



Improving the Capabilities of the HR Workforce

DCPAS VIRTUAL BENEFITS SYMPOSIUM

**Developing and Implementing a Successful
Domestic Employees Teleworking Overseas (DETO)
Program**

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OBJECTIVES

- Identify DETO references and policy requirement
- Identify Department of State's (DoS) role in the DETO process
- Define DETO and types of DETOs
- Review DETO program eligibility
 - DETO Locality Pay
 - DETO Agreement
 - DETO Termination
- Provide an overview of FACT Training
- Provide an overview of the Sub-IPC DETO Standards and DETO process



REFERENCES

DoD Instruction (DoDI) 1035.01:

- Telework and Remote Work (January 8, 2024)

DCPAS Message 2020112:

- Department of State's Domestic Employees Teleworking Overseas Policy Guidance (October 16, 2020)

FY 2022 National Defense Authorization Act (Public Law 117–81, December 27, 2021)

- Section 6202. Telecommuting Opportunities.

DoS Executive Secretary Memorandum:

- Requirements for Executive Branch Employees Teleworking in Foreign Locations (June 7, 2016)

DoS 3 FAM 2370:

- Domestic Employees Teleworking Overseas (DETO)

13 FAM 301.4:

- Mandatory Training Preparatory to Going Abroad



DETO POLICY REQUIREMENT

2022 NDAA: SEC. 6202. Telecommuting Opportunities.

(a) DETO Policy. –

(1) In general. Each federal department and agency shall establish a policy enumerating the circumstances under which employees may be permitted to temporarily perform work requirements and duties from approved overseas locations where there is a related Foreign Service assignment pursuant to an approved Domestically Employed Teleworking Overseas (DETO) agreement...



DETO CHIEF OF MISSION AUTHORITY

Chief of Mission (COM) Authority: Defined by U.S. law and Presidential Directive

- Full responsibility for the direction, supervision, and coordination of all executive branch activities, operations, and employees; only U.S. law or Presidential Directive can provide exceptions

Section 207 of the Foreign Service Act of 1980 (Public Law 96-465):

- Outlines specific responsibilities delegated to the DoS COM for all USG activities, operations, and personnel conducting official USG business in foreign locations
- These responsibilities cannot be waived or delegated



DETO DEFINITION

A DETO is United States Government (USG) employee assigned to a domestic position with an alternative work arrangement permitting work to be performed at an approved worksite in an overseas location for a limited period of time

There are two types of DETOs:

- **Sponsored DETO** – A USG employee on the orders of a USG sponsoring Service member or employee with an alternative work arrangement permitting work to be performed at an approved worksite in an overseas location
- **Independent DETO** – An USG employee, not on the orders of a USG sponsoring Service member or employee with an alternative work arrangement permitting work to be performed at an approved worksite in an overseas location



EXAMPLE

Sponsored DETO:

A Civil Service employee at the U.S. Department of Housing and Urban Development (HUD) is the spouse of a Department of Commerce's Foreign Commercial Service (FCS) employee. The stateside FCS employee receives orders to the Madrid Embassy. The orders include their spouse and other eligible family members. The HUD employee applies for a DETO arrangement to telework their domestic civil service position at HUD to accompany their spouse in Madrid.



EXAMPLE

Independent DETO:

A Civil Service employee at the U.S. Agency for International Development (USAID) has a family member in Italy who is ill and requests permission for a DETO arrangement to telework their position from Rome to be near their family.



DETERMINE TYPES OF DETOs

Independent DETO Pros:

- Employee Support
- Increased Flexibility
- Retain Talent

Independent DETO Cons:

- Expanded Risks
- Uncertain Costs

Note: Air Force, Army, and Navy all have policies excluding independent DETOs

**Exceptions will only be submitted to DoS in rare circumstances with exceptional justification*



DETO PROGRAM ELIGIBILITY

Eligibility pursuant to an approved DETO agreement under the following circumstances:

- Employee is eligible to perform telework or remote work from an approved alternative worksite
- The employee is one of the following:
 - On the orders of a sponsoring USG employee who is or will be assigned (not temporary duty) to a U.S. mission abroad under COM authority or to a U.S. military installation
 - Not on the orders of a sponsoring USG employee but the alternative worksite is within 25 miles of a U.S. Embassy or Consulate, or a U.S. military installation and the location of the alternative worksite is rated low or medium by the DoS for crime, terrorism, and political violence
- The duties of the position do not require access to, and/or the handling of, classified materials



DETO PROGRAM ELIGIBILITY (CONT.)

