Interlocation Appointments (ILAs) – Financial Management

Title: Interlocation Appointments (ILAs) – Financial Management
Publication date: 5/11/2015
Effective date: 12/1/2010

BRIEF

Policy Summary

An Interlocation Appointment (ILA) is an arrangement under which a Berkeley Lab employee is assigned or loaned to another institution to perform work at a specified percentage of effort, for a specified duration, at a specified cost. The purpose of an ILA is to maintain continuity of a Berkeley Lab employee's University of California (UC) employment history and benefits coverage when the individual performs work at more than one eligible institution, with no break in service. An ILA cannot be used to circumvent the Work for Others (WFO) program or to reduce costs for the host institution.

Who Should Read This Policy

All employees involved with the financial aspect of ILAs at Berkeley Lab

To Read the Full Policy, Go To:

The POLICY tab on this wiki page

Contact Information

- Human Resources – Interlocation Appointment (ILA) Office, OCFO
- Direct Budget Manager, OCFO
- Payroll Manager, OCFO
- Travel Manager, OCFO

Policy

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POLICY

A. Purpose

This policy provides financial guidance for Interlocation Appointments (ILAs). An ILA is an appointment of Lawrence Berkeley National Laboratory (Berkeley Lab) personnel to perform work at other organizations such as the federal government, state or local governments, institutions of higher learning, Native American tribal governments, and other eligible nonfederal organizations, including federally funded research and development centers.

B. Persons Affected

All Berkeley Lab employees involved with the financial management of ILAs

C. Exceptions

None
D. Policy Statement

1. Appointment Types: This policy applies to the appointment types reflected on the following table.

<table>
<thead>
<tr>
<th>Appointment Type</th>
<th>Project Type</th>
<th>Host Institution</th>
<th>Length of Appointment</th>
<th>Eligibility Criteria</th>
<th>Host Reimbursement</th>
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<tbody>
<tr>
<td>Multi-Location</td>
<td>MLA</td>
<td>University of California (UC) institution other than Berkeley Lab Used throughout the UC system to facilitate the ability of employees at one institution to perform work at another institution</td>
<td>May be either short- or long-term duration</td>
<td>Nonfaculty employee classification</td>
<td>Salary (direct effort) and payroll burden only</td>
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<tr>
<td>Intergovernmental Personnel Assignment</td>
<td>IPA</td>
<td>U.S. federal government agencies</td>
<td>Up to 2 years, but may be extended for an additional 2 years</td>
<td>Employed at least 90 days in a Career employee classification</td>
<td>Salary (direct effort), payroll burden, &amp; travel per diem or relocation as negotiated with agency</td>
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<tr>
<td>Interjurisdictional Employee Exchange</td>
<td>IJE</td>
<td>State of California agencies</td>
<td>Not to exceed 4 years</td>
<td></td>
<td>Salary (direct effort), payroll burden, &amp; travel per diem or relocation as negotiated with agency</td>
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</table>

2. Nature of the Appointment
   a. An ILA is an arrangement under which an employee is assigned or loaned to another institution to perform work at a specified percentage of effort (which may range from 1% to 100%), for a specified duration, at a specified cost. (See Section F, Definitions /Acronyms, for information on the intent of each appointment type.)
   b. The purpose of an ILA is to maintain continuity of a Berkeley Lab employee’s UC employment history and benefits coverage when the individual performs work at more than one eligible institution, with no break in service. An ILA cannot be used to circumvent the Work for Others (WFO) program or to reduce costs for the host institution.
   c. While performing ILA work, the Berkeley Lab employee works under the guidance of the host institution, takes direction from the host institution supervisor, uses the host institution’s resources and facilities to perform the work, and is considered a contract worker for the host institution. As defined in Contract 31, Clause I.115 (h), “Government property shall be used only for the performance of this contract.” Therefore, Berkeley Lab facilities, property, or resources cannot be used in the execution of a non-Berkeley Lab appointment.
   d. The agreement between Berkeley Lab and the host institution is limited to the employee’s effort on the interlocation appointment only. Berkeley Lab is not responsible for meeting work goals, deliverables, and/or managing the employee's performance on the appointment. The work performed by a Berkeley Lab employee on an ILA is owned by the host institution. However, while the employee is on the appointment, the Berkeley Lab supervisor is responsible for receiving input from the host institution supervisor in order to complete the employee's performance evaluation. The Berkeley Lab supervisor remains responsible for completing the employee’s annual formal, written performance evaluation and meeting the annual performance and merit deadlines as defined in Berkeley Lab's Requirements and Policies Manual.
   e. Berkeley Lab approval of the appointment is contingent upon the needs of the employee's Berkeley Lab work unit and may include a revision of the employee’s Berkeley Lab duties and responsibilities for the duration of the ILA assignment. During the term of the appointment, the work for the host institution should not interfere with the employee's Berkeley Lab work assignment.

