grade falls between two steps in the lower grade.

In all instances, employees would be eligible for promotion and within-grade advancement in accordance with existing Agency rules and procedures.

(4) Intermittent employees should be paid at the rate of their grade if working in their career field, otherwise they should be paid at the rate of the work performed.

3. Problem: Confusion exists over the benefits and allowances provided an employee who is in the field under the WAE Spouse Program and is reactivated.

a. Under past policies a spouse usually returned to duty in the field in a contract status. The written contract made clear to all parties the conditions of employment. Under the present policy, the spouse not assigned PCS from Headquarters is in the field in WAE status and may be reactivated as intermittent, regularly scheduled part-time or full-time staff employee. Often the field job is not in the employee's occupational category. The question now being asked is whether the reactivated employee should receive the same benefits and allowances as those serving a tour in their own right.

b. We listened to all sides and reviewed Federal policies [redacted]

25X1
25X1

[redacted] Our employee in the field under the WAE Spouse Program: is present for personal reasons as a dependent of an Agency employee; was not assigned a position from Headquarters; was not issued individual travel orders; and did not sign a Service Abroad Agreement or Service Agreement. If this spouse is selected for a position and reactivated in the field, the question arises - what benefits and allowances should he or she receive? For example, home leave and overseas pay currently are not authorized. However, we often heard arguments that home leave should be given to those employees going out under the WAE Spouse

CONFIDENTIAL

Program where a job had been identified prior to departure. We questioned why employees were not being sent PCS if jobs were identified prior to departure. What allowances and benefits are due part-time employees? These are complex issues which the Office of Personnel will study and clarify.

c. Recommendation: Once a policy is determined, a statement of the basic benefits and allowances should be included in the Memorandum of Understanding signed by employees converting to the WAE Spouse Program.

4. Problem: The current WAE Spouse Program does not include employees whose spouses work for other agencies.



25X1

CONFIDENTIAL

c. Recommendation: Retain the present policy that the WAE Spouse Program applies only to couples in which both husband and wife are CIA employees.

5. Problem: Some employees question the necessity for retaining completion of the trial period as an eligibility criterion for the WAE Spouse Program.

a. During this review, suggestions were made to drop completion of the trial period as an eligibility criterion since it was routinely waived anyway. The major reasons given were: (1) consider the cost of hiring the individual; (2) placing the employee on Staff Reserve WAE does not cost the Agency anything; (3) upon return to Headquarters, the employee can begin work immediately; (4) the requirement could be considered discriminatory to spouses since sponsors may be assigned to the field without having completed the trial period. Some were in favor of retaining the current policy and liked its flexibility. Others preferred an Agency-wide minimum standard of time which must be served (such as 18 or 24 months) before being eligible for a waiver.

b. We considered the original reason for the requirement valid. That is, the trial period provides the Career Service an opportunity to assess the employee's performance and suitability for a long-term career. However, requests to waive the requirement are being granted routinely. We then explored another option, a requirement for twelve months Agency employment. The advantage would be a performance appraisal report on record recommending for or against continued employment with the Agency. But of the eight requests for waivers forwarded to the Director of Personnel since January 1984, five were for employees with less than one year service. From all indications, length of service is not a major concern of the Career Services.

c. After careful consideration, our conclusion is that completion of the trial period should be eliminated as a requirement for the WAE Spouse Program. Adoption of this recommendation would not affect the trial period itself, which must be completed eventually. The Head of the Career Service may continue to disapprove requests to convert to the Program due to performance or suitability. This recommendation also would eliminate the need for separate policies for trial period and non-trial period employees. All employees, whose requests to convert to the WAE Spouse Program are disapproved, will have the same options. They may remain in place, resign or convert to WAE Status with no Career Service or Agency obligation for restoration upon return to Headquarters. Adoption of this recommendation would be a step toward simplifying the bureaucracy and eliminating paperwork.

d. Recommendation: Completion of the trial period should be eliminated as an eligibility requirement for the WAE Spouse Program.