- The employing Component determines it is in the best interests of the Component, and funding is available, to pay for any additional costs (e.g., International Cooperative Administrative Support Services Program) necessary to support the DETO arrangement
- The employee's duties do not involve reporting on or playing any substantive role in policy or administrative issues pertaining to the country from which the employee would work

Note: DETO arrangements are a discretionary workplace flexibility, not an employee entitlement



DETO LOCALITY PAY

On December 23, 2022, the James M. Inhofe National Defense Authorization Act (NDAA), Public Law (P.L.) 117-263, was enacted and authorized Federal agencies to implement DETO locality pay

To be eligible for DETO locality pay:

- An employee must serve in a position in the Civil Service (as defined in 5 U.S. Code 2101) and must be working overseas under an approved DETO agreement;

and

- Assigned to a position that would provide entitlement to title 5 locality pay if the employee were stationed in the United States



DETO LOCALITY PAY (CONT.)

The duty station is temporarily changed to the approved foreign location; locality pay is set at the lesser of either:

- Current locality pay for domestic position
- Overseas Comparability Pay (Currently set at 2/3 of the DC locality pay rate)



DETO AGREEMENT

Duration:

- DETO agreements will be of limited duration, subject to the following criteria:
 - DETO arrangements may not exceed the initial overseas assignment duration of an employee's USG sponsor
 - A sponsored DETO arrangement may not exceed 5 years
 - An independent DETO arrangement may not exceed 3 years
 - DETO arrangements may not exceed the initial DoS approved DETO ending date



DETO TERMINATION

The employee or supervisor may cancel a DETO agreement before its prescribed termination date, the notice of cancelation will:

- Provide justification for the cancelation
- In writing
- Submit to the Component DETO Coordinator

Supervisors may cancel agreements:

- No longer meet mission requirements
- Misconduct
- Not complying with the terms of the DETO agreement
- Other business-based reasons



REQUIRED TRAINING

What is FACT:

Foreign Affairs Counter Threat Program

- Designed and managed by Diplomatic Security (DS)
- Largest civilian security training program in the world
- Provides hard skills security training that advance and secure America's interests overseas

Where is FACT:

- FACT training occurs at the Foreign Affairs Security Training Center (FASTC), on Fort Barfoot in Blackstone, VA



SUB-IPC DETO STANDARDS

Components are to implement common standards for their DETO program, established by the Joining Forces DETO Sub-IPC:

- Easy employee and supervisor access to information on DETO – Publicly available, easily accessible, published DETO policy
- DETO Point of Contact (POC)
- DETO mailbox (email address)
- Transparency in DETO application status notifications and communications
- Retention options and DETO alternatives
- Information on independent DETOs
- Develop marketing materials to be used across the Department



DETO PROCESS OVERVIEW

1. Employee obtains approval from supervisor
2. Employee prepares draft DETO Agreement using the Interagency DETO Agreement
3. Employee obtains approval from appropriate level Agency component head
4. All DETO Agreements must be reviewed and signed by the following individuals in this order:
 - a) Employee
 - b) Supervisor
 - c) Agency Component Head;
 - d) State Department Host Bureau Executive Director



DETO PROCESS OVERVIEW (CONT.)

5. Agency DETO Coordinator transmits the package to the appropriate State Department regional bureau
6. Agency must apply through the NSDD-38 web application for review and process of the request to formally obtain Chief of Mission approval
7. A DETO arrangement cannot begin until all required signatures for the DETO Agreement and COM approval
8. Employee is required to notify their supervisor/timekeeper/HR component of the effective start date of the DETO arrangement for processing the SF-50, documenting the change in duty station to the overseas location



QUESTIONS



Please take a moment to
provide us your feedback

You can scan the QR code or go to:

<https://forms.osi.apps.mil/r/Beu1hrVzRn>

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