3. Financial Considerations
   a. As the appointment represents work in support of another institution, at no time may DOE Direct Funds be used for costs associated with the appointment. There should only be one appointment per authorized assignment agreement and only one Berkeley Lab project per appointment.
      i. No work may begin prior to receipt of an authorized assignment agreement (see Appendix A).
      ii. An authorized assignment agreement can take up to 30 days or more to finalize; therefore, all new or renewal ILA requests must be submitted to the Berkeley Lab ILA Office, thirty (30) days in advance of the appointment's anticipated start date.
      iii. An authorized assignment agreement is effective upon the receipt of appropriate, complete documentation from the host institution and appropriate Berkeley Lab approvals.
      iv. Monthly invoices will be generated by Berkeley Lab and submitted to the host institution for payment.
      v. Berkeley Lab will notify the host institution if cost changes associated with the ILA occur (i.e., changes to employee's salary rate and/or changes to Berkeley Lab’s payroll burden rate).
      vi. At the end of the appointment term, once the project costs are finalized, a final invoice will be sent to the host institution. The project will be closed in Berkeley Lab's Financial Management System (FMS).
      vii. Indirect costs are assessed on any MLA/IJE/IPA in accordance with the current Burden Matrix posted on the Indirect Rate Structure section of the Budget Office website.
      viii. Travel expenses related to an IJE or IPA will be handled as negotiated in the authorized assignment agreement.
      ix. Coordination of travel or reimbursement for travel expenses associated with an MLA is to be handled directly between the employee and the UC institution (see Intercampus Travel Expenses).

E. Roles and Responsibilities

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<tr>
<th>Role</th>
<th>Responsibility</th>
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| Berkeley Lab Supervisor     | - Obtains Berkeley Lab supervisor and division director or designee concurrence that the ILA assignment is not a WFO activity (see Appendix A) and does not conflict with the employee's other Berkeley Lab work assignments.  
- Reviews MLA Decision Trees (see Appendices B and C) to determine whether appointment meets specified criteria.  
- If the appointment is for scientific staff and does not match criteria outlined in the second or third tiers of the Scientific Staff – MLA Decision Tree (see Appendix B), decide whether institutional benefit exists (Appendix B, fourth Tier). If institutional benefit can be proved, provide written justification to the Berkeley Lab ILA Office for the Berkeley Lab Deputy Director's consideration.  
- Identifies off-site work location, and confirms that Berkeley Lab facilities, property, or resources will not be used in the execution of the appointment.  
- Completes and signs the Berkeley Lab ILA Request Form. Submits the form to the Berkeley Lab Division Resource Analyst.  
- Ensures work does not begin on the ILA assignment until notified by the Berkeley Lab ILA Office that the authorized assignment agreement has been received and approved.  
- At the direction of the Berkeley Lab ILA Office, confers with Berkeley Lab's third-party tax consultant for possible income tax implications prior to accepting an IPA assignment.  
- Charges wage expense via the Laboratory Electronic Time Entry System (LETS) and other budgeted costs to a specified, appropriate project over the term of the appointment.  
- Submits to the Berkeley Lab Travel Office IJE/IPA related travel reimbursement requests (for per diem, relocation costs, and/or meeting expenses), as negotiated in the authorized assignment agreement.  
- Performs the assignment in accordance with the terms of the authorized assignment agreement.  
- Provides the Berkeley Lab supervisor, division director or designee, and Division Resource Analyst with advance notice if a request to extend the appointment term is likely.  
- Notifies the Berkeley Lab Payroll Office if the ILA assignment requires work to be performed outside of California for 40 hours/5 days (or greater) per month.  

