



Defense Health Agency

ADMINISTRATIVE INSTRUCTION

NUMBER 1025.03

December 8, 2022

Director, J-1

SUBJECT: Continued Service Agreement

References: See Enclosure 1.

1. PURPOSE. This Defense Health Agency-Administrative Instruction (DHA-AI), based on the authority of References (a) and (b), and in accordance with the guidance of References (c) through (k), establishes the Defense Health Agency's (DHA) procedures to implement the Government Employees Training Act, codified in Reference (d), giving agency heads the authority to determine the conditions for requiring Continued Service Agreements (CSA) for training provided. In accordance with Reference (d), civilian personnel must agree in writing to continue to serve in the Federal Government for a period of time which is calculated based on the cost of the training and/or the time spent in training during duty hours before they can be assigned to training above the thresholds established within this DHA-AI.
2. APPLICABILITY. This DHA-AI applies to the DHA, DHA Components (activities under the authority, direction, and control of the DHA including Directorates, Staff sections, and Direct Reporting Organizations), and DHA civilian personnel.
3. POLICY IMPLEMENTATION. It is the DHA's instruction, pursuant to References (d) through (k), that:
 - a. Any training provided to civilian personnel that costs \$1,500.00 or more and/or lasts longer than 39 hours will require a CSA.
 - b. CSAs must be signed and approved before training is assigned and/or commenced. DHA civilian personnel may be denied training, if DHA civilian personnel fail to sign a CSA before training begins. Examples of training subject to this DHA-AI include: internal and external leadership development programs, Senior Executive Service candidate development programs, academic degree programs, certificate programs, continuing education unit courses, seminars and

conferences, and any other training deemed appropriate for a CSA requirement by agency leadership.

c. All continued service obligations will be in effect from the date of this DHA-AI. All previously computed service obligations remain in effect, and will not be adjusted per this instruction.

4. CANCELED DOCUMENT. This DHA-AI cancels DHA-AI 043, “Continued Service Agreement (CSA) Procedures,” June 19, 2018.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

7. PROPONENT AND WAIVERS. The proponent of this publication is the Director, Administration and Management (J-1). When activities are unable to comply with this publication, the activity may request a waiver that must include a justification, including an analysis of the risk associated with not granting the waiver. The activity director or senior leader will submit the waiver request through their supervisory chain to the Director, J-1, to determine if the waiver may be granted by the Director, DHA or their designee.

8. RELEASABILITY. **Cleared for public release**. This DHA-AI is available on the Internet from the Health.mil site at: <https://health.mil/Reference-Center/Policies> and is also available to authorized users from the DHA SharePoint site at: <https://info.health.mil/cos/admin/pubs/SitePages/Home.aspx>.

9. EFFECTIVE DATE. This DHA-AI:

a. Is effective upon signature.

b. Will expire 10 years from the date of signature if it has not been reissued or cancelled before this date in accordance with Reference (c).

10. FORMS

a. DHA Form 39, Continuing Service Agreement can be found at:
https://info.health.mil/cos/admin/DHA_Forms_Management/Lists/DHA%20Forms%20Management/AllItems.aspx#.

b. The Standard Form (SF) 182, Authorization, Agreement, and Certification of Training is available at: <https://www.gsa.gov/forms-library/authorization-agreement-and-certification-training>.

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RONALD J. PLACE
LTG, MC, USA
Director

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Continued Service Agreement Recoupment Process

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5136.01, "Assistant Secretary of Defense for Health Affairs (ASD(HA))," September 30, 2013, as amended
- (b) DoD Directive 5136.13, "Defense Health Agency (DHA)," September 30, 2013, as amended
- (c) DHA-Procedural Instruction 5025.01, "Publication System," April 1, 2022
- (d) 5 United States Code, Section 4108
- (e) Code of Federal Regulations, Title 5, Section 410.309
- (f) DoD Instruction 1400.25, Volume 410, "DoD Civilian Personnel Management System: Training, Education, and Professional Development," September 25, 2013, as amended
- (g) DHA-Administrative Instruction 5136.01, "Defense Health Agency Terms of Reference," November 24, 2021
- (h) United States Office of Personnel Management Memorandum, "Fact Sheet on Continuing Service Agreements," September 4, 2009
- (i) DoD Manual 5400.07, "DoD Freedom of Information Act (FOIA) Program," January 25, 2017
- (j) DoD Directive 5400.07 "DoD Freedom of Information Act (FOIA) Program," April 5, 2019
- (k) DHA-Administrative Instruction 5015.01, "Records Management Program," February 6, 2020

ENCLOSURE 2
RESPONSIBILITIES

1. DIRECTOR, DHA. The Director, DHA, will oversee the development, implementation, and administration of the civilian personnel CSA process.

