

DOCUMENT RESUME

03786 - [A2774002]

[Transportation of Household Effects for Manpower Shortage Position]. B-188095. September 28, 1977. 2 pp.

Decision re: Harold C. Calvert; by Robert F. Keller, Acting Comptroller General.

Issue Area: Personnel Management and Compensation: Compensation (305).

Contact: Office of the General Counsel: Civilian Personnel.

Budget Function: General Government: Central Personnel Management (805).

Organization Concerned: Defense Supply Agency.

Authority: 5 U.S.C. 5723. B-182586 (1974).

The Per Diem, Travel and Transportation Allowance Committee of the Department of Defense requested an advance decision whether a claim for reimbursement of relocation expenses may be paid for an applicant who was hired to fill a position but who did not qualify for the position. The applicant may not be reimbursed for the relocation expenses since the United States is not bound by unauthorized acts of its agents. (Author/SC)

4001

03786

S. Jobin  
Cir Per 21

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548**

**FILE: B-168095**

**DATE: September 28, 1977**

**MATTER OF: Harold C. Calvert - Transportation of  
Household Effects for Manpower Shortage Position**

**DIGEST:** Applicant, who resided in Chicago, was hired to fill a position in Battle Creek, Michigan. He did not qualify for manpower shortage category designation because he did not have a bachelor's degree. He may not be reimbursed for relocation expenses, even though agency officials advised him they would be paid, as the United States is not bound by unauthorized acts of its agents. Further, there is no basis for reimbursement for shipment of household goods in the absence of evidence as to the weight of the goods.

This action is in response to a request for an advance decision from the Per Diem, Travel and Transportation Allowance Committee, Department of Defense (PDTATAC Control No. 76-28), as to whether a claim for reimbursement of relocation expenses in the amount of \$240.47 may be certified for payment.

The record shows that Mr. Harold C. Calvert, whose residence was Chicago, Illinois, was selected by the Defense Supply Agency to fill a "manpower shortage position" of Supervisory Printing Specialist, grade GS-1654-11, at Battle Creek, Michigan. Mr. Calvert was advised by an agency official that the Government would pay for the movement of his household goods from his home in Chicago to Battle Creek. He rented a truck and moved his household goods himself, but he has failed to furnish evidence of the weight of the goods so transferred. Subsequently, Mr. Calvert was informed that he could not be reimbursed for his expenses because the Federal Personnel Manual precludes payment since he had never received a bachelor's degree with a major in printing management.

Pursuant to 5 U.S.C. § 5723 (1970) the Civil Service Commission (CSC) may determine that there exists a manpower shortage in certain positions. Appointees to these positions may then be reimbursed for their expenses in moving from their place of residence to their first duty station. Otherwise, the general rule is that an applicant must bear the expense of moving to his first duty station with the Government.

B-188095

In the instant case, CSC had found that such a manpower shortage did exist for the position of Printing Management Specialist, grade GS-1654-7/11, but only for applicants with a bachelor's degree with a major in printing management. Mr. Calvert did not qualify for the manpower shortage category because he did not possess the required degree, although he was qualified for the position based on experience and, indeed, continues to satisfactorily fill that position. We regret that he was given erroneous information, but it is well established that the United States is not bound by the unauthorized acts of its agents. B-182586, December 17, 1974, and cases cited therein.

Accordingly, the claim may not be certified for payment.

  
Acting Comptroller General  
of the United States