| Berkeley Lab Resource Analyst (RA) | - Notifies the Berkeley Lab ILA Office and Berkeley Lab Human Resources Center of a possible new ILA assignment as soon as knowledge is available.  
- Reviews the Berkeley Lab ILA Request Form and determines the appropriate contract value and sixty (60)-day bridge funding estimate for the ILA assignment. Signs the Berkeley Lab ILA Request Form after conferring with the division director or designee to determine that the cost estimates are reasonable.  
- Coordinates the home institutional approvals and submits the Berkeley Lab ILA Request Form to the Berkeley Lab ILA Office for processing.  
- After receipt of notification from the Berkeley Lab ILA Office that the ILA project has been established in the Berkeley Lab FMS, initiates the following:  
  - Informs the supervisor and the employee of the project identification number in which to charge effort and expenses  
  - Ensures the employee's Berkeley Lab Timekeeper is aware of the appointment so that the employee can appropriately report ILA efforts in LETS.  
- Reviews the monthly ILA Status Report to ensure the activity identified meets the terms of the PO (i.e., period of performance and contract value).  
- Works with the Berkeley Lab Budget Office – Reimbursable Group (Contract Accounting) and the Berkeley Lab ILA Office to ensure outstanding receivables plus the bridge funding estimate remains a positive balance.  
- Notifies the Berkeley Lab ILA Office of changes to employee's salary rate, percent of effort, or contractual terms.  
- Provides financial details or reports to the host institution, when requested.  
- Assists the Berkeley Lab Budget Office – Reimbursable Group (Contract Accounting) with delinquent payment issues, as requested.  
- Notifies the Berkeley Lab Budget Office – Reimbursable Group (Contract Accounting) and Berkeley Lab ILA Office of the award closeout.  

| Berkeley Lab Supervisor | - Reviews the terms of the ILA assignment and discusses with the host institution, as necessary.  
- Confirms in consultation with Berkeley Lab division director or designee that the assignment does not conflict with any of the employee's Berkeley Lab assignments and is not a WFO activity (see Appendix A).  
- Ensures the assignment does not begin prior to receipt of confirmation from the Berkeley Lab ILA Office that authorized assignment agreement has been received and approved.  
- Ensures the employee reports his or her effort in LETS in a timely manner.  
- Ensures the employee evaluation is completed by the merit deadline, receiving input from the supervisor at the host institution.  
- Approves the Berkeley Lab ILA Request Form for submission to the Berkeley Lab ILA Office.  

| Berkeley Lab Division Director or Designee (limited to Deputy Director or Business Manager) | - Confirms, in consultation with the supervisor and the employee, that the proposed ILA assignment does not conflict with any of employee's Berkeley Lab assignments and is not a WFO activity (see Appendix A).  
- Confirms, in consultation with the Berkeley Lab Resource Analyst, that the contract value and bridge funding estimates are reasonable.  
- Approves the Berkeley Lab ILA Request Form for submission to the Berkeley Lab ILA Office.  

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Berkeley Lab ILA Office

- Manages and negotiates all Berkeley Lab ILA agreements
- Functions as a subject matter expert for Berkeley Lab Human Resources (HR) and financial issues related to ILA assignments
- Discusses the proposed ILA with the Berkeley Lab Resource Analyst/Business Manager or the employee to determine appropriateness and/or allowability
- Assists the employee with negotiating the terms of ILA assignment (i.e., scope of work, period of performance, percent of effort, and contract value)
- Functions as a liaison between the third-party tax consultant and the Berkeley Lab division, Payroll Department, and the employee for possible tax implications related to UE or IPA assignments
- Reviews the Berkeley Lab ILA Request Form to ensure the following:
  - The proposed ILA assignment is not a WFO activity.
  - A Berkeley Lab/Campus union representation issue does not exist.
  - The estimated contract value is consistent with the employee's salary and payroll burden rate, based on percentage of effort and performance period of ILA assignment.
  - The bridge funding estimate is reasonable.
  - The term of the ILA assignment is within the employee's Berkeley Lab appointment performance period.
  - Authorized signatures are included.
  - For MLAs only, if the appointment does not match the criteria outlined in the second or third tier of Scientific Staff – MLA Decision Tree (Appendix B), consults with the employee regarding the institutional benefit (Appendix B, fourth tier).
- Coordinates the submission of the Berkeley Lab ILA Request Form and the employee's written justification of institutional benefit to the Berkeley Lab Deputy Director for a decision (for MLA requests that apply to the fourth tier of Scientific Staff MLA Decision Tree – see Appendix B)
- Informs the Berkeley Lab division RA or Business Manager of other forms necessary for submission of the ILA request to the host institution (applies to UE or IPA assignments only). Prepares and submits formal ILA request to the host institution.
- Consults with Berkeley Lab Budget Office – Reimbursable Group (WFO Funds Control & Analysis) and Legal Department on ILA requests that may pose potential conflict-of-interest risks.
- Communicates with the host institution to obtain approvals and documentation for authorized assignment agreement
- Enters the appointment information into the Electronic System for Research Administration (eSRA) and generates the award within 24 hours of receipt and approval of the authorized assignment agreement.
- Notifies the Berkeley Lab Division RA when the project has been established.
- Notifies the Budget Office – Reimbursable Group (WFO Funds Control & Analysis) of the bridge funding amount.
- Notifies the appropriate Berkeley Lab parties (i.e., employee, supervisor, division director or designee, division RA, or HR Center) of receipt and approval of the authorized assignment agreement.
- Notifies the Berkeley Lab HR Center when an employee's work location requires change in the Human Resources Information System (HRIS).
- Notifies the Berkeley Lab Travel Department of travel or relocation provisions approved in the authorized assignment agreement (applicable to UE and IPA assignments only).
- Advises the employee of his/her responsibility to contact the Payroll Office when ILA assignment will require work outside of California for 40 hours/5 days (or greater) per month.
- Manages the initial and subsequent changes to terms from the initial agreement (i.e., change orders, RAPID updates, and bridge funding estimates).
- Ensures the employee is kept “whole” in terms of service credit, health and welfare benefits, and applicable accruals and leaves (i.e., vacation, sick, and Berkeley Lab paid holidays).
- Develops and cultivates business contacts with the host institutions.
- Reviews the monthly ILA Appointment Status Report
- Assists the Berkeley Lab Division and Budget Office – Reimbursable Group (Contract Accounting) with troubleshooting payment issues.

