



OFFICE OF THE JUDGE ADVOCATE GENERAL LEGAL ASSISTANCE POLICY DIVISION



DOMESTIC EMPLOYEE TELEWORKING OVERSEAS (DETO) ARRANGEMENT

Domestic Employee Teleworking Overseas (DETO) arrangements are defined as U.S. government direct-hire employee or U.S. based Personal Services Contractor (PCS) assigned to a domestic (state-side) position, teleworking from an overseas location for a limited period of time. Under the DETO arrangement, the employee's overseas duty location will be temporality changed to an alternate worksite. *Reference 3 FAM 2370 Domestic Employee Teleworking Overseas (DETO)* <https://fam.state.gov/fam/03fam/03fam2370.html>.

Eligibility: The DETO arrangement is not an employee entitlement nor is it a reasonable accommodation, it's a limited duration workplace flexibility for employees assigned to stateside positions to allow them to remain in those positions from a foreign location. Those eligible for the DETO program are:

- Civil Service or Foreign Service employees accompanying their sponsoring employee on a U.S. government assignment overseas locations (DETO will be included on their sponsors PCS orders);
- Tenure Foreign Service Officers assigned to a Domestic position;
- Full and part-time Civil Service employees, including job share;
- Reemployed Annuitant (REA) with valid and active contracts;
- Employees with supervisory duties; and
- U.S. based PSC.

****Note: DETO includes spouses and domestic partnerships. ****

Ineligible positions:

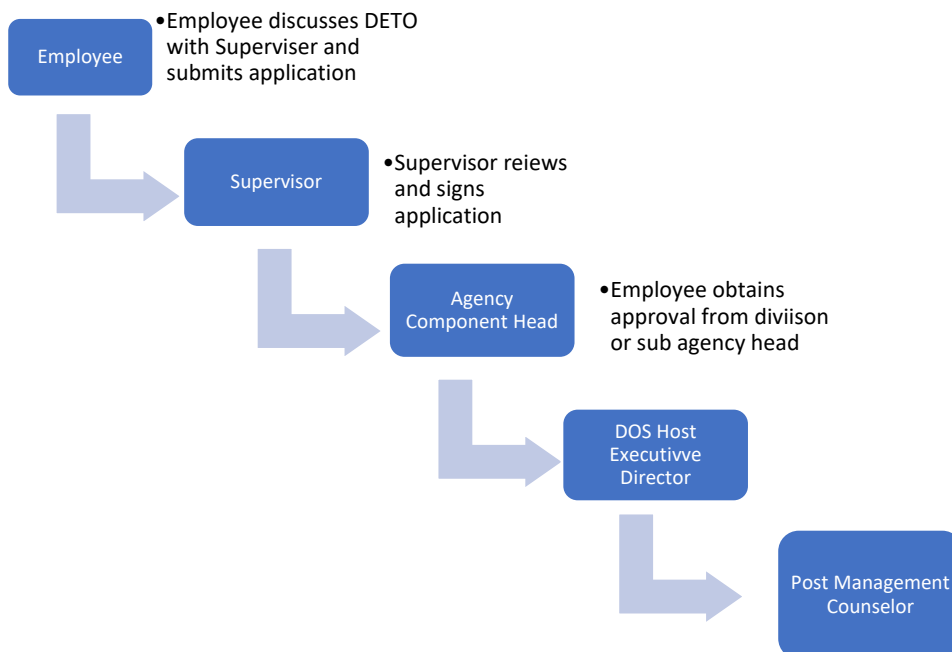
- Foreign Service Officers on Y tours;
- Political Appointees and personnel on Schedule C Appointments;
- Employees whose duties include reporting on or playing any substantive role in the policy or administrative issues pertaining to the country where DETO telework will occur;
- Positions that require access or handling of classified materials are generally ineligible; and
- Overseas post or countries that are unaccompanied or partially unaccompanied, see 3 FAM 2370 for more information.

Pay and allowance: Individuals pursuing DETO arrangements should understand the pay implications if approved. Pay will be determined by the Civil Service/OPM pay scale. Additionally:

- a. DETOs are authorized to receive a special locality payment calculated as the lesser of:
 - The amount of locality pay the employee would have been paid if the employee's official duty station had not been changed to an overseas location under the applicable DETO agreement, or,

- The current DETO locality pay table developed by the State Department. (21.66% in 2023 DETO locality pay table, which is two-thirds of the Washington D.C locality pay, <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/domestic-employees-teleworking-overseas-deto-locality-pay/>)
- b. DETOs are not eligible for overseas allowances, i.e., post allowance and living quarters allowance. The sponsor of the DETO may be eligible for allowances if allowances are allowed for the DETO's presence in the overseas location as a dependent. In simpler terms, if your military spouse is allowed BAS, OHA, and or COLA at the dependent rate, they will receive said allowance per their military order and dependency status.

The Process: All DETO agreements must be reviewed and signed by the following individuals: Discuss the potential DETO application with your immediate supervisor to ensure you understand your agency's process for submission.



Once the DETO application has received all the required signatures, the package will be forwarded for review and approval. Note – DETO agreements cannot begin until required steps have been completed and the official approval has been granted.

For additional information regarding the DETO process please contact your local legal assistance office to speak with an attorney or contact your employer's human resources office.

References:

1. Reference 3 FAM 2370 Domestic Employee Teleworking Overseas (DETO) <https://fam.state.gov/fam/03fam/03fam2370.html>
2. OPM – Overseas Telework <https://www.opm.gov/telework/tmo-and-coordinators/overseas-telework/>
3. OPM Domestic Employees Teleworking Overseas (DETO) – Locality Pay <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/domestic-employees-teleworking-overseas-deto-locality-pay/>