

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE MAR 26 1979
SUBJECT Supervisor's Guide

FROM Personnel Officer

Clay Young

TO All Supervisors

The attached handbook provides general guidance in the area of personnel management. Issuance was delayed to correct errors in the text as well as add applicable Regional guidance (green sheets). You should be aware that the handbook principally represents agencywide guidance and Regional procedures may vary.

In view of these possible variances and of the changes forthcoming under the Civil Service Reform Act, I recommend you consult the Personnel Office before proceeding on any substantive personnel actions.

I will send you copies of any changes in the handbook to enable you to have a current guide available.

FOREWORD

Personnel Management - always one of the most important responsibilities of a supervisor - has become increasingly technical and complex. The Federal manager today functions as part of an open process governed by a multiplicity of public policies, laws and regulations. To carry out their personnel management responsibilities well, supervisors must have a clear and full understanding of these policies, laws and regulations.

This handbook has been prepared as a guide for supervisors to supplement other developmental experiences provided by EPA by setting out in summary form the principal personnel policies and practices affecting employee utilization and management.

I urge you to review and use this handbook. I believe that you will find it informative and helpful in your activities as a personnel manager.

A handwritten signature in black ink, appearing to read 'E. T. Rhodes', with a stylized, cursive script.

E. T. Rhodes
Deputy Assistant Administrator
for Administration

i- Introduction

INTRODUCTION

The primary responsibility for personnel management in EPA rests with those responsible for mission accomplishment. The manager's substantive program decisions directly affect and are affected by personnel management considerations. For example, program decisions are usually the most significant determinants of the numbers, kinds, and skills of people that will be needed by the organization during a given period of time and at a given location. The managers' administrative decisions concerning organizational structure, delegations of authority, work methods, and work flow also have an impact, both on the effective accomplishment of the basic missions and on the economy and productivity with which manpower resources are utilized. Finally, specific personnel management decisions themselves, in such areas as labor relations, recruiting and selection of employees, training and development, motivation, and separation of an employee, determine greatly the extent to which the Agency's personnel management objectives are achieved.

The first-line supervisor also has important personnel management responsibilities. The person-to-person relationships that occur at the worksite are of critical importance. The supervisor is the member of the management team who through skill in communication, leadership, human relations, motivation, evaluation of performance, and bilateral dealings with employee representatives, makes higher level management decisions and policies effective at the working level. The criteria of good supervision, in this context, are:

(a) Utilizing manpower economically and effectively by defining duties clearly, selecting the performers of the duties, and making assignments among the performers.

(b) Making objective evaluations of the quality of individual performance, based on valid performance measurements and sound judgment; communicating these evaluations to the employees concerned; and using the evaluations to take corrective action in accordance with applicable personnel management policy, including the initiation of appropriate position changes, training, separations, or other indicated action.

(c) Developing and motivating employees to reach their fullest potential and granting or recommending recognition for superior work or innovative contributions.

(d) Dealing with all employees in a fair and equitable manner and in accordance with established policy, including the terms of negotiated agreements.

(e) Keeping all employees fully informed of their role in accomplishing the Agency's mission; of public policy and management decisions affecting their employment and mission accomplishment; and of their rights, privileges, and obligations as Government employees.

(f) Dealing in good faith on a bilateral basis with local union officials, including shop stewards, on matters relating to working conditions, grievances, and the application of personnel policies.

Please note that this guide, which will be periodically updated, has been issued to you because of the supervisory position you occupy. You should pass it on to your successor in the event you leave your present position.

REMEMBER ALWAYS THAT THE SOURCE OF THE MOST ACCURATE AND CURRENT INFORMATION MUST REMAIN YOUR EPA ORDERS AND MANUALS AND/OR YOUR PERSONNEL SPECIALIST.

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***Please Note - FPM's may be reviewed in the Personnel Office**

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**Chapter I - POSITION MANAGE-
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MANPOWER PLANNING AND UTILIZATION

Primary Sources

FPM Chapters 250, 571
EPA Position Management and Control Manual

Background

An integrated manpower planning program, designed to identify and facilitate planning for the future skills and skills level requirements necessary to effectively implement the Agency mission, is basic to sound management. The program should be designed to support and strengthen related efforts, such as position management, staffing, training, career development, and employee utilization.

Role of the Supervisor

Understand mission and goals and translate these into the most efficient and effective organization and work process needed to reach them.

Design organizational structure in consonance with functions.

Role of the Servicing Personnel Office

In conjunction with other management components, provides technical support in planning and organizing work and assisting management in structuring their organization, functions, and tasks.

Assists managers in organization planning, i.e., aids management in identifying overlapping duties, unnecessary levels of supervision, excessively broad spans of control, and insufficient or unclear delegations of authority.

Q1. WHAT DOES A SUPERVISOR NEED TO KNOW TO UTILIZE EFFECTIVE MANPOWER PLANNING?

A. The mission, goals, and objectives of EPA as well as the immediate organizational area of management.

Functions for which responsible.

How many and what kind of employees are needed to accomplish the work.

Whether or not particular positions are needed.

How the position should be organized.

What duties and responsibilities should be assigned to individual positions.

Q2. WHY HAVE A MANPOWER PLAN?

A. To carry out public policy as expressed in laws, Executive Orders, regulations, or otherwise.

To utilize manpower resources wisely, economically and cost effectively.

Q3. WHAT IS MEANT BY MANPOWER UTILIZATION?

A. Manpower management includes the determination of current manpower requirements, the analysis of current manpower resources, the forecasting of future manpower requirements and resources, the assessment of current and projected imbalances between requirements and resources, and the development of manpower and personnel management action plans to bring about a more acceptable balance.

It may also embrace the administration of manpower ceilings and other controls; the analysis of manpower factors in a planning-programming-budgeting system; the development of manpower information systems oriented toward the support of management decision-making.

Other areas covered are: position management, long-range staffing plans and standards, work load studies, long-range manpower development, and the integration of these functions into a comprehensive career system.

Q4. WHO DETERMINES THE POSITIONS FOR WHICH A MANPOWER SHORTAGE EXISTS, SO THAT PAYMENT FOR TRAVEL AND TRANSPORTATION EXPENSES (FOR NEW APPOINTEES) MAY BE AUTHORIZED?

A. The Civil Service Commission has responsibility for making these determinations.

Q5. WHICH POSITIONS ARE CONSIDERED IN A SHORTAGE CATEGORY?

A. Positions for which a manpower shortage has been found for purposes of travel and transportation are listed in Appendix A to Federal Personnel Manual Chapter 571.

Q6. HOW DOES EPA GET AN OCCUPATION OR POSITION INCLUDED IN THE MANPOWER SHORTAGE CATEGORY?

A. The Personnel Management Division asks the Civil Service Commission to make a manpower shortage finding for any occupation or position for which it believes a shortage exists.

POSITION MANAGEMENT

Primary Sources

FPM Chapter 312
EPA Position Management and Control Manual
Personnel Management Memoranda 312 Series
Personnel Management Notices 312 Series
EPA Position Management Handbook

Background

Position management is defined as the process of grouping duties and responsibilities to form positions and grouping positions to form organizations so as to accomplish the assigned mission as effectively and economically as possible.

Greater emphasis on position management has arisen because of:

- ° Grade escalation in the Federal service which has led OMB to require agencies to establish position management systems; and
- ° Findings of EPA and CSC surveys which indicate a need for such systems within EPA.

Role of the Supervisor

To apply criteria of effective position management in deciding whether to fill a vacant position, to change the duties and responsibilities of a position, or to change the way work is carried out.

To review position structures at least annually for need of each position.

Role of the Servicing Personnel Office

To provide assistance to managers and supervisors in analyzing personnel aspects of position structures.

To conduct annual review of positions in conjunction with managers and supervisors and recommend improvements where appropriate.

Q1. HOW ARE POSITIONS DESIGNED?

A. Supervisors design positions by grouping homogenous duties together wherever possible. For example, professional engineering duties should be grouped together into a professional engineer position; subprofessional engineering duties should be grouped together into an engineering technician position.

Q2. OF WHAT VALUE IS POSITION MANAGEMENT TO THE SUPERVISOR?

A. Position management serves as the base from which the supervisor can more effectively exercise his personnel management responsibilities and keep all other related personnel programs in focus.

Q3. WHAT POSITION MANAGEMENT STEPS SHOULD BE TAKEN WHEN A VACANCY OCCURS?

A. The supervisor should ask these and other similar questions:

- ° Do I really need this position;
- ° Can these duties be absorbed in other positions;
- ° Do I need this position at this grade level;
- ° Can the duties of this position be re-engineered to achieve greater economy, e.g., elimination of professional or higher-graded duties; and
- ° Can I use this position for the Upward Mobility program?

Q4. WHAT SHOULD BE DONE WHEN A NEW POSITION IS TO BE ESTABLISHED?

A. The supervisor should look carefully at the requirements of the organization and consider these items before establishing the position:

- ° Are there any overlapping duties;
- ° Are the duty assignments consistent with the grade level requested;
- ° What effect will the position have on others in the organization;
- ° Are responsibilities clearly defined;
- ° How does the position fit in with the organization's overall career program; and

- ° If supervisory, would the position add to the supervisory ratio and would its creation comply with the Agency policy on establishing supervisory positions?

Q5. ONCE A POSITION HAS BEEN ALLOCATED WHAT MUST THE SUPERVISOR DO TO HAVE IT ESTABLISHED?

- A. Prepare a Position Description (EPA Form 3150-1) describing the duties and responsibilities of the position to be established.**

Recommend title, duties and grade.

Initiate a position action by completing the appropriate sections of the Standard Form 52(SF-52), Request for Personnel Action, and send it along with a Position Description to the personnel office for classification.

POSITION CLASSIFICATION

Primary Sources

FPM Chapter 511
EPA Position Management and Control Manual
EPA Order 3150.1
EPA Position Classification Handbook

Background

Position classification is the orderly grouping of duties and responsibilities in terms of series (kinds of work) and grades (levels of difficulty). These decisions form the basis for a number of other personnel determinations, for management planning and for pay. Following are some of the matters facilitated by a sound, orderly, and accurate classification program:

- ° Planning organizations;
- ° Budgeting for positions;
- ° Establishing qualification requirements for hiring and promoting employees;
- ° Establishing performance standards;
- ° Providing substantially equal pay for equal work;
- ° Developing training plans;
- ° Assuring proper utilization of employees; and
- ° Conducting reductions in force.

The objectives of the position classification program are to:

- ° Establish and describe positions in a manner which will best serve management's need for an economical and efficient position management system;
- ° Evaluate and classify positions in accordance with official standards and the principles and grade levels established by statute; and
- ° Respond to changes in operations and activities so as to assure currency of descriptions and classifications.

Maintenance of a current and accurate classification program requires the continuing joint efforts of supervisors and employees. They are responsible for recognizing changes in jobs and seeing that job descriptions adequately present the work being performed.

Role of the Supervisor

Supervisors are required to:

- ° Assign duties and responsibilities to subordinate employees so as to establish an organizational structure which will most efficiently and effectively accomplish the assigned mission;
- ° Prepare position descriptions and revise them as necessary so that they accurately reflect the major duties and responsibilities assigned to subordinate employees;
- ° Explain to their subordinates the contents of their position descriptions, brief them on the requirements of their positions, and inform them of the basis upon which their positions are classified;
- ° Report all permanent changes in the major duties and responsibilities assigned to their subordinate employees to the Servicing Personnel Officer through appropriate administrative channels;
- ° Report all temporary changes in the assignments of their subordinate employees to the Servicing Personnel Officer through appropriate administrative channels, provided these changes last more than thirty (30) days;
- ° Thoroughly review organizational work patterns before requesting the upgrading of a position, in order to ascertain the necessity for assigning duties at the higher grade level;
- ° Support the objectives and basic practices of the position classification program and explain these to subordinate employees;
- ° Advise employees of their classification appeal rights; and
- ° Cooperate with the Servicing Personnel Officer in the overall position classification process, including the development of position descriptions, the conduct of desk audits, the performance of classification surveys, and other related activities.

Role of the Servicing Personnel Office

Personnel officers are required to:

- ° Assure that positions are classified in accordance with applicable position classification standards and guidelines;

- ° Provide counsel to employees, supervisors, and managers on the operations and objectives of the position classification system and on the appropriate laws, regulations, and standards governing the operations of the system;

- ° Advise employees of their classification appeal rights; and

- ° Conduct an annual position classification survey of all positions in cooperation with the appropriate supervisors and managers.

Q1. HOW DOES THE CLASSIFICATION SYSTEM WORK?

A. In EPA, the classification of a position is decided on the basis of duties and responsibilities assigned to that position by management. In turn, the classification of a position helps to determine the salary assigned to the employee who occupies that position. The process or system for determining the classification of a position is known as Position Classification. In EPA, we have two categories of positions to which this system applies: General Schedule and Trades and Labor.

Q2. WHAT ARE GENERAL SCHEDULE POSITIONS?

A. General Schedule positions, identified by the symbol GS, are those normally associated with professional, administrative, and clerical occupations, including engineers, scientists, accountants, secretaries, clerk-typists, and the like, and are covered by chapter 51 of Title 5 of the U.S. Code (formerly the Classification Act of 1949, as amended). This law prescribes a "General Schedule" composed of 18 grades and describes, in very broad terms, the general level of difficulty, responsibility, and important characteristics of each grade.

Q3. WHAT ARE TRADES AND LABOR POSITIONS?

A. Trades and Labor positions, identified by the symbols WG (for non-supervisory), WL (for leader), and WS (for supervisory), are those associated with trades and crafts, such as Electricians, Motor Vehicle Operators, Maintenance Mechanics, Laborers, and the like. (These positions were formerly known as Wage Board and are covered by Chapter 53 of Title 5 of the U.S. Code.)

Q4. WHAT ARE THE STEPS IN CLASSIFYING POSITIONS?

A. The position classification system is made up of two important steps. These are:

- ° The duties and responsibilities of each position must be decided upon by management and described in writing; and
- ° Each position must then be classified on the basis of the recorded duties and responsibilities that make up the position and the qualifications required to do the work.

Q5. WHAT IS A POSITION DESCRIPTION?

A. The duties and responsibilities of each position are described on an EPA form known as a Position Description, which is commonly called a job description or a job sheet. Management, in deciding what these duties and responsibilities shall be, may change them, as necessary, to efficiently accomplish the work of the organization.

Q6. WHO IS RESPONSIBLE FOR WRITING THE POSITION DESCRIPTION?

A. While supervisors are basically responsible for the accuracy of the position description, it should be written in close collaboration with the incumbent whenever possible. This procedure promotes a common understanding of what the employee's duties and responsibilities really are. However, the final responsibility belongs to the supervisor.

Q7. WHAT IS CONSIDERED IN DETERMINING A CLASSIFICATION?

A. In determining the appropriate classification for a position, the personnel specialist considers the kind and difficulty of the work assigned to the position in order to come up with the correct pay category, title, series and grade. For example:

- ° The pay category, such as General Schedule (GS) or Trades and Labor (WG, WL, or WS) is decided upon the basis of whether the position is "white collar" or "blue collar." If "blue collar," a determination must be made as to whether the position is supervisory, leader, or non-supervisory in order to place the position into its proper pay schedule;
- ° The title of a position (e.g., Clerk-Stenographer, Supervisory Sanitary Engineer, Electrician, etc.) reflects the kind of work being done and whether the position is supervisory or not;
- ° The series of a position (e.g., GS-318 for Clerk Stenographer, GS-819 for Sanitary Engineer, WG-5703 for Motor Vehicle Operator, etc.) further identifies the type of work being done for statistical and other purposes;
- ° The difficulty of the work determines the grade of the position, and the grade, in turn, determines the salary range of the position. The least difficult positions are placed in the lower grades and are assigned a lower salary range while the positions that are more difficult and complex are placed higher up in the scale of grades and are assigned a higher salary range. The system is like a ladder which puts the simplest positions at the bottom with a gradual progression to the most difficult positions at the top; and
- ° The final result of the classification process is the assignment of a position to a class, for example, Clerk-Stenographer, GS-312-4; Supervisory Sanitary Engineer, GS-819-14; Motor Vehicle Operator, WG-5703-5 etc.

Q8. DO POSITION CLASSIFICATIONS CHANGE?

A. Once a position is properly placed into a class, it is retained in that class unless: (1) there is substantial change in the complexity

of the duties performed; or (2) the standards governing the classification of the position are changed.

Q9. WHAT IS THE RELATIONSHIP BETWEEN CLASSIFICATION AND PAY?

A. For each grade there is an established salary scale. Advancement from one salary step to another within a grade depends on length of service and quality of work performance. The basic salaries for General Schedule positions apply nationally and are set by the President upon consideration of the recommendations of his pay agents and advisors who base their proposals on pay comparability with private industry in the national labor market. Salaries for Trades and Labor positions are established for each local wage area on the basis of comparability with wages paid by private industry in the local labor market.

Q10. WHAT RECOURSE DO EMPLOYEES HAVE IF THEY DISAGREE WITH THE CLASSIFICATION OF THEIR POSITIONS?

A. Employees can appeal the classification of their positions at any time:

- ° The appeals procedures for General Schedule employees are described in EPA Order 3150.2; and

- ° The appeals procedures for Trades and Labor employees are described in EPA Order 3150.3.

Q11. CAN EMPLOYEES APPEAL THE CLASSIFICATION OF THEIR JOBS TO THE CIVIL SERVICE COMMISSION?

A. It depends:

- ° General Schedule employees may appeal the classification of their positions to the Civil Service Commission at any time. However, employees are urged to use EPA appeal channels first. Both channels may not be used at the same time; and

- ° Trades and Labor employees must appeal to EPA first. The EPA appeals decision may then be taken to the Civil Service Commission, if desired.

Q12. WHAT IS A POSITION CLASSIFICATION SURVEY?

A. A review of all positions to determine the accuracy of all position descriptions, the correctness of all position classifications, and the necessity for the existence of all positions is conducted each year by the servicing personnel office in conjunction with the responsible managers and supervisors. An annual survey is required by law, i.e., by the Supplemental Appropriation Act of 1952, commonly known as the Whitten Amendment. Each year, the agency must submit a certificate to the Congress indicating that all positions have been reviewed, all classifications corrected, and all unnecessary positions abolished.

PAY-GENERAL SCHEDULE

Primary Sources

EPA Pay Administration Manual
FPM Chapters 530, 531, 539, 550 & 551
FPM Supplements 532-1, 990-1 & 990-2

Background

Paying employees equitable rates of pay can help achieve high employee morale and more effective work performance. Effective pay administration can also result in higher productivity and can help in the recruitment and retention of quality employees. The pay administration system also provides the flexibilities needed to reward high-levels of work performance.

Role of the Supervisor

Supervisors have the primary role in pay administration for these reasons:

- ° In determining the duties and responsibilities of positions, supervisors, in effect, determine the grade and type of position to be established, and, therefore, the type of rate (special or regular) and the range of pay to be assigned;
- ° In managing the time of their subordinates, supervisors, in effect, determine whether overtime, night differentials, or standby duty pay need be paid;
- ° In managing the work environment, supervisors, in effect determine whether hazardous duty pay or environmental differentials need be paid; and
- ° In determining when employees are operating at acceptable levels of competence, supervisors determine whether within-grade increases are awarded.

Role of the Servicing Personnel Office

The Personnel Office advises supervisors and employees on pay administration regulations and serves as liaison with Agency Headquarters and/or the Civil Service Commission in connection with obtaining approvals for special pay rates or superior qualifications appointments or for other reasons related to pay.

- Q1. HOW IS THE PAY SCHEDULE FOR GENERAL SCHEDULE POSITIONS DECIDED?
- A. The pay schedule for General Schedule positions is established by the President, based upon the advice of his pay agents, the Director of Management and Budget, the Chairman of the Civil Service Commission, and the Advisory Committee on Federal Pay. The pay schedule is usually effective the first day of the first pay period commencing on or after October 1.
- Q2. WHAT ARE THE GS PAY RATES BASED UPON?
- A. The pay rates are based upon comparability with private enterprise pay rates for the same levels of work.
- Q3. CAN POSITIONS BE ASSIGNED PAY RATES HIGHER THAN THAT FOUND IN THE GENERAL SCHEDULE?
- A. Yes. Higher pay rates can be authorized by the Civil Service Commission if pay rates in private enterprise for one or more areas or locations are so substantially above the pay rates of the General Schedule as to handicap significantly the Government's recruitment or retention of well-qualified individuals. Supervisors interested in securing these higher rates should keep records as to job offers and separations where pay is a factor and present this evidence to the Personnel Officer to support requests for special rates of pay.
- Q4. AT WHAT RATE ARE NEW APPOINTMENTS MADE?
- A. New appointments are generally made at a minimum regular rate or special rate of the appropriate grade. However, with the approval of the Civil Service Commission, individuals may be appointed at higher steps of the pay range for grade GS-11 positions and above when it can be demonstrated that they are unusually well-qualified and that the existing pay is not sufficient to attract them.
- Q5. WHEN SHOULD OVERTIME BE PAID?
- A. Generally, full-time, part-time, and intermittent employees who work more than 8 hours in a calendar day or in excess of 40 hours within an administrative work week should receive overtime pay.
- Q6. ARE THERE EXCEPTIONS TO THIS?
- A. Yes. "First 40-hour employees" (i.e. GS full-time employees whose hours of duty cannot be scheduled in advance) do not receive overtime if they work more than 8 hours in a calendar day. Neither are experts and consultants entitled to overtime pay. Also, officials authorized to approve overtime may require most employees in GS-11 and above positions to take compensatory time off in lieu of overtime.

Q7. HOW IS OVERTIME COMPUTED?

A. It one and one-half times the basic hourly rate where the employee's hourly rate of basic pay does not exceed the minimum scheduled rate of GS-10. Otherwise, it is one and one-half times the minimum scheduled rate of GS-10.

Q8. HOW IS EXTRA PAY AUTHORIZED FOR DUTY INVOLVING PHYSICAL HARDSHIP, HAZARD, OR DIFFICULT WORKING CONDITIONS?

A. When such conditions cannot be avoided, pay differentials for assigned irregular or intermittent duty involving unusual physical hardship or hazards are authorized by the Civil Service Commission. (See Chapter 9 of the EPA Pay Administration Manual).

Q9. HOW ARE PERIODIC STEP INCREASES IN PAY ACHIEVED?