J. INFORMATION NEEDED

1. Problem: No current mechanism exists to gather statistical information on employee couples, such as numbers of couples, grades, patterns, trends.

a. Since the seventies, each time the topic of employee couples surfaces the question is asked, "How many people are involved?" We have never been able to provide an accurate answer. In addition to the assignment of employees to foreign or domestic stations, interest in information on marital status or immediate family members has been expressed for other reasons, such as day care studies and conformance with Federal nepotism statutes. In 1982, P&PS researched this issue and found no specific relevant written guidance which would either prohibit asking an employee if his or her spouse works for the Agency or maintaining records on employed spouses. The Department of State used to generate a report on employed spouses until 1978 when the American Foreign Service Association protested. About one-third of State Department's married women maintain their maiden name on official records and we may have a similar pattern. In May 1984, a Department of State Notice (see Attachment E) went out to all Foreign Service employees requesting specified information on employees who are members of tandem couples, in order to update the data base. Responses are voluntary but encouraged.

b. Recommendation: The Office of Personnel should develop a mechanism for collecting information on the number of employee couples, as well as statistics on the WAE Spouse Program in order to judge its effectiveness.

K. RECOMMENDED PROCEDURAL CHANGES AND POLICY CLARIFICATIONS

Upon analysis, some of the areas perceived as problems during the review process do not involve policy but are procedural and can easily be resolved. Suggestions were made to clarify or simplify the points listed below, either in the language of the employee couple policy or in a procedural issuance.

1. Specify that the policy includes domestic field and overseas assignments.

2. Indicate that DO Division Personnel Officers are the focal point for information on a given overseas locale. These officers should be able to advise employees about which Agency components have positions at that locale and refer the employee to an appropriate contact. This idea of a central reference point has been raised many times and was a recommendation of the Working Married Couples Task Force in 1979. A reference point is especially important to non-DO employees.

3. The WAE Spouse Program should be clarified by stating the following:

a. Specify that employees who intend to marry are not eligible for this program until they are actually married.

b. Include guidance for consideration by the Career Service in establishing the step of grade when a WAE spouse returns to Headquarters (type of work performed in field, hours worked, field promotions, etc.). Include a reference to Agency policy on the waiting period for a periodic step increase.

c. The obligation to reinstate the WAE spouse in the same Career Service at the same grade applies also to spouses who went to the field under previous policies. This was understood in the development of the current policy and should be specifically stated.

d. The timely return to duty of a spouse who has worked in the field under contract, and who seeks staff employment at Headquarters, continues to be perceived as a problem. Some of these employees went to the field under previous spouse policies. Current procedures already exist to shorten or eliminate the processing (mainly medical and security) time by either beginning the process in the field well in advance of return, or by not terminating the contract in the field. However, these procedures are not being used in all cases. Personnel Officers should be reminded to use the existing procedures. This subject was also included in recommendations of the Task Force on Working Married Couples.

4. Educate employees, Personnel Officers and managers on the Agency spouse policy to reduce the misunderstandings which result in uneven application of policy and in grievances.

ATTACHMENT A

ADMINISTRATIVE - INTERNAL USE ONLY

This Notice Expires 1 February 1983

PERSONNEL

[Redacted] 15 July 1982

25X1

EMPLOYEES ACCOMPANYING SPOUSES TO
OTHER GEOGRAPHICAL AREAS
(WAE SPOUSE PROGRAM)

Rescission: [Redacted] dated 3 April 1980
dated 27 July 1981

25X1

No Field Counterpart to this HN

1. The Office of Personnel recently completed a study of the effectiveness of the Agency's program to accommodate the employment needs of employee couples. As a result of that study, which was reviewed in depth by the Personnel Management Advisory Board with comments and input from various organizations at all levels in the Agency, the program has been redesigned as indicated in the following paragraphs, effective 14 May 1982. This notice will serve as policy until appropriate regulatory issuances are amended.

2. It has been Agency policy for many years, and will continue to be, that components will make every effort to provide staff positions for employee couples wherever possible. It is important that employees express their interests in such dual assignments well in advance of the beginning of the processing procedures for moves from headquarters to the field, from the field to headquarters, and for lateral transfers from one field post to another. It must be recognized, however, that the availability of suitable positions cannot be guaranteed and that sound personnel management practices, ensuring equity for all employees, prohibit making inappropriate assignments as accommodations for individual employees.

