

POINT PAPER

SUBJECT: Deployment of Civilian Personnel

PURPOSE: To Provide the CG With an Overview of Army/AMC Policy on Deployment of Civilians

FACTS:

- Under existing DOD policies and procedures, management has the authority to direct and assign civilian employees so as to accomplish the DOD mission. The AMC policy is to implement the authority in a manner that will minimize the number of employees who must be involuntarily deployed.
- Civilians who serve in certain positions that are either located overseas or that are anticipated to be transferred overseas during a crisis situation are designated Emergency Essential (EE) employees. The positions are designated as EE to ensure the success of combat operations or to support combat essential systems during a military crisis, and cannot be converted to military slots because the positions require uninterrupted performance to provide immediate and continuing support for combat operations or combat essential systems. Employees that occupy EE positions are required to execute a Form 2365, "DOD Civilian Employee Overseas Emergency-Essential Position Agreement", in which these employees agree to accept certain conditions of employment arising out of crisis situations.
- Due to unforeseen circumstances or the exigencies of a particular military crisis, it may become necessary to identify additional positions as "EE". These are positions that are either located in an overseas area or to which an employee located in the United States would be sent on temporary duty or reassignment overseas. A civilian occupying a newly designated EE position will be requested to execute an EE agreement. It should be noted that all designated EE employees must meet certain physical and medical requirements prior to deployment.
- If the newly-designated EE employee declines to execute an EE agreement, but possesses special skills and expertise which, in management's view, renders it necessary to send that employee without execution of the EE agreement, the employee may be directed on involuntary temporary duty to the location where the skills are required. However, prior to invoking the authority to direct the deployment of a civilian, a search should be conducted to determine if military personnel are available to satisfy the requirement, or civilians on a voluntary basis.

Management may take appropriate administrative actions, to include separation from the federal service, against a civilian employee who refuses to perform such duties required of an EE designated employee.

BRIEFER: Kim Sawicki, GS-14, AMSEL-LG-A, ext. 21146.

REVIEWED/APPROVED BY:
KATHRYN T. H. SZYMANSKI
Chief Counsel