A. 5 U.S. Code 5335 provides that advancement to the next higher pay step of a grade under the General Schedule will not be automatic; it must be earned. To receive a periodic step increase to the next salary rate of the grade of the position occupied, an employee must accomplish two things: satisfy the length-of-creditable-service requirements and have a supervisor's certification that the work being performed is of an "acceptable level of competence."

Q10. WHAT ARE THE LENGTH OF SERVICE REQUIREMENTS?

A. The prescribed periods of creditable service are as follows:

<u>For Advancement To</u>	<u>Calendar Weeks</u>
Rates 2, 3, or 4	52
Rates 5, 6, or 7	104
Rates 8, 9, or 10	156

Q11. WHAT IS MEANT BY "ACCEPTABLE LEVEL OF COMPETENCE"?

A. Before a periodic step increase can be granted, the supervisor must determine that the employee is functioning at an acceptable level of competence. A marginal or barely satisfactory employee may not legally receive a step increase. The granting of additional pay through step increases presupposes that the employee, through increasing proficiency, capability, and knowledge of the job, is worth progressively more to the Agency in the particular job occupied. The purposes of the competency determination are to:

- ° Stimulate optimum performance among employees;
- ° Ensure that employees who clearly meet the statutory standard of performance receive periodic step increases; and

- ° Withhold step increases from employees who do not clearly meet the statutory standard.

Q12. MAY AN EMPLOYEE APPEAL A DETERMINATION MADE NOT TO GRANT HIM/HER A PERIODIC STEP INCREASE?

A. Yes. A request for reconsideration may be submitted to a higher level supervisor who took no part in the original decision. Reconsideration decisions may be appealed to the Civil Service Commission.

Q13. HOW CAN I USE PAY TO REWARD PERFORMANCE?

A. There are two ways. The first is the periodic step increase, described above, which is used to reward employees who operate at acceptable levels of competence. Quality increases are the second type of step increase provided by law. They are based on high quality performance above that ordinarily found in the same type and grade of position. These increases are designed to recognize and to reward, on a continuing basis, quality performance that substantially exceeds normal requirements and results in a high and continuing degree of effectiveness. The relationship of quality step increases to other awards is discussed in the EPA Awards Manual.

Note: Since the criteria for an outstanding performance rating exceed the criteria for a quality within-grade increase, an employee does not have to be rated outstanding to receive a quality step increase.

Q14. WHAT IS COMPENSATORY TIME?

A. Compensatory time is time off granted in lieu of overtime pay to an employee who has worked irregular or occasional overtime work. Credit is given on the basis of 1 hour of compensatory time for every hour of overtime worked in minimum periods of 1 hour or multiples thereof. It should be recorded on EPA Form 2560-6, Record of Authorized Compensatory Time. Compensatory time off should normally be used within six months, with accumulation generally limited to 60 hours. See the EPA Pay Administration Manual, Chapter 4 for further details.

Q15. MAY COMPENSATORY TIME OFF BE GRANTED IN LIEU OF OVERTIME PAY?

A. Wage employees may not be granted compensatory time off. They must be paid for overtime.

General Schedule employees may be granted compensatory time off or paid for overtime work as follows:

- ° Any employee whose basic pay rate is at or below the top step rate for GS-10 must be paid for overtime unless the employee requests compensatory time instead; and
- ° Employees above GS-10, step 10, can be granted compensatory time at the option of the supervisor.

For information on compensatory time off for employees who are nonexempt from FLSA, see Chapter III, Subchapter 4.

Chapter II- STAFFING

EMPLOYMENT CEILINGS

Primary Source

FPM Chapters 316 & 312 (Appendix B)

Agencies are assigned maximum allowable employment figures, called employment ceilings, which are administered by the Office of Management and Budget. At the end of each fiscal year, agencies must be at their assigned levels.

Background

There exist two finite and mutually exclusive personnel ceiling groups. The first, largest, and least complicated of these categories is that of Permanent-Full-Time (PFT) ceiling, against which are counted all those employees with Career, Career Conditional, or excepted (permanent) status who are scheduled to work no less than 40 hours per week and forty-hour a week term appointees serving for more than one year.

The second and sometimes confusing ceiling category is properly captioned the Other-Than-Permanent-Full-Time (OPFT) ceiling -- although it is often referred to with the popular misnomer of "temporary ceiling." Taking the OPFT literally, you can logically deduce those types of employees whose positions are encompassed by this ceiling group. They are:

- ° Permanent Part Time;
- ° Permanent Intermittent;
- ° Temporary Part Time;
- ° Temporary Intermittent (including experts and consultants, See chapter on same);
- ° Temporary Full Time;
- ° Cooperative Education Employees;
- ° State Assignees;
- ° Summer Employees (some are excepted from coverage by any ceiling);
- ° Excepted Temporary;
- ° Excepted Part Time;

- ° Excepted Intermittent; and
- ° Term employees serving less than one year.

Role of the Supervisor

A supervisor should determine against which ceiling each person within his/her organization counts and assess the total numbers assigned against ceiling figures to assure adequate manpower planning for the end of the fiscal year.

Role of the Servicing Personnel Office

Your Personnel Office staff is available to counsel you as to the appointment requirements for each of these positions and the tenure and benefits accorded employees serving under each of these appointments. In light of these varied entitlements, it is especially important to consult with the Personnel Office in planning to meet end of fiscal year requirements. Throughout the year, Personnel also keeps track of organizational and total Agency on-board employment strength and monitors these for consideration in Agency management decisions.

RECRUITMENT

Primary Source

FPM Chapter 332

Background

Recruitment is the process of obtaining a supply of qualified candidates for jobs in our Agency. Positions may be filled through a variety of methods including appointments from Civil Service registers, promotions from within, reassignments of present EPA employees, transfers from other Federal agencies or reinstatement of former career or career conditional employees.

Role of the Supervisor

Responsible for planning the manpower needs, both immediate and long range, and submitting SF 52's, Requests for Personnel Actions, to their respective servicing Personnel Officers for position classification and recruitment assistance.

Role of the Servicing Personnel Office

Assist supervisors in utilizing the most effective and proper method of recruitment from available manpower sources and insuring that all recruitment processes and procedures are non-discriminatory according to the Equal Employment Opportunity Act.

- Q1. WHEN DOES THE FISCAL YEAR END?
- A. September 30th of each year.
- Q2. WHEN IS THE ACTUAL COUNT OF ON-BOARD STRENGTH MADE?
- A. The actual count is taken on the last work day of the last full pay period in the month of September.
- Q3. DO INTERMITTENT EMPLOYEES COUNT AGAINST OPFT CEILING?
- A. Intermittent employees count against the OPFT ceiling at the end of the fiscal year only if they have worked any time during the last two pay periods of the fiscal year.
- Q4. DO EMPLOYEES ON LEAVE WITHOUT PAY COUNT AT THE END OF THE FISCAL YEAR?
- A. Employees who at the end of the year have been on LWOP for thirty days do not count against ceiling.
- Q5. CAN ALL OPFT EMPLOYEES BE TERMINATED?
- A. Termination is a form of separation which requires no other notice than the notification of the personnel action. Permanent-part-time and permanent-intermittent employees may not be terminated; they must be removed under the procedures established for other career and career-conditional employees. Temporaries -- whether they are intermittent, part-time, or full-time -- may be terminated at any time prior to the expiration of their appointments. Reasons for the termination of employees serving on appointments with time-limitations or "not-to-exceed" dates imposed upon them may include lack of work, lack of funds, expiration of appointments, etc. Offices employing OPFT employees on appointments without time limitations should consider this specific difference and its impact on OPFT ceiling flexibility prior to appointment.
- Q6. DO STAY-IN-SCHOOL APPOINTEES COUNT AGAINST ANY EMPLOYMENT CEILING?
- A. No.
- Q7. DO INTERGOVERNMENTAL PERSONNEL ACT (IPA) ASSIGNEES COUNT AGAINST CEILINGS?
- A. IPA assignees appointed in EPA count against other-than-permanent-full-time ceiling.

IPA assignees detailed to this Agency do not count against any EPA ceiling.

EPA employees who are IPA assignees count against our permanent-full-time ceiling only if the Agency pays 50% or more of the assignee's salary.

- Q1. DOES THE AGENCY HAVE A CENTRAL RECRUITMENT SERVICE?
- Q2. Yes. The Personnel Management Division established early in 1976 The National Employment Center, physically located in Headquarters. Its function is to assist EPA offices facing difficult recruiting situations to find qualified candidates.
- Q2. WHAT ARE SOME SOURCES OF OBTAINING APPLICANTS FOR VACANCIES?
- A. A good source for filling entrance-level positions is the Civil Service Commission register. EPA's Merit Promotion programs can provide an adequate supply of eligibles for position vacancies at other than entrance levels. However, supervisors may also consider reassessing employees within the agency, transferring employees from other agencies or reinstating former career and career-conditional employees. Applications of qualified eligibles are also available from EPA's National Employment Center.
- Q3. MUST A SUPERVISOR CHOOSE ONE OPTION OR ANOTHER FOR FILLING VACANCIES?
- A. No. Supervisors and managers may simultaneously use a number of approaches to meet a staffing need. As an example, it is generally possible to issue a Merit Promotion Vacancy and simultaneously request a Certificate of Eligibles from the Civil Service Commission for the same position.

STUDENT EMPLOYMENT AND
CO-OPERATIVE EDUCATION

Primary Sources

FPM Chapter 308
FPM Chapter 213
EPA Summer Employment
Program for Youth, 5/77

Background

EPA has been actively involved in student employment and the Cooperative Education Program. These efforts provide youth an opportunity to participate in environmental improvement activities and often serve as a source of future manpower for the Agency.

Role of the Supervisor

Supervisors are responsible for participating in the program and providing meaningful work assignments to student employees. Such employees can relieve manpower restraints especially during the peak vacation periods.

Role of the Servicing Personnel Office

Encourage the use of student employment to the extent practical and aid managers in recruiting candidates who meet the requirements of the programs.

Q1. WHAT STUDENT EMPLOYMENT APPOINTMENTS ARE AVAILABLE AT EPA?

- A. Cooperative Education programs provide students in established high school or college co-op programs with periods of study followed by periods of study-related, full-time employment. Permanent positions should be offered noncompetitively to employees who successfully complete a cooperative program.

Federal Junior Fellowship Program is designed to provide Federal job opportunities for outstanding college-bound high school seniors who need earnings from such employment to help meet college costs. It provides selected high school seniors with career related work experience in Federal agencies during summer and other vacation periods while they attend college. This is a pilot program used in the Washington, D.C. area only.

Federal Summer Intern Program is for students who have completed at least 60 hours of college credit, demonstrated leadership characteristics through extracurricular activities, plan to return to school in the fall, and are in the top 1/3 of their undergraduate class or the top 1/2 of their graduate class. The program calls for nonclerical, career-related jobs that include at least four hours of developmental activities per week.

Stay-In-School Campaign is designed to provide part-time jobs to disadvantaged youths when employment might make the difference between a student's staying in school or dropping out. Appointees must be at least age 16 but not more than age 21 and be enrolled in a high school or higher accredited learning institution.

Summer Employment Program provides, through a summer employment examination, thousands of summer applicants for GS-1 through GS-4 positions, such as typist and stenographer, and, without a written examination, for 700 hour appointments, GS-5 and above. Applicant's grade level is determined by appropriate experience and education.

Summer Aids Program is open to economically deprived youths certified to the Agency by State Employment Commissions. Their work assignments are generally routine in nature, and they are paid locally established minimum wages. Unlike the Stay-In-School Campaign, employment is limited to the summer period, however the purpose of employment is similar -- to provide earnings that will allow students to continue their education.

THE COOPERATIVE EDUCATION PROGRAM

QUESTIONS AND ANSWERS

I. What is the purpose of the Cooperative Education Program (Coop)?

The program is designed to prepare students for careers in administrative, managerial, and technical occupations by integrating alternating periods of academic study and work experience. The program permits the Agency to evaluate the student's performance before offering a permanent, career conditioned position. Students completing the Program are eligible for non-competitive appointment to a permanent position.

II. Who is eligible for the Coop. Program?

A prospective student trainee must meet the following requirements:

1. Must be in attendance at a college or university which has established a Cooperative Education Agreement with the Environmental Protection Agency.
2. Must be enrolled on a full-time basis in a study program leading to a BA or BS degree.
3. Must have completed at least one full year of study (45 quarter or 30 semester credits).
4. Must be recommended by the school to our Personnel Office.
5. Must have at least a 2.0 overall scholastic average on a 4.0 scale, and have grade "C" or above in all major fields of study.

III. Generally, initial assignments will be made at the GS-3 level. Upon satisfactory completion of initial assignments returning students with at least 60 semester credits or 90 quarter credits will be eligible for promotion to the GS-4 level.

IV. Can Coop students be promoted to the GS-5 level?

Generally, students are not promoted to the GS-5 level. However, occasionally promotions may be made from the GS-4 to the GS-5 level when documentation shows that a student's performance has been outstanding. The student must have also completed 90 semester hours or 135 quarter hours.

V. Are Coop students eligible for benefits?

1. Leave - Students accrue annual and sick leave when they are in a work status. Students whose work schedules include Federal holidays will be paid for these days.
2. Benefits - Students may participate in the Federal Life Insurance and health benefit programs. The student and the Agency share the cost of these benefits. Students electing these plans will be covered by the Agency for up to one year on leave without pay in order to attend school.
3. Retirement - All students will be covered under The Civil Service Retirement System.

VI. How are the Coop work schedules determined?

When a student enters the program a schedule of alternating work and school is jointly established by the school, supervisor, student, and EPA Coop coordinator. The schedule can be amended with the approval of the above individuals providing that it adheres to the following requirements:

1. Prior to graduation the student will work for at least two separate work periods with an intervening period of full-time study (12 quarter or semester hours).
2. A minimum of 26 weeks of total full-time employment will be completed prior to the student's graduation.
3. One period of work will be within 18 months of the student's graduation.

If these requirements are not met, the student will not be eligible for conversion to a career conditional position.

VII. What other requirements must a student fulfill?

The student is expected to:

1. Satisfy the work performance standards of the Region.
2. Demonstrate interest in his/her professional career, both at work and at school.
3. Provide evaluation reports of a nonconfidential nature to both the University and Personnel Office.
4. Take courses broadly related to his/her career field.
5. Maintain the status of "student in good standing" at the University.

VIII. What are the supervisors' responsibilities in the Coop program?

1. Supervisors should carefully design the student's position description and training plan in order to provide the student with meaningful and increasingly responsible work assignments. The assignments should also relate to the students academic work. The student should be provided guidance in carrying out these assignments.
2. Supervisors must complete and discuss the evaluation form with the student at the end of each work period. At this time, the supervisors may also make recommendations concerning the student's academic study plan and future work assignments.
3. Supervisors must forward the completed evaluation to the Personnel Office. Any problems with "student's performance" should be discussed with the Coop coordinator.
4. Supervisors make recommendations on retention and promotion of students.

IX. Are Coop students eligible for permanent positions with EPA?

Yes. Students successfully completing all the requirements of the Coop Program are eligible for non-competitive conversion to a career conditional appointment at the GS-5 level. The position must be in the field of work in which he received his cooperative education training. Supervisors should discuss the possibility of permanent employment with the student during the last work assignment and make a recommendation regarding conversion to a permanent position. Conversion must take place within 120 calendar days after graduation.

Permanent placement is dependent on the availability of positions. If a position is not available in this region the student can request that he/she be considered in other EPA offices. It is the responsibility of the student to contact the Coop coordinator at least 60 days prior to graduation in order to be considered for a permanent position within the region.

SELECTIVE PLACEMENT PROGRAMS

Primary Sources

FPM Chapter 213
FPM Chapter 306
EPA Employment of
the Handicapped, 9/76

Background

It is the policy of EPA to be actively involved in affirmative action efforts for employment of handicapped individuals and disabled veterans. These highly productive individuals are referred from a variety of organizations and associations that promote their interests, and often there are special appointing authorities granted by the Civil Service Commission.

Role of the Supervisor

Supervisors are responsible for giving full consideration to handicapped individuals and disabled veterans in filling vacancies and for identifying positions that can be used or restructured to facilitate hiring these individuals.

Role of the Servicing Personnel Office

Assisting managers in establishing and meeting affirmative action goals for this program.

- Q1. WHAT SPECIAL HIRING AUTHORITIES ARE AVAILABLE FOR HANDICAPPED INDIVIDUALS?**
- A. Severely handicapped and mentally retarded persons are normally appointed under a Schedule A Excepted Appointment authority after serving a satisfactory 12 month temporary trial period. Also 700 hour temporary appointments can be made anytime during the year for initial appointment of such individuals.**
- Q2. DO HANDICAPPED EMPLOYEES COUNT AGAINST AGENCY CEILING?**
- A. Yes, those on permanent full time appointments count against PFT (Permanent Full Time) ceiling like any other employee. All others count against the OPFT (Other Than Permanent Full Time) ceiling.**

CAREER AND CAREER-CONDITIONAL
APPOINTMENTS

Primary Source

FPM Chapter 315

Background

Career conditional appointments are given to persons who pass competitive civil service examinations and are selected for continuing positions from lists of eligibles established as the result of the examination. At the end of 3 years of satisfactory service, career-conditional employees are automatically converted to career appointments.

Role of the Supervisor

To select candidates from civil service registers and determine during the probationary period if the employee should be retained for permanent Government service.

Role of the Servicing Personnel Office

To request civil service registers of applicants to fill competitive positions when requested by the Supervisor.

Q1. WHAT IS THE CAREER-CONDITIONAL EMPLOYMENT SYSTEM?

A. Permanent employment in the competitive service is governed by the career-conditional employment system. Under this system employees are generally brought into government service under a career-conditional appointment. Career-conditional appointments are made when an eligible is selected from a register for continuing appointment to a competitive position. Such appointments confer specific privileges:

- . Eligibility for non-competitive movement to any position for which the employee qualifies;**
- . Competitive status with attendant rights in adverse actions upon completion of the 1-year probationary period;**
- . Career tenure with improved retention rights after completion of 3 years of substantially continuous service; and**
- . Reinstatement eligibility, with certain limitations.**

Q2. WHAT DOES REINSTATEMENT MEAN?

A. Reinstatement means the non-competitive reemployment as a career or career-conditional employee of a person formerly employed in the competitive service who had competitive status or was in a probationary period when he/she was separated from that service. Employees may not be reinstated to a higher grade position than that which they previously served or to a position with higher grade potential unless they compete under the Agency's merit promotion procedures.

Q3. IS THERE A TIME LIMIT ON REINSTATEMENTS?

A. No, if the person has completed the three year service requirement for career tenure or has veteran's preference.

Q4. ARE CAREER-CONDITIONAL EMPLOYEES REQUIRED TO SERVE A PROBATIONARY PERIOD?

A. Yes. A period of one year, which is considered to be an on-the-job test of suitability and competence, must be served. At any time during the probationary period an employee may be dismissed merely upon written notice if it appears that retention would not be in the best interests of the agency. Supervisors must specifically recommend retention or separation, upon the basis of conduct and work. You must contact your personnel office if you are considering terminating the employee during the probationary period.

Q5. HOW DOES THE PROBATIONARY PERIOD AFFECT EMPLOYMENT IN THE CAREER-CONDITIONAL EMPLOYMENT SYSTEM?

A. An employee who has been given a career-conditional appointment by selection from a certificate of eligibles is required to serve a probationary period of 1 year.

During the probationary period, the employee's conduct and performance in the actual duties of his position may be observed, and he/she may be separated from the service without undue formality if the circumstances so warrant. Thus, the probationary period provides protection against the retention of any person, who, in spite of having passed preliminary tests, is found in actual practice to be lacking in fitness and capacity to acquire fitness, for permanent Government service.

The supervisor of each employee serving a probationary period must, no earlier than the beginning of the ninth month nor less than the end of the tenth month of such period, submit through supervisory channels a signed statement certifying either that the employee's performance, conduct, and general traits of character have been found satisfactory or that they have been found unsatisfactory. Each certification must contain a definite recommendation as to whether the employee should be retained beyond the probationary period. If the employee is found to be unsatisfactory, he/she must be separated.

EXCEPTED SERVICE APPOINTMENTS

Primary Sources FPM Chapters 213, 300, 302

Background

Positions are excepted from the competitive service by the Civil Service Commission whenever it determines that appointments through competitive examination are not practicable or when the positions are determined to be of a confidential or policy-determining character. Positions excepted other than by law are known as Schedule A, B, or C positions.

Role of the Supervisor

Supervisors are responsible for supervising excepted service employees, assuring that equal employment opportunity and veteran's preference act provisions are complied with, and selecting well-qualified candidates.

Role of the Servicing Personnel Office

Assists supervisors in identifying candidates in the excepted service and providing all technical support.

Q1. WHAT ARE SCHEDULE A POSITIONS?

A. Schedule A positions are positions other than those of a confidential or policy-determining character for which it is not practicable to examine. For example, attorneys are Schedule A appointees.

Q2. WHAT ARE SCHEDULE B POSITIONS?

A. Schedule B positions are positions other than those of a confidential or policy-determining nature for which it is not practicable to hold a competitive examination. Appointments to these positions are subject to any non-competitive examination that the Civil Service Commission may prescribe. EPA has no Schedule B employees at this time.

Q3. WHAT ARE SCHEDULE C POSITIONS?

A. Schedule C positions are positions of a confidential or policy-determining character usually reporting to the Administrator, Deputy Administrator, or an Assistant Administrator.

EMPLOYMENT OF EXPERTS AND CONSULTANTS

Primary Sources

EPA Order No. 3110.4a
FPM Chapters 213, 304, and 735

Background

A consultant is an "other-than-permanent-full-time" employee who serves as an advisor to an officer or instrumentality of the government; who is renowned in the field in which he/she advises, but not necessarily a specialist; who is normally qualified for compensation at a minimum of the GS-13 level; and whose appointments are limited to periods not in excess of one year.

An expert is a specialist or one with a unique skill in one or more narrow fields which would qualify him/her as an authority in these fields. An expert, unlike a consultant, is therefore allowed to perform operational duties for a limited time when those duties cannot be performed satisfactorily by ordinarily competent employees within the activity.