3. In instances where dual assignments are not possible, the When Actually Employed (WAE) Spouse Program provides a way for eligible employees to maintain their employment relationship with the Agency during absences from their parent Career Service. Components are urged to identify potential work assignments at field posts for WAE spouses in advance of their departure from headquarters or from a field post on a lateral transfer if at all possible. Employees are reminded, however, that each Career Service has a specific responsibility for the career development and training of career employees in their own Service. With this in mind, components will make every effort to give equal consideration to WAE spouses, both those from their own Career Service and those from other Services, along with their own career employees, when planning for field assignments.

ADMINISTRATIVE - INTERNAL USE ONLY

PERSONNEL

25X1

15 July 1982

4. The specific provisions of the WAE Spouse Program are as follows:

a. The trial period must be completed, or a waiver granted by the Director of Personnel based on the request of and justification by the Career Service responsible for the employee.

b. The employee who has completed the trial period, or who has been granted a waiver, will retain his or her staff status and convert to a time-limited Reserve Appointment in WAE status. (A Reserve Appointment includes an expiration date which ensures a notification to the Career Service 120 days prior to its expiration.)

c. The employee may be employed by the field installation with headquarters approval of the proposed rate and schedule of pay for the work to be performed.

d. A Career Service may approve absences for a "basic period" of a total of 52 months, either for consecutive tours or for combinations of tours accumulating to 52 months. Absences beyond a cumulative total of 52 months are considered "extensions" and may be granted by the responsible Career Service.

e. There is no requirement for headquarters service between approved absences during the 52-month basic period, or between it and any extension(s).

f. Leave Without Pay (LWOP) of 90 days following expiration of annual leave will be granted when a trial period employee who is not granted a waiver chooses to accompany his or her spouse to another geographical location. Should an assignment develop during that period, the field installation may employ the accompanying spouse. Should an assignment not develop during that period, the employee will be required to resign.

g. Approval of an employee's request for absence is not to be assumed to be automatic. Career Services are responsible for considering all aspects of the employee's service and the needs of the Career Service in determining their ability to accommodate the employee's absence. When a Career Service does not approve an initial request, or other requests within the basic period, or requests for extensions of the basic period from an employee who has completed the

ADMINISTRATIVE - INTERNAL USE ONLY

PERSONNEL

[Redacted]

25X1

15 July 1982

trial period requirement, the following options are available to the employee:

- (1) He or she may remain in place.
- (2) He or she may resign to accompany the spouse.
- (3) He or she may elect to convert to Reserve Appointment WAE staff status to accompany the spouse, with no Career Service obligation to restore the employee to active employment or the previously held grade upon return to headquarters.

h. The employee's Career Service will have jurisdiction of the employee during all approved absences. Comparative evaluation is suspended at the time no performance appraisal is available in the employee's regular occupational specialty. Career Service cognizance may change during absences upon agreement of the employee and the Career Services concerned.

i. Approvals by the employee's Career Service oblige that Service to restore the employee to active employment at the grade, but not necessarily the position, held at the time of departure. The employee is responsible for maintaining the skills and qualifications required for the assignment held prior to departure.

j. The employee is expected to return to active employment no later than 60 days after return to the headquarters area.

k. The employee will be required to read and sign the memorandum of understanding appropriate to the particular circumstances of his or her approved or nonapproved absence.

5. The provisions of this program do not apply to employees whose spouses are not also Agency employees. An employee who wishes to accompany a non-Agency spouse to a location outside the headquarters area may apply for LWOP as provided for in [Redacted] leave and Other Absence.

25X1

Harry E. Fitzwater
Deputy Director
for
Administration

DISTRIBUTION: ALL EMPLOYEES

OP MEMORANDUM NO.

25X1

4 October 1982

OFFICE OF PERSONNEL MEMORANDUM

SUBJECT: WAE Spouse Program

REFERENCE: dated 15 July 1982

25X1

1. This memorandum provides guidance toward implementation of the WAE Spouse Program. Unless otherwise indicated, the personnel officer of the parent component of the spouse employee is responsible for taking the particular action indicated. (U)

A. Request for Personnel Action

In the request for personnel action converting the employee to Reserve appointment in WAE status and assigning the employee to the "Budget Control" Section the nature of the action should read as follows:

25X1

"Conversion to Excepted Appointment -- Reserve
NTE (Date) -- Pay Adjustment to Intermittent --
Reassignment."