Human Resources (HR) Center

- Notifies the Berkeley Lab Division RA and the ILA Analyst of any personnel issues (i.e., appointment, salary changes, etc.)
- Prepares a Personnel Action Form (PAF), when appropriate
- Files a copy of the authorized assignment agreement in employee's personnel file
- Ensures the employee's performance evaluation is completed by the supervisor, including input from the host institution during the temporary assignment. Ensures the employee is eligible for a scheduled merit increase.
- Files a copy of the authorized assignment agreement in employee's personnel file
- Functions as a subject matter expert for Berkeley Lab Human Resources (HR) and financial issues related to ILA assignments

Berkeley Lab Budget Office – Reimbursable Group (WFO Funds Control & Analysis)

- Reviews the bridge funding estimates for reasonableness
- Develops and distributes the monthly ILA Appointment Status Report

Berkeley Lab Payroll Office (IPAs and IJE)

- Processes the PAF, when appropriate
- Processes the journal entry at the end of each month to debit the project identification listed on the PAF, when appropriate
- Processes the relocation and per diem payments for IJE and IPA appointees, in accordance with the terms negotiated in authorized assignment agreement
- Processes and reports the Berkeley Lab employee's payroll earnings in accordance with appropriate tax regulations.

Berkeley Lab Travel Office (for UE and IPA assignments only)

- Travel costs supported by the host institution (as negotiated in the authorized assignment agreement)
  - Adheres to appropriate state or federal travel guidelines.
  - For appointments greater than one year, reviews travel relocation, dislocation, and per diem reimbursement terms and forwards them to the Payroll Office.
  - Processes travel expense vouchers for appointees through the Travel and Expense Reimbursement System (TREX) for costs related to collaborative and scientific meetings and conferences.
- Travel costs supported by Berkeley Lab (as negotiated in the authorized assignment agreement)
  - Adheres to appropriate state or federal travel relocation/reimbursement guidelines.

Berkeley Lab Budget Office – Reimbursable Group (Contract Accounting)

- Notifies the Budget Office – Reimbursable Group (WFO Funds Control & Analysis) on the receipt of any advance payments.
- Invoices the host institution for appointee costs
- Applies payments to invoices
- Performs tracking and collections activities
- Requests collection assistance from the Division Resource Analyst from the ILA Office for delinquent payments.
- Performs the award closeout

Berkeley Lab Deputy Director (for MLA requests that apply to the fourth-tier category, as outlined in Appendix B)

- Makes final determination on approval of MLA request, after reviewing employee's justification of institutional benefit.

Host Institution

- Works directly with the employee and the ILA Office
- Creates or approves the authorized assignment agreement, which specifies the scope, term, and cost of the appointment
- Reports the approved authorized assignment agreement to the ILA Office
- Directs the work of the Berkeley Lab employee, completes the employee evaluation, notifies the employee of termination or renewal of contract.