Role of the Supervisor

If you propose to utilize the services of an expert or consultant, you should clearly identify the function to be performed by the subject as one deemed legally permissible for this type of employee. You should also make an initial judgment as to whether the qualifications of the candidate can support such an appointment. Prior to appointment you should secure a completed SF-171, Personal Qualifications Statement, from the candidate, and then channel the required documents through to your organization's certifying official (AA, RA, DA, or Administrator), who must assure the propriety of the proposed action. In addition to the usual SF-52, request for Personnel Action, you will have to initiate an EPA Form 3140, Expert or Consultant Supplemental Information, which calls for a description of duties and qualifications, and have the potential employee complete a Confidential Statement of Employment and Financial Interests. This EPA Form No. 3120.1 is to be reviewed at the DAA level or higher and retained by the employing office.

Role of the Servicing Personnel Officer

Personnel is available to counsel managers as they embark upon establishing and filling these positions, governed by many regulations of a highly technical nature. Additionally, personnel must assure that all required documents have been properly completed and that a determination has been made that no

conflict of interest exists. They must decide on the appropriate employment authority; determine the nature and appropriateness of employment, with consideration given to the employer-employee relationship involved; determine the duration and variety of appointment and notify the expert/consultant of his status; establish a proper rate of compensation; document terms of employment; and review on a quarterly basis the employment of those experts and consultants within their jurisdiction.

Q1. WHAT TYPES OF FUNCTIONS ARE NOT LEGALLY PERMISSIBLE FOR A CONSULTANT TO PERFORM?

A. A consultant may not:

- Carry out the agency's duties and responsibilities, e.g. represent the Agency, sign official documents or correspondence;
- perform or supervise the performance of operating functions;
- be assigned the duties of a full-time continuing position;
- be assigned to a job which could be performed as well by a regular employee; or
- supervise the work of another EPA employee.

Q2. CAN A CONSULTANT/EXPERT APPOINTMENT BE USED TO PAY AN EMPLOYEE MORE THAN HE/SHE WOULD OTHERWISE BE ENTITLED TO UNDER A REGULAR CIVIL SERVICE APPOINTMENT?

A. No. Consultant/expert appointments cannot be used for this purpose of avoiding statutory pay limitations, nor can they be used to circumvent competitive civil service employment procedures or travel payment restrictions.

RESERVED

**ENVIRONMENTAL
PROTECTION
AGENCY**

ORDER

R 3110.4

Region IX

September 14, 1977

ADMINISTRATIVE MANAGEMENT

CONFLICTS OF INTEREST

1. **Purpose:** The purpose of this Order is to specify Region IX policy regarding the prevention of conflicts of interest when awarding contracts or purchase orders involving former EPA employees.

2. **Authority:** This Order is promulgated pursuant to Title 41, Code of Federal Regulations (CFR), Subpart 15-1.53 - Code of Conduct.

3. **Scope:**

a. This Order prescribes procedures for identifying and dealing with real or apparent conflicts of interest in contracts or purchase orders awarded by Region IX to organizations employing former Environmental Protection Agency employees. Information contained herein is not applicable to agreements with other departments and agencies of the Federal Government or contracts awarded to State or local units of Government.

b. The purpose of this Order is to ensure that no contract is awarded to any organization or firm that employs a former regular or special EPA employee in circumstances which constitute a real or apparent conflict of interest and to ensure that awards are not tainted with favoritism.

4. **Policy:**

a. (1) No contract shall be awarded without competition if a prospective contractor employs in the capacity of officer, director, other senior management employee or proposes to employ as project officer or a major consultant on the contract, a former EPA regular employee or a former special EPA employee if either of the following conditions exist:

(a) the former EPA employee is involved in developing or negotiating the proposal for the prospective contractor,

ORDER

R 3110.4

(b) the former EPA employee will be involved directly or indirectly in the management, administration or performance of any contract resulting from the proposal.

(2) The prohibition identified in Paragraph ⁴3.a.(1) shall cease one year after termination of the former employee's EPA employment.

b. Treatment of Competitive Contracts--

(1) The prohibition of Paragraph ⁴3.a.(1) shall not apply with respect to competitive contracts. Award of such contracts, however, must be consistent with 18 USC §207; former employees must not exert improper influence over the award; and the award must not be based on favoritism arising out of the employee's former association with the EPA.

c. Waivers--Waivers will not be granted by any official of this Region. Where such waivers are in the best interest of the Government, a written detailed justification will be submitted and transmitted to EPA Headquarters for approval.

d. Subcontracts--The provisions of this notice do not apply to subcontracts unless the effect of such subcontracts would be to circumvent the restrictions of this notice.



B. David Clark
Director, Management Division

DETAILS

Primary Source

FPM Chapter 300

Background

Details are intended only for meeting temporary needs of the Agency's work program when necessary services cannot be obtained by other desirable or practicable means.

Role of the Supervisor

- . Must be aware of all requirements and restrictions when detailing employees.
- . Is required to submit a Request for Personnel Action (SF-52) to the Personnel Office for details exceeding 30 days.

Role of the Personnel Office

Provides technical assistance and advice to supervisors.

Q1. WHAT ARE DETAILS?

A. DETAILS are temporary assignments of employees to different positions for specified periods of time -- up to a maximum of 120 days without CSC approval.

Q2. WHEN MAY DETAILS BE USED?

A. With changes in mission or structure;

During unanticipated absences;

During other emergencies;

Pending official assignment;

Pending description and classification of a new position;

Pending security clearance; or

For training purposes, especially when that training is a part of an established promotional or developmental program.

Q3. WHEN ARE DETAILS INAPPROPRIATE?

A. When temporary promotion to a higher graded position is more appropriate.

When the employee who is to be detailed for more than 30 days was competitively appointed from a register less than 3 months prior.

When one 120 day extension for detail to a higher-graded position has already been approved by the CSC.

Q4. HOW ARE DETAILS LIMITED?

A. The CSC requires prior approval for:

- Details beyond 120 days; or

- Details of employees serving under excepted appointments to positions in the competitive service.

Merit Promotion competitive procedures are required when:

- A detail to a higher position will exceed 60 days; or

- A detail to a position with known potential will exceed 60 days.

Q5. HOW SHOULD A DETAIL BE DOCUMENTED?

- A. Details of more than 30 days are to be reported on Standard Form 52, Request for Personnel Action. The Form is a permanent record in the Official Personnel Folder (OPF) and will serve to document any creditable experience gained by the employee during the detail period.

While details of 30 days or less do not require such documentation, employees may wish to submit Supplemental Experience and Qualification Statements, SF-172, so that descriptions of any creditable experience will be included in the OPF.

Q6. WHAT DOES A DETAILED EMPLOYEE DO WHEN THE DETAIL IS OVER?

- A. The employee returns to his/her regular duties, as technically the detailed employee remained throughout the detail the incumbent of the preceding position -- i.e., the position from which he/she was detailed and not that to which he/she was detailed.

Q7. IS A POSITION DESCRIPTION REQUIRED?

- A. An employee may be detailed to duties which have not yet been stated in a position description and classified. Details may also be made to established positions.

REASSIGNMENTS

Primary Sources

FPM Chapter 210
FPM Chapter 335

Background

Reassignment is the movement of an employee from one position to another with no change in grade or salary. These actions may be effected at the discretion of management. While the formal consent of the employee is not required to move an individual within their competitive area, it is certainly desirable and should be obtained if at all possible. Certain reassignments, if potential promotion is involved, are subject to competitive promotion procedures.

Role of the Supervisor

Submit request for personnel action, SF-52's and position descriptions to the personnel office before commitments are made or effective dates established.

Role of the Servicing Personnel Office

Provide technical advice and assistance to supervisors, and process the reassignment in a timely manner if the action is appropriate.

Q1. MAY THE AGENCY REASSIGN EMPLOYEES?

A. Yes, provided:

- . There is no loss in grade or salary;**
- . The reassignment is in the best interest of the Agency;**
- . The reassignment is not arbitrary, capricious, or unreasonable;**
- . The employee is fully informed of the reasons why the action must be taken; and**
- . The employee's interest and desires are considered.**

PROMOTIONS, MERIT PROMOTION PROCEDURES

Primary Sources

FPM Chapter 335
EPA Merit Promotion Manual

Background

The Merit Promotion Plan is designed to provide a method of filling vacancies and to provide the opportunity for promotion into positions on the basis of merit.

Role of the Supervisor

Responsible for:

- . Understanding the provisions of the Merit Promotion Plan and complying with its requirements;
- . Encouraging the use of the Plan as an effective means of filling vacancies;
- . Anticipating personnel needs and initiating action to fill vacancies in sufficient time to allow for proper selection in accordance with the Plan;
- . Serving as member of rating panels when called upon;
- . Identifying selective placement factors essential to successful job performance and quality ranking factors considered desirable, and determining values to be assigned to all elements including experience, training, potential and appraisals;
- . Making selections from among the best qualified candidates;
- . Assuring that employees eligible for promotion consideration are made aware of appropriate vacancies;
- . Completing employee appraisals and assessments of potential in accordance with procedures and schedules established by the personnel office;
- . Assisting employees' career development through appropriate advice and training; and

- . Assuring that subordinates are considered for promotion opportunities arising during their temporary absences, while on leave, on detail, or in training, when such assistance is personally requested by the subordinate.

Role of the Servicing Personnel Office

Responsible for carrying out the day-to-day procedures established by the Merit Promotion Plan, and for providing technical assistance to managers and employees who utilize the Plan.

Q1. TO WHOM DOES THE MERIT PROMOTION PLAN APPLY?

A. All EPA installations.

Positions in the competitive service at the GS-15 level and below and in all occupational groups.

All wage grade positions.

Q2. WHAT ARE THE EMPLOYEE'S RESPONSIBILITIES?

A. For participating in the Merit Promotion Plan and complying with its requirements.

For informing the Personnel Office, at least annually, of qualifications, special training, and educational achievements which are not already a matter of record in the official personnel folder.

For advising their supervisors if they wish to be considered for appropriate vacancies which may occur during their temporary absence, while on leave, on detail, or in training.

For completing and submitting all forms required by an announcement when applying through merit promotion.

Q3. WHAT FORMS MUST BE SUBMITTED FOR CONSIDERATION FOR A VACANCY VIA MERIT PROMOTION?

A. The Merit Promotion Announcement lists the forms that must be submitted. Generally, they are: a Personnel Qualifications Statement, SF-171; a current General Appraisal, no older than one year; a Supervisory Appraisal, if the position is supervisory; and a Merit Promotion Application, EPA 3115-9, which acknowledges receipt of application and provides merit promotion results. Employees will be responsible for submitting all required forms to receive consideration.

Q4. HOW IS THE AREA OF CONSIDERATION DETERMINED AND WHAT DOES IT REALLY MEAN?

A. The selecting official, in the preparation of a Staffing Requisition, indicates the area in which recruitment is desired. The servicing personnel office reviews this and considers whether the proposed area is wide enough to attract at least three well qualified candidates. Both parties should strive for a mutual agreement on the recruitment area.

Q5. CAN NON-STATUS AND NON-EPA EMPLOYEES RECEIVE CONSIDERATION UNDER THE MERIT PROMOTION ANNOUNCEMENTS?

A. No, they can only receive consideration when the announcement is open to them; status EPA employees can apply for any EPA position announced under Merit Promotion regardless of the recruitment area.

Q6. HOW IS THE PROMOTION POTENTIAL OF A POSITION DETERMINED?

A. The supervisor has control over the duties and responsibilities that will be assigned to a position. When it is anticipated that a position will have growth potential, the supervisor should discuss this with the classifier to get a determination of promotion potential. The final decision on potential is made by the classifier. All positions with known promotion potential are noted on the description and on the Merit Promotion Announcement.

Q7. WHAT ARE THE INTERVIEW REQUIREMENTS OF THE PROGRAM?

A. Before selection is made from a Merit Promotion Certificate, the selecting official is required to interview the top five candidates. If selection is made from the remaining candidates, this must be preceded by an interview of all remaining candidates on the certificate. Selecting officials are urged to give equal time and similar questions to each candidate. Applicants outside the commuting area or otherwise unavailable for personal interview may be interviewed by phone.

Q8. HOW ARE PANEL RATERS CHOSEN?

A. The approval of the three panel raters is the responsibility of the personnel specialist; however, the selecting official is encouraged to nominate membership on the Staffing Requisition. Two of the members may not be under the supervision of the selecting official and at least one member should be at least equivalent to the grade of the position being considered. The selecting official cannot serve as a panel member unless there are unusual circumstances and approval is obtained from the EPA Headquarters, Director, Personnel Management Division.

Q9. UNDER WHAT CIRCUMSTANCES CAN CANDIDATES BE CONSIDERED WHO ARE NOT ELIGIBLE DUE TO TIME-IN-GRADE OR TIME-AFTER-COMPETITIVE APPOINTMENT RESTRICTIONS?

A. Candidates, who will be eligible within 30 days of the closing date of an Announcement will be considered eligible for the time-in-grade and time-after-competitive appointment requirements. However, all candidates must meet the basic qualification requirements, including any Selective Placement Factors, during the open period of the Merit Promotion Announcement.*

***NOTE:** The purpose of the time-in-grade restriction of the Whitten Amendment is to prevent excessively rapid promotions by specifying minimum periods of time an employee must occupy a position before becoming eligible for a promotion.

Q10. WHAT ARE THE PROCEDURES FOR VOLUNTARY APPLICATIONS?

A. Agency employees can avail themselves of openings in other EPA locations by submitting a current SF-171 and appropriate appraisals to the servicing personnel office for that area. Voluntary applications must state the kind of positions for which general consideration is desired and will only be accepted from EPA employees in other geographic areas. Voluntary applications are maintained by the servicing personnel office for one year. Then the application is returned to the employee who must resubmit an updated SF-171 and appraisal for further consideration.

Q11. HOW ARE COMPLAINTS ABOUT THE MERIT PROMOTION PROGRAM OR A SPECIFIC PROMOTION ACTION HANDLED?

A. Any question or complaint should be directed first to the servicing personnel office. Often the personnel office can provide meaningful information that resolves the issue. Those complaints that are not satisfied can then be processed through local grievance procedures. However, employees should be aware that mere failure to be selected when proper procedures were used is not a basis for a formal complaint. Any formal complaint will be processed through either Agency or negotiated grievance procedures or through the EEO complaint process.

Q12. WHO CAN ANSWER EMPLOYEE QUESTIONS ABOUT THE PROGRAM?

A. The Servicing Personnel Officer designee.

ENVIRONMENTAL
PROTECTION
AGENCY

ORDER

R3115.1

REGION IX

May 8, 1974

PERSONNEL - PROMOTION AND PLACEMENT

CAREER PROMOTION

1. **Purpose.** To establish a program of Career Ladders for promotion of employees on a successive basis to the highest level of potential in a specific job category.
2. **Authorization.** Federal Personnel Regulation 335, Sub. Chapt. 4.
3. **Policy.** The individual employees who are selected competitively for positions at lower grades, and whose performance and responsibilities warrant promotion, may be promoted on an ascending grade basis to the full potential of their specific job category without further competition.
4. **General.** This program is designed to accommodate individual employees who desire to follow a single career ladder in a specific job category and function from the initial phases of their assignment through the highest level of non-supervisory performance for their specific job category.

This program will be operated as an exception to the Merit Promotion Program and does not preclude normal consideration for other jobs and for higher level supervisory positions, once the full potential is reached.

ORDER

R3115.1

5. Responsibilities.

a. Supervisors and Management Officials:

- (1) Will identify the job categories, number of positions and, in conjunction with position classification requirements, the highest potential grade level for these positions. Such factors as work load, space authorizations, funds, and average grade, and current employee potential, will be used in making these determinations.
- (2) Should understand that when assigning individuals to grades lower than the full potential of the positions, that duties that comprise the higher level must be performed by the supervisor. Such duties can then be gradually assigned to the employee on a planned basis, until such time as the highest potential is reached.
- (3) Submit personnel actions with the recommended position descriptions to the Personnel Office for establishing positions. Each personnel action must contain the approval of the Division Director.
- (4) Canvas currently assigned employees, identified with similar job categories at lower grades to determine their interest in being considered for this program. As all currently assigned employees were competitively selected, they may be automatically included. Each employee, however, must be earmarked against an identified position at the higher level.
- (5) Discuss with each employee assigned to this program, expected performance standards and evaluate and discuss with the employee his performance against these standards on an annual basis.

ORDER

R3115.1


b. Personnel Officer:

- (1) Will provide advice, guidance and assistance to supervisors and management officials on the implementation of this program.
- (2) Establish positions by appropriate classification action at the highest level of potential.
- (3) Effect personnel actions as required to implement this program.
- (4) Orient and/or advise employees on the provisions of this program.

c. Employee Responsibility:

- (1) Discuss with their supervisors their interest in participating in the program.
- (2) Provide the Personnel Management Officer with their opinions of the program and recommend suggestions, if any.

6. Supersession. Regional Office Order PER 05-14-73 is superseded.


Paul De Falco, Jr.
Acting Regional Administrator

REDUCTION-IN-FORCE

Primary Sources

FPM Chapter 351
EPA Order 3110.10

Background

Because of changes in programs, lack of funds, reorganization, decrease in work, or the necessity to place a returning employee with reemployment rights, a Federal agency may have to separate, furlough for more than 30 days, reassign, or demote employees. Standard reduction-in-force procedures are set up by the Reduction-in-Force Regulations so that such actions may be carried out in a fair and orderly way.

Under this system employees compete for retention on the basis of four factors specified by law. These four factors are type of appointment (tenure), veteran preference, total length of civilian and creditable military service, and performance ratings. The general rule is that veterans with "satisfactory" performance ratings are given higher retention standing than nonveterans, but another provision of law withholds veteran preference from certain retired members of the uniformed services in reduction-in-force and limits their credit for military service.

Reduction-in-force does not begin or end with separation notices to employees. The Agency must:

- Decide the jobs to be affected. The Agency decision to abolish one kind of job instead of another is not subject to review by the Civil Service Commission.
- Determine, according to an equitable formula, which employees will lose their jobs or change jobs.
- Determine whether employees about to lose their own jobs have rights to other positions.
- Issue notices to the affected employees at least 30 days before the reduction is scheduled to take place.
- Help career and career-conditional employees, who are or will be displaced, find other jobs. The Civil Service Commission will cooperate in this effort through displacement programs.

Role of the Supervisor

Contact the Personnel Office when contemplating any kind of action which may result in a reduction-in-force.

Role of the Servicing Personnel Office

Administer the RIF program and provide assistance to managers.

Q1. CAN AN EMPLOYEE APPEAL A RIF?

A. Yes. To the Federal Employee Appeal Authority of the CSC -- not later than 15 days after the effective date of the RIF action.

Chapter III- EMPLOYEE RELATIONS

EMPLOYEE RESPONSIBILITIES AND CONDUCT

Primary Sources

FPM Chapter 735
EPA Conduct & Discipline Manual
Federal Register, Dated 4-17-73

Background

The President's policy, in section 101 of the Executive Order No. 11222, is based on a recognition that the maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees, and special Government employees through informed judgment is essential to assure the proper performance of the Government's business and the maintenance of confidence and respect of the citizens in their Government.

Role of the Supervisor

The supervisor is responsible for immediately reporting to the Agency Counselor or Deputy Counselor any prohibited activity, as well as any conduct prejudicial to the best interest of EPA or of a nature to bring discredit upon it.

Role of the Servicing Personnel Office

The Personnel Office is responsible for:

- . Assuring that each new employee is provided with a personal copy of the EPA Regulations on Employee Responsibilities and Conduct;
- . Insuring that supervisors call employees' attention to those regulations at least annually;
- . Providing EPA Form 3120.1 to outside applicants or employees who are selected for positions whose incumbents must file Confidential Statements of Employment and Financial Interests and provide the name of the Deputy Counselor to whom it must be submitted; and
- . Advising and assisting managers, supervisors, and employees with regard to conduct.

- Q1. WHOM MAY I CONTACT ON PROBLEMS AND QUESTIONS REGARDING EMPLOYEE RESPONSIBILITIES AND CONDUCT?
- A. The following officials who are designated as Deputy Counselors:
- . Assistant Administrators;
 - . Deputy Assistant Administrators;
 - . Heads of Staff Offices reporting directly to the Administrator or Deputy Administrator; and
 - . Regional Administrators.
- Q2. MUST OUTSIDE EMPLOYMENT RECEIVE PRIOR AGENCY APPROVAL?
- A. Yes. Most outside employment requires the proper approval of the appropriate Deputy Counselor. Such employment may not interfere with the performance of your primary Federal job and may not involve you in an actual or potential conflict of interest situation or adversely affect the confidence of the public in EPA or the Government as a whole.

AUG 28 1978

U. S. ENVIRONMENTAL PROTECTION AGENCY

REGION IX

PERSONNEL BULLETIN NO. 2

SUBJECT: Voluntary Separation and Leave Prior to Separation

FROM: Alex Young
Personnel Officer

Alex Young

TO: All Employees

References: FPM 630; FPM 715; EPA Leave Manual

This is an informational bulletin regarding personnel regulations and policy on voluntary separation and annual leave prior to separation.

General

A voluntary separation is a resignation or separation-transfer in response to an employee's request for the action. It must not be demanded as an alternative to some other action to be taken or withheld. The agency shall not obtain the resignation by coercion, duress, time pressure, intimidation, or deception, and allow it to remain voluntary. An employee may, however, elect to resign rather than face removal procedures.

I. Resignation

Effective Date

General

An employee is free to resign at any time and to set the effective date of resignation. Regulations do not require giving advance notice, however, the employee is certainly free to do so. Normally, two weeks notice has been given. The supervisor may point out the desirability of another effective date, but may not arbitrarily set an earlier or later date and have the action remain a voluntary one.

PROCEDURES

Written Resignation

When an employee wishes to resign, the resignation shall be submitted in writing on a Standard Form 52 (Request for Personnel Action). Parts III and IV shall state the effective date, the reasons for resigning, signature of employee, date

of the form, and forwarding address data.

If the resignation is submitted by letter, the supervisor must initiate and note the SF-52 with the reasons for resigning and attach the letter.

The employee responsible for preparing SF-52's for the unit shall complete the form and submit the documents through appropriate channels to the Personnel Office.

Oral Resignation

When an employee declines to submit a written resignation or is not available to sign the SF-52, an oral resignation must be accepted. The person (usually the supervisor) who receives the oral resignation should record and note the SF-52 with the reasons for the resignation, the date, and the names of any witnesses (if any) together with their statements if appropriate.

II. Separation to Accept Other Federal Employment Without a Break in Service

Effective Date

General. The effective date is the last date the employee is carried on this agency's payroll. Usually it is the day preceeding appointment by the other personnel office.

