



ADMINISTRATIVE INSTRUCTION 40

EMPLOYEE LEARNING AND DEVELOPMENT

Originating Component:	Office of the Director of Administration and Management
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Change 1 (Administrative)	
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Purpose: This issuance, in accordance with the authority in DoD Directive (DoDD) 5110.04 and DoD Instruction (DoDI) 5025.01:

- Implements policy established in Volume 410 of DoDI 1400.25; Chapter 23 of Title 5, United States Code (U.S.C.); and Part 410 of Title 5, Code of Federal Regulations (CFR).
- Assigns responsibilities and prescribes procedures for employee learning and development.
- Prescribes Washington Headquarters Services (WHS) Form 16, "Aspiring Leader Program Application."

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to civilian and military employees in OSD, the Defense Agencies, and the DoD Field Activities that are serviced by WHS (referred to collectively in this issuance as the “WHS-serviced Components”).

1.2. POLICY. In order to implement the policy established in Volume 410 of DoDI 1400.25, Title 5, U.S.C., and Part 410 of Title 5, CFR, it is WHS policy that:

a. The WHS-serviced Components:

(1) Provide training activities and programs for employees that will enhance individual and organizational performance, assist in achieving performance objectives and the DoD mission, and maximize the return on investment to the DoD.

(2) Provide training opportunities for employees when they are needed to improve performance of official duties; develop competencies, skills, knowledge, and abilities to enhance performance of current and future mission-related assignments; and equip employees with the skills to master new technologies and business practices.

(3) In accordance with Section 2301 of Title 5, U.S.C., select employees for training equitably, based solely on job-related criteria, and in accordance with DoDD 1020.02E.

(4) Will not allow training in a facility that illegally discriminates in the admission or treatment of students.

(5) Use a full range of options to meet their mission-related organizational and employee development needs, such as classroom training, on-the-job training, technology-based training, employee self-development activities, coaching, mentoring, career development counseling, and developmental assignments.

(6) Consider cost-effectiveness of training events by selecting government agencies or programs when adequate opportunities are reasonably available. WHS-serviced Components will select non-government vendors only when adequate government opportunities are not reasonably available or when government programs are more expensive. Online instruction should be used when practicable.

b. The Military Departments have specific legislation that covers the career development of officers and enlisted personnel. Military personnel assigned to a WHS-serviced Component are authorized to receive training in accordance with this issuance when the training is required to improve competencies specifically needed for job performance relevant to duties in their current assignment. In those instances, the procedures outlined in this issuance also apply to Military personnel. Military personnel are not normally eligible for long-term development programs or tuition assistance. However, they can apply through their Military Service.

1.3. INFORMATION COLLECTIONS. The MyBiz+ System, referred to in Paragraph 3.4.a.(1) of this issuance, does not require licensing with a report control symbol in accordance with Paragraph 1.b.(13), Enclosure 3, Volume 1 of DoD Manual 8910.01.

1.4. PROCEDURAL SUMMARY. Employee learning and development procedures include:

- a. Regulations and procedures for administering civilian employee training established in Part 410 of Title 5, CFR.
- b. Sections 3 through 5 of this issuance.
- c. Any applicable procedures established by the Individual and Organizational Development (I&OD) Division under the authority, direction, and control of the Director, Human Resources Directorate (HRD), in consultation with the Director, WHS.

1.5. SUMMARY OF CHANGE 1. This change is administrative and, in accordance with the March 21, 2022 WHS Memorandum:

- a. Reassigns the Director of Administration, Office of the Deputy Chief Management Officer of the Department of Defense responsibilities and duties to the Director of Administration and Management (DA&M) in accordance with Section 901 of Public 116-283, which eliminated the position of the Deputy Chief Management Officer of the Department of Defense effective January 1, 2021; and the January 11, 2021 Deputy Secretary of Defense Memorandums, which implemented Public Law 116-283 and reestablished the DA&M.
- b. Updates organizational titles and references for accuracy.

SECTION 2: RESPONSIBILITIES

2.1. DIRECTOR, WHS. Under the authority, direction, and control of the DA&M, the Director, WHS:

- a. Administers learning and development programs for civilian and military personnel in accordance with this issuance.
- b. Directs the implementation and execution of learning and development programs in coordination with the Under Secretary of Defense for Personnel and Readiness.
- c. Ensures adequate funding and program oversight of supervisory and executive development; employee development and training; and workforce development.