2. DEPUTY DIRECTOR, DHA. The Deputy Director, DHA, will:
 - a. Serve as Senior Civilian and SES within the DHA in accordance with Reference (g).

 - b. Support the implementation of civilian personnel CSA requirements established within this DHA-AI.

3. DIRECTOR, J-1, DHA. The Director, J-1, DHA, in addition to the responsibilities within Paragraph 8 of this enclosure, will maintain oversight activities and management controls for CSA administration.

4. CHIEF, DHA WORKFORCE DEVELOPMENT BRANCH (WFD). The Chief, DHA WFD, will:
 - a. Manage and administer civilian personnel CSA requirements in accordance with this DHA-AI.

 - b. Advise and assist DHA Leadership with civilian personnel CSA policy and processes.

 - c. Oversee the development, maintenance, and communications of CSA guidance for civilian personnel.

 - d. Assign a SF-182/CSA Coordinator to manage DHA CSAs.

5. DHA WFD SF-182/CSA COORDINATOR. The DHA WFD SF-182/CSA Coordinator will:
 - a. Implement, oversee, and sustain the administration of civilian personnel CSA policy and processes.

 - b. Develop and provide agency-wide CSA guidance for civilian personnel.

 - c. Serve as the primary point of contact for DHA Components and the primary liaison with the DHA and DHA Component Training Liaisons.

d. Ensure required CSAs are maintained on-file for paid training, in accordance with the service obligation requirements as detailed within Enclosure 3, paragraphs 1.a. and 1.b.

e. Ensure the CSA is signed and approved and training is paid for before the training start date.

f. Provide a copy of DHA Form 39, "Continuing Service Agreement," to the designated DHA Human Resources servicer to be included in the appropriate civilian's personnel file.

6. DHA GENERAL COUNSEL (GC). DHA GC will:

a. Serve as the primary legal advisor to the Director, DHA, by providing assistance on a case-by-case basis in instances where civilian personnel will have unmet continued service obligations to determine recoupment plans.

7. DIRECTOR, DHA FINANCIAL OPERATIONS (J-8). Director, DHA J-8, will:

a. Coordinate with DHA GC for recoupment plan determinations for civilian personnel with unmet continued service obligations.

b. Enforce DHA GC's determinations by implementing the identified recoupment plans directly with civilian personnel having unmet continued service obligations.

8. DHA DIRECTOR OF STAFF (DOS), ASSISTANT DIRECTORS (AD), DEPUTY ASSISTANT DIRECTORS (DAD), J-DIRECTORS, AND SPECIAL STAFF. The DHA DoS, ADs, DADs, J-Directors, and Special Staff will:

a. Ensure the implementation and execution of civilian personnel CSA requirements established within this DHA-AI.

b. Be responsible for their respective Directorate's CSA management oversight.

c. Appoint a Training Liaison, in writing, to manage civilian personnel CSAs for their respective Directorate.

10. DIRECTORS, DHA COMPONENT. Directors, DHA Component will:

a. Ensure the implementation and execution of civilian personnel CSA requirements established within this DHA-AI.

b. Be responsible for their respective organization's CSA management oversight.

c. Appoint a Training Liaison, in writing, to manage the civilian personnel CSAs for their respective areas of responsibility.

12. DHA AND DHA COMPONENT TRAINING LIAISONS. DHA and DHA Component Training Liaisons will:

a. Implement, oversee, and sustain the administration of the civilian personnel CSA for their respective areas.

b. Ensure civilian personnel within their respective areas follow the CSA guidance established in this DHA-AI.

c. Ensure that DHA Form 39 is completed according to guidance established within this DHA-AI for their respective areas.

d. Maintain CSA records in accordance with Reference (g).

e. Calculate DHA civilian personnel continued service obligations for their respective civilian personnel, in accordance with the service obligation requirements as detailed within Enclosure 3, Sections (a) and (b)

f. Provide copies of completed CSAs to their respective Government Purchase Card (GPC) Holder for processing.

g. Ensure required CSAs are maintained on-file for paid training, in accordance with the service obligation requirements as detailed within Enclosure 3, Sections (a) and (b).

h. Ensure CSAs are signed and approved and training is paid for before the training start date.