When an employee is leaving this Regional Office to accept employment with another Federal Agency, or another EPA organization serviced by a different personnel office, a resignation is not required, unless there will be a break in service.

The supervisor must be properly notified, and the supervisor is responsible for promptly initiating and routing the Standard Form 52 to separate the employee. The Standard Form 52 is prepared to inform supervisors, certain staff members, and the personnel office of the proposed separation.

(NOTE: Employee should notify the personnel office as soon as a job offer is confirmed, and an effective date is proposed. Our personnel office will coordinate with the gaining personnel office to avoid unintended breaks in service and/or pay and leave complications).

III. Annual Leave

Leave Prior to Separation-Transfer within the Federal Service

If separation-transfer occurs as described above, the granting of annual leave is negotiable. The employee should coordinate with both the gaining and losing supervisors to inform them and assure their agreement.

The employee's annual and sick leave account balances will be transferred to the gaining office upon completion of the personnel action.

Annual Leave Prior to Separation from Federal Service

In accordance with the EPA Leave Manual, Chapter 2, paragraph 2b(1),... "when it is known in advance that an employee will terminate his/her Federal service at the end of a requested leave period, annual leave shall not be granted".

In other words, an employee who is leaving federal service may not be carried on the Agency's rolls in an annual leave status when he has ceased to appear for work.

All accumulated annual leave in the leave account will be paid in a lump sum to the employee upon final separation.

**ENVIRONMENTAL
PROTECTION
AGENCY**

MANAGEMENT DIVISION

ORDER

R3110.5

REGION IX

PERSONNEL--EMPLOYMENT ADMINISTRATION

CLEARANCE PROCEDURES

1. **PURPOSE:** Establishes clearance procedures for separating/transferring employees from EPA Region IX. Through the Clearance Procedure, employees must account for all outstanding custodial obligations or financial indebtedness to the Agency before receiving final salary or lump sum payments. Items to be accounted for will include:

a. Settlement of all outstanding cash or leave advances and other debts to the Agency, including unexpired terms and conditions of outstanding employment agreements.

b. The signing of Security Termination Statement, EPA Form 1480-19, and execution of ERDA Form 136 for all employees who have security clearances for proprietary, classified or sensitive information.

c. The return of all government property in the employee's custody including equipment, controlled forms, all credit cards (telephone, gasoline, GSA and others), ID cards, library loan materials, keys, uniforms, safety equipment and apparel.

2. **AUTHORIZATION:** EPA Order 3110.5

3. **POLICY:** Clearance procedures are required for all employees who:

a. Separate or resign from EPA, Region IX.

b. Transfer to another government agency, or to another EPA office.

c. Are detailed for 3 months or longer to IPA assignments. (Intergovernmental Personnel Act)

ORDER

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d. Leave for longterm training.

They must be cleared by the following:

- Their supervisor.
- Financial Management Office.
- Security Officer.
- Procurement Office.
- Supply/Transportation Office.
- Library.
- Personnel Office.

4. PROCEDURE: Employees separating, transferring, or resigning from EPA Region IX should notify their supervisors at least two weeks in advance of their proposed separation date.

Supervisors must initiate Forms SF-52 and EPA 3110-1 as follows:

- a. "Request for Personnel Action," Standard Form 52 (SF-52).

In accordance with EPA Order 3100.2, "Preparing and Processing Personnel Actions," supervisors must initiate employee's request for personnel action on SF-52 and submit it to the Personnel Office at least two weeks prior to the effective date of the personnel action.

- b. "Employee Separation or Transfer Check List," (EPA Form 3110-1).

In accordance with EPA Order 3110.5 (Clearance Procedure for Employees Separating or Transferring from EPA) and this Regional Order, supervisors are responsible for assisting separating or transferring employees in obtaining EPA Form 3110-1 and coordinating the clearance of employees. EPA Form 3110-1 should be completed and submitted to the Personnel Office as per instructions printed on the back of the form. The form will be prepared in 3 copies (original and 2 carbons).

Clearance procedures may be initiated as early as 2 days prior to the close of business on employee's last day of work. Failure to secure appropriate clearance may result in the withholding of employee's final salary and/or lump sum payments.

ORDER

R3110.5

The Personnel Office will provide the employee with an EXIT INTERVIEW FORM which may be completed and/or discussed with a designated member of the Personnel Office prior to employee's departure.

5. IPA EMPLOYEES & EMPLOYEES ON LONG TERM TRAINING:

Employees selected for IPA assignments and long-term training will comply with these clearance procedures except that they do not relinquish their EPA I.D. cards or have exit interviews.


B. David Clark
Director, Management Division

DISCIPLINE

Primary Sources

FPM Chapters 751, 715, 771, 752
EPA Conduct & Discipline Manual
EPA Order 3110.6A Adverse Action

Background

Executive Order 9830 Section 01.3(d) places a positive responsibility on agencies "to remove, demote, or reassign to another position any employee in the competitive service whose conduct or capacity is such that his removal, demotion, or reassignment will promote the efficiency of the service." Thus, the agency is both empowered and obligated to act when it determines that action is in order.

Role of the Supervisor

The supervisor is responsible for initiating appropriate corrective action for deficiencies or offenses which fall within the supervisor's work jurisdiction. All supervisors must be aware of the EPA directive on employee responsibilities and conduct and of the provisions of Chapters 735 and 751 of the Federal Personnel Manual.

Role of the Servicing Personnel Office

Advising supervisors on all phases of the disciplinary process:

- . Insuring that disciplinary actions are in accordance with law, regulations, and policies; and
- . Assisting supervisor in preparing disciplinary actions.

Q1. WHAT ARE COMMON TYPES OF DISCIPLINARY ACTIONS?

**A. Oral Reprimand;
Written Warning;
Official Reprimand;
Suspension;
Reassignment;
Demotion; and
Removal.**

Q2. WHO CAN ANSWER DISCIPLINE QUESTIONS?

A. The Servicing Personnel Office.

Q3. BASICALLY WHAT ARE "CAUSES" FOR DISCIPLINARY ADVERSE ACTIONS?

A. Causes for adverse actions run the entire gamut of offenses; i.e.: inadequate performance of duties, improper conduct on or off the job. (See Appendix C of the Conduct and Discipline Manual for more details.)

Q4. WHAT ARE SOME OF THE MOST COMMON ADVERSE ACTIONS?

**A. Suspensions;
Reduction in rank or pay;
Furlough without pay; and
Removal.**

Q5. WHERE CAN I FIND MORE PROCEDURAL INFORMATION ON ADVERSE ACTIONS?

A. In the Conduct and Discipline Manual.

AGENCY GRIEVANCE PROCEDURE

Primary Sources

Code of Federal Regulations 771
FPM Chapter 771
EPA Order 3110.7A

Background

The grievance system was established to accord employees who have a complaint or grievance (which is subject to control of agency management or any matter in which an employee alleges that coercion, reprisal or retaliation has been practiced against him or her) a fair and prompt discussion with the supervisor immediately concerned and, failing prompt and satisfactory informal adjustment, the right to pursue the matter under the formal grievance procedure.

Role of the Supervisor

Supervisors bear a responsibility to listen attentively and with an open mind to employee complaints and be willing to seek constructive remedies where possible.

Role of the Servicing Personnel Office

Upon request, the personnel office will provide advice and guidance to assist the supervisor in the resolution of employee complaints at the informal adjustment stage and provide advice, guidance and training on the EPA Grievance Procedure in general.

Q1. WHAT IS A GRIEVANCE?

A. Grievance means a request by an employee, or by a group of employees acting as individuals, for personal relief in a matter of concern or dissatisfaction which is subject to the control of agency management.

Q2. ARE THERE ANY PROVISIONS UNDER THE GRIEVANCE SYSTEM THAT SERVE AS SAFEGUARDS TO THE EMPLOYEE WHO WISHES TO USE THE SYSTEM?

A. An employee may use the grievance system concerning matters of concern or dissatisfaction, without fear of restraint, interference, coercion, discrimination or reprisal, as a result of this action.

Q3. DOES THE EMPLOYEE WHO HAS FILED A GRIEVANCE HAVE THE RIGHT TO REPRESENTATION?

A. An employee has the right to present a grievance without representation. He also has the right to be accompanied, represented, and/or advised by a representative of his choice at any stage of the proceedings.

Note: Also see Chapter II, Subchapter 2, Section 2-2 on Negotiated Grievance Procedures.

NEGOTIATED GRIEVANCE PROCEDURE

Primary Source FPM Chapter 771
 EPA Order 3110.7A
 EO 11491
 Negotiated Labor-Management Agreements

Background

A negotiated grievance procedure is a procedure established through a negotiated agreement between an agency and a labor organization to which exclusive recognition has been granted.

Role of the Supervisor

Awareness of negotiated grievance procedure - be willing to seek constructive remedies where possible.

Role of the Servicing Personnel Office

Provide technical advice regarding grievance procedures.

- Q1. DO ALL EMPLOYEES AT AN INSTALLATION WITH A NEGOTIATED GRIEVANCE PROCEDURE HAVE A RIGHT TO GRIEVE UNDER IT?**
- A. No. Those employees excluded from the official bargaining unit may not grieve under the negotiated grievance procedure, but may grieve under the Agency procedure.**
- Q2. FOR THOSE WHO DO HAVE A RIGHT TO GRIEVE UNDER THE NEGOTIATED PROCEDURE, ARE ALL THINGS GRIEVABLE?**
- A. Only those things which are specifically covered by your installation's negotiated procedure are grievable under it.**

Note: Also see Chapter III, Subchapter 2, Section 2-1, Agency Grievance Procedure.

ADVERSE ACTIONS AND APPEALS

Primary Sources

FPM Chapter 752
FPM Chapter 754
FPM Chapter 772
EPA Order 3110.6A

Background

An adverse action is a disciplinary or non-disciplinary removal, suspension, furlough without pay, or reduction in rank or pay. On the basis of Section 7701 of Title 5, U.S. Code and Executive Orders 11491 and 11787, most Government employees - non-veterans as well as veterans - are entitled to appeal agency adverse actions to the Civil Service Commission.

Role of the Supervisor

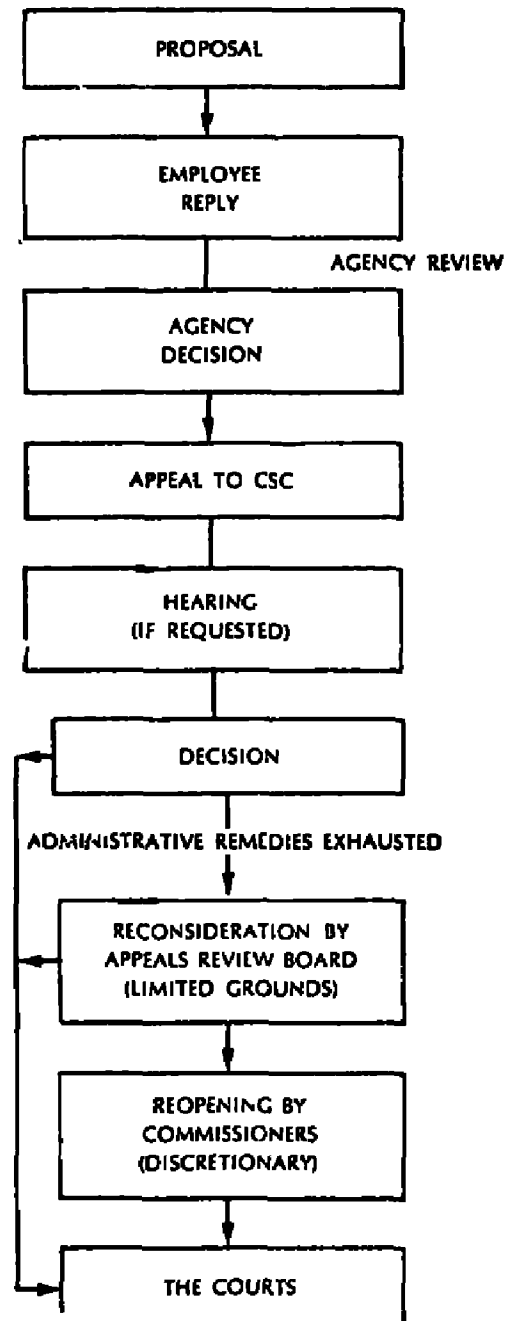
Responsible for initiating adverse actions resulting from deficiencies or offenses which fall within the assigned work jurisdiction. Note: No adverse action may be taken by any supervisor without prior consultation with the Personnel Office.

Role of the Servicing Personnel Office

The Personnel Office is responsible for assuring that the notice of proposed adverse action and the notice of decision on an adverse action conform to laws, regulations, and Agency policy; and for assisting supervisors in preparing the notices.

Q1. WHAT ARE THE VARIOUS STEPS IN THE ADVERSE ACTION APPEAL SYSTEM?

A.



- Q2. DOES FILING AN APPEAL POSTPONE THE EFFECTIVE DATE OF THE ADVERSE ACTION?
- A. No.
- Q3. IS THE EMPLOYEE RESPONSIBLE FOR EXPENSES INVOLVED IN PREPARING THE APPEAL?
- A. Yes.
- Q4. MAY AN EMPLOYEE OR AGENCY REQUEST A REOPENING OF A CASE BY THE APPEALS REVIEW BOARD?
- A. Yes, the bases for review are, however, limited. The Appeals Review Board will reopen and consider a case only when it is shown, in writing:
- . that there is new and material evidence not available previously;
 - . that the decision contains an erroneous interpretation of law or misapplication of established policy; or
 - . that new or unsettled policy questions are involved.

ENVIRONMENTAL REGIONAL ADMINISTRATOR
PROTECTION
AGENCY

ORDER

R3380.1A

REGION IX

July 23, 1974

LEGAL - LITIGATION

COMMUNICATIONS REGARDING PENDING LITIGATION

1. Purpose. To direct and control written and/or oral communications regarding matters involved in pending litigation, with persons who are parties thereto.
2. Scope. Contacts between Agency personnel and those persons who are parties to or have an interest in pending litigation with EPA or a third party can potentially prejudice the position of the Agency as well as subject opposing Counsel to disciplinary action.
3. Order. For clearance, approval and concurrence prior to engaging in any exchange of communication, whether or not EPA is formally a party to the action, all staff shall refer any written or oral inquiry, request for meeting and correspondence relating to pending litigation to the Office of Regional Counsel. Furthermore, if written materials or documents are requested of the Agency, the person who receives the request shall ask that such request be in writing and shall refer such request to the Office of Regional Counsel for determination.
4. Exception. Where enforcement litigation initiated by EPA and/or proceedings are involved, such references shall be to the Chief, Proceedings Branch, Enforcement Division.
5. Supersession. Regional Order R3380.1, June 12, 1974, is hereby superseded.


Paul De Falco, Jr.
Regional Administrator

FAIR LABOR STANDARDS ACT

Primary Sources

Public Law 93-259
FPM Letters 551-1 through 551-10.

Background

Federal agencies came under the Fair Labor Standards Act (FLSA) on May 1, 1974. The most important part of the new law for Federal employees is the overtime provision. The FLSA provides that no employer shall "suffer or permit" any "nonexempt" employee to work more than 40 hours a week without overtime at one and one-half time the regular rate of pay. Because FLSA does not remove employees from the pay provisions of Title 5, U.S.C., pay must be computed under both laws so employees may receive the greatest benefit.

Role of the Supervisor

It is important to emphasize that the FLSA does not in any way diminish a supervisor's responsibility for ordering or authorizing overtime work. The FLSA simply adds an additional supervisory responsibility, i.e., to see to it that overtime is not, in fact, performed except when payment for such overtime is intended. Supervisors must keep accurate records concerning the hours worked by their "nonexempt" employees. Greater management planning for overtime work and travel is now required because past overtime budgets did not consider FLSA requirements. Managers should more closely review the necessity of field trips. Trips should be scheduled to avoid requiring more than 40 hours of work per week if it is possible to accomplish the mission without excessive overtime costs.

Role of the Servicing Personnel Office

The Personnel Office is responsible for:

- . Identifying all nonexempt employees and advising supervisors on interpretation of Civil Service regulations; and
- . Assisting supervisors in solving problems relating to the FLSA.

Q1. WHICH EMPLOYEES ARE "NONEXEMPT"?

A. In general they include technicians, clerical and wage employees. Professional employees below GS-9 are also nonexempt.

Q2. DOES TRAVEL TIME COUNT AS "HOURS WORKED"?

A. All travel time during regular working hours is considered hours worked. Likewise, all travel time as a passenger on a one-day assignment or which involves the performance of work while traveling is considered hours worked. For this purpose, a traveller who serves as a driver of a vehicle is considered to be performing work. Additionally, travel time as a passenger, which results in the employee being away from the official duty station overnight, is considered hours worked if traveling occurs during regular working hours on regular workdays or during corresponding hours on non-work days. To illustrate, a GS-5 nonexempt engineer must travel on an inspection trip from Philadelphia to Washington, D.C. He drives his own car, leaving Sunday night at 7 p.m. and spends 3 days away from Philadelphia. His regular tour of duty being 8 a.m. to 4:30 p.m., the employee is considered to have been working during his drive and therefore his hours are to be included, along with other work time, in determining his entitlement to overtime pay. Consider that had this same employee been directed to travel by train or commercial plane during the same hours, he would not have been considered as working.

Q3. WHEN A NONEXEMPT EMPLOYEE IS ON A FIELD ASSIGNMENT, AND NO WORK IS PERFORMED FOR THAT DAY (SUCH AS SATURDAY OR SUNDAY), IS THE PERSON STILL CREDITED FOR WORKING THAT DAY?

A. No.

Q4. IF MANAGEMENT APPROVES TRAINING FOR NONEXEMPT EMPLOYEES AFTER NORMAL WORKING HOURS, IS THE EMPLOYEE ENTITLED TO OVERTIME PAY?

A. No.

Q5. FIELD WORK MAY REQUIRE 10 TO 12 HOURS WORK ONE DAY, WHILE THE NEXT DAY REQUIRES 4 TO 6 HOURS WORK. MAY SUCH WORK BE PERFORMED ON A FLEXIBLE WORK DAY WITHOUT PAYING OVERTIME?

A. Overtime entitlement under FLSA does not accrue until the nonexempt employee has completed 40 hours work in a week; however, the overtime and compensatory time rules under existing Federal pay laws still apply. See the EPA Pay Administration Manual, Chapter 4 to verify if specific employees require overtime pay for work over eight hours per day.

Q6. MAY EMPLOYEES BE GRANTED COMPENSATORY TIME IN LIEU OF OVERTIME PAY?

A. Yes, compensatory time is allowed for nonexempt employees who request it in writing in lieu of overtime pay, unless the employee is entitled to a greater amount of pay under FLSA. For example, if an employee is entitled to overtime compensation on the basis of FLSA but not under Title V, then the employee must receive the overtime compensation and cannot request that compensatory time be granted. Entitlement may be greater under FLSA for nonexempt employees who travel.

FREEDOM OF INFORMATION

Primary Sources

EPA Order No. 1550.1B
Federal Register, Volume 40, No. 167,
August 27, 1975
SUSC 552 as amended by Public Law 93-502,
February 19, 1975.

Background

The Freedom of Information Act, dating from 1966, was amended in 1974 to strengthen the program and clarify specific provisions. The Act, which applies to records in the Executive Branch of government only, provides that records requested with sufficient particularity to be identifiable will be made available to the public unless they fall within one of the statute's nine specific exemptions. The requestor need not show need or purpose. Exemptions may not be applied to requests from Congress or a Committee of Congress.

Role of the Supervisor

Supervisors are responsible for handling the public's requests, for recognizing the public's "right to know" about most government activities, and for helping carry out the Federal policy of the "fullest responsible disclosure" in a timely fashion. Generally speaking, records which may be exempted from release include those related to:

- . Internal personnel rules and practices;
- . Personnel and medical files (except where the requestor wants his/her own file);
- . Certain interagency and intra-agency memorandums;
- . Properly classified national security information;
- . Law enforcement investigatory materials;
- . Privileged or confidential information such as trade secrets and confidential business information;
- . Matters specifically exempted by some other statute;

- . Audits of financial institutions; or
- . Geological maps and data on wells.

Remember that if material falls within an exemption, the information need not necessarily be withheld, but may be disclosed at the discretion of the Agency unless strictly prohibited by another statute.

Role of the Servicing Personnel Office

Just as any other organization within EPA, the Personnel Office bears responsibility for responding to requests for information within their domain. Because of the nature of records maintained by Personnel, the requests received by this office may impact significantly upon employees throughout the Agency.

Q1. IS THERE A CENTRAL CONTROL FOR AGENCY FREEDOM OF INFORMATION REQUESTS?

A. Yes. The Executive Officer, Office of the Administrator, is designated as the Agency's Freedom of Information Officer, and all FOI requests are to be routed through this office via Executive Communications or through the regionally designated Freedom of Information Office, where appropriate. Because of legally defined time frames and procedures, it is particularly important that proper mail control of these requests is achieved.

PRIVACY ACT

Primary Sources

Privacy Act of 1974, P.L. 93-579,
December 31, 1974
Federal Register, Volume 40. No. 224,
November 19, 1975
FPM Ltr. No. 297-1, October 31, 1975.

Background

The Privacy Act of 1974 (5U.S.C. 522a) became effective September 27, 1975. The purpose of the Act is to give individuals the right to review records about them that are maintained by agencies and to prescribe rules for the collection, use, and exchange of information about individuals.

Role of the Supervisor

Any supervisor who uses personal data must be aware of his/her obligations under the Act and provide safeguards against invasions of personal privacy. You have an obligation to insure that those affected are aware of personal data you collect and use in the management of your function and that you provide them the right of access to information pertaining to them in Agency records, the right to have a copy made of their records, and the right to correct or amend their records.

Since the Agency must publish annually in the Federal Register a list and description of their record systems that contain such personal information and may only collect such information as is relevant and necessary to carry out a purpose required by statute or Executive Order, you must be sure you do not collect personal data without proper authorization or Federal Register notice and that when collecting authorized personal data you fully inform individuals as to the enabling authority, uses to which the information will be put, whether or not the response is mandatory or voluntary, and the effects of nondisclosure. As a further safeguard, you must keep records of any disclosures that have been made of individual records.