F. Definitions/Acronyms

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<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Home Institution</td>
<td>The institution or organization that hires the employee and that manages</td>
</tr>
<tr>
<td></td>
<td>the employee's payroll/benefits</td>
</tr>
<tr>
<td>Host Institution</td>
<td>The institution or organization for which the employee performs the other</td>
</tr>
<tr>
<td></td>
<td>appointment</td>
</tr>
</tbody>
</table>
Intergovernmental Personnel Act (IPA) Assignment

A temporary transfer of skilled personnel between the federal government and state or local governments, institutions of higher education, Native American tribal governments, and eligible non-federal "other organizations," including federally funded research and development centers. The assignment is effected for purposes of mutual concern to the federal government and to the participating nonfederal entity and should also serve a sound public purpose. IPA assignments can be used to:

- Strengthen the management capabilities of federal agencies; of state, local, and Native American tribal governments; and of other eligible organizations
- Assist in the transfer and use of new technologies and approaches to solving governmental problems
- Involve state and local officials in the development and implementation of federal policies and programs
- Provide program and developmental experience that will enhance a DOE employee's performance in his or her regular job

Interjurisdictional Exchange (IJE)

The temporary assignment or loan of employees within an agency or between agencies, not to exceed two years or between jurisdictions not to exceed four years. Conditions of the IJE are that it:

- Enables a loaned/exchanged employee to receive training and valuable experience
- Enables an employing agency to obtain expertise needed to meet a compelling program or management need
- Enables an employing agency to obtain temporary expertise that is lacking in its organization
- Enables an employing agency to obtain the expertise of an individual employee
- Prohibits the displacement and layoff of civil service employees
- Guarantees a right of return to the loaned employee back to his/her former position at the end of the assignment
- Enables the loaned employee or participating agencies the right to terminate the assignment at any time
- Enables the borrowing or loan of one or more employees between government (local, state, federal) and/or public entities (i.e., colleges or universities)

Interlocation Appointment (ILA)

A non-Berkeley Lab appointment of Laboratory personnel to perform work at other organizations such as the federal government, state or local governments, institutions of higher learning, Native American tribal governments, and other eligible non-federal organizations, including federally funded research and development centers

Multiple Location Appointment (MLA)

Appointments that occur when an employee performs work at two or more UC-managed institutions simultaneously. Multiple-location appointments may be of either short or long duration.

Work for Others (WFO)

The performance of work for non-DOE entities by DOE/contractor personnel and/or the utilization of DOE facilities that are not directly funded by DOE appropriations. Work is in accordance with DOE Order 481.1C. WFO agreements are a mechanism through which industry can utilize the unique expertise and facilities at Berkeley Lab. In this type of arrangement, the industrial sponsor pays 100% of the cost of the work to be performed by the Berkeley Lab. Under many conditions, a company may take title to inventions created by Berkeley Lab under the WFO program. Some key points in such arrangements include product, general and IP indemnification, advance payment requirements, and the fact that the Berkeley Lab may not compete with the private sector for such work. Berkeley Lab does not perform proprietary work and all results can be published by Berkeley Lab researchers.

G. Recordkeeping Requirements

None

H. Implementing Documents

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<thead>
<tr>
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<td>Berkeley Lab ILA Request form</td>
<td>Form</td>
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<td>11.02.009.002</td>
<td>Berkeley Lab Travel Office – Procedures</td>
<td>Procedures</td>
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<td>11.02.009.003</td>
<td>UCOP Accounting Manual</td>
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<td>US General Services Administration Federal Travel Regulation Chapter 302 Relocation Allowance</td>
<td>Government guidance document</td>
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<td>Appendix A – Interlocation Appointment vs. Work for Others Criteria</td>
<td>Table</td>
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<td>11.02.009.006</td>
<td>Appendix B – ILA Policy and Procedure MLA Decision Tree – Scientific Staff</td>
<td>Flow Chart</td>
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<td>Appendix C – ILA Policy and Procedure MLA Decision Tree – Nonscientific Staff</td>
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<td>11.02.009.008</td>
<td>Appendix D – ILA Request Form Image</td>
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I. Contact Information

- Human Resources – Interlocation Appointment (ILA) Office, OCFO
- Reimbursable Group Manager, OCFO
- Payroll Manager, OCFO
- Travel Manager, OCFO

J. Revision History

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<th>Date</th>
<th>Revision</th>
<th>By whom</th>
<th>Revision Description</th>
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<td>Moore</td>
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<td>Review completed 12/1/12, no changes</td>
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<td>5/11/2015</td>
<td>1.2</td>
<td>N. Skowronski</td>
<td>Fix broken links, minor clarifications</td>
<td>Sections D.3, D.4, and H</td>
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Document Information

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Source Requirements Documents

- DOE M 321.1-1, Intergovernmental Personnel Act Assignments
- CA Codes Government Codes Section 19050.8 Interjurisdictional Exchange
- Office of Personnel Management Provisions of the IPA Mobility Program
- State of CA – Dept. of General Services Personnel Operations Manual (Interjurisdictional Exchange)

Other Driving Requirements

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<td>02.04.004.000</td>
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