13. DHA AND DHA COMPONENT GOVERNMENT PURCHASE CARD (GPC) HOLDERS. DHA and DHA Component GPC Holders will:

a. Ensure the implementation and execution of the requirements established within this DHA-AI.

b. Ensure required CSAs are maintained on-file for paid training, in accordance with the service obligation requirements as detailed within Enclosure 3, paragraphs 1.a. and 1.b.

c. Ensure CSAs are signed and approved and training is paid for before the training start date.

d. Provide a copy of DHA Form 39 to the designated DHA Human Resources servicer to be included in the appropriate staff member's personnel file.

14. DHA CIVILIAN PERSONNEL SUPERVISORS. DHA Civilian Personnel Supervisors will:

- a. Ensure the implementation and execution of the requirements established within this DHA-AI.
- b. Be responsible for their respective civilian personnel CSA management oversight.
- c. Ensure required CSAs are maintained on-file for paid training, in accordance with the service obligation requirements as detailed within Enclosure 3, paragraphs 1.a. and 1.b.
- d. Ensure the CSA is signed and approved and training is paid for before the training start date.
- e. Ensure their respective civilian personnel adhere to recoupment procedures established within this DHA-AI when unable to fulfill their continued service obligation.

15. DHA CIVILIAN PERSONNEL. DHA Civilian Personnel will:

- a. Adhere to the CSA requirements established within this DHA-AI.
- b. Ensure a CSA is completed for paid training, in accordance with Enclosure 3, paragraphs 1.a. and 1.b.
- c. Fulfill continued service obligations in accordance with the guidance established within this DHA-AI.
- d. Adhere to recoupment procedures established within this DHA-AI when unable to fulfill a continued service obligation.

ENCLOSURE 3

PROCEDURES

1. OVERVIEW. CSA actively promotes the DHA as a responsible guardian of capital resources, while offering the opportunity to pursue world-class educational opportunities to civilian personnel in a fair and equitable manner. Continued service obligations are based on the cost of the training and/or the time spent in training during duty hours. CSA is maintained in the civilian personnel file.

a. The minimum required continued service obligation to the Federal Government cannot be less than three times the length of the training period, calculated based on training duty hours away from the DHA; factored by way of the equation: (weeks of training times (5) days times (8) hours = training duty hours) times 3 = minimum service obligation to the Department of Defense (DoD). The greater of the minimums noted will prevail. Reference Table 1 for service obligation requirements based on the cost of training.

Table 1. Cost to Service Obligation Chart

Cost of Training	\$0 – \$1499	\$1,500 – \$2,999	\$3,000 – \$7,999	\$8,000 – \$20,000	\$20,001 – \$50,000	Over \$50,000
Minimum Required Service Obligation	No CSA Required	3 Months	6 Months	12 Months	24 Months	36 Months or More

b. In the event the only cost for the training is temporary duty expenses, or if training duty hours are the sole basis for establishing the continued service obligation, then the obligation will be based on actual training duty hours, or time spent in training, which may be different than the actual length of the training period (dates). Reference Table 2 for service obligation requirements based on the time spent in training during duty hours.

Table 2. Hours to Service Obligation Chart

Training Duty Hours	0 – 39	40 – 100	101 – 240	Over 240
Minimum Required Service Obligation	No CSA Required	2 Months	4 Months	6 Months

c. All continued service obligations referenced above are calculated using calendar days.

2. ACADEMIC DEGREE PROGRAMS. For DHA civilian personnel participating in academic degree programs, the continued service obligation begins after the completion of each semester/quarter. After each completed semester/quarter, the continued service obligation period is recalculated to reflect extension of obligation. Total semester cost or total course hour cost will be the basis for determining service obligation for academic degree programs/courses; however, the minimum continued service obligation cannot be less than three times the length of the course. For any single academic course, single online course, or single developmental course, the continued service obligation begins upon completion of the course, in accordance with Tables 1 and 2. The minimum continued service obligation cannot be less than three times the length of the course.