Role of the Servicing Personnel Office

Since the preponderance of personal information is maintained by Personnel or at least related to its function, the Federal government has established specific procedures and regulations to protect an individual's privacy with regard to personnel records. Since these are highly technical, it is recommended that supervisors seek the counsel of Personnel in making determinations as to the proper collection, retention, and disclosure of personal information.

- Q1. ARE THE NOTES MANY SUPERVISORS KEEP COVERED BY THE PROVISIONS OF THE PRIVACY ACT?
- A. The informal personal notes, papers, or records that many supervisors keep to jog their memory on the performance, conduct, and development of the employees they supervise are not considered Agency records for purposes of the Privacy Act and are thus exempt. These notes, however, may not be disseminated or circulated to any other person (except the subject individual of course) or to any organization. Retained and discarded solely at the discretion of the supervisor, these notes may be used in the preparation of formal personnel actions. Such formal personnel actions would, of course, be subject to the Privacy Act and should not be retained along with the supervisor's notes but in discrete formal files. Should any one of these supervisory note provisions be ignored, the notes would become an Agency system of records subject to the Privacy Act.
- Q2. WHAT IF I AS AN EMPLOYEE MAKE AN ERROR IN DISCLOSING PERSONAL INFORMATION?
- A. The law provides that Agency employees who make willful, erroneous disclosures may be held liable under the law and may be subject to financial penalties. Only those who have so acted in a knowing and willful manner are subject to these sanctions.

Chapter IV- EMPLOYEE BENEFITS

ABSENCE AND LEAVE

Primary Sources

FPM Chapter 630
EPA Leave Manual
Chapter 63 of Title 5

Background

The basic statute governing the Federal leave system is chapter 63 of Title 5, United States Code. Agency managers and supervisors are responsible by law for controlling absence and leave so that all employees use leave according to legal requirements and without abuse of leave privileges.

Role of the Supervisor

Approving various types of leave for the employees whom they supervise unless they are notified in writing that the authority is retained at a higher organizational level.

Advising employees on leave matters.

Planning with employees for the use of annual leave so that leave is not forfeited.

Assuring that absences are properly charged.

Establishing appropriate measures to control absenteeism.

Identifying abuse of leave and taking corrective action.

Role of the Servicing Personnel Office

Assisting supervisors by interpreting Agency guidelines and advising them on leave problems.

Q1. HOW IS ANNUAL LEAVE ACCRUED?

A. Annual leave is accrued as follows:

<u>Leave Accrued</u>	<u>Years of Service</u>
4 hours per pay period	0-3 years
6 hours per pay period (plus 4 hours at end of leave year)	3-15 years
8 hours per pay period	15-years and over

Q2. HOW IS SICK LEAVE ACCRUED?

A. Sick leave is accrued at the rate of four hours per pay period.

Q3. HOW MUCH LEAVE CAN BE ACCUMULATED?

A. Normally, only 30 days of annual leave can be carried forward into the next leave year. There is no limitation on the amount of sick leave that can be carried forward.

Q4. WHEN CAN MORE THAN 30 DAYS ANNUAL LEAVE BE CARRIED FORWARD INTO A NEW LEAVE YEAR?

A. In rare cases, a special account can be set up to restore leave which has been forfeited and which cannot be used before the end of the leave year. Leave in this account should be used within 6 months if possible. Leave can be restored when it has been forfeited:

because of administrative error;

because an employee is required by an exigency of the public business to remain on duty when leave has already been approved; or

because of illness or injury. (See Leave Manual for more details on mandatory documentation and time requirements.)

Q5. WHEN CAN ANNUAL LEAVE BE USED?

A. Annual leave can be used as soon as it is accrued and should be granted freely when employees can be spared from their duties. The supervisor and employees should plan leave requests together so that work will not be disrupted and no employee will have to forfeit leave.

Q6. WHEN CAN SICK LEAVE BE TAKEN?

A. Sick leave is available only for absences necessary for the following reasons:

. Illness, injury, pregnancy, and confinements;

. Medical, dental or optical examinations or treatment; and

- . When an employee must care for a family member with a contagious disease or when through exposure to a contagious disease the employee's presence at work could jeopardize the health of other employees.

Q7. WHAT ARE THE EPA PROVISIONS GOVERNING ADVANCED LEAVE?

- A. Most employees may be granted leave which will be earned by the end of the current leave year. If separation or retirement is anticipated during the current leave year, only leave which will be earned by the time of the anticipated departure can be advanced.**

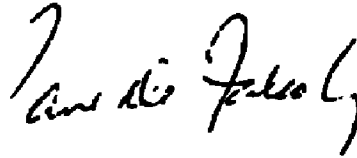
All leave restored to an employee in a separate account should be used before any annual leave may be advanced. Advanced sick leave can be granted without regard to annual leave which the employee has accrued, but is subject to a number of constraints which can be found in Chapter 3 of The EPA Leave Manual.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SUBJECT: Approval of Advanced Leave

DATE: DEC 6 1976

M: Regional Administrator



TO: All Supervisors

References: FPM 630
EPA Leave Manual

Advanced leave is defined as leave not yet earned, and granted to the employee prior to his/her earning such leave. Advanced leave may be either annual or sick.

Advanced Annual Leave: All employees eligible for annual leave may be granted the use of annual leave which is anticipated to be earned by the close of the current leave year. In addition, only the amount of leave which will be earned prior to an anticipated date of separation, retirement, or during the remainder of the current leave year may be advanced.

Procedure: Employees who wish to apply for advanced annual leave of 80 hours or less must do the following:

1. Submit a SF-71 for the concurrence of the immediate supervisor.
2. SF-71 will then be submitted to the Division Director/ Staff Office Chief who have the authority to approve up to 80 hours of advanced annual leave.
3. SF-71 will then be given to timekeeper for processing.

All requests for advanced annual leave over 80 hours will be processed as follows:

1. Submit a SF-52, SF-71 with reason for advanced leave request through supervisory channels to Personnel Officer.
2. Personnel Officer will review request for compliance with personnel regulations, provide advice and guidance to supervisors where necessary, and make recommendations to the Regional Administrator.
3. Regional Administrator will approve/disapprove the request.

4. SF-52 and any supporting documents will be filed in employee personnel file and a copy will be given to the timekeeper for processing.

Advanced Sick Leave: In cases of serious disability or ailment or when the particular situation warrants it, employees may be granted advanced sick leave. Employees are not required to use up their annual leave prior to the granting of advanced sick leave.

Limitations:

- a) The absence because of illness must be for a period of five or more consecutive workdays, but the actual advance of sick leave may be for any part of the total absence. In unusual cases as determined by the Personnel Officer, advanced sick leave may be granted for an absence of less than five days, or for partial-day absence when an employee is convalescing from illness and is not able to work a full day.
- b) The amount of sick leave advanced may not exceed the amount required to cover the period of illness.
- c) The maximum amount of sick leave which may be advanced to full-time employees who have completed a year's service in the Federal government is 30 days. In the event of another serious illness before liquidation of the original advance, an additional advance may be authorized not to exceed a total deficit of 30 working days subject to the same restrictions that applied to the original advance.
- d) Part-time employees who have a regular tour of duty may be advanced sick leave on a prorata basis.
- e) The amount of sick leave which may be advanced to full-time employees serving probationary or trial periods (the first year) shall not exceed an amount which will be earned during the remainder of the first year.
- f) The total amount of sick leave which may be advanced to an employee serving under a limited appointment shall not exceed the amount that he/she will earn during the remaining period of the appointment.

- g) Advanced sick leave will not be granted to an employee when it is known or when available information indicates that he does not intend to return to work or that his return is only a remote possibility. (48 Comp. Gen. 676)
- h) Advanced sick leave will not be granted to an employee who is absent because a member of his family has a contagious disease.
- i) Advanced sick leave will not be granted to an employee who has filed, or for whom the Agency has filed, an application for disability retirement, or who has signified his/her intention of resigning for disability.

Procedure: Employees who wish to apply for advanced sick leave of 80 hours or less must do the following:

- 1. Submit a SF-71 and doctors statement for the concurrence of the immediate supervisor.
- 2. Request will then be submitted to Division Director/ Staff Office Chief who have the authority to approve up to 80 hours of advanced sick leave.

All requests for advanced sick leave over 80 hours will be processed as follows:

- 1. Submit SF-52, SF-71, doctors statement through supervisory channel to Personnel Officer.
- 2. Personnel Officer will review request for compliance with personnel regulations, provide advice and guidance to supervisors where necessary, and make recommendations to Regional Administrator.
- 3. Regional Administrator will approve/disapprove request.
- 4. SF-52 and any supporting documents will be filed in employee personnel file and copy given to the timekeeper for processing of timecard.

Employees having advanced leave credited to their account and separates from EPA will be required to reimburse EPA in full for the amount advanced.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX - PERSONNEL BULLETIN NO. 630-1

SUBJECT: LEAVE WITHOUT PAY

DATE: SEPT. 1, 1977

FROM: PERSONNEL OFFICER

TO: ALL EMPLOYEES

References:: FPM 630; FPM 990-2.630; EPA LEAVE MANUAL.

1. Q: WHAT IS LEAVE WITHOUT PAY?

A: Leave without pay (LWOP) is a temporary nonpay status and absence from duty that may be granted upon the employee's request.

2. Q: DO EMPLOYEES HAVE A RIGHT TO LEAVE WITHOUT PAY?

A: No. Granting leave without pay is a matter of administrative discretion. An employee cannot demand that he/she be granted leave without pay as a matter of right, except in the case of -

(a) disabled veterans who are entitled, under certain conditions, to leave without pay for medical treatment (must furnish appropriate medical statements), and

(b) reservists and National Guardsmen who are entitled to leave without pay, if necessary, to perform military training duties (must furnish copy of their military orders).

3. Q: WHAT IS THE MINIMUM PERIOD CHARGED TO LWOP?

A: The minimum charge is one hour of leave without pay when brief absences are approved and employee's annual/sick leave accounts are depleted.

4. Q: IS ABSENCE WITHOUT LEAVE (AWOL) THE SAME AS LEAVE WITHOUT PAY (LWOP)?

A: No. These two absences should not be confused.

- Leave Without Pay (LWOP) is APPROVED absence without pay usually requested/applied for in advance. (LWOP is the charge when employee has no annual/sick leave balance). See Question #3.

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4. (continued)

- Absences Without Leave (AWOL) is a nonpay status which results when a supervisor determines that he/she will not grant any type of leave (sick, annual, or leave without pay) to an employee for a period of absence for which advance authorization was not obtained or for which a request for leave had been denied. Repeated absences charged to AWOL has an adverse effect on an employee's record and can result in suspension or other disciplinary action.

5. Q: WHAT IS EXTENDED LEAVE WITHOUT PAY?

A: It is a leave of absence expected to exceed 30 days.

6. Q: HOW LONG MAY AN EMPLOYEE BE IN AN EXTENDED LEAVE WITHOUT PAY STATUS?

A: The maximum initial period for which leave without pay may be authorized is 12 months. (This does not apply to employees on leave without pay during temporary assignments to State/local governments).

7. Q: MAY AN EMPLOYEE REQUEST RESTORATION TO DUTY BEFORE THE END OF THE APPROVED LWOP PERIOD?

A: The Agency is not obligated to restore an employee to duty, at his/her request, before the end of an approved period of LWOP. If the conditions for which an employee requested LWOP change before the end of the leave period, he/she may request restoration to duty. The supervisor having authority to approve leave without pay will consider the request and notify the employee of the approval or disapproval.

8. Q: WHAT ARE SOME RESTRICTIONS BEFORE USE OF LEAVE WITHOUT PAY MAY BE ALLOWED?

A: Employees must use all their annual leave before being allowed to use leave without pay. Exceptions may be authorized for particularly unusual cases.

- Temporary employees will not be granted extended LWOP.
- Temporary employees will not be granted leave without pay for maternity reasons.

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9. Q: WHAT FACTORS WILL BE CONSIDERED IN EVALUATING REQUESTS FOR EXTENDED LEAVE WITHOUT PAY?

A: Before extended leave without pay is approved, there should be reasonable expectation that the employee will return to duty in an active, productive capacity at the end of the approved period. Managers and Supervisors who are delegated the authority to approve extended leave without pay must examine closely each request for LWOP to assure that the value to the Agency or the serious needs of the employee are sufficient to offset certain costs and administrative inconveniences to the Agency. Among these costs and inconveniences are:

- (a) Encumbrance of a position which cannot be filled on a permanent basis;
- (b) Loss of services which may be needed in the organization;
- (c) Obligation to provide active employment at the end of the approved leave period;
- (d) Creditable service of six months of each year toward retirement; and
- (e) Eligibility for continued coverage of Health Benefits and Life Insurance without cost to the employee for up to one year of nonpay status.

In addition, it should be apparent that at least one of the following benefits will result:

- (a) Increased job ability;
- (b) Protection or improvement of employee's health;
- (c) Retention of a desirable employee, such as one with special skills or knowledges; or
- (d) Furtherance of a program of interest to the Government.

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10. Q: WHAT ARE SOME EXAMPLES OF THE TYPES OF CASES FOR WHICH APPROVAL OF EXTENDED LEAVE WITHOUT PAY WOULD BE APPROPRIATE?

A: Some examples of the types of cases for which approval of extended LWOP would be proper, all other factors being favorable, are :

- (a) For full-time study or research in a line of work which is being performed by the agency. (Requirement to deplete annual leave account does not apply).
- (b) For recovery from illness or disability not of a permanent or disqualifying nature; after all sick and annual leave have been exhausted.
- (c) To protect employee status and benefits during any period pending action by the Office of Workers' Compensation Programs (OWCP) of the Department of Labor on a claim resulting from work-related injury or illness. (Employees should consult the Personnel Office as to whether it is to their advantage, in a particular case, to use all sick or annual leave before leave without pay).
- (d) To protect employee status and benefits during any period pending final action by the Civil Service Commission on a claim for disability retirement, after all sick and annual leave have been exhausted.
- (e) To allow continuity of service for career or career-conditional employees who, upon request, may be granted up to 90 days leave without pay to seek Federal employment elsewhere because they are dependents of servicemen or of Federal employees who are subject to rotation of assignment or transfer of function. (Requirement to deplete annual leave account does not apply).

11. Q: MAY AN EMPLOYEE LATER CONVERT PREVIOUSLY GRANTED LWOP TO ANNUAL OR SICK LEAVE?

A: No. If an employee applies for and is granted leave without pay, the period of leave may NOT at any time thereafter be converted to annual or sick leave unless the circumstances are covered by other provision of the FPM; such as, Federal Employees' Compensation Act, etc.

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12. Q: WHO IS AUTHORIZED TO APPROVE LEAVE WITHOUT PAY?

A: The authority to approve leave varies within each Division. Generally, first line supervisors are authorized to approve various types of leave up to two weeks unless they are notified in writing that the authority to approve leave or leave in excess of 2 weeks is retained at a higher organizational level. (Supervisors: See your Delegation of Authority for Personnel Management Checklist)

13. Q: WHAT IS THE PROCEDURE FOR REQUESTING LWOP FOR THIRTY (30) CALENDAR DAYS OR LESS?

A: Requests for LWOP for 30 calendar days or less must be submitted and approved on an Application for Leave, SF-71. The form is not required for absences of three days or less unless the supervisor requests SF-71 be prepared. Time and Attendance Reports (Time-cards) must indicate the exact dates of approved leave without pay.

14. Q: WHAT IS THE PROCEDURE FOR REQUESTING LWOP FOR PERIODS EXCEEDING 30 CALENDAR DAYS?

A: Requests for LWOP exceeding 30 calendar days or extensions of originally approved requests which exceed a combined total of 30 calendar days, must be supported by an Application for Leave, SF-71, and a signed statement by the employee justifying the request for leave. If the request is due to illness or disability, a medical certificate must be submitted indicating the need for leave, and approximate date he/she would be able to return to duty.

The Supervisor will attach the documents to a completed Standard Form 52, Request for Personnel Action, indicating inclusive dates of LWOP, obtain approval of Staff/Division Director and submit forms through channels to the Personnel Office. The Personnel Officer will assure that the approved request conforms with existing regulations.

Upon RETURN TO DUTY status from leave without pay, the Supervisor shall submit SF-52 through channels to the Personnel Office showing "Return to Duty" and date of return.

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15. Q: WHAT FORMS MUST BE SUBMITTED WITH AN EMPLOYEE'S WRITTEN REQUEST FOR LEAVE WITHOUT PAY WHEN RELOCATING IN ANOTHER GEOGRAPHICAL AREA? (See Question #10, Answer (e)).

A: Two Standard Forms-52, Request for Personnel Action are required and must be submitted together through channels to the Personnel Officer:

a. First SF-52 requesting "Leave Without Pay" must contain the following information::

- inclusive dates of the LWOP (not to exceed 90 days);

- reasons for the request and a statement that "Resignation" will take effect at end of LWOP period if a transfer is not effected.

b. Second SF-52, stating "Resignation" with the effective date as the last day of LWOP. The SF-52 must also contain the reasons for Resignation and Forwarding Address. The resignation is processed only if Federal employment is not obtained prior to the last day of approved LWOP; otherwise, the SF-52 will be processed as a "Separation-Transfer" when the gaining Federal agency officially notifies this Personnel Office of the effective date of employee's Appointment/Transfer.

16. Q: HOW DOES ABSENCE IN A NONPAY STATUS EFFECT AN EMPLOYEE'S OTHER BENEFITS AND PRIVILEGES?

A: Some of employee's benefits/privileges effected by absences without pay are:

PROBATIONARY PERIOD

LWOP in excess of a total of 22 workdays extends the Probationary Period by an equal amount of time in a pay status.

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16. (continued)

LEAVE ACCRUAL

In any pay period, when a full-time employee's absence in a non-pay status equals the base pay hours in the pay period (80 hours) his/her annual and sick leave credits are reduced by the amount he/she earns. LWOP balances of less than the base hours (80) in a pay period are not carried forward into the next leave year.

WITHIN GRADE INCREASES

When an employee's nonpay status exceeds, in the aggregate, the following amounts -

- two workweeks in the waiting period for rates 2, 3, and 4;
- four workweeks in the waiting period for rates 5, 6, and 7;
- six workweeks in the waiting period for rates 8, 9, and 10,

he/she shall make it up with creditable service before his/her next within grade increase is effected. There must be sufficient creditable service to complete the waiting period.

HOLIDAYS

If an employee's LWOP has been approved through a date which is a legal holiday, the employee is on LWOP on the holiday even if he/she returns to work the day after the holiday.

OVERTIME

For a period of LWOP, overtime rates would not apply unless paid hours exceed 8 hours in a workday or 40 hours in a basic workweek.

CREDITABLE SERVICE

LWOP which exceeds 6 months in the aggregate in any calendar year is not counted as creditable service for purposes of Retirement, Annual Leave Earnings, and Reduction in Force (length of service).

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We cannot possibly answer in this Bulletin all questions that could come up during employment in-as-much as circumstances vary in individual cases. We have tried to address those circumstances and questions which are most common and frequently asked.

Any further inquiries regarding this bulletin may be directed to Leatrice Perez, Personnel Office, 556-0961.

- . When an employee must care for a family member with a contagious disease or when through exposure to a contagious disease the employee's presence at work could jeopardize the health of other employees.

Q7. WHAT ARE THE EPA PROVISIONS GOVERNING ADVANCED LEAVE?

- A. Most employees may be granted leave which will be earned by the end of the current leave year. If separation or retirement is anticipated during the current leave year, only leave which will be earned by the time of the anticipated departure can be advanced.**

All leave restored to an employee in a separate account should be used before any annual leave may be advanced. Advanced sick leave can be granted without regard to annual leave which the employee has accrued, but is subject to a number of constraints which can be found in Chapter 3 of The EPA Leave Manual.

HEALTH BENEFITS PROGRAM

Primary Source

FPM Chapter 890

Background

The Federal Employees Health Benefits Act was approved in 1959. This program is a voluntary program open to all employees, except those who have temporary appointments, or who are employed on a seasonal or intermittent basis. Employees who elect to enroll in the health benefits program share the cost of their coverage with the Government via biweekly payroll deductions.

Role of the Supervisor

Awareness of the program.

Role of the Servicing Personnel Office

Administration of the Program.

Q1. IS ENROLLMENT IN THE HEALTH BENEFITS PLAN MANDATORY?

A. No.

Q2. WHERE DO I OBTAIN INFORMATION ABOUT THE VARIOUS HEALTH BENEFIT PLANS?

A. From your Servicing Personnel Office.

Q3. AFTER MY INITIAL OPPORTUNITY TO ENROLL, WILL I HAVE ANOTHER CHANCE OR A CHANCE TO CHANGE MY ENROLLMENT?

A. Yes. Health benefits regulations now require an open season during which time such new enrollments/changes are accepted. Traditionally, open season begins on November 15th each year and lasts for at least two weeks. Changes made during these open seasons take effect on the first day of the first pay period of the following calendar year.

GROUP LIFE INSURANCE

Primary Source

FPM Chapter 870

Background

Insurance is provided under the terms of a Group Insurance Policy purchased by the U.S. Civil Service Commission in accordance with the Federal employees' group life insurance law.

Role of the Supervisor

Awareness of program.

Q1. WHO IS ELIGIBLE?

A. Nearly all Federal employees are eligible to participate. The main exclusions are temporary employees. There are no age or health restrictions if you take the insurance the first time you are eligible.

Q2. MUST I PARTICIPATE?

A. No, participation in the Federal Employees' Group Life Insurance Program is voluntary.

Q3. WHAT IF I WAIVE OR DECLINE THE INSURANCE?

A. If you waive the regular insurance or decline the optional insurance, you cannot obtain the insurance for at least one year, and then only if you are under age 50 and obtain a doctor's certificate stating that you are in good health.

Q4. WHAT KIND OF LIFE INSURANCE IS IT?

A. Term Insurance.

CIVIL SERVICE RETIREMENT PROGRAM

Primary Sources

FPM Chapter 831
CSC Pamphlet 18, Your Retirement System

Background

The original retirement law was first approved in 1920. While employed as a member of the civil service retirement system, employees contribute to the Retirement Fund at the rate of 7%, with an equal contribution made by the Government.

Role of the Supervisor

Understand the retirement system and assist employees in planning for retirement.

Role of the Servicing Personnel Office

Advise, assist, and counsel employees in all aspects of retirement.