The not-to-exceed (NTE) date for the Reserve appointment is to be set at 60 days after the projected end of the sponsor's tour. Remarks should read: "To accompany spouse to field." A copy of the request for personnel action should be sent to Compensation Division, Office of Finance. (U)

B. Time and Attendance Reports

On the T&A card for the pay period in which the employee converts to WAE status, a remark should be made on the reverse: "Converted to WAE status effective (date)." After the conversion personnel action is effected, the Office of Finance will still issue T&A cards on the employee unless they receive a memorandum requesting that no further ones be issued. However, any cards issued after the completion of the one advising of the conversion need not be completed and returned. (U)

25X1

CONFIDENTIAL

OPM NO

25X1

C. Lump-sum Payment for Annual Leave

All employees converting to WAE status will be paid a lump-sum for the amount of unused annual leave they have as of the effective date of the personnel action. Office of Finance initiates this procedure after receipt of the conversion personnel action. (U)

25X1

F. Exit Processing

The WAE Spouse will undergo exit processing through Personal Affairs Branch. The CEMLOC locator card will be retained by the parent component. (U)

G. Waiver to Permit Accompanying Sponsor to Field prior to Completion of Three-Year trial Period

Heads of Career Services, or designees, may request the Director of Personnel to waive the requirement that the three-year trial period must be completed before proceeding to the field. The requesting memorandum should state the amount of the trial period that will have been completed prior to conversion, comment on the employee's performance to date, and provide additional justification for the waiver based on the particular circumstances of the case. (C)

2. Employees currently in contract WAE status under the previous rules need not be converted to staff status until they return to Headquarters and are reinstated at their previously held grade in accordance with the Career Service obligation to do so. Absences under the previous rules will be considered as part of the 52 month basic period. (U)

3. The guidance provided above is to meet immediate needs for implementation of the program. Additional guidance will be published later.

OPM NO.

[Redacted]

25X1

In the meantime, questions on the WAE Spouse Program should be directed to the Policy and Programs Staff, 1006 Ames Building [Redacted] (U)

25X1

25X1

[Redacted]

✓ James N. Gierun
Director of Personnel

OPM 23-82

CONFIDENTIAL
(When Filled In)

MEMORANDUM OF UNDERSTANDING
CONCERNING STATUS CHANGE TO ACCOMPANY SPOUSE TO A FIELD INSTALLATION

(Approved by Career Service)

I understand that, as a result of my Career Service's approval of my request for a period of absence from active employment to accompany my Agency-employee spouse to a field assignment, I will be converted to a Reserve Appointment as a staff employee in a When Actually Employed (WAE) status. I also understand that the following provisions will apply:

A. The field installation may employ me at any time subject to Headquarters prior approval of the proposed rate of pay and program of work to be performed.

B. I will continue to be covered under the Agency or Civil Service Retirement System but will accrue credit for retirement purposes only for those days actually worked.

C. Upon return to the Headquarters area on or before the expiration of my Reserve Appointment, I will be restored by my Career Service at the same grade level achieved prior to my departure although not necessarily in the same position.

D. I am expected to be available to return to active duty with my Career Service within 60 days after my return to the Headquarters area.

I also acknowledge that I have read and signed the memoranda of understanding for employees in WAE employment status concerning my entitlements under the Federal Employees' Group Life Insurance and Federal Employees Health Benefits Programs.

Signature

Date

(When Filled In)

MEMORANDUM OF UNDERSTANDING
CONCERNING STATUS CHANGE TO ACCOMPANY SPOUSE TO A FIELD INSTALLATION

(Not Approved by Career Service)

Although my Career Service has not approved my request for a period of absence from active employment in order for me to accompany my Agency-employee spouse to a field assignment, I have elected to avail myself of the option to accompany my spouse on a non-sponsored basis. I understand that I will be converted to a Reserve Appointment as a staff employee in a When Actually Employed (WAE) status for the duration of this absence.

I acknowledge that this election was made with the full knowledge of the following conditions:

A. Lacking approval of my Career Service for this absence, the Career Service incurs no obligation to restore me to active employment upon my return to the Headquarters area.

