

# Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

---

March 14, 2001

---

GSBCA 15510-RELO

In the Matter of HANK THOMPSON

Hank Thompson, Johnston Island, APO Area Pacific, Claimant.

Cheryl Gatling, Civilian Personnel Advisory Center, United States Army Garrison, Aberdeen Proving Ground, MD, appearing for Department of the Army.

**GOODMAN**, Board Judge.

Claimant, Hank Thompson, is a civilian employee of the Department of the Army. In January 2000 he filed an application for a position overseas. As the result of agency action, claimant asserts that his transfer was not handled in a timely manner. He has asked this Board to grant him back pay and accrued leave to which he believes he is entitled as the result of the agency's failure to timely process his transfer.

The Board lacks jurisdiction in this matter. Board Rule 401 reads, in relevant part:

(b) Types of claims. These procedures are applicable to the review of two types of claims made against the United States by federal civilian employees:

(1) claims for reimbursement of expenses incurred while on official temporary duty travel; and

(2) claims for reimbursement of expenses incurred in connection with relocation to a new duty station.

48 CFR 6104.1 (2000).

The submission of the claimant is not a request for reimbursement of expenses incurred while on official temporary duty travel or in connection with relocation to a new duty station. Instead, it is a claim for employee compensation and accrued leave to which claimant believes he is entitled. By law, claims involving federal civilian employees' compensation (including overtime) and leave are reviewed by the Director of the Office of Personnel Management (OPM). 31 U.S.C. § 3702 (Supp. IV 1998). Accordingly, we view

this claim as falling within the jurisdiction of the Director of the OPM rather than the Administrator of General Services. William H. Goggins, GSBCA 14469-RELO, 98-2 BCA ¶ 29,842; Darrell R. Ratliff, GSBCA 14403-TRAV, 98-2 BCA ¶ 29,760. We, therefore, dismiss the case for lack of jurisdiction and transfer it to OPM for resolution.

---

ALLAN H. GOODMAN  
Board Judge