- Q1. WHAT IS THE MINIMUM AMOUNT OF CIVILIAN SERVICE REQUIREMENT?
- A. Five years of civilian service.
- Q2. HOW IS THE AMOUNT OF ANNUITY COMPUTED?
- A. The amount depends primarily upon an employee's length of service and the highest level of pay received during one's Government career. Your Personnel office can provide you with assistance in computing retirement.
- Q3. IS PARTICIPATION MANDATORY FOR ALL GOVERNMENT EMPLOYEES?
- A. It is mandatory for permanent employees, such as career and career conditional status employees. Temporary employees generally are eligible for Social Security benefits only.
- Q4. WHEN ARE FEDERAL EMPLOYEES ABLE TO RETIRE UNDER THE GOVERNMENT RETIREMENT PLAN?
- A. Mandatory (age) Retirement (employee must retire):
- . 70 years of age; and
 - . 15 years Federal service with 5 years in civilian service.
- Optional Retirement (employees can retire if they wish):
- . 62 years of age and 5 years of civilian service;
 - . 55 years of age and 30 years service with at least 5 years in civilian service.
- Deferred Retirement:
- . With 5 years civilian service, an employee can receive annuity at age 62 no matter when he leaves government service.
- Disability Retirement:
- . Five years service and totally disabled during employment for service in his or her position or in another position in the same grade or class;
 - . Retirement for Involuntary Separation other than separation for cause (reduction-in-force, abolishment of position, lack of funds, liquidation of office or agency, etc.);

- . 50 years of age and 20 years of service with at least 5 years in civilian service; or
- . 25 years service with at least 5 years in civilian service regardless of age.

Q5. WHAT OPTIONS ARE AVAILABLE TO EMPLOYEES WHO LEAVE GOVERNMENT SERVICE BEFORE BECOMING ELIGIBLE FOR RETIREMENT?

A. Employees with more than 5 years' government service are eligible for deferred retirement and may either withdraw the money from their retirement account or leave it in the account until they become eligible for an annuity at age 62.

Employees with more than one year but less than 5 years' government service who leave the government and who will not be employed within 31 days from the date of separation in a position subject to the civil service retirement system are entitled to a refund of all monies they have contributed to the retirement fund plus 3 percent interest. This refund voids all annuity rights unless the person is later re-employed in a position subject to the system.

ENVIRONMENTAL REGIONAL ADMINISTRATOR
PROTECTION ORDER
AGENCY

R3160.1

REGION IX

April 8, 1974

PERSONNEL - ATTENDANCE AND LEAVE

FLEXIBLE WORK SCHEDULE

1. Purpose. To permit Region IX employees whose positions are susceptible to flexible starting hours the latitude to select their work hours on a daily basis within a specified starting period.

2. Policy. Employees will be permitted to request a starting time for their daily work schedule provided:

- a. Their positions are so identified and approved in the Flexible Work Schedule Plan.
- b. The employee's immediate supervisor approves.
- c. Each employee continues to meet his or her job commitment and performance of duties and responsibilities are satisfactory.
- d. The operations and functions of the work unit and the Region are not impaired.

This policy will be placed in effect on a trial basis for a period not to exceed one year from the date of this order and will be evaluated quarterly to determine effectiveness in meeting all objectives of this program.

3. Responsibilities. While this program is generally designed to accommodate individual employees, there must be a balance between this and workload, quality of work and mission accomplishment. Therefore, the responsibilities of this program must be shared judiciously by all concerned.

a. Division Directors, Top Managers and Senior Supervisors.

- (1) Approve supervisor's Flexible Work Schedule plans.
- (2) Delegate the authority to immediate supervisors to approve employee requests for Flexible Work Schedules.

ORDER

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- (3) Establish, or modify as necessary, a work performance monitoring and evaluation system to assure that there is no decrease in the level or quality of duties and responsibilities.
- (4) Assure that all subordinate supervisors and employees are briefed on their responsibilities under the program.
- (5) Initiate appropriate disciplinary action for negligence or abuse of this privilege.
- (6) Provide a periodic report to the Regional Administrator on the effectiveness of this program.

b. Immediate Supervisors.

- (1) Develop a plan for Flexible Work Schedules for their subordinate employees. Plans should be submitted for review by the next higher level of supervision and approved by Division Directors. Plans must contain:
 - (a) Statement of workload.
 - (b) Statement of priorities.
 - (c) Methods to control work during absence of supervisor.
 - (d) Positions identified as susceptible to flexible schedules.
 - (e) Means used to solicit reaction of employees.
 - (f) Employees (in positions of (d)) identified to participate in flexible schedules.
 - (g) Plans to allow for changes in flexible schedules because of unexpected workload or emergencies.
 - (h) Methods used to evaluate employee performance.
 - (i) Means used to evaluate effectiveness of flexible schedules.
- (2) Approve or disapprove requests from employees to

use the Flexible Work Schedule based upon approved plans. In the event of disapproval, supervisors must explain in specific terms why the request has been disapproved.

- (3) Institute controls necessary to assure that workload, quality of work and the eight-hour day are met.
- (4) Provide necessary assignments to employees on the Flexible Work Schedule to assure that work is continuing during the supervisor's absence.
- (5) Continually evaluate the effectiveness of employees participating in the Flexible Work Schedule.
- (6) In areas where it is necessary to limit flexibility to choose individual schedules with complete freedom, supervisors should involve the employees concerned in working out a practical solution under the principles of this program.
- (7) Withdraw Flexible Work Schedule privileges from employees for abuse or failure to perform adequately.

c. Employees.

- (1) Assure that a full eight-hours work schedule is performed each day.
- (2) Develop work schedule with supervisor and keep supervisor informed of any changes in this selected work schedule.
- (3) Assure that operational questions are answered and assignments are provided during the supervisor's attendance.
- (4) Assure that the quality and quantity of work are maintained.
- (5) Respond favorably to requests from supervisors to adjust work schedules.
- (6) Notify supervisors as appropriate when leave is desired.

ORDER

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4. General.

- a. The only limitation is that employees must start the work schedule sometime during the following daily schedule:

Begin 6:30 - 9:30

End 3:00 - 6:00

No employee may work before 6 AM and after 6 PM as part of their regular schedule.

- b. Employees should develop a general work schedule with their supervisors covering, as a minimum, one pay period. Employees can change this schedule at any time provided supervisors are notified and agree in advance.
- c. The lunch schedule will be one-half ($\frac{1}{2}$) hour. Any extension will be added to the ending period to equal the eight-hour a day requirement.
- d. An eight-hour day is expected, employees cannot work only six hours one day in anticipation of working ten the next day.
- e. Safety is a consideration, as it is always potentially dangerous for people to work by themselves. As a precaution, then, avoid situations where employees might work alone.
- f. Requests for overtime will continue to be initiated by supervisors and approved by Division Directors.
- g. It may be necessary to ask new employees to work a fixed schedule for a while until they get through an orientation and training period. If so, they should be allowed to be placed on the flexible schedule if appropriate, as quickly as possible.
- h. With people coming and going at different times, care should be exercised not to disturb those at work.

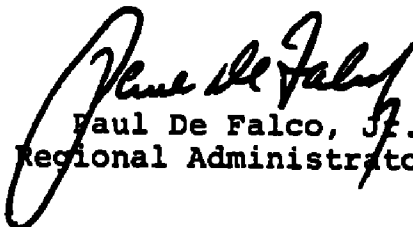
5. Procedures.

- a. See action in 3b (1).

ORDER

R3160.1

- b. Employees whose positions are covered in the Flexible Work Schedule Plan will request, by Memorandum to their supervisor, to be placed on the Flexible Work Schedule.
- c. Supervisors will retain a copy of approved Memorandum, one copy will go to the Timekeeper, and a copy will be sent to the Personnel Office for the Official Personnel Folder.
- d. Employees will state in their request that they have read and understand the Regional Order on the Flexible Work Schedule.
- e. Supervisors will notify employees as far in advance as possible when a change to the work schedule is required to satisfy operational priorities.
- f. The Flexible Work Schedule is just a change in the daily work schedule; other personnel programs, requirements and regulations remain in effect.


Paul De Falco, Jr.
Regional Administrator

**ENVIRONMENTAL
PROTECTION
AGENCY**

Region IX

REGIONAL ADMINISTRATOR
ORDER

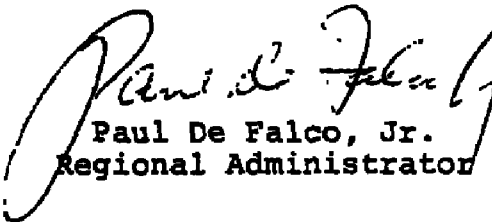
R3160.1 CHG 1

June 18, 1975

PERSONNEL-ATTENDANCE AND LEAVE

FLEXIBLE WORK SCHEDULE

The provisions of Regional Order R3160.1 are hereby extended and will remain in effect until further notice.


Paul De Falco, Jr.
Regional Administrator

ENVIRONMENTAL
PROTECTION
AGENCY

ORDER

R3160.1
CHGE 2

REGION IX

December 20, 1976

PERSONNEL - ATTENDANCE AND LEAVE

FLEXIBLE WORK SCHEDULE

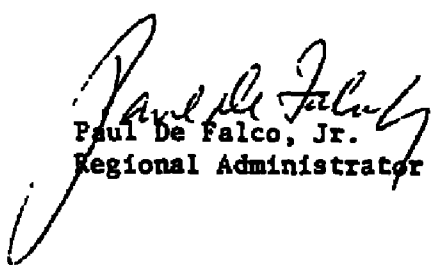
Regional Order R3160.1 is amended as follows:

1. Add sub-paragraph (8) to paragraph 3(b):

Supervisor is responsible on a continuing basis for maintaining an up-to-date listing of flexible work schedules for his/her unit.

2. Add sub-paragraph (g) to paragraph 5.

Flexible work schedule plans required by this Regional Order will be submitted to the personnel office for review April 1 and October 1 of each calendar year.


Paul De Falco, Jr.
Regional Administrator

**Chapter V - EMPLOYEE
SERVICES**

ALCOHOL AND DRUG ABUSE

Primary Sources

EPA Order 3120.3A
FPM Supplement 792-2
PL 91-616 and PL 92-255

Background

When the use of alcoholic beverages and/or drugs impairs an employee's performance, attendance, conduct, or reliability, the Agency bears the responsibility for taking remedial action in the form of rehabilitative assistance or regular disciplinary procedures. Employees who suspect that they have a drug or drinking problem are encouraged to voluntarily seek information and counseling on a confidential basis at the earliest opportunity. Neither job security nor promotion opportunities will be jeopardized by this request, except as limited by statute to sensitive positions or where criminal conduct is/or could be harmful to others. Since alcoholism and drug abuse are treatable illnesses, sick leave and advanced leave will be granted, as appropriate, to employees who are participating in treatment and rehabilitation programs.

Role of the Supervisor

When employees fail to fulfill their supervisor's expectations, supervisors have both the right and duty to confront them with the deficiencies in a timely manner. They should be alert to work and behavior patterns, document specific occasions of deteriorating or poor performance, advise the Alcohol and Drug Abuse Program Coordinator of the problem, and conduct a performance related interview with the employee. Supervisors should not discuss the possibility of a drug or alcohol problem with an employee except under specific circumstances outlined in the FPM and the Agency order.

Role of the Servicing Personnel Office

Personnel is responsible for equipping supervisors with knowledge of the Agency's policy and program and increasing supervisory effectiveness in identifying deteriorating performance and in counseling employees on the basis of job performance. The Director, Personnel Management Division, designated as the EPA Alcoholism and Drug Abuse Program Administrator, is responsible for program development, implementation, review, and maintenance. The Director will provide guidance in establishing regional alcoholism and drug abuse programs when requested.

- Q1. HOW CAN I CONTACT AN ALCOHOL AND DRUG ABUSE COORDINATOR?
- A. Each geographical location within EPA has an assigned Coordinator. Contact your servicing Personnel Office to obtain the name of your coordinator.
- Q2. WHAT IS MY ROLE AFTER I REFER AN EMPLOYEE TO THE PROGRAM COORDINATOR AND HE/SHE IS PARTICIPATING IN A TREATMENT AND REHABILITATION PROGRAM?
- A. Continue to note and record the employee's work performance and behavior, and report any changes to the Program Coordinator.
- Give the employee ample encouragement and recognition when he/she shows improvement.
- Consult the Program Coordinator on a continuing basis so that job-related problems that may cause the employee undue stress can be discussed and alleviated.
- Q3. WHAT ACTION DO I TAKE IF THE EMPLOYEE REFUSES OR DISCONTINUES THE TREATMENT PROGRAM OR HIS/HER PERFORMANCE FAILS TO IMPROVE AFTER A REASONABLE PERIOD OF TREATMENT?
- A. If the employee refuses to seek treatment and/or if there is no improvement or inadequate improvement in performance, disciplinary actions should be taken, as warranted, solely on the basis of unsatisfactory job performance.

INJURY COMPENSATION

Primary Sources

FPM Chapter 810
Federal Employees' Compensation Act,
Title 5 U.S. Code, Chapter 81
Federal Register, Employees' Benefits
dated 2-14-75

Background

The Federal Employees' Compensation Act (5 USC 8101 et seq.) is administered by the Office of Worker's Compensation Programs (OWCP) of the U.S. Department of Labor. It provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained while in the performance of duty or due to employment related disease. The Act also provides for the payment of benefits to dependents if the injury or disease causes the employee's death.

Role of the Supervisor

To understand the program requirements and complete necessary forms needed in recording and reporting injuries.

Role of Servicing Personnel Office

Administering program and submitting reports and forms to the Department of Labor.

Q1. SHOULD I REPORT AN INJURY?

A. Yes, every injury should be reported to your supervisor. Necessary forms may be obtained from your personnel office.

Q2. WHAT BENEFITS ARE PROVIDED FOR EMPLOYEES WHO SUSTAIN DISABLING, JOB-RELATED TRAUMATIC INJURIES?

A. Employees may use sick or annual leave, or request continuation of regular pay for the period of disability not to exceed 45 calendar days. If disability continues beyond 45 days, the employing agency terminates regular pay. Compensation is then payable by the OWCP.

OCCUPATIONAL HEALTH AND SAFETY PROGRAM

Primary Sources

FPM Chapter 792
EPA Occupational Health and Safety Manual

Background

It is the policy of the Environmental Protection Agency to administer its programs in a manner which assures safe and healthful working conditions for all employees. Every employee is responsible for identifying risks, hazards, or unhealthful and unsafe conditions and for taking appropriate action.

Executive Order 11807, Section 2, requires the head of each Federal agency, after consultation with representatives of the employees of the agency to establish and maintain an occupational health and safety program meeting the requirements of Section 19(a) of the Occupational Safety and Health Act of 1970 and 5 USC 7902(c)(1).

Role of the Supervisor

Responsible for identifying and reporting through appropriate channels to the Assistant Administrator, Regional Administrator, or the Executive Officer for the Administrator, unsafe or unhealthful conditions and for taking steps to assure an adequate level of health and safety in activities under his or her organizational jurisdiction.

Role of the Servicing Office

The Personnel Offices are responsible for providing support for health and safety training programs.

- Q1. WHO IS THE DESIGNATED SAFETY AND HEALTH OFFICIAL FOR THE DEVELOPMENT AND CONDUCT OF THE EPA OCCUPATIONAL HEALTH AND SAFETY PROGRAM AND APPROVAL OF HEALTH AND SAFETY POLICY, STANDARDS, AND REGULATIONS?
- A. The Assistant Administrator for Planning and Management.
- Q2. WHO IS THE OFFICIAL RESPONSIBLE FOR THE MANAGEMENT, DIRECTION, AND AUDIT OF THE PROGRAM AND THE DEVELOPMENT OF POLICY, STANDARDS, AND REGULATIONS?
- A. The Director, Occupational Health and Safety Office, Office of Planning and Management.
- Q3. WHAT HEALTH AND SAFETY TRAINING IS AVAILABLE FOR SUPERVISORS AND EMPLOYEES OF EPA?
- A. Health and Safety training is available for Agency personnel from many governmental and commercial sources. The EPA Occupational Health and Safety Office coordinates training in such areas as laboratory safety and health, diving safety, and emergency treatment of injuries. The Occupational Health and Safety Office and the EPA Headquarters Training Staff are coordinating the presentation of a nineteen lesson safety management training course for EPA supervisors. This course can be modularized to meet specific supervisory needs.

Chapter VI- EMPLOYEE DEVELOP- MENT AND EVALUATION

PERFORMANCE EVALUATION AND RATING

Primary Sources FPM Chapter 430
 EPA Order 3110.11A

Background

The performance rating plan for EPA was established pursuant to the requirements of the Performance Rating Act of 1950 (5 USC 4301-4308). Employee performance evaluation is a means of measuring the level and quality of an employee's work against the performance requirements (standards) established for the position.

The objectives of the Environmental Protection Agency performance evaluation and rating plan are to:

- ° Assure a clear understanding by each employee of the performance requirements of his/her position;
- ° Assess performance in terms of results accomplished in relation to these performance requirements;
- ° Identify those employees whose work exceeds performance requirements;
- ° Identify those employees whose work does not meet the performance requirements of their positions;
- ° Identify training needs; and
- ° Strengthen supervisor-employee relationships through a continuing process of meaningful discussions of work assignments, methods, progress, and accomplishments.

Role of the Supervisor

Communicating Agency and office goals to employees and involving them in plans to meet these goals;

Working with employees to develop a mutual understanding of the performance requirements of their positions;

Keeping employees currently advised concerning their work performance, advising them with regard to improvement, acknowledging satisfactory work, and rewarding superior accomplishments;

Helping employees achieve career objectives consistent with program goals;

Striving to eliminate obstacles to high quality performance;

Rating employee performance in an objective and timely fashion, in accordance with the procedures stated in the Order;

Evaluating supervisors on their results in furthering equal employment opportunity in accordance with Civil Service Commission requirements and the Agency affirmative action plan; and

Evaluating supervisors on how well they understand and carry out health and safety program responsibilities.

Additionally, each reviewing official (normally the next level of supervision above the rating official) is responsible for:

- ° Reviewing recommendations for outstanding and unsatisfactory ratings in accordance with the criteria stated in the EPA Order; and
- ° Reviewing satisfactory ratings when such ratings are appealed through the EPA Administrative Review process, provided the reviewing official did not participate in the original rating.

Role of Servicing Personnel Office

Responsible for providing supervisors with assistance and guidance.

Q1. WHAT ARE THE THREE PERFORMANCE RATING LEVELS?

A. Satisfactory. The range of performance at this level is very broad and includes highly satisfactory work just short of outstanding, and work barely sufficient to warrant retention in the position.

Outstanding. Performance is at this level only when all aspects are outstanding and deserve special commendation.

Unsatisfactory. Performance which fails to meet minimum requirements for retention in the assigned position is unsatisfactory.

Q2. WHEN ARE PERFORMANCE RATINGS GIVEN?

A. Each employee shall be informed of his/her performance rating during the month of April each year, except as provided under the circumstances described below:

- ° The employee has served less than three months in his/her current position;
- ° The supervisor has supervised the employee for less than three months;
- ° The employee has not completed three months of service in his/her current position after his/her return from at least three months of off-the-job training, detail, temporary promotion, or extended leave.
- ° A written notice of unsatisfactory performance has been issued and the 90-day notice period has not been completed;
- ° An adverse action because of poor performance or inefficiency has been proposed; or
- ° An application for disability retirement is pending.

An employee must be told when and why his performance rating has been postponed, and the rating must be made when (a) the employee has served three months in accordance with (1) or (3) above; (b) the supervisor has met the three-month requirement of subparagraph (2) above; (c) the 90-day notice period of unsatisfactory performance has been completed; or (d) the decision on an adverse action has been made.

An employee's performance is considered to be satisfactory when he is appointed or officially moved to a new or different position and such rating will remain in effect until he is rated based on actual performance as is required above. However, when an employee has received an outstanding rating during the past 12 months the rating will be considered outstanding for RIF purposes only.

An outstanding rating may be assigned only at the annual rating time and must be based on at least six months of performance in the same position, at the same grade, and in the same organization.

Unsatisfactory ratings may be assigned at any time subject to the requirements of EPA Order 3110.11A.

Q3. WHEN ARE PERFORMANCE APPRAISALS GIVEN?

A. Performance appraisal is a continual process and from time to time an employee's work and performance should be discussed with him/her, including the criteria by which performance will be assessed. He/she should be requested to submit suggestions for his/her own continuing development.

- ° Within 30 days after an employee enters on duty in a new position, the employee and his supervisor will discuss the duties and responsibilities of the position and the performance requirements* by which the employee will be evaluated. The supervisor may have already established the performance requirements for the position, or he/she may wish to develop them in conjunction with his/her discussion with the employee.

* Please note: Under the revised Agency Performance Evaluation and Rating Plan, written performance requirements for satisfactory work will be required as of October 1, 1978. Written requirements are necessary now for unsatisfactory or outstanding ratings.

- ° During October of each year each supervisor is encouraged to meet individually with employees to discuss his/her appraisal of their performance in relation to the performance requirements previously established. This appraisal session is non-mandatory.
- ° The performance evaluation process will culminate during the month of April with a summary adjective rating of satisfactory, unsatisfactory, or outstanding.

All parts of the Performance Appraisal Worksheet will be discussed and completed at this time, and the rating will be based upon the employee's performance appraisal.

TRAINING

Primary Sources

FPM Chapter 410
EPA Training & Development Manual

Background

Chapter 41 of Title 5, United States Code, is the basic statute authorizing employee training throughout most of the Government.

Role of the Supervisor

Supervisors are required to provide employees with equal opportunities to develop, periodically determine training and development needs of their work unit, and make arrangements to fill those needs, participate in career planning and counseling sessions with employees, and encourage and reward employee participation in self-development activities.

Role of the Personnel Office

Provide technical advice and assistance to supervisor.

Q1. HOW DO SUPERVISORS MAKE APPLICATION FOR EMPLOYEES TO ATTEND A TRAINING COURSE?

A. A supervisor can make a request for training on Optional Form 170 (OF 170), Request, Authorization, Agreement and Certification of Training. After completing the OF 170 and signing it as the initiating officer, the supervisor sends the request forward for necessary approvals. When the training has been authorized by the Servicing Personnel Office, the supervisor and the employee should make the necessary course, travel, and accommodation reservations. A copy of the OF 170 may serve as a purchase order for any non-Government training which requires a fee. Detailed instructions on completing the OF 170 should be obtained from the Servicing Personnel Officer. Standard CSC training source definitions and purpose of training definitions can be found in Chapter 12 of the EPA Training and Development Manual. Additional training nomination forms may be required for certain training facilities and are mentioned later in this Chapter.