2.2. CHIEF HUMAN RESOURCES OFFICER, HRD. Under the authority, direction, and control of the Director, WHS, the Chief Human Resources Officer, HRD:

- a. Establishes I&OD as the HRD division responsible for developing and distributing educational policy and providing educational and developmental opportunities for administrative, technical, scientific, and professional employees.
- b. Prepares guidance for program development, implementation, and execution to maintain a high-performing civilian and military workforce by:
 - (1) Supporting learning and development services.
 - (2) Determining or validating learning and development requirements and instituting management controls required to ensure compliance with applicable laws and regulations.
 - (3) Providing systematic and strategic advice to WHS-serviced Component leadership in all aspects of learning and development.
 - (4) Preparing, managing, and monitoring learning and development budget accounts for centrally funded WHS-serviced Components.
 - (5) Managing allocations and selection procedures for centralized employee development and leadership studies programs.

2.3. WHS-SERVICED COMPONENT HEADS. The WHS-serviced Component heads:

- a. Ensure all Component employees are adequately trained and qualified to meet mission requirements.
- b. Ensure the fair and equitable selection and assignment of employees to training and development opportunities.

c. Approve or disapprove employees' requests to waive any part of their obligation to pay training expenses.

d. Designate training coordinators (TCs) to serve as the central point of contact for administering the training program and to serve as the liaison with I&OD.

SECTION 3: LEARNING AND DEVELOPMENT APPROVAL PROCEDURES

3.1. GENERAL. Training and development opportunities must be approved before an employee is enrolled in or committed to participating in a learning event that obligates funds. Upon receipt of the Standard Form (SF) 182, “Authorization, Agreement, and Certification of Training,” from the TC, I&OD will register the employee and obligate the funds. The employee is liable for expenses incurred without prior authorization. The TC will track training financial expenditures to ensure their assigned WHS-serviced Component does not exceed its training target.

3.2. IDENTIFYING TRAINING NEEDS.

a. TCs will provide advice and support to the workforce on training opportunities and procedures for applying training, as well as provide guidance and reports to supervisors on mandatory training requirements.

b. Supervisors will meet with employees to identify and document training needs and appropriate opportunities to meet those needs in individual development plans (IDPs). IDPs may be stand-alone documents or may be developed as part of the performance evaluation or talent management processes. Supervisors will ensure that all mandatory training requirements are met in accordance with Volume 410 of DoDI 1400.25.

c. Employees should demonstrate initiative in meeting their own training and development needs. Employees should communicate training and career development interests to their immediate supervisor for documentation in the IDP, and use the IDP to plan their career goals and objectives.

3.3. APPROVAL PROCEDURES.

a. Employees request individual training by completing and submitting an SF 182 or learning management system request to their supervisor for approval, even if there are no direct costs associated with the learning event.

(1) If training funds are used for out-of-town travel, then the SF 182 must reflect the estimated travel costs, and the employee must generate a travel authorization using the Defense Travel System. Employees must follow guidance established in the Joint Travel Regulations.

(2) If a continued service agreement (CSA) is required, civilian employees must submit the signed CSA to their supervisor along with the SF 182. Supervisors will not approve training requests for which a CSA is required unless civilian employees have submitted the signed CSA.

b. Supervisors will submit approved training requests to their WHS-serviced Component TC for coordination.

c. TCs will submit approved training requests to I&OD at least 10 calendar days before the learning event to provide necessary time for registration and completion of required administrative processing.

d. Civilian employees applying for the WHS Aspiring Leader Program must complete the WHS Form 16, located at <https://www.esd.whs.mil/Portals/54/Documents/DD/forms/whs/whs16.pdf>. In addition, applicants must submit a current resume, a completed SF 50, "Notification of Personnel Action," and their most recent performance evaluation.

3.4. COMPLETED TRAINING.

a. After completing training:

(1) Civilian employees may document attendance at training events requiring an SF 182 into the Defense Civilian Personnel Data System via MyBiz+ and send a copy of their training completion certificate and original signed SF-182 with Section F completed by their supervisor to HRD. If a completion certificate is not provided, the original signed SF-182 with Section F completed by the supervisor will suffice for verification. Upon receipt of the certificate and/or SF-182, HRD will update the Defense Civilian Personnel Data System, verifying employee completion of the training.

(2) Employees may claim expenses, as appropriate, related to training in the local commuting area, such as parking and travel to and from the site, through the Defense Travel System local voucher process.

b. After employees complete training, supervisors should evaluate the investment of training and development efforts in terms of increased job competency and efficiency of operations.

3.5. PROFESSIONAL CONFERENCE FUNDING AND APPROVAL.

a. Pursuant to Section 410.404 of Part 410, Title 5, CFR, a conference may be approved as a learning and development event when the following conditions are met:

(1) The announced purpose is educational or instructional.

(2) More than half of the time is scheduled for a planned, organized exchange of information between presenters and the audience that meets the definition of training in this issuance.

(3) The content is related to improving individual or organizational performance.

(4) Developmental benefits will be derived through the employee's attendance.

b. Training funds may be used to support attendance at professional conferences and meetings only when the primary purpose of those activities is to communicate professional knowledge. Employees who are attending only as speakers will not receive training funds.

3.6. CSA.

a. A CSA is required for:

(1) Single learning and development opportunities exceeding 80 duty hours.

(2) Any academic degree training.

(3) Formal employee development programs, as required by the program or the WHS-serviced Component.

(4) A sabbatical taken by a member of the Senior Executive Service (SES).

b. With the exception of sabbaticals for SES members, the period of time for which employees must agree to continue employment with their WHS-serviced Component after completion of training is a minimum of three times the period of training and development. For example, a 4-week course encompassing 160 duty hours would require a service agreement for 480 duty hours.

(1) The service agreement required for academic degree training, including individual courses, is calculated based on the academic institution's established contact hours. For example, a typical 120-credit degree program results in approximately 1440 contact hours, which will require a service agreement of 108 weeks or 2 years and 1 month.

(2) A 2-year CSA is required for SES members taking a sabbatical, regardless of the length of the sabbatical.

c. Employee service obligations begin when the training is completed. CSAs will notify employees that they will be required to repay the government for all or some of the costs of the training (excluding salary) if, before the end of their agreed-upon service obligation, they voluntarily:

(1) Leave their WHS-serviced Component for service in another organization in any branch of the Federal Government outside of DoD; or

(2) Leave the Federal Government.

d. The repayment obligation for an employee who voluntarily fails to complete the agreed-upon period of service will be proportional to the percentage of the agreement not completed.

e. Employees will provide at least 10 working days' written notice to the TC of their intent to leave DoD voluntarily before completing the agreed-upon period of service.

f. WHS-serviced Components may transfer the service obligation to the gaining organization in the Federal Government or may waive any part of the employee's obligation to pay training expenses, when transfer or waiver is deemed in the best interest of the government or when recovery would be contrary to equity and good conscience or the public interest.

g. Employees may request a waiver from reimbursement from their WHS-serviced Component based on extenuating circumstances (e.g., mission requirements, major health problems) that, through no fault of their own, have interfered with satisfactory completion of the CSA.

h. A waiver request must:

(1) Be provided by the employee in writing to his or her Component head within 10 working days of their intent to voluntarily leave the WHS-serviced Component.

(2) Include the reason(s) why the CSA service obligation could not be met and why reimbursement to the WHS-serviced Component should be fully or partially waived.

i. If reimbursement is not made, the TC will contact I&OD, who will initiate collection proceedings.

3.7. PREMIUM PAY. Except as specified in Sections 410.402 and 551.423 of Part 410 of Title 5, CFR, WHS-serviced Components will not pay premium pay to employees engaged in training.

3.8. CANCELLATION. Employees who fail to attend or complete approved learning and development events may be required to reimburse the Federal Government, less any refund or credit obtained. Employees are responsible for cancelling or rescheduling if they cannot attend the approved learning event. They will contact their supervisor, TC, and the training institution immediately if they cannot attend or finish the training event.

3.9. TRAINING BY OR FOR FOREIGN NATIONALS. The services of a foreign government or international organization may be used for training if comparable training is not available within the United States or attendance at U.S.-available training is not feasible. WHS-serviced Components desiring to enter into international agreements with a foreign government or international organization regarding training must comply with DoDI 5530.03.

SECTION 4: CIVILIAN LICENSES, CERTIFICATIONS, AND MEMBERSHIP FEES

4.1. In accordance with Enclosure 3 of Volume 410 of DoDI 1400.25, WHS-serviced Components may use appropriated funds or other available funds to pay for or reimburse expenses for employees to obtain professional credentials, including expenses for professional accreditation and State-imposed and professional licenses and certification, as well as examinations to obtain such credentials. Payments under this authority are at the discretion of each organization.

4.2. Payment or reimbursement of membership fees in a professional organization is prohibited, except as noted in Enclosure 4 of Volume 410 of DoDI 1400.25.

SECTION 5. AUTHORIZATION OF ACADEMIC TRAINING FOR CIVILIAN EMPLOYEES

5.1. ACADEMIC DEGREE TRAINING. WHS-serviced Components may, consistent with Enclosure 3 of Volume 410 of DoDI 1400.25 and Section 4107 of Title 5, U.S.C., select and assign employees to academic degree training and pay for academic degree training that qualifies the employee for promotion to a higher-graded position or to a position that requires an academic degree.

a. Academic degree training may be funded if:

(1) Such training contributes significantly to meeting an identified training need, resolving an identified staffing problem, or accomplishing strategic planning goals of the WHS-serviced Component.

(2) The training is part of a planned, systematic, and coordinated employee development program linked to accomplishing the strategic goals of the WHS-serviced Component.

(3) The training is accredited and is provided by a college, university, or other institution or program that is accredited by a regional, national, or international accrediting body recognized by the U.S. Department of Education and listed in its Database of Accredited Postsecondary Institutions and Programs.

b. Academic degree training will not be for the sole purpose of providing employees an opportunity to obtain an academic degree or qualify for an appointment to a position when an academic degree is a basic requirement.

c. Employees occupying or seeking to qualify for appointments to positions that are exempted from competitive service because of confidential policy-determining, policy-making, or policy-advocating character, as well as non-career SES members, are ineligible for academic degree training funding.

5.2. ACADEMIC DEGREE TRAINING APPROVAL PROCEDURES.

a. WHS-serviced Component heads and the OSD Principal Staff Assistants are authorized to approve participation in academic degree programs. This authority may be delegated, in writing, to the lowest practical level to ensure program integrity.

b. Participation in academic degree training will be competitive and consistent with the merit system principles outlined in Section 2301 of Title 5, U.S.C.

c. Before approving academic degree training, WHS-serviced Components will ensure sufficient training or mission funds are available for participants' tuition costs and other authorized spending. Given the numerous payment schedules available, WHS-serviced

Components will work with I&OD to ensure funds are obligated in the best interest of the government. For planning purposes, include in budget estimates for degree participants:

(1) Tuition payments (i.e., direct costs).

(2) Payments for costs associated with academic supplies and equipment, program application fees, student registration fees, and laboratory and library services (i.e., indirect costs).

d. WHS-serviced Components will provide I&OD a copy of all approved participant applications.

5.3. ACADEMIC COURSES. WHS-serviced Components may fund up to 100 percent of tuition costs for individual academic courses relating to the current position of the employee or the current or future mission requirements of the employee's organization. Attendance at such individual courses is subject to the procedures in Section 3.

5.4. REQUIREMENTS FOR PAYMENT OF EXPENSES.

a. To be eligible for continued future payment for academic training:

(1) Employees attending academic training courses must receive a minimum grade of "C" or the equivalent for each sponsored undergraduate course or receive a minimum grade of "B" or the equivalent for each sponsored graduate course.

(2) Employees attending approved academic degree training must maintain an overall grade point average (GPA) of 2.0 on a 4.0 scale or better for an undergraduate degree or maintain an overall GPA of 3.0 on a 4.0 scale or better for a graduate degree.

b. Employees must submit transcripts or academic grade reports within 6 weeks after the end of an academic term to their TC.

c. Employees will be required to reimburse the organization for the cost of tuition and any other applicable costs under any of these conditions:

(1) Failure to obtain a minimum grade or maintain a minimum GPA.

(2) Withdrawal from the course or program.

(3) Change in enrollment to an audit status.