B. Every effort will be made to find an appropriate assignment for me upon my return, but it may not be at the same grade or in the same type of position I held at the time of my departure. I understand, however, that in the event a position is not found within 60 days of my return to the Headquarters area, my employment will end.

I also understand that the following provisions apply in connection with this absence:

A. The field installation may employ me at any time subject to Headquarters prior approval of the proposed rate of pay and program of work to be performed.

B. I will continue to be covered under the Agency or Civil Service Retirement System but will accrue credit for retirement purposes only for those days actually worked.

C. I am expected to be available to return to active duty within 60 days after my return to the Headquarters area.

I also acknowledge that I have read and signed the memoranda of understanding for employees in WAE employment status concerning my entitlements under the Federal Employees' Group Life Insurance and Federal Employees Health Benefits Programs.

Signature_____
Date

CONFIDENTIAL
(When Filled In)

MEMORANDUM OF UNDERSTANDING
CONCERNING STATUS CHANGE TO ACCOMPANY SPOUSE TO FIELD INSTALLATION

(Trial Period Not Completed and Not Waived)

As my three-year trial period has not been completed, nor has a waiver been granted to permit me to go to the field prior to its completion, I understand that in accompanying my Agency-employee spouse on a field assignment I will be carried on Agency rolls in Leave Without Pay (LWOP) status for a period of ninety days. My LWOP will begin upon the expiration of all my accrued annual leave.

If a position for me in the field is not identified prior to the expiration of the ninety days of LWOP, I understand that I will be required to resign effective that date. If the field installation does identify a position for me prior to the expiration of the ninety days of LWOP, I understand that I will be returned to full duty as a Staff employee.

I also acknowledge that I have read and signed the memoranda of understanding for employees in a non-pay employment status concerning my entitlements under the Federal Employees' Group Life Insurance and Federal Employees Health Benefits Program.

Signature

Date

ATTACHMENT B

CONFIDENTIAL

QUESTIONS ON EMPLOYEE COUPLES AND WAE SPOUSE PROGRAM

Employee Couples

1. When selecting, assigning, or processing an employee for an overseas assignment, how and when do you become aware that the spouse is also an employee?
2. How do you determine the availability of an assignment for the spouse who wishes to work overseas?

25X1

4. If the spouse is assigned to an overseas position prior to departure from Headquarters, do you prepare the same documentation as for the other employee, e.g., service abroad agreement, personnel action, individual travel orders, etc.?
5. What are the procedures if the spouse is being assigned to a position outside his or her own career service?
6. When both members of a couple are assigned overseas on PCS and one is recalled or transferred, what happens to the other spouse?
7. What other kind of problems have you experienced with dually assigned employee couples?

WAE Program

1. When an employee on WAE Staff Reserve to accompany a spouse is reactivated overseas, what steps do you take?
2. What problems have you experienced if employee is reactivated at same grade? If the grade of the job is lower than employee's grade?
3. Do you attempt to match salary rather than follow the DO policy?
4. Are steps higher than DO policy requested by the field and, if so, are they approved by Headquarters?
5. Do you receive requests to "convert" back to regular status and remove from WAE while employee is overseas? If so, how do you handle?
6. Have you experienced any problems with "extending" the 52-month limit?

CONFIDENTIAL

7. How have you handled the reinstatement to "prior grade" upon return to Headquarters? Same step held upon departure? Step employee would have attained if he or she never left? Credit for promotions granted while temporarily working overseas?
8. Has the requirement for completion of the trial period before being "sponsored" for WAE program been a problem?
9. Are waivers of this requirement being requested? Are they approved when requested?
10. Have you experienced any other problems with the WAE Program?

CONFIDENTIAL

ATTACHMENT C

CONFIDENTIAL

HISTORICAL CHRONOLOGY OF
EMPLOYEE COUPLES POLICY

15 May 1958


CIA Career Council discussed "Career Status of Women Who Accompany Their Husbands Abroad" and approved the following policy for incorporation into



25X1

The Head of the Career Service in cooperation with the Director of Personnel will determine whether a suitable vacancy exists at the overseas post to permit the continued staff employment of the wife. If none is identified she will resign but may be employed under contract on a full or part-time basis.

16 September 1958

Career Council approved the revision  with one addition:

The Director of Personnel will be responsible for giving preferential consideration for reemployment to women who are members of the Career Staff and who had to resign staff employment in order to accompany their husbands. These women will not only be given preferential consideration for vacancies within their former Career Service but also for any other vacancy for which they are qualified.


Agency officials disagreed over whether the policy should appear in a separate regulation, a notice or a handbook. Consequently, it was never published.

12 October 1960

A memorandum from the Chief, Regulations Unit, OP to the Director of Personnel states that in regard to a memorandum from the IG:

"The policies concerning the employment of women who accompany their husbands to a new location and the limitation on granting leave are currently in practice but are not included in any published regulatory issuance or written directions to Heads of Career Services or Operating Officials."

5 October 1972

The Executive Director-Comptroller approved a policy of three years LWOP to accompany a spouse to a foreign duty station. In December 1972, this policy was published  and procedures outlined in 1973 in OPM 20-30-3 and OPM 20-30-5. Provisions were:

CONFIDENTIAL

1. LWOP for a maximum of three years following use of accrued annual leave.
2. Memorandum of Understanding required.
3. If employed overseas on contract, automatic reversion to LWOP if contract terminates prior to end of three years. Contract time counts towards three years.
4. If not available to return to duty at Headquarters at end of three years, staff employment terminated.
5. Return to duty is subject to availability of an appropriate position and will be at the grade of the position, regardless of employee's previous grade
6. If spouse not employed by the Agency, employee may be carried on leave status (annual and LWOP) for 90 days before termination. May be extended only if specific commitment received for return to pay status within a reasonable time.

18 November 1976

OPM 20-30-6 adds:

By granting LWOP, a Career Service incurs an obligation to make every effort to provide active employment at previously held grade and in a position of like status at the end of the leave period.

8 June 1978

adds:

25X1

1. In order to be eligible for the three-year LWOP, employee must have completed the former one-year trial period, or two years of the new three-year period.
2. Three-year LWOP grant may be extended for the convenience of the government and up to 60 days to allow reasonable time to return to duty.
3. Subsequent grants of LWOP may be approved if interspersed with assignments as staff employees of at least three years duration.
4. Contract or staff employment during three-year period constitutes a break of the period. Employee can return to remaining three-year period of original grant.

CONFIDENTIAL

5. Upon return, given first consideration by parent organization for any vacant position for which qualified.

1 August 1978

Memorandum from DCI to Deputy Directors expresses his concern over working couples and asks for a colloquium on the subject.

October 1978

DDA established an Agency Task Force on Working Married Couples.

July 1979

Task Force report published.

3 April 1980

indicates changes:

25X1

1. If no field position is identified after 90 days LWOP, employee is converted to WAE contract status.
2. Rate of pay and work hours approved by Headquarters.
3. For the first time a firm commitment is given for reinstatement to staff status in the same Career Service at the grade previously held upon return to Headquarters.
4. If sponsor is transferred laterally to another field location, spouse will be given priority consideration for vacancies.

27 July 1981

adds to previous notice:

25X1

1. Completion of three-year trial period, or waiver by Director of Personnel.
2. Employee must sign Memorandum of Understanding (contains commitment to restore).
3. Absence limited to 52 months.
4. Can change Career Service if all parties agree.
5. Comparative evaluation of employee under contract status is suspended if employee not in his or her occupational specialty.

15 July 1982

changes the above policy:

25X1

1. Employee who has completed the trial period or received a waiver converts to Reserve Appointment in WAE Status.
2. If reactivated in the field, Headquarters approves rate and schedule of pay.
3. Career Service may grant an extension of 52-month cumulative limit on absence.
4. A trial period employee not granted a waiver is granted 90 days LWOP following use of accrued leave. If no position in the field develops, employee resigns.
5. If Career Service does not approve employee's absence (including request for extension), employee can remain in place; resign to accompany spouse; convert to Reserve Appointment WAE Status with no Career Service obligation to restore employee to active employment.
6. Spouses of non-Agency employees may apply for LWOP as provided in on leave.

25X1

4 October 1982

OPM 20-61-11 outlines procedures for above notice, stating that upon conversion to WAE status:

1. Lump sum payment is made for annual leave.
2. Employees are required to undergo exit processing through Personal Affairs Branch.

ATTACHMENT D

DUAL FIELD ASSIGNMENTS FOR AGENCY EMPLOYEE COUPLES

1. Management is committed to make every reasonable effort to provide dual field assignments for employee couples. An employee couple is one in which both husband and wife are Agency employees. In order that both employees are considered for field vacancies, more timely information is needed on assignment interests and availability of employee couples. This information is vital for planning assignments and will maximize opportunities for dual assignments.

2. Each employee who is subject to field assignments and who wishes to be considered for a dual assignment with his or her Agency spouse should submit a written statement covering the items listed below. This information should be provided to each employee's Career Management Officer or appropriate Career Service official and should be updated as necessary.

3. Employees may include additional data which is relevant to assignments. Career Services or subgroups may request additional information to facilitate assignments. Otherwise the statement should include the following:

- a. A statement that the employee will or will not pursue his or her own career, even if at a different post;
- b. A statement that if necessary the assignment of one member will take precedence over the other (if applicable);
- c. Assignment preferences for each member;

d. Employee data:

Name

Social Security Number

Service Designation

Grade

Component

Position Title

Relationship (Husband or Wife);

e. Repeat above data for the spouse.

f. The signatures of both employees.

STAT

ATTACHMENT E

U.S. Department of State
DEPARTMENT NOTICE

May 4, 1984

ALL F.S. PERSONNEL

REQUEST FOR UPDATED INFORMATION
ON TANDEM COUPLES

We are seeking to update our records and the corresponding data base concerning those employees who are members of tandem couples and who previously have requested registration (our last Department Notice on this subject was December 2, 1981). Employees who have not registered previously are invited to do so at this time also. This is being done now in order to obtain as accurate data as possible in anticipation of the next open assignments cycle. In addition, current information will assist the personnel system to more rationally address the issues of career development and assignments of Foreign Service personnel who are members of tandem couples. While there is no required deadline, replies prior to May 30 would be appreciated.

Definition. A tandem couple is defined as a married couple each of whom is a career employee of any of the U.S. Foreign Affairs agencies covered in the Foreign Service Act of 1980, namely, State, AID, USIA, Commerce (Foreign Commercial Service) and Agriculture (Foreign Agriculture Service). Employees who are intending to marry are not considered as members of tandems for the purpose of assignment until they are actually married.

We recognize that not all tandem couples may wish to be recorded as such. Some may believe this information to be not germane to their assignments or careers, or they may simply not wish marital status to be a factor in determining their assignments or career development. Nonetheless, because of the importance the tandem factor can have in the assignment process, we are attempting to update existing information in our data base to ensure its current accuracy and to publicize the process by which new tandems may register as such. This does not mean that members of registered tandems must always be considered for assignment as tandems. Our assignment procedures have allowed tandem members to indicate at the time that they submit their respective bids whether they wish their tandem status to be a consideration in the assignments process.

(Continued on reverse)

Action requested. Any Foreign Service employee of the Department of State who has a spouse who is an employee of one of the five agencies mentioned in the definition of para 2 and who wishes tandem couple information to be on record should furnish the following information to her/his Career Development Officer (CDO) in PER/FCA via memorandum using the format given in the following paragraph. We would appreciate receiving responses from all tandems, even those who may have registered in the past in order to make our data base as complete and accurate as possible.

I. Employee Data:

1. Surname, First name, Middle Initial
2. Social Security Number
3. Grade
4. Primary Skill Code (Cone)
5. Post

II. Tandem Spouse Data:

6. Spouse's Surname, First Name, Middle Initial
7. Agency of Spouse
8. Social Security Number of Spouse
9. Grade of Spouse
10. Primary Skill Code (Cone) of Spouse
11. Post of Spouse

Those employees who have previously identified themselves as members of "tandem couples," but who are no longer members of tandem couples should use only the format of Section I in paragraph 5 and add a closing line (line 5 a) asking that their "tandem" status be deleted from the personnel data base and indicating their correct marital status.

The Bureau Executive Directors are requested to assure that each State Foreign Service employee is given a copy of this Notice.