It is important for supervisors and employees to plan for training as far in advance as possible. Training requests should reach the servicing Personnel or Training Office no later than two (2) weeks prior to the beginning date of the training in order to allow for adequate processing and authorization.

Q2. WHAT TYPES OF TRAINING ARE REGULARLY AVAILABLE THROUGH EPA?

A. The EPA Training Center at Waterside Mall currently sponsors training in three areas: (1) supervision and management; (2) clerical and administrative skills; and (c) communications skills. The supervision and management courses are offered at different locations throughout the country and are available to all Agency managers and supervisors. The clerical, administrative and communications courses have been developed primarily to meet the needs of Headquarters personnel and are only offered at Waterside Mall. Supervisors should periodically consult with their servicing Personnel or Training Officer about local course offerings.

The Air Pollution Training Institute (APTI) in Research Triangle Park, North Carolina, offers a variety of courses on administrative and technical aspects of air pollution control. Courses offered by the Institute are given in various locations around the country as well as at RTP. Applications for courses offered by the Institute should include a completed copy of EPA Form 1800-2 in addition to OF-170.

The National Training and Operational Technology Center in Cincinnati offers technical instruction in water pollution control, i.e., analytical methods, NPDES compliance monitoring, treatment technology, etc. Applications for training offered through the Center should include a completed copy of EPA Form 1800-2 in addition to OF-170.

Catalogs from all three Agency training sources should be available through your administrative officer but can be obtained directly from the following addresses:

EPA Training Center, PM-212
Room 2821 Waterside Mall
401 M Street, S.W.
Washington, D.C. 20460

Registrar
Air Pollution Training Institute MD-17
Environmental Research Center
Research Triangle Park, N.C. 27711

Registrar
National Training and Operational
Technology Center
MOTD, OWHP, OWHM
U.S. Environmental Protection Agency
Cincinnati, Ohio 45268

Q3. WHAT OTHER TRAINING IS AVAILABLE THROUGH EPA?

- A. Frequently seminars, workshops and instructional meetings are scheduled to meet specific needs of some group within the Agency, e.g., user's meetings for data processing personnel, seminars on EPA responsibilities under the Toxic Substances Control Act, etc. These sessions are not considered as direct Agency training but may provide valuable information and experience to some employees. Since these sessions are not regularly scheduled, the publicity which they receive depends upon the program sponsoring them. Supervisors should try to become aware of seminars, workshops, and meetings that might be of some significant value and should check with responsible programs for establishing seminars in areas about which they would like to learn.

Q4. WHERE ELSE CAN TRAINING NEEDS BE MET?

- A. The Civil Service Commission, other government agencies, local colleges and universities, secretarial schools, adult education programs, professional societies and associations, and consulting firms are additional training sources. Further information for using contract training is available from your administrative officer and the Agency Contracts Management Policy Manual.

Q5. WHEN CAN NON-GOVERNMENT TRAINING FACILITIES BE USED?

- A. When EPA does not have its own program available.

When the desired training is not available elsewhere in the Government.

When it would be more expensive to use Government training facilities.

Q6. WHEN CAN NON-GOVERNMENT TRAINING FACILITIES NOT BE USED?

A. When the training is to prepare an employee for a promotion when other qualified employees are available.

When training is merely to obtain academic degrees.

When an employee has had one year of authorized training in non-Government facilities during the employee's current decade of service.

Q7. WHO IS ELIGIBLE FOR NON-GOVERNMENT TRAINING?

A. Only employees with more than one year of current continuous civilian service.

Q8. WHAT OBLIGATION TO CONTINUE SERVING WITH THE AGENCY DOES THE EMPLOYEE INCUR WHEN PARTICIPATING IN AGENCY PAID NON-GOVERNMENT TRAINING?

A. When training in excess of 80 hours is received while in a pay status, the employee must agree to serve in the agency for 3 times the length of the training.

When training in excess of 80 hours is received while in a non-pay status, the employee must agree to serve in the agency for a time equal to the length of training or one (1) month, whichever is greater.

Q9. WHAT COSTS CAN BE PAID FOR APPROVED TRAINING COURSES?

A. Regular pay and, in some rare cases, overtime pay.

Travel costs.

Per diem or subsistence.

Transportation of family and household goods for some long term training.

Fees directly related to the training, i.e., tuition, books, etc.

Q10. WHAT HAPPENS WHEN AN EMPLOYEE FAILS TO ATTEND OR DOES NOT SATISFACTORILY COMPLETE TRAINING FOR WHICH THE AGENCY HAS PAID A FEE?

A. If this occurs because of willful neglect or other circumstances within their control, the employee will be required to reimburse the Agency for all expenses other than salary. Proof of attendance and satisfactory completion in the form of a certificate or grade report should be submitted to the servicing personnel or training officer after any training course paid for by the Agency.

On the other hand, if employees fail to attend or satisfactorily complete training due to circumstances beyond their control (such as illness, emergency, or decision by the supervisor), the reimbursement requirement may be waived by the servicing Personnel or Training Office.

Q11. WHAT ARE EPA REQUIREMENTS FOR SUPERVISORY TRAINING?

A. The Agency requires that all supervisors receive:

- ° 40 hours of supervisory training either before or within 6 months after becoming a supervisor; and
- ° 80 hours of supervisory training either before or within 2 years after becoming a supervisor (including the first 40 hours mentioned above).

Q12. HOW ARE SUPERVISORS' TRAINING NEEDS IDENTIFIED AND DOCUMENTED?

A. Operating personnel officers should assist immediate supervisors in formally defining training needs of newly appointed or acquired first-line supervisors. EPA Form 3140-8 has been designed to document plans for meeting the 80-hour training requirement and for further training and development of new first-line supervisors.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: ~~MAR 2~~ . 57

SUBJECT: Region IX Personnel Bulletin No. 410-1
Employee Development and Training

FROM: Personnel Officer *Chellaney*

TO: All Employees

References: FPM 410, EPA Training and Development Manual.

1. Q. WHAT IS EPA'S TRAINING POLICY?

A. It is EPA's policy to provide training to enable employees to efficiently perform their job duties and to encourage employees in their efforts for self-improvement.

2. Q. DOES TRAINING HAVE TO RELATE TO MY OFFICIAL DUTIES?

A. No. Training and guidance is also provided to assist employees in reaching their goals at EPA. However, the primary training function is to assist employees in the development of the skills and knowledges needed to perform in their current positions.

3. Q. WHO IS ELIGIBLE TO TAKE TRAINING?

A. All permanent EPA employees are eligible to take training courses in accordance with the above policy. The following guidelines cover individuals under other types of appointments:

- a. Temporary Appointments: In rare situations, training is approved for temporary employees when it is determined to be very closely job-related and cost-effective within the appointment period.
- b. Co-Op Students: Training must cover EPA programs and mission or be directly job-related. Training will not be approved for courses which can be taken in their college curriculum or are not covered in the student's training plan.
- c. IPA: The guidelines for temporary employees are applicable to individuals who are detailed to EPA from State or local agencies unless specific provision has been made in the IPA agreement covering training.

4. Q. ARE THERE ANY LIMITATIONS ON TAKING TRAINING IN MY FIRST YEAR?

A. Yes. Employees with less than one year of continued civilian service cannot take non-government training. If sufficient justification

is provided, this limitation can be waived by the Personnel Officer for some types of training. You should contact the Training Officer for further information.

5. Q. WHAT IS NON-GOVERNMENT TRAINING?

- A. Non-Government training is any training that is not taught by Federal employees. This includes courses offered by local colleges, private companies, and contractors hired by EPA.

6. Q. ARE THERE ANY OTHER LIMITATIONS ON NON-GOVERNMENT TRAINING?

- A. Yes. Prior to requesting any non-Government training which exceeds 80 hours, you must sign and date the "Employees Agreement to Continue In Service", printed on the back of the OF-170 form. For training taken on official time, the agreement will be for a period of three times the length of the training. For courses taken after work hours, the agreement will be for a period equal to the length of training. (Minimum agreement--one month.)

7. Q. WHAT TYPE OF TRAINING SHOULD I TAKE?

- A. Within the first two months of entering a new position and during April of each year, you and your supervisor should discuss this question. At this time, both of you should jointly complete an Employee Training and Development Plan (EPA-IX-Form 377). You and your supervisor should consider the skills you will need in order to improve your job performance, as well as your short and long range career goals. You may wish to discuss your career objectives or specific training needs with the Training Officer. Part-time career counselors are also available for career guidance. The Employee Training and Development Plan must be submitted to the Personnel Office prior to your first request for training and during April of each year. No training will be authorized unless the training plan has been received in the Personnel Office.

8. Q. HOW CAN I FIND OUT WHAT COURSES ARE AVAILABLE?

- A. Memos are distributed for all courses presented by the Region. Many courses are also announced in the Staff Flash. The most thorough guide to training is the San Francisco Regional Training Center's Catalog and Schedule of Classes. Reference copies are available in each Division and the Personnel Office. Individual course announcements are posted in a display rack on the 6th floor near the vending machines and many are also circulated in the Divisions. College catalogs are on display in the Personnel Office. EPA brochures covering courses in air pollution control and water quality are available from the Training Officer.

9. Q. HOW DO I APPLY FOR A SPECIFIC COURSE?
- A. Training request form OF-170 must be completed for each training course you request. The request must be approved by your first and second-line supervisors, Division Director, and the Training and Personnel Officer. (Management and Enforcement Divisions have delegated Division authority to approve training to the Branch Chiefs.)
10. Q. WHAT DOES THE PERSONNEL OFFICE DO WITH MY REQUEST?
- A. The Personnel Office reviews each training request to assure that the cost, time, and objectives of the course are appropriate. The request must also be consistent with your Employee Training and Development Plan and meet all Federal regulatory requirements. If all these requirements are met, the Personnel Officer will authorize the training. (Note: The Personnel Officer and the Regional Administrator are the only ones authorized to approve training requests.) Copies of the approved request will be sent to you, the course vendor, and our Finance Office. All training requests must be approved prior to the beginning of the course.
11. Q. WHAT MUST I DO AFTER COMPLETING A COURSE?
- A. After completing the course you will receive an evaluation form and a short questionnaire asking you if you completed the course. Both of these should be completed promptly and returned to the Personnel Office.
12. Q. WHAT HAPPENS IF I AM UNABLE TO ATTEND A COURSE WHICH I AM SCHEDULED TO TAKE?
- A. If you are unable to attend a course, you should notify the Training Officer immediately. You may be able to reschedule the course, cancel it, or find a substitute to attend in your place. If EPA is billed for the course, payment will be made from the Division funds originally allocated for the training.
13. Q. WHAT HAPPENS IF I DO NOT COMPLETE A COURSE?
- A. If you do not satisfactorily complete a course due to circumstances within your control, or if you leave Government service before completion, you must reimburse EPA for training expenses other than salary. In order to satisfactorily complete a college course, you must receive a grade of "C" or better.

**ENVIRONMENTAL
PROTECTION
AGENCY**

REGIONAL ADMINISTRATOR

ORDER

R 3140.1

Region IX

January 24, 1974

PERSONNEL--EMPLOYEE DEVELOPMENT AND TRAINING

TRAINING ADVISORY COMMITTEE

1. **PURPOSE.** This Order establishes a Training Advisory Committee for Region IX.

2. **AUTHORITY.** The Federal Personnel Manual, Chapter 410-11, states that the head of each agency must take such administrative action as is necessary to insure that programs are developed to meet the agency short- and long-range training needs and that priorities are established for the agency's training programs.

3. **OBJECTIVES AND SCOPE OF ACTIVITY.** The responsibility for the training and development of employees rests with managers and supervisors throughout the organization, with the support and guidance of the Personnel Office. In devising its training plans, the Region's management needs information, advice, support, and assistance from representatives of all segments of the organization. The Training Advisory Committee will serve as the mechanism for bringing together different viewpoints, developing priorities, pooling resources to meet common objectives, and the useful exchange of ideas. The Committee will help formulate training policy and plans, and it will assist in seeing that they are implemented throughout the organization.

4. **FUNCTIONS.** The Committee will be an advisory one and will not assume control of the training budget--the budget authority will remain with division directors and supervisors. Nor will the Committee review individual training requests, except those for long-term training. The Committee should be seen as an advisory board to the Regional Administrator. The Training Advisory Committee's functions will include the following:

- a. Review and recommend training policy.
- b. Assure that an annual training needs survey is conducted in all branches and divisions, and review and identify the Region's major training needs.
- c. Devise and recommend a training plan to meet perceived training needs.

Jist: A

Initiated by: MGMT

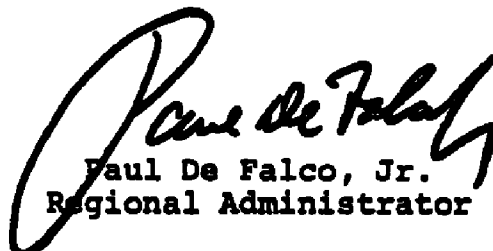
ORDER

R 3140.1

- d. Identify and mobilize resources for in-house training courses in program areas, with the concurrence of the appropriate Division Director or Staff Office Chief.
- e. Assist in planning and coordinating courses of special interest to Region IX employees.
- f. Periodically evaluate the training described in d and e above.
- g. Review long-term (120 days or more) training requests, and make recommendations concerning approval and priorities.
- h. Recommend actions as a result of reviewing employee complaints and grievances regarding training.

5. COMPOSITION. The Training Advisory Committee will be composed of nine members, four designated and five elected. The Regional Administrator will designate the Deputy Regional Administrator to chair the committee, and will designate one division director, the Regional EEO Officer, and one representative from the Federal Women's Committee to sit on the committee. The five elected members will serve on the committee for a term of one year and will be elected pursuant to procedures outlined in paragraph 6. The Training Officer and the Chief of Manpower Development Branch will serve as non-voting advisors to the Committee.

6. ELECTION. The Personnel Office will solicit nominations for the five elective positions on the Committee, to be apportioned as follows: two representatives from the mid-level professional staff, one representative from the junior professional staff, and two representatives from the clerical/administrative support staff. The Personnel Office will open nominations for at least five working days; it will then prepare a list of nominees in the above-named categories, and an election will be held no later than two weeks after the close of nominations. If more than five employees from any one category are nominated, the Personnel Office will select the five employees from that category with the highest number of nominations, to be submitted for the general election.


Paul De Falco, Jr.
Regional Administrator

**ENVIRONMENTAL
PROTECTION**

REGIONAL ADMINISTRATOR

ORDER

R 3140.1

Change 1

AGENCY

Region IX

September 2, 1975

PERSONNEL -- EMPLOYEE DEVELOPMENT AND TRAINING

TRAINING ADVISORY COMMITTEE

Paragraphs 5 and 6 of Regional Order R 3140.1, published on January 24, 1974, are hereby revised to read as follows:

5. COMPOSITION. The Training Advisory Committee will be composed of eight members, four designated and four elected. The Regional Administrator will designate a senior staff member (at the Division Director level or above) to chair the committee, and will designate the Regional EEO Officer, one representative from the Federal Women's Committee, and one other member to sit on the committee. The four elected members will serve on the committee for a term of one year and will be elected pursuant to procedures outlined in paragraph 6. The Training Officer and the Chief of Manpower Development Branch will serve as non-voting advisors to the Committee.

6. ELECTION. The Personnel Office will solicit nominations for the four elective positions on the Committee, to be apportioned as follows: one representative from the mid-level professional staff, one representative from the junior professional staff, and two representatives from the clerical/administrative support staff. The Personnel Office will open nominations for at least five working days; it will then prepare a list of nominees in the above-named categories, and an election will be held no later than two weeks after the close of nominations. If more than five employees from any one category are nominated, the Personnel Office will select the five employees from that category with the highest number of nominations, to be submitted for the general election.

Paul De Falco, Jr.
Paul De Falco, Jr.
Regional Administrator
Acting

REGIONAL ADMINISTRATOR

ENVIRONMENTAL
PROTECTION
AGENCY

ORDER

R 3140.1

Change 2

Region IX

December 15, 1975

PERSONNEL -- EMPLOYEE DEVELOPMENT AND TRAINING

TRAINING ADVISORY COMMITTEE

Regional Order R 3140.1, published on January 24, 1974,
is changed as follows: delete paragraph 4,
sub-paragraph g (Committee review of long-term
training requests).

Acting *L. Russell Freeman, Regat*
Paul De Falco, Jr.
Regional Administrator

EXECUTIVE DEVELOPMENT

Primary Sources

FPM Letter No. 412-2
EPA Order 3140.1

Background

Basically this program, mandated by the Civil Service Commission and the Office of Management and Budget, requires the identification of all managerial positions; the specification of the knowledge and abilities required in each managerial position; identification of newly selected managers and current managers selected for other managerial positions; the assessment of the degree to which individuals possess the knowledge and ability requirements identified for a particular position; implementation of an operational "high potential" program; preparation of an Individual Development Plan (IDP) for managers and high potentials. The objective of this program then is to assure the Agency's immediate and long range executive/managerial manpower requirements are anticipated, planned for, and met.

The program works toward its objectives by:

- ° Exposing participants to a variety of managerial philosophies and thereby improving their ability to make managerial decisions;
- ° Letting participants examine and question EPA policy and point of view;
- ° Helping participants increase their human relations skills and their ability to apply them;
- ° Improving participants' understanding of the basic problems of EPA and other government agencies and the current challenges to government through contacts with key officials in EPA and other government agencies; and
- ° Encouraging participants' continuing involvement in self-developmental activities.

Role of the Supervisor

The supervisor has a pivotal role in the implementation of the Executive Development Program. This role includes:

- ° Selection Phase: All supervisors participate in the selection process, either through their comments to the rating panels on those employees under their supervision who self-nominate, or by being a member of the rating panel reviewing the applications and providing the basis for final decision concerning those who will participate in the Program; and
- ° Preparation of Individual Development Plans: Individual Development Plans (IDP's) will be developed by the employee and the employee's supervisor with advice and guidance from the Personnel Office.

Role of the Servicing Personnel Office

The Servicing Personnel Office is responsible for the timely implementation and coordination of Executive Development Program activities. Working with the Headquarters Executive Development Staff, they:

- ° Participate in the identification of individuals with high managerial potential;
- ° Participate in the preparation of IDP's;
- ° Counsel those individuals selected;
- ° Take necessary actions to implement IDP's;
- ° Refine IDP's; and
- ° Assure that managerial skills, knowledges, and abilities are identified and developmental plans are prepared for other incumbent managers.

Q1. WHO IS ELIGIBLE FOR THE PROGRAM?

A. To be eligible for the program an employee must:

- ° Be a full-time, permanent employee;
- ° Be GS-12 and above, or U.S. Public Health Service Commissioned Corps Officer, CO-4 and above;
- ° Possess high potential for future managerial jobs and/or potential for movement into more responsible managerial jobs;
- ° Submit a self-nomination form during their program's designated time period;
- ° Be evaluated and endorsed by key managers in their work unit in accordance with established criteria which indicate managerial skill and/or potential; and
- ° Be among the top 15% who meet the above criteria.

Q2. IS MOBILITY REQUIRED OF ELIGIBLES?

A. While geographic mobility is not mandatory at this time, it is considered a key element of the total program. Those individuals who have had only Headquarters or field experience should fully realize that career progression can be dependent upon geographic mobility.

Q3. HOW MANY PEOPLE ARE IN THE PROGRAM?

A. The number of candidates selected for participation in the program is keyed to EPA's actual and projected executive and managerial manpower needs. Accordingly, the size of the Executive Development Program varies from year to year according to such factors as actual and projected executive and managerial attrition, manpower staffing guidance issued by the Office of Management and Budget and anticipated fluctuations in Agency size, programs, or mission.

Q4. WHEN WILL ELIGIBLES IN MY ORGANIZATION HAVE A CHANCE TO ENTER THE PROGRAM?

A. The identification and selection of high potentials for the Executive Development Program is a continuing process. On a scheduled program-by-program, office-by-office basis, briefings are held for all organizational employees meeting the basic eligibility requirements; self-nomination forms are solicited at this time. These are screened at the various supervisory levels, with final selection authority resting with Assistant Administrators, Regional Administrators, and the Deputy Administrator (for Headquarters Staff Offices). Criteria for consideration are past performance, achievements, awards, education and training, experience and career progression, and other evaluative factors suggested by the CSC.

Q5. WHAT ARE THE BENEFITS FOR INDIVIDUAL PROGRAM PARTICIPANTS?

A. Each participant's Individual Development Plan (IDP) includes experiences intended to enrich their managerial/supervisory capabilities and may include:

- ° Mobility assignments; long/short term training; rotation assignments; special projects; task force assignments; etc.; and other developmental assignments.**
- ° Each participant is counseled on the best method for implementing his/her IDP;**
- ° Each participant receives vacancy announcements for positions for which they qualify and in which they have expressed an interest;**
- ° Each participant is alerted to specific training courses designed for EPA's managerial core; and**
- ° In certain cases, participants may request the use of Executive Development funds to pay for travel/per diem expenses related to rotational assignments that are part of his/her IDP.**

Q6. WHAT ABOUT INDIVIDUALS NOT SELECTED FOR THE PROGRAM?

A. Individuals not selected for participation in the Executive Development Program will not be precluded from normal career progression. All employees will be eligible for training activities and promotional opportunities to higher levels of responsibility. Further, through counseling, performance appraisal, and an assessment of training needs, all individuals will be assisted in reaching their full potential.

ENVIRONMENTAL REGIONAL ADMINISTRATOR
PROTECTION **ORDER**
AGENCY

R3140.3

REGION IX

APR 28 1976

PERSONNEL-EMPLOYEE DEVELOPMENT AND TRAINING

EXECUTIVE DEVELOPMENT PROGRAM

1. **Purpose.** This Order establishes EPA, Region IX Executive Development Program and prescribes procedures and guidelines for program implementation.
2. **Coverage.** This program applies to all EPA personnel at grades GS-12 and above, including PHS commissioned corps equivalent (CO-4 and above).
3. **Goals and Objectives.**

The objective of the Executive Development Program is to assure that there are a sufficient number of fully trained, well-qualified people to meet both current and future executive manpower needs of the Agency. The Program is concerned with providing developmental and/or renewal experiences for incumbent executives and identifying and developing those in the mid-management rank with high potential for leadership and achievement. The program works towards this objective by:

- a. Exposing participants to a variety of managerial philosophies and thereby improving the ability to make managerial decisions;
- b. Exposing participants to a variety of policy areas.
- c. Helping participants to increase the human relations skills and their ability to apply them;
- d. Improving participants' understanding of the basic problems of EPA and other government agencies and the current challenges to government through contacts with key officials in EPA and other government agencies;

Dist:

Initiated by

- e. Encouraging participants' continuing involvement in self-developmental activities.