3. DHA CIVILIAN PERSONNEL MOVES TO ANOTHER FEDERAL AGENCY. In the event DHA civilian personnel separates from the DHA/DoD for another Federal agency prior to completing their continued service obligation, the continued service obligation will be exempt.

4. DHA CIVILIAN PERSONNEL VOLUNTARY SEPARATION FROM FEDERAL SERVICE. In the event DHA civilian personnel separates from Federal service prior to fulfilling their continued service obligation, they will be required to reimburse DHA for the period of service not completed. If the DHA civilian personnel completed less than 50 percent of the continued service obligation at the time of departure, they are required to pay the full amount.. If the DHA civilian personnel has completed more than 50 percent of the continued service obligation at the time of departure, then a pro-rated amount of the cost of the training program will be required to be re-paid.

a. If 70 percent of the continued service obligation has been fulfilled at the time of departure, then 30 percent of the cost needs to be re-paid by the DHA civilian personnel.

b. DHA civilian personnel with unmet continued service obligations must adhere to the established recoupment procedures established within this DHA-AI.

c. The DHA shall provide procedures to enable the employee to obtain a reconsideration of the recovery amount or to appeal for a waiver of the agency's right to recover. A waiver may be granted if a civilian personnel resigns due to personal illness, illness of a family member, or inability to make required payment because of severe financial hardship. This will be determined on a case-by-case review by the Chief, WFD. The Chief, WFD, may waive the continued service obligation in whole or in part, if it is shown that the recovery would create undue personal hardship, be against equity or good conscience, or be against the public interest. The disposition of all others will be determined by the DHA GC.

5. DHA CIVILIAN PERSONNEL INVOLUNTARY SEPARATION FROM FEDERAL SERVICE. If a DHA civilian personnel is involuntarily separated from Federal service, then they are no longer required to reimburse the agency. The agency cannot require reimbursement

under these circumstances. A waiver may be granted if a civilian personnel resigns due to personal illness, illness of a family member, or inability to make required payment because of severe financial hardship. This will be determined on a case-by-case review by the Chief, WFD. The Chief, WFD, may waive the continued service obligation in whole or in part, if it is shown that the recovery would create undue personal hardship, be against equity or good conscience, or be against the public interest. The disposition of all others will be determined by the DHA GC.

6. DHA CIVILIAN PERSONNEL WITHDRAWAL FROM TRAINING PROGRAM

a. If a DHA civilian personnel voluntarily withdraws from a funded training course/program, then the DHA requires they provide a full refund for the cost of that course/program.

b. If a DHA civilian personnel is involuntarily removed from a funded training course/program (e.g., for performance-related issues), then they are required to reimburse the DHA as agreed upon based on the recoupment procedures established within this DHA-AI.

7. DHA CIVILIAN PERSONNEL DOES NOT PASS TRAINING COURSE/PROGRAM. In the event a DHA civilian does not successfully pass a funded training course/program, they will be responsible for repaying the entire cost of the course/program.

ENCLOSURE 4

CONTINUED SERVICE AGREEMENT RECOUPMENT PROCESS

1. OVERVIEW. The DHA will enforce the Recoupment Process for civilian personnel who are departing from the Agency and have unmet continued service obligations.

2. PROCESS

a. The DHA WFD will determine met and unmet continued service obligations for the DHA civilian personnel departing from Federal Service. If DHA civilian personnel has an unmet continued service obligation, the DHA WFD will calculate their recoupment amount and determine if there are any special circumstances that must be considered as part of the recoupment.

b. The DHA WFD will provide the calculated recoupment amount and any special circumstances to be considered to the DHA GC for review and decision. The DHA GC will determine eligibility of recoupment payment from the civilian personnel.

c. Once determined, the DHA WFD will notify the DHA J-8 of the DHA GC's decision. If recoupment is needed, then the DHA J-8 will work with the civilian personnel directly to establish a recoupment plan.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

CSA	Continued Service Agreement
DHA	Defense Health Agency
DHA-AI	Defense Health Agency-Administrative Instruction
DoD	Department of Defense
GC	General Council
GPC	Government Purchase Card
J-1	Administration & Management
J-8	Financial Operations
SF	Standard Form
WFD	Workforce Development Branch