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ADS Chapter 440

Time-in-Class (TIC) Limitations and Limited Career Extensions (LCEs)

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ADS 440 – Time-in-Class (TIC) Limitations and Limited Career Extensions (LCEs)
POC for ADS 440: See [ADS 501maa, ADS Chapters and Point of Contact List](#)

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ADS 440 – Time-in-Class (TIC) Limitations and Limited Career Extensions (LCEs)

440.1 OVERVIEW

Effective Date: 03/29/2024

This chapter provides the policy directives and required procedures that govern time-in-class (TIC) Limitations for career Foreign Service (FS) and Senior Foreign Service (SFS) officers and Limited Career Extensions (LCEs) for SFS officers, in accordance with [section 607 of the Foreign Service Act, as amended](#) (22 USC sec. 4007).

Policy directives and required procedures for Performance Board LCE determinations, promotions, and career tenure can be found in [ADS 463, Foreign Service and Senior Foreign Service Promotion Eligibility Requirements and Procedures](#) and policies on FS appointments and career tenure can be found in [ADS 414, Foreign Service \(FS\) Appointments](#).

This chapter is not applicable to career FS and SFS officers hired by the Office of the Inspector General (OIG), which is responsible for establishing and managing the necessary system(s) to administer and implement TIC Limitations and LCEs for its workforce.

440.2 PRIMARY RESPONSIBILITIES

Effective Date: 03/29/2024

- a. The **Administrator of USAID**, or designee, is responsible for granting or renewing LCEs based on the Consolidated Senior Foreign Service (C/SFS) Performance Boards' rank-ordered recommendations.
- b. The **Chief Human Capital Officer (CHCO), Office of Human Capital and Talent Management (HCTM)**, or designee, is responsible for issuing regulations governing TIC and LCEs. The CHCO has the authority to grant temporary extensions of up to one year under [Section 607\(d\)\(2\) of the Foreign Service Act of 1980, as amended](#).
- c. The **Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC)** is responsible for establishing and managing the necessary system(s) and processes to administer and implement TIC Limitations that pertain to all career Foreign Service Officers (FSOs); and implementing assignment-based actions for SFS officers recommended for LCEs.
- d. The **Office of Human Capital and Talent Management, Office of Workforce Planning, Policy and Systems Management (PPSM)** is responsible for establishing and managing the necessary information system(s) to support the administration of TIC Limitations and LCEs.

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e. The **Consolidated Senior Foreign Service (C/SFS) Performance Board** is responsible for recommending SFS officers for LCEs.

440.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES
Effective Date: 03/29/2024

The key **limitations covered by** this chapter are:

- TIC Limits,
- Cumulative (multi-class) TIC,
- Single-class TIC,
- Mandatory retirement for expiration of TIC limits,
- LCEs, and
- 607(d)(2) temporary extensions.

These limitations are defined in section **440.6**.

440.3.1 Objectives of TIC Limitations and LCEs
Effective Date: 03/29/2024

The Foreign Service Act of 1980, as amended, established the framework for the current Foreign Service Personnel system, which is a rank-in-person personnel system. **Rank** and promotions are attached to the individual and not a position, as they do in the CS. The CS is a rank-in-position **personnel** system. Central to the Foreign Service Personnel system is the concept of “up or out,” which requires career **officers** be separated from the service if one of the following happens within a specified time period:

- They are not promoted into the SFS; or
- If already in the SFS, they are not promoted to the next higher class.

This **specific** time period is called the TIC limitation. The TIC limitation may be time spent in a single class (single-class TIC) or time spent in multiple classes (cumulative TIC). LCEs may be used to permit SFS officers who would otherwise be separated from the service to continue their careers for specified periods of time.

The purpose of these regulations is to support the steady flow of personnel up through the ranks and into the SFS while balancing this need against the need to retain the experience and expertise of the Agency’s most capable career senior **officers. TIC**

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extensions and LCEs are always at the Agency’s discretion and should be granted based on Agency need.

These regulations do not apply to employees on Recall Appointments.

440.3.2 TIC Limitations for Career Officers at Class 1 and Below
 Effective Date: 03/29/2024

TIC Limitations apply to all career members of the FS at salary class 4 or higher, as shown in the table below. If an officer’s salary class at the time of their career appointment was below class 4, their TIC Limitations begin when they are promoted to class FS-4. The TIC limitation is the time period in which an officer must be promoted into the SFS. If an officer is not promoted into the SFS by the date of their TIC limitation expiration date, they are subject to mandatory retirement (see section 440.3.2.1).

Employee’s Salary Class on Date of Career Appointment	TIC Limitation is the Number of Years from Date of Career Appointment, or Promotion into Class 4, whichever is Later
FS-1	18 years
FS-2	20 years
FS-3	22 years with one exception. The exception applies to any employee who entered as an International Development Intern (IDI) or New Entry Professional (NEP) and was promoted to FS-3 before being tenured. Under this exception, it is 25 years.
FS-4	25 years
FS-5	Not applicable. TIC applies from date promoted to Class 4.
FS-6	Not applicable. TIC applies from date promoted to Class 4.

For the exception at Class 3 to apply, an individual would need to be at the Class 3 rank when the Board met to consider the individual for tenure.

440.3.2.1 TIC Calculation
 Effective Date: 03/29/2024

All periods of career service in salary classes 4 or higher count, unless specifically excluded by section 440.3.2.3.

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Examples: If your career appointment was effective on October 3, 2004, and you were in salary class 3 on that date, then your TIC expiration date would be October 3, 2026, 22 years from the date of career tenure. If you were in class 4, not class 3, your TIC expiration date would be October 3, 2029, 25 years from date of career appointment. If you were in salary class 5, not class 4 or 3, then your TIC expiration date would be set when you are promoted into Class 4.

440.3.2.2 Time Excluded from the TIC Calculation

Effective Date: 03/29/2024

The following periods are excluded from the TIC calculation:

- a. A break in service (for purposes of TIC calculation, a break in service does not include periods when an officer was seconded to an international organization, with reemployment rights back to USAID's career FS);
- b. Periods under a competitive service (civil service) appointment with USAID, but periods of FS career service before and after the competitive service appointment do count;
- c. Period(s) where [Section 607\(b\) of the Foreign Service Act of 1980, as amended](#) states HCTM determines it necessary to correct denial of opportunity for promotional consideration resulting from inadequate or incorrect performance data or administrative error or other appropriate legal reasons;
- d. Period(s) identified in any valid order from any administrative or judicial body;
- e. Periods spent in Agency sponsored training of one year (12 months) or more (this provision does not include service as faculty in a defense educational institution or other educational institution);
- f. Periods spent under a limited appointment; and
- g. Periods served as American Foreign Service Association (AFSA) Vice President for USAID, not to exceed five years, pursuant to Article 5(c)(3) of the Framework Agreement between USAID and AFSA, effective January 4, 2023.

440.3.3 TIC Limitations for Career Members of the Senior Foreign Service

Effective Date: 03/29/2024

The following TIC Limitations apply to all career officers and are calculated from the time they entered their current SFS class.

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SFS Class	TIC Limitation
Career Minister (FE-CM)	TIC is increased by four years, for a cumulative TIC Limitation of 16 years from the date of original promotion into the Counselor class.
Minister-Counselor (FE-MC)	TIC is increased by five years, for a cumulative TIC Limitation of 12 years from the date of original promotion into the Counselor class.
Counselor (FE-OC)	Seven years from date promoted into the Counselor class.

Examples:

- If you were promoted to Counselor (FE-OC) on November 14, 2020, your TIC expiration date would be November 14, 2027.
- If you were promoted to Counselor on April 10, 2013, and then were promoted to Minister-Counselor (FE-MC) on October 25, 2016, your TIC expiration date would be April 10, 2025. This is because you completed 12 years in the SFS and were an FE-MC.
- If you were promoted into the SFS on April 24, 2013, and were promoted into the Career Minister class (FE-CM) on October 20, 2019, then your TIC expiration date would be April 24, 2029, because it is 16 years after you were promoted into the SFS.

440.3.3.1 Special Calculation for Those Promoted to Career Minister Who Have Served On LCEs for Four or Five Years at the Minister-Counselor Level

Effective Date: 03/29/2024

In the rare case of an officer being promoted to Career Minister after serving four or five years on an LCE while in the Minister-Counselor class, the following applies:

- Four LCE years are counted towards the Career Minister TIC limitation and the officer must immediately be considered for an LCE.
- The fifth year on an LCE as a Minister-Counselor counts as LCE time while in the Career Minister class and reduces the officer's maximum allowable LCE time to four years as Career Minister.

440.3.4 LCEs for Career Members of the Senior Foreign Service

Effective Date: 12/21/2005

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Section 607(b) of the Foreign Service Act of 1980, as amended, authorizes the Administrator to grant or renew LCEs to members of the SFS who have reached their maximum TIC limit. The Administrator, or designee, may grant or renew LCEs only in accordance with the C/SFS Performance Board's rank-order recommendations (see [ADS 463](#)).

440.3.4.1 LCE Time Limits
Effective Date: 03/29/2024

The maximum time **allowed** on a single LCE is three years. There is no minimum time limit. The maximum allowable time on multiple LCEs while in the same salary class is five years. **If the SFS officer is promoted while serving on an LCE, the revised TIC date, which comes with promotion, is computed from the initial date of promotion into the SFS regardless of the length of the LCE.**

440.3.4.2 Career Status While on an LCE
Effective Date: 03/29/2024

Officers remain career members of the SFS while serving on an LCE, per [Section 607\(b\) of the Foreign Service Act of 1980, as amended](#). This means **they** continue to be eligible for promotion and performance pay, among other things, like any other member of the career SFS.

440.3.4.3 Timing of LCE Consideration
Effective Date: 03/29/2024

The **Performance** Board considers SFS officers who have TIC or LCEs expiring anytime during the next calendar year **for LCE**. For example, if **the officer's** TIC or LCE expires in calendar year **2027**, the **2026** Boards **must** consider them for an LCE. The **only exception** is if the officer reaches the maximum allowable time on multiple LCEs while serving on **their current** LCE, then **they** are no longer eligible for LCE consideration (see section **440.3.4.1**). **FS-01 officers who are eligible for promotion (have opened their window) are eligible for an LCE if they are recommended for promotion into the SFS by a Senior Threshold Board and their TIC would expire before the attestation process is completed.**

440.3.4.4 Withdrawal from LCE Consideration
Effective Date: 03/29/2024

SFS officers may withdraw **their** names from LCE consideration before the Board convenes. To do so, **they** must submit the request in writing to **HCTM** via a [LaunchPad](#) ticket to "Foreign Service Performance Management" (see section **440.2**). **The** written request must state that **the officer** does not wish to be considered for an LCE and understands that **their** withdrawal from consideration means that they will be mandatorily retired due to expiration of the TIC or LCE, unless **they** voluntarily retire before **their** TIC or LCE expiration date. If **the officer** is not eligible for voluntary

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retirement and wishes to leave the Agency before their TIC/LCE expiration date, HCTM must treat their separation as a resignation and they will not receive an immediate annuity (see section 440.6).

440.3.4.5 Criteria for Granting or Renewing an LCE
Effective Date: 03/29/2024

The Administrator, or their designee, may grant or renew an LCE only when the C/SFS Board has recommended the officer for an LCE and the Administrator, or designee, determines that one of the following scenarios exists:

- a. The LCE is necessary to allow the officer to complete the present tour, provided it is in the Agency's interest to do so.
- b. To retain an officer only in conjunction with a programmatic need of the Agency, where a position or assignment has been identified and:
 1. There is a demonstrated severe shortage of personnel in the officer's backstop;
 2. Where an activity is being phased out and hiring a new short-term replacement is inappropriate (where there is a temporary critical need, an LCE is not needed for the duration of an entire tour); or
 3. Where a critical need exists for specific skills, expertise, and experience for a particular assignment, while taking into account the effect any such LCE would have on the need to provide a regular and predictable flow of talent through the ranks and into the SFS.

Since LCEs cannot exceed three years, assignment to a new overseas post while serving on an LCE should normally not exceed one two-year tour, and the assignment panel may apply other criteria such as whether positions are hard-to-fill, when assigning officers serving on LCEs. For USAID/Washington assignments, all tours, including Senior Leadership Group assignments, are for three years. These tour lengths must be taken into account when assignment panels, the Deputy Administrator, and HCTM are considering assignments for an SFS officer facing a proximate TIC Limitation or serving on an LCE. For officers recommended for backstop-specific LCEs, it is at HCTM/FSC's discretion to assign such individuals based on their skills and experience.