4. Procedures. a. 'Publicity will be given on the Executive Development Program to all eligible employees (GS-12 and CO-4 and above) by the Region prior to the recertification and selection process. Publicity will be in the form of written announcements. It will cover the goals and objectives of EDP and criteria for participation. Interested and eligible employees may apply by submitting Attachment 1 with a SF-171 (Personal Qualifications Statement) and "Executive Development Appraisal Form" (EPA-IX-386). Current participants will be considered automatically for continuation in the program, but they may also be requested to sign Attachment I again, in order to reaffirm their commitment to the program. Applicants will be solicited during the month of April.

- b. The immediate supervisor of each applicant will complete the "Executive Development Appraisal Form" (Attachment II EPA-IX-386). This Appraisal will be utilized in the evaluation process described in c and d below.
- c. Each Division Director and Staff Office Chief will meet with his or her Branch Chiefs and evaluate all applicants. Division Directors will evaluate Branch Chiefs and Regional Administrator or Deputy Regional Administrator will evaluate Division Directors. At this meeting, the Division Director/Office Chief, utilizing the established criteria, will identify the top 10% and top 20% of those eligible (including current participants).
- d. An ad hoc committee, chaired by the Regional Administrator and/or Deputy Regional Administrator, and consisting of all Division Directors, the Personnel Officer, and the EEO Officer, will meet as a group. The committee will discuss all applicants & current participants and will use the Executive Development Appraisal Form (Attachment II) to rate candidates. Through the discussion and review process the Regional Administrator or his designee will determine the final nominations (top 15% or fewer) to participate in the program. Those not selected must be given meaningful career counseling by their supervisor and Division Directors/Staff Office Chief within 30 days of the decision.

- e. The Regional nominees' names will be forwarded to the Executive Development Staff at EPA Headquarters for final approval. EDS will notify the Region of approved candidates and request that individual development plans (IDP, Attachment III) be completed for each participant. IDP's will be prepared locally with assistance from the Executive Development Staff.
- f. Any self-nominated employee who was not selected for the EDP may investigate the reasons for non-selection. If any employee feels that his application was not given fair or proper consideration, he has the right to appeal this decision under the normal EPA grievance procedures.
- h. Any program participant who ceases to meet the criteria for continued participation may be removed from the EDP during the annual re-certification process. A participant may voluntarily withdraw from the program at any time with a written request to the Personnel Office. If the employee is in the midst of training or a developmental assignment, participation will be terminated as soon as practical and in accordance with established policies.
- i. The ad hoc committee (composition designated in d, above) will also meet annually during the month of September to review operation of the program. At this time, the committee will discuss the continued participation of those in the program and the possible inclusion of those who have become eligible since the previous selection in March.

5. Criteria. The following criteria will be considered in identifying participants:

- a. Ability to plan and organize own activities effectively, establishes well-defined work objectives and priorities for accomplishing them.
- b. Effective in seeking pertinent data and in determining the source of a problem.
- c. Stays with a problem until the problem is settled.
- d. Is constructive rather than negative in approaching problems.

- e. Perceives and reacts sensitively to needs of others.
- f. Adaptability - modifies behavioral style and approach to reach a goal. Adjusts quickly to changes and meets varying workload demands.
- g. Performs well under unusual stress and pressure.
- h. Is highly productive.
- i. Cooperative in situations when a decision has been reached in which there may have been personal disagreement.
- j. Presents and defends a position in a forceful and dynamic manner.
- k. Accepts responsibility readily.
- l. Self-starter (take initiative to start useful new projects).
- m. Produces imaginative and practical solutions to complex problems.
- n. Sensitivity to policy issues.
- o. Ability to articulate clearly and concisely orally and in writing.
- p. Makes an excellent first impression in terms of bearing and personal manner.
- q. Overall rating of employee's potential for future managerial positions:
- r. Overall leadership capacity.

In evaluating candidates on the above criteria, performance appraisals, commendations, awards, training, and experience will be taken into consideration.

6. Responsibilities. a. The Regional Administrator will:

- (1) Provide the organizational commitment and support needed to assure effective and timely implementation of the program outlined in this Order;

-
- (2) Designate the Deputy Regional Administrator as the key representative in the organization to serve as a contact point for executive development activities in Region IX;
 - (3) Assure that adequate funding and manpower resources are provided within his areas of responsibility;
 - (4) Make final recommendations to the Executive Development Staff in EPA Headquarters on Region IX participants in the Executive Development Program.
- b. The Personnel Office is responsible for the timely implementation and coordination of Executive Development Program activities. Working with Executive Development's staff, it will:
- (1) Participate in the identification of individuals with high potentials;
 - (2) Counsel supervisors and employees in the preparation of IDP's;
 - (3) Counsel employees regarding the Executive Development Program;
 - (4) Take necessary actions to implement IDP's;
 - (5) Assure that managerial skills, knowledges and abilities are identified and developmental plans are prepared for non-selected managers.
- c. Supervisors will:
- (1) Evaluate eligible employees who apply for the program.
 - (2) Counsel individuals not selected.
 - (3) Participate in the preparation of IDP's.
 - (4) Take or recommend necessary actions to implement IDP's.
 - (5) Identify managerial skills, knowledges, and abilities and prepare developmental plans for non-selected managers.

ORDER

R3140.3

- d. The full objectives of the EPA Equal Employment Opportunity Program shall be applied in administering this program. Discrimination because of race, religion, color, national origin, sex, physical handicap, marital status, political affiliation age or any other irrelevant factor will not be condoned. Affirmative actions will be used to promote the full realization of equal employment opportunity, in accordance with the EPA Region IX Affirmative Action Plan.

Acting *Paul De Falco, Jr.*
Paul De Falco, Jr.
Regional Administrator

SUBJECT: Self-Nomination for Executive and Management
Development Program

FROM: _____
Employee's Name

TO: _____
Division Director

I request that I be considered for the EPA Executive
and Management Development Program.

I understand that my selection for the program entails
a commitment on my part which may involve mobility or
rotational assignments, training (long and short term), task
force, committee, and understudy assignments, and interchange
programs.

(Employee's Signature) (Grade) (Date)

Name _____

EXECUTIVE DEVELOPMENT APPRAISAL FORM

Evaluative Factors	Below Average	Adequate	Above Average	Outstanding
Ability to plan and organize own activities effectively, establishes well defined work objectives and priorities for accomplishing them.				
Effective in seeking pertinent data and in determining the source of a problem.				
Stays with a problem until the matter is settled.				
Is constructive rather than negative in approaching problems.				
Perceives and reacts sensitively to needs of others.				
Adaptability - modifies behavioral style and approach to reach a goal. Adjusts quickly to changes and meets varying workload demands.				
Performs well under unusual stress and pressure.				
Is highly productive.				
Cooperative in situations when a decision has been reached in which there may have been personal disagreement.				

Attachment II (Cont'd)

Name _____

EXECUTIVE DEVELOPMENT APPRAISAL FORM

Evaluative Factors	Below Average	Adequate	Above Average	Outstanding
Presents and defends a position in a forceful and dynamic manner.				
Accepts responsibility readily.				
Self-starter (takes initiative to start useful new projects).				
Produces imaginative and practical solutions to complex problems.				
Sensitivity to policy issues.				
Ability to articulate clearly and concisely orally and in writing.				
Makes an excellent first impression in terms of bearing and personal manner.				
Overall leadership capacity.				
Overall rating of employee's potential for future managerial positions.				

Appraising Official _____
(signature)Reviewing Official _____
(signature)

EXECUTIVE AND MANAGEMENT DEVELOPMENT WORKSHEET

PART I - QUALIFICATIONS EVALUATION

1. NAME		2. DATE OF BIRTH		3. YEARS OF SERVICE	
				a. FEDERAL	b. EPA
4. EDUCATION					
5. TYPES OF SIGNIFICANT PRIOR EXPERIENCE					
ADMINISTRATIVE		REGIONAL, EPA		PRIVATE INDUSTRY	
RESEARCH		HQs, OTHER GOV'T AGENCY		STATE OR LOCAL GOVERNMENT	
TECHNICAL		FIELD OTHER GOV'T AGENCY		CONGRESSIONAL	
HEADQUARTERS EPA		UNIVERSITY		FOREIGN SERVICE	
6. PREVIOUS EMPLOYMENT HISTORY (Begin with current and include last four)					
(1) DATES FROM TO		(2) ORGANIZATION		(3) SUPERVISOR	
(4) POSITION TITLE				(5) SERIES	(6) GRADE
(7) HIGHLIGHT OF DUTIES					
(1) DATES FROM TO		(2) ORGANIZATION		(3) SUPERVISOR	
(4) POSITION TITLE				(5) SERIES	(6) GRADE
(7) HIGHLIGHT OF DUTIES					
(1) DATES FROM TO		(2) ORGANIZATION		(3) SUPERVISOR	
(4) POSITION TITLE				(5) SERIES	(6) GRADE
(7) HIGHLIGHT OF DUTIES					
(1) DATES FROM TO		(2) ORGANIZATION		(3) SUPERVISOR	
(4) POSITION TITLE				(5) SERIES	(6) GRADE
(7) HIGHLIGHT OF DUTIES					

PART II - INDIVIDUAL DEVELOPMENT PLAN

1. CAREER GOALS *(Include target position title, series, grade, if appropriate)*

a. SHORT RANGE (6 months)	b. LONG RANGE (1 - 3 years)

2. MAJOR STRENGTHS FOR FUTURE MANAGERIAL POSITIONS

3. MAJOR WEAKNESSES FOR FUTURE MANAGERIAL POSITIONS

4. DEVELOPMENT PLAN

DEVELOPMENTAL ACTIVITIES <i>(Be specific—who, what, when, where and why)</i> a.	PRIORITY ORDER b.	TARGET ACCOMPLISHMENT c.
(1) TRAINING <i>(Long- and short-term, seminars)</i>		
(2) MOBILITY ASSIGNMENTS <i>(Line/staff, field/headquarters)</i>		
(3) ROTATIONAL ASSIGNMENTS <i>(Details)</i>		
(4) SPECIAL ASSIGNMENTS <i>(Task force groups, committees, understudy)</i>		
(5) OTHER <i>(Interchange programs, self-initiated development activities)</i>		

AWARDS

Primary Sources

FPM Chapter 451
Title 5, Chapter 45, U.S. Code
Title 5, Chapter 53, Section 5336,
U.S. Code
EPA Awards Manual

Background

It is the EPA policy to encourage employees to make their best efforts in their daily work, to urge them to bring forward their ideas to improve the efficiency and economy of Agency operations, and to give appropriate recognition to them for these contributions or for special acts or services in the public interest and related to their official employment.

Role of the Supervisor

Support the Awards Program by appropriately using the various types of awards authorized for recognizing deserving employees and groups of employees.

Identify through the management review process specific program and operations areas and the employees involved where superior work results warrant award consideration.

Consider all employees under their supervision who may be eligible for nomination for awards sponsored by other Federal agencies and non-Governmental organizations.

Participate actively in the suggestion system by encouraging employees to submit their ideas and by evaluating suggestions promptly and objectively.

Role of the Servicing Personnel Office

Develop and implement local procedures to carry out the Awards Program and consult and negotiate as appropriate with exclusive labor organization representatives.

Coordinate local awards.

Assure that recommendations for honor and cash awards are clearly consistent with the criteria established for the particular award.

Provide advice, assistance, and training concerning the program to managers and supervisors.

Assure that employee suggestions are promptly forwarded for evaluation and consideration to those management individuals who have authority to adopt them.

Maintain records and statistical information concerning program activity, and submit reports as required.

Q1. WHAT ARE SOME OF THE HIGH LEVEL GOVERNMENT AND NON-GOVERNMENTAL AWARDS AND WHEN SHOULD I NOMINATE EMPLOYEES FOR THESE NON-EPA AWARDS?

A. See attached chart.

Q2. WHAT AWARDS ARE AVAILABLE FOR EPA EMPLOYEES?

A. The Special Achievement Awards which are granted to recognize employees for individual performance exceeding job requirements and for special acts or services in the public interest in connection with or related to their employment both individually and in groups. The award consists of a certificate and may carry with it a lump sum cash award.

Quality Increases are additional within grade increases awarded for continuing high quality performance above that ordinarily found in the position. They may be granted only to General Schedule employees who occupy permanent positions. In addition to the pay increase, a certificate of award is authorized for presentation to the employee.

Career Service Recognition includes EPA Length of Service Awards and the Retirement Certificates.

Employee Suggestions system is an organized method for soliciting constructive ideas that will benefit the Agency and reward the originator. Awards are based on the degree of benefit derived from adopted suggestions.

Honor Awards are designed to recognize exceptional, distinguished, or heroic individual or group achievements. These honors include:

- . Gold Medal for exceptional service;
- . Silver Medal for superior service;
- . Bronze Medal for commendable service;
- . PHS Medals; and
- . Distinguished Career Award which recognizes the cumulative achievements of employees who have truly distinguished service throughout their employment in EPA and Federal Service.

Q3. WHEN ARE THE TOP HONOR AWARDS PRESENTED?

A. The Gold and Silver Awards and PHS, Distinguished and Meritorious Service Medals are traditionally presented in December of each year in Washington, D.C.

Q4. WHERE CAN ADDITIONAL INFORMATION ON AWARDS BE OBTAINED?

A. The EPA Awards Manual.

HIGH LEVEL GOVERNMENT AND NON-GOVERNMENT AWARDS

DATE DUE AT SPONSOR	NAME OF AWARD	PURPOSE	GENERAL REQUIREMENTS	CRITERIA
February	William A. Jump Memorial Award	For outstanding service in the field of Public Administration.	Any employee in Federal Govern- ment under 37 years of age at end of year of nomination.	Notable contributions to effi- ciency and quality of public service. Sustained interest, growth and development in field of public administration.
April	Rockefeller Public Service Awards	Cash award of \$10,000 in rec- ognition of outstanding persons in Public Service.	Any civilian male or female whose careers have been marked by long term excellence.	Intellectual maturity. Leader- ship, character and competence. Notable contributions to Public Service.
April	Tom Clark Award	To give public recognition to career Federal lawyers who have performed work in the U.S. Gov't.	Civilian or Military career attorneys of the Federal Government.	Outstanding specific accomplishment or outstanding legal ability, scholarship, and performance.
May	Federal Woman's Award	To provide special recognition to women for outstanding con- tributions to the efficiency and quality of the career service of the Federal govern- ment.	Women employees with not less than three years continuous full-time service, GS-5 and above.	Outstanding ability and achieve- ment in an executive, professional scientific, or technical position.
July	Presidential Management Improvement Award	Presidential recognition for contributions to Management Improvement Programs in Government.	Any individual Federal employee or group.	Superior achievement in management effectiveness and/or significant cost reduction in Government.
Mid-August	Federal Environmental Engineer Award	To recognize exemplary work or accomplishments of engineer: in the Federal Service.	Any professional Federal environmental engineer.	Outstanding accomplishments and leadership in improving the environment.
Mid-August	National Civil Service League, (1) Career Service awards and (2) Special Achievement Awards	(1) To strengthen Public Service by bringing National recognition to significant careers in the Federal Service, and (2) sig- nificant contributions to National well being.	(1) 10 years in Government; ex- ceptional efficiency; superior performance. (2) Special accomplishment.	(1) Exceptional competence. Sustained superior performance. Devotion to public service. (2) Single, one-time achievement; or one project over a period or a series of successful projects.
December	Arthur S. Flemming Award	To honor outstanding young men and women in the Federal govern- ment in scientific or technical and administrative or executive fields.	Male or female employees of the Executive Branch. Under 40 years of age.	Outstanding and meritorious service during previous fiscal year, judged on specific or general accomplishments.

ASSISTANT REGIONAL ADMINISTRATOR
FOR MANAGEMENT

ENVIRONMENTAL
PROTECTION
AGENCY
REGION IX

ORDER

R3130.1

June 3, 1974

PERSONNEL - INCENTIVE AWARDS

EMPLOYEE AWARDS - EPA
BRONZE MEDAL FOR
COMMENDABLE SERVICE

1. Purpose. The purpose of this order is to establish procedures for awarding Regional employees the EPA Bronze Medal for Commendable Service, the third highest honor award given by the Agency.
2. Background. EPA Order 3130.2, dated October 7, 1971, establishes the Honor Awards Program for the Environmental Protection Agency and describes procedures for administration of the program. In that Order, authority is delegated to the Regional Administrator to grant a Regional Honor Award, the Bronze Medal for Commendable Service.
3. Coverage. This Order applies to all civilian employees of the Region. It does not apply to officers of the Commissioned Corps of the Public Health Service who are covered by provisions in the Commissioned Corps Personnel Manual. However, Commissioned Officers may be included in EPA group awards if the group is comprised of both Commissioned Officers and Civil Service personnel.
4. Description. The award consists of a bronze medal and a certificate, and when granted to a group, a unit citation.
5. Criteria. The award is granted for highly competent performance of duties in the Agency over a long period of time. Examples of such services include:
 - a. Performance of assigned tasks in a superior manner, setting a record of achievement and inspiring other employees to improve the quality or quantity of their work.

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- b. Demonstration of unusual initiative or creative ability in the development and improvement of methods, procedures, or devices.
 - c. A heroic act.
6. Nominating Procedures. Supervisors may, at any time, nominate subordinates for this award. A narrative nomination in memorandum format should be addressed to the Regional Administrator, through the Personnel Officer, with concurrence of the appropriate Division Director. The narrative statement should include sufficient information and justification to enable the awards board to make a proper and fair determination. For obvious reasons, supervisors should not discuss nominations with the subordinate involved.
 7. Approval. An ad hoc awards board will review nominations and recommend to the Regional Administrator who has final approving authority. The ad hoc board will consist of the Deputy Regional Administrator, the Personnel Officer, and a Division Director other than the one concurring in the nomination.
 8. Presentation. The Regional Administrator will present the Commendation Medal at an appropriate ceremony.
 9. Supersession. Regional Office Order PER-03-16-73 is superseded.

Sheila M. Prindiville
Sheila M. Prindiville
Assistant Regional Administrator
for Management

**ENVIRONMENTAL
PROTECTION
AGENCY**

Regional Administrator

ORDER

R3130.3


REGION IX

February 5, 1975

PERSONNEL - INCENTIVE AWARDS

INCENTIVE AWARDS PROGRAM

1. **PURPOSE.** This order establishes an interim Region IX Incentive Awards (Suggestion) Program. EPA Headquarters is establishing a Suggestion Program--it will supersede this one.
2. **BACKGROUND.** In the past, EPA employees have regularly been recognized for superior or meritorious performance within their job responsibilities by performance and honor awards. There has been no formal procedure for rewarding employees for suggestions that are not part of their regularly assigned duties. Toward this end, an Incentive Awards Program is being instituted in Region IX.
3. **POLICY.** Any employee or group of employees who believe they may have a constructive idea (or invention) to improve methods, equipment, or procedures may submit their suggestion to the Regional Personnel Officer for consideration. The Personnel Officer will acknowledge receipt of the suggestion and refer it to those management individuals who have authority to adopt it. If the scope of the suggestion is beyond Regional authority to adopt it, it will be referred to the appropriate authority for adoption. If the suggestion is adopted in whole or in part, the employee may receive a cash award prorated on the estimated tangible and/or intangible savings to be expected in the first year of use. Awards will generally be under \$500.00 but in special instances may amount up to \$25,000.00. Employee suggestions should be submitted on the proper EPA Form 3130-2 developed for this purpose. Special receptacles have been installed in all regional facilities to make these forms readily available. More comprehensive instructions on the functioning of the new suggestion procedure and the proration of awards may be obtained from the Incentive Awards Manual when distributed to all supervisors.


Paul De Falco, Jr.
Regional Administrator

**ENVIRONMENTAL
PROTECTION
AGENCY**

Region IX

REGIONAL ADMINISTRATOR

ORDER

R3130.4

October 29, 1976

PERSONNEL--AWARDS

AWARDS ADVISORY COMMITTEE

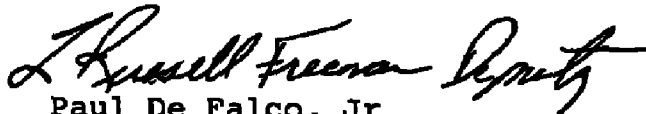
1. PURPOSE. This Order establishes an Awards Advisory Committee for Region IX.
2. AUTHORITY. EPA Order 3130.2.
3. RESPONSIBILITIES. The Awards Advisory Committee will review nominations of Region IX employees for awards and will recommend appropriate action on such nominations to the Regional Administrator. Awards within the scope of the Committee's jurisdiction will include the following honorary and monetary awards: EPA Bronze Medal for Commendable Service, PHS Commendation Medal, Region IX EEO awards, Quality Step Increases, Continued Superior Performance awards, and Special Act or Service awards. The Committee will utilize the EPA Awards Manual as its guideline in reviewing proposed awards.
4. COMPOSITION. The Regional Administrator will designate three employees to serve as members of the Awards Advisory Committee and three employees to serve as alternate members. The members and alternates will serve for a period of one year. A representative of the Personnel Office will serve as a non-voting advisor to the Committee.
5. PROCEDURES. Upon receipt of a nomination for an award, the Personnel Office will call a meeting of the Awards Advisory Committee within two weeks of receipt of the nomination. If a member of the Committee is unable to attend, his designated alternate will attend in his place. The Committee will review the award nomination and, by majority vote, will forward a recommendation.
 - a. Awards for which a Division Director/Staff Office Chief is the approving official. If the Director/Chief


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approves and the Committee recommends to approve the nomination, it will be sent to the Personnel Office for processing. If the Committee recommends to disapprove, the nomination will be forwarded to the Regional Administrator for final determination.

b. Awards for which Regional Administrator is the approving official. The Committee will review the nomination and make a recommendation to the Regional Administrator.


Paul De Falco, Jr.
Regional Administrator



Chapter VII - LABOR MANAGