

# **3 FAM 7300 FOREIGN SERVICE NATIONALS (FSN) COMPENSATION**

## **3 FAM 7310 FSN COMPENSATION (GENERAL)**

### **3 FAM 7311 AUTHORITY**

*(TL:PER-237; 1-1-95)*  
*(Uniform State/USAID/USIA/Commerce/Agriculture)*  
*(Applies to Foreign Service Nationals Only)*

—Section 408(a)(1), 408(b), and 408(c) of the Act.

### **3 FAM 7312 POLICY**

#### **3 FAM 7312.1 Uniformity of Regulations**

##### **3 FAM 7312.1-1 Secretary's Designees**

*(TL:PER-237; 1-1-95)*  
*(Uniform State/USAID/USIA/Commerce/Agriculture)*  
*(Applies to Foreign Service Nationals Only)*

The Secretary's designees as named hereinafter shall ensure the regulations and procedures promulgated herein and in separate Department of State issuances afford fair and equitable treatment to FSN employees of all agencies covered under these regulations and procedures, and that all such regulations and procedures shall be established only after full consultation with the headquarters of such agencies.

##### **3 FAM 7312.1-2 Participating Agencies**

*(TL:PER-237; 1-1-95)*  
*(Uniform State/USAID/USIA/Commerce/Agriculture)*  
*(Applies to Foreign Service Nationals Only)*

Participating agencies shall adhere to regulations issued by the Department.

### **3 FAM 7312.1-3 Exclusions**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

Excluded from coverage herein are employees under the command of a United States area military commander. See 3 FAH-2H, Chapter 3, for Department of Defense units to which these compensation regulations apply.

### **3 FAM 7312.2 Agency Objections to Joint Regulations**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

Any agency which has cause to object to a policy, regulation, or procedure being developed by the Department shall have the right to present the case to the Interagency Foreign Service National Policy Coordinating Committee for resolution.

### **3 FAM 7312.3 General**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

Compensation plans for foreign national employees shall be based upon prevailing wage rates and compensation practices, consistent with the public interest. Variations to prevailing practice include but are not limited to:

(1) A unique and temporary economic crisis when prevailing wage rates and compensation practices are essentially unmeasurable; and

(2) As a result of the crisis, U.S. Government operations are significantly impaired.

In these exceptional situations, the Secretary, on the recommendation of the Interagency Foreign National Personnel Policy Coordinating Committee, may authorize temporary adjustments to a post's local compensation plan under the public interest authority of Section 408(a)(1) of the Act. All exceptions must be reviewed by the Committee at least once every six months.

### **3 FAM 7312.4 Payments to Minimize Impact of Delays**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

Subject to the availability of funds, a payment may be made to minimize the impact of inordinate delays that occur in implementing a new local compensation plan during periods of extremely high inflation according to the instructions specified in section of 3 FAH-2 H-0235, Chapter 2.

### **3 FAM 7313 DELEGATION OF AUTHORITY**

#### **3 FAM 7313.1 Overseas Establishments**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

The ranking officer of State, USAID, USIA, Agriculture, and Commerce, and other participating agencies' overseas establishments in each country is responsible for:

(1) The day-to-day administration of the local compensation plans prescribed by the Secretary of State for all posts under that ranking officer's jurisdiction within the framework of these regulations and related State issuances;

(2) Requesting surveys when conditions warrant;

(3) Participating in local surveys;

(4) Reviewing completed surveys;

(5) Signing proposed revised local compensation plans; and

(6) Adhering strictly to provisions of the plan in compensating FSN employees when the plan has been approved by Washington.

In addition, chiefs of mission are delegated the authority to adjust salaries under certain severe economic conditions as described in section 3 FAH-2 H-0234, Chapter 2. Also, chiefs of missions may establish exception rates as described in section 3 FAH-2H-0241, Chapter 2.

### **3 FAM 7313.2 State Regional Bureaus**

#### **3 FAM 7313.2-1 Coordination of Local Salary Schedules**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

State regional bureaus shall coordinate the response to proposals for revised or amended local salary schedules, excluding direct benefit payments (see section 3 FAM 7313.3) and position classification systems and determinations (see 3 FAM 7500), with designated official(s) of the using agencies.

#### **3 FAM 7313.2-2 Bureau Executive Directors**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

a. The Executive Director may delay approval of a proposed revised or amended compensation plan for a period not to exceed 60 days because of lack of funds of one of the participating agencies.

b. After expiration of the specified delay period, the Executive Director may authorize the agencies which have the necessary funds to install the revised or amended plan.

### **3 FAM 7313.3 Bureau of Personnel**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

The Department of State Bureau of Personnel (M/DGP) shall:

(1) Develop and recommend policies and procedures relating to, and monitor the administration of, local compensation plans of foreign service posts and foreign service related overseas establishments, within the framework of section 408 of the Act, and with specific responsibility for reviewing, approving, and authorizing implementation of all benefit plans and any revisions thereto, subject to appropriate agency and regional bureau concurrence;

(2) Review local salary surveys and proposed revised local salary schedules, at the request of the regional bureau Executive Director; and

(3) Provide advice and guidance to overseas posts and headquarters agencies on interpretations of law and regulations governing FSN compensation and other elements of FSN personnel management.

### **3 FAM 7314 HEADQUARTERS OF USAID, USIA, COMMERCE, AGRICULTURE AND OTHER PARTICIPATING AGENCIES**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

The headquarters head of USAID, USIA, Commerce, Agriculture, and other participating agencies shall designate official(s) who will work with State regional bureaus and the Bureau of Personnel in the review and clearance, as deemed necessary, of new revised or amended local compensation plans for posts at which they have FSN employees and for securing budgetary clearances of proposed local compensation plans for their agencies.

In fulfilling their basic responsibility for insuring the effectiveness and adequacy of FSN personnel programs for posts under their jurisdiction, the official(s) designated to represent a participating agency may request supporting salary data and work sheets of any or all proposed new, revised or amended local compensation plans.

### **3 FAM 7315 CONDUCTING LOCAL SALARY SURVEYS**

*(TL:PER-237; 1-1-95)*

*(Uniform State/USAID/USIA/Commerce/Agriculture)*

*(Applies to Foreign Service Nationals Only)*

A post shall conduct and complete a local salary survey in accordance with provisions of 3 FAH-2H, Chapter 2, before making plans to revise the local compensation plan, except as provided in 3 FAM 7323. An appropriate U.S. official (or officials) shall direct and fully participate in all phases of the survey, although FSN employees may participate also as permitted by section 3 FAH-2 H-0222F, Chapter 2.

### **3 FAM 7316 THROUGH 7319 UNASSIGNED**