

- » It is easy to forget that a career change affects all aspects of your life, including responsibilities in your personal life. While you transition, try to manage your personal affairs with the same professionalism and care as your job search. Out-processing, relocation, financial management, family needs, and stress management are all important and will need your attention.
- » Your Transition Assistance Office can offer support as you go through this process. Your ITP should integrate all these issues with the employment search activities.

FAMILY MEMBERS

Your career transition may affect more than just you. Remember that family members may also access employment services with help from the installation Transition Assistance Office.

- » Family members can get help in developing their own ITPs.
- » Spouses are highly encouraged to attend the DOL Employment Workshop in order to prepare themselves for the transition from an active duty lifestyle to a civilian one.
- » The Transition Assistance Office will provide individual job/career development counseling, assist in assessing employment skills, and identify employment opportunities.
- » Job training services include workshops and seminars on enhancing job search skills, setting goals, preparing federal employment applications, creating resumes, developing interview techniques, and training for occupational skills.

EMPLOYMENT RESTRICTIONS AFTER LEAVING THE MILITARY

Post Government (Military) Service Employment Restriction Counseling should be completed during the transition process. You will be informed about this requirement when completing your DD Form 2648, "Pre-Separation Counseling Checklist," and will receive a briefing or counseling from an authorized ethics official.

A brief summary of the most common post-government employment restrictions includes:

» **Personal Lifetime Ban**

After leaving government service, you may not represent another individual or company to the government regarding particular matters that you worked on while in government service.

Former Service members may not knowingly make a communication or appearance on behalf of any other person, with the intent to influence, before any officer or employee of any Federal agency or court in connection with a particular matter in which the officer or employee personally and substantially participated, which involved

a specific party at the time of the participation and representation, and in which the U.S. is a party or has a direct and substantial interest. (18 USC 207(a) (1))*

» **Seeking or Negotiating for Post-Government Employment**

Once you have started seeking or negotiating employment with a prospective employer, you may not take any official action that will affect the financial interests of that prospective employer.

An officer or employee may not participate personally and substantially in a particular matter that, to his or her knowledge, will have a direct and predictable effect on the financial interests of a prospective employer with whom the employee is seeking or negotiating employment.

» **Official Responsibility Two-Year Ban**

For two years after leaving government service, you may not represent someone else to the government regarding particular matters that you did not work on yourself, but were pending under your responsibility during your last year of government service.

For a period of two years after termination of government service, former government officers and employees may not knowingly make a communication or appearance on behalf of any other person, with the intent to influence, before any officer or employee of any Federal agency or court, in connection with a particular matter which the employee reasonably should have known was actually pending under his or her official responsibility within one year before the employee left government service, which involved a specific party at that time, and in which the U.S. is a party or has a direct and substantial interest. (18 USC 207(a) (2))*

» **Trade or Treaty One-Year Ban**

For one year after leaving government service, you may not aid, advise, or represent someone else regarding trade or treaty negotiations that you worked on during your last year of government service.

For a period of one year after leaving government service, former employees or officers may not knowingly represent, aid, or advise someone else on the basis of *covered information*, concerning any ongoing *trade or treaty negotiation* in which the employee participated personally and substantially in his last year of government service. (18 USC 207(b))*

» **Compensation for Representation to the Government by Others**

After leaving government service, you may not accept compensation for representational services, which were provided by anyone while you were a government employee, before a Federal agency or court regarding particular matters in which the government was a party or had a substantial interest.

This prohibition may affect personnel who leave the government and share in the proceeds of the partnership or business for representational services that occurred before the employee terminated Federal service (i.e., lobbying, consulting, and law firms). (18 USC 203)*

» **Additional Restrictions for Retired Military Personnel and Reservists
Foreign Employment**

* This does not apply to former military enlisted personnel.

Unless you receive prior authorization from your Service Secretary and the Secretary of State, you may forfeit your military pay during the time you perform services for a foreign government.

The U.S. Constitution prohibits retired military personnel and reservists from receiving pay from foreign governments without Congressional authorization. In 37 USC 908, Congress authorizes the Secretary of State and Secretary of the appropriate Military Department to approve such receipt of pay. Each military service has implementing directives. Retired personnel and reservists who violate this Constitutional proscription may forfeit pay equal in amount to their foreign pay.

» **Employment by Department of Defense (DoD)**

Public Law 5 USC 3326 prohibits the appointment of retired military personnel to civil service positions (including a non-appropriated fund activity) in any DoD component for six months after retirement. (This restriction has been temporarily waived following the attacks of 9/11).

» **Employment During Terminal Leave**

<p>Holding a civil office in state or local government</p> <p>While on active duty (including terminal leave), military officers are prohibited by 10 USC 973(b) from holding a “civil office” with a state or local government.</p>	<p>Outside employment</p> <p>If you are currently required to obtain permission prior to engaging in outside employment, that requirement will most likely carry over during terminal leave.</p>
<p>Civilian position in the U.S. Government</p> <p>Military personnel on terminal leave are authorized to accept a civilian position in the U.S. government and receive the pay and allowances of that position as well as their military pay and allowances. (5 USC 5534a).</p> <p><i>Note: While on terminal leave, you are still an active duty Service member, and the restrictions that apply to you while on active duty still apply.</i></p>	

Restriction on representing others to the federal government

You may not represent anybody outside the government to the government on any particular matter involving the government. Military officers working on terminal leave (like all federal employees) are prohibited by 18 USC 205 and 18 USC 203 from representing their new employer to the government. In almost every case, this precludes a member from interacting or appearing in the federal workplace as a contractor. Being present in government offices on behalf of a contractor inherently is a representation. Of course, military officers on terminal leave may begin work with the contractor, but only “behind the scenes” at a contractor office or otherwise away from the government workplace.*

* This does not apply to former military enlisted personnel.