Except with LCEs granted under paragraph b. of this section, HCTM and assignment panels must not consider for an onward assignment those with one year or less remaining on their TIC/LCE. HCTM/FSC must extend such officers in their present positions to complete their careers.

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For LCEs granted under paragraph a. of this section, if the officer's assignment is shortened for any reason, the Administrator, or designee, may terminate the LCE with 30 calendar days written notice.

LCE recommendations must, when practicable, take into account time needed to complete the FS retirement course at the end of the employee's service prior to retirement or separation.

440.3.4.6 LCEs for Officers Pending Promotion

Effective Date: 03/29/2024

Promotion-eligible officers recommended for promotion into or within the SFS who have TIC dates that may expire during the vetting and attestation processes following the Boards, should usually be granted LCEs that cover the time required for their promotions to go into effect, unless the Officer is subject to a vetting issue (meaning, the Officer is the subject of an open investigation or a closed investigation with a negative finding). If the Officer is subject to a vetting issue, the CHCO must consult with GC/EA and HCTM and then make a recommendation to the Administrator, designee, to offer a LCE or withdraw the Officer's name from consideration. The Administrator, or designee, must make the LCE determination.

440.3.5 Mandatory Retirement for Expiration of TIC or LCE

Effective Date: 03/29/2024

The Foreign Service Act of 1980, as amended, requires the Agency to mandatorily retire officers whose TIC limitations or LCEs have expired. This does not mean the officer is eligible for an annuity. Mandatory retirement for the FS means involuntary separation. It may or may not confer an immediate annuity benefit (see section 440.3.6.2)

440.3.5.1 Effective Date of Separation

Effective Date: 03/29/2024

HCTM/FSC must make the officer's separation effective on the last day of the month in which the officer's TIC expires. The only exceptions are for:

- a. Those granted an LCE or a temporary extension under Section [607\(d\)\(2\) of the Foreign Service Act of 1980, as amended](#) (see section 440.3.7). In such cases, the separation date is the date the extension expires.
- b. Those serving as Presidential appointees, for example, as Ambassador or Assistant Administrator (AA) (see section 440.3.8); and
- c. Those FS-1 officers who elected entry into the SFS but were not promoted or recommended for promotion into the SFS before the expiration of their TIC. HCTM/FSC must separate the FS-01 officer 30 calendar days after the officer's normal TIC separation date (i.e., the end of the month in which the officer's TIC

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expires) if the TIC date is less than 60 calendar days after the adjournment of the Senior Threshold Board of the calendar year in which their TIC expires. This postponement of separation constitutes a 607(d)(2) extension covered under section 440.3.7. Otherwise, the FS-01 officer's normal separation date applies (see section 440.3.7).

440.3.5.2 Annuity Eligibility

Effective Date: 03/29/2024

- a. Section 609 of the Foreign Service Act, as amended, provides an immediate annuity to all FS-1 and SFS officers who are mandatorily (involuntarily) retired for expiration of TIC or LCE, even if the employee is not eligible for voluntary retirement.
- b. Officers in Class 2 or below who are mandatorily retired for expiration of TIC must meet the voluntary retirement eligibility requirements to qualify for an immediate annuity. If the officer does not meet the age and service requirements for voluntary retirement, the Act provides severance pay equal to one month's salary for each year of service, up to one year's salary paid at the officer's current rate. The officer would also receive a refund of any retirement contributions. In lieu of severance pay, the officer may elect to receive a deferred annuity at age 60.

440.3.6 Temporary Extensions: 607(d)(2) Extensions

Effective Date: 03/29/2024

The CHCO, HCTM, or designee, may postpone the effective date of separation for TIC or LCE expiration for a period of no more than one year under special circumstances, in accordance with section 607(d)(2) of the Foreign Service Act of 1980, as amended. They must determine if special circumstances exist and if it is in the public interest (needs of the service) to grant the extension. To request an extension, the Principal Officer of the Mission or B/IO to which the employee is assigned must submit the request with justification to HCTM/FSC via a [Launchpad](#) ticket. Employees on a 607(d)(2) extension are not eligible for promotion or further LCE consideration.

440.3.7 FS/SFS Career Members Serving on Presidential Appointments when TIC or LCE Expires

Effective Date: 03/29/2024

A career officer may be serving as a presidential appointee when the officer's TIC or LCE expires. In this case, HCTM must retire the officer at the end of the month in which the presidential appointment expires. Since career FS and SFS retain their FS and SFS career status while on a presidential appointment, time spent on a presidential appointment counts like any other period of career service for TIC calculations.

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440.3.8 Time-in-Class Extensions for Service in Hard to Fill Posts

Effective Date: 03/29/2024

The Agency may offer TIC extensions to FSOs in class FS-01, FS-02, and SFS members who agree to serve in specific hard to fill posts as announced in the bidding instructions for the assignment cycle. This policy does not apply to career Senior Foreign Service (SFS) Officers serving under Limited Career Extensions (LCEs) based on recommendations by the Performance Board and approval by the Administrator. Those on LCEs are not eligible.

Eligible FS-01 and FS-02 employees may be granted a one-year extension of their TIC for each full year served in an eligible post, up to a maximum of two years per posting and a lifetime of four years.

SFS members may accrue up to a total of two years of TIC extensions for service in hard-to-fill posts during their tenure in the SFS. Such extensions are only applicable to the SFS salary class in which they are earned and would not carry over if the employee is promoted to a higher salary class. Such TIC extensions do not alter the cumulative TIC for service in the SFS. In effect, the TIC extensions (or LCEs) may provide more time to get promoted but, once promoted, an officer is still subject to the TIC limitation at the higher salary class. For example, if a SFS member used a TIC extension for service in a hard to fill post or LCE to serve 9 years at the Counselor level (instead of 7 years) before getting promoted, their new TIC at the Minister Counselor level would be the same 12 years as someone who did not have a TIC or LCE.

It is incumbent upon employees to request TIC extensions after completion of each one-year period of eligible service by submission of a LaunchPad Ticket. Requests must be submitted within 12 months of the end of the calendar year for which the service credit for TIC is requested. Employees who receive TIC extensions must continue to compete for promotions during this service.

440.4 MANDATORY REFERENCES**440.4.1 External Mandatory References**

Effective Date: 12/21/2005

a. [Foreign Service Act of 1980, as amended](#)**440.4.2 Internal Mandatory References**

Effective Date: 12/21/2005

a. [ADS 414, Foreign Service Appointments](#)b. [ADS 422, Personnel Operations: Senior Foreign Service](#)c. [ADS 463, Foreign Service and Senior Foreign Service Promotion Eligibility](#)

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Requirements and Procedures

440.5 ADDITIONAL HELP Effective Date: 12/21/2005

There are no Additional Help documents for this chapter.

440.6 DEFINITIONS Effective Date: 03/29/2024

See the [ADS Glossary](#) for all ADS terms and definitions.

Cumulative (multi-class) TIC Limitation

It is the time period in which the **officer** must be promoted up through a series of classes to a specified higher class. For example, a career **officer** has 25 years to be promoted from Class 4 to the Class of Counselor, or the Agency must separate the **officer** due to expiration of TIC. (**Chapter 440**)

Limited Career Extension (LCE)

Appointment extensions, in accordance with Section 607(b) of the Foreign Service Act, to career Senior Foreign Service **Officers** who have reached their maximum Time-in-Class. Members of the Service serving under such limited career extensions continue to be career members of the Service. (**Chapter 422** and **440**)

Mandatory Retirement for Time-in-Class (TIC)

An involuntary separation from the Senior Foreign Service or Foreign Service **which** may or may not make the **officer** eligible for an immediate annuity. Also, this is referred to as selection-out for time-in-class. (**Chapter 440**)

Presidential Appointee

An employee that has been appointed to a position by the President and with the advice and consent of the Senate. (**Chapter 440**)

Single Class Time-in-Class Limitation

A specified period of time a career **Foreign Service or** a Senior Foreign Service **officer** has to be promoted to the next higher class. (**Chapter 440**)

Temporary Extension: 607(d)(2) extension

A postponement of the TIC or LCE separation date. It may not exceed one year (from the TIC or LCE expiration date). (**Chapter 440**)

Tenure

A process **which** changes a Career Candidate from limited or conditional **status** to career status. (**Chapter 414, 435, 440**)

Time-in-Class (TIC) Limitation

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A specified period of time a career Foreign Service (FS) or Senior Foreign Service (SFS) employee has to be promoted to the next higher class (single-class TIC) or up through a series of classes (multi-class TIC) or else the Agency must separate the employee for expiration of TIC. (**Chapter 440**)

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