(4) Failure to fulfill a CSA.

d. Employees may request an exemption from reimbursement as stated in Paragraph 3.6.h.

e. If reimbursement is not made, I&OD will initiate collection proceedings and employees will become ineligible to receive further tuition assistance until such debts are paid.

GLOSSARY

G.1. ACRONYMS.

CFR	Code of Federal Regulations
CSA	continued service agreement
DA&M	Director of Administration and Management
DoDD	DoD directive
DoDI	DoD instruction
GPA	grade point average
HRD	Human Resources Directorate
IDP	individual development plan
I&OD	Individual and Organization Development
SES	Senior Executive Service
SF	standard form
TC	training coordinator
U.S.C.	United States Code
WHS	Washington Headquarters Services

G.2. DEFINITIONS. These terms and their definitions are for the purposes of this issuance.

academic degree. A post-secondary education, including an associate's, a bachelor's, a master's, a doctoral degree, or a specialist degree resulting from distinct education (i.e., not a certificate program). Courses to complete a degree may be classroom-based or web-based.

certification. The recognition or credential given to individuals who have met predetermined qualifications set by an agency of government, industry, or profession.

competencies. An observable, measurable pattern of knowledge, skills, abilities, behaviors, and other characteristics that an individual needs to perform work roles or occupational functions successfully.

contact hours. The number of academic credit hours assigned to a course times the number of weeks in a term times the number of terms required to complete the degree.

CSA. A contract between the employee and the WHS-serviced Component concerned, signed at the time of the application for training, requiring the employee either to continue Federal service for a pre-established length of time or repay the training expenses incurred.

developmental assignments. Work designed to provide exposure to different leadership and managerial experiences and perspectives, as well as enhance competencies by giving employees an opportunity to perform duties in other occupational, functional, or organizational elements. Such assignments may include rotations, cross training, job exchanges, shadow assignments, details, temporary reassignments, and temporary promotions. These opportunities must have a well-defined learning objective and be established in conformance with all applicable civilian personnel management regulations. The length of a developmental assignment may vary, but generally lasts no more than 2 years.

IDP. A document used to record short- and long-range career goals; the specific competencies, knowledge, skills, and abilities necessary to meet current objectives; and training, education, and other professional development strategies used to develop the desired competencies.

learning management system. A software application for the administration, documentation, tracking, reporting and delivery of electronic educational technology courses or training programs.

license. Permission from a government agency (Federal, State, or local) for an individual to engage in a given occupation after determining that the applicant has attained the minimum degree of competency required to engage in that occupation.

MyBiz+. A tool that allows employees online access to view and update information from their official personnel records including appointment, position, personal, salary, benefits, awards and bonuses, training, and performance actions.

training. The process of providing for and making available to an employee, and placing or enrolling the employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields that will improve individual and organizational performance and assist in achieving the agency's mission and performance goals.

REFERENCES

- Code of Federal Regulations, Title 5, Part 410
- Deputy Secretary of Defense Memorandum, “Disestablishment of the Chief Management Officer of the DoD and Realignment of Functions and Responsibilities,” January 11, 2021
- Deputy Secretary of Defense Memorandum, “Re-establishment of the Assistant to the Secretary of Defense for Intelligence Oversight and the Director of Administration and Management,” January 11, 2021
- DoD Directive 1020.02E, “Diversity Management and Equal Opportunity in the DoD,” June 8, 2015, as amended
- DoD Directive 5105.53, “Director of Administration and Management (DA&M),” February 26, 2008
- DoD Directive 5110.04, “Washington Headquarters Services (WHS),” March 27, 2013
- DoD Instruction 1400.25, Volume 410, “DoD Civilian Personnel Management System: Training, Education, and Professional Development,” September 25, 2013, as amended
- DoD Instruction 5025.01, “DoD Issuances Program,” August 1, 2016, as amended
- DoD Instruction 5530.03, “Internal Agreements,” December 4, 2019
- DoD Manual 8910.01, Volume 1, “DoD Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- Joint Travel Regulations, “Uniformed Service Members and DoD Civilian Employees,” current edition
- Public Law 116-283, “William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021,” January 1, 2021
- United States Code, Title 5
- Washington Headquarters Services Memorandum, “Approval of Administrative Changes to Office of the Director of Administration and Management (ODA&M) DoD Issuances, Phase 2,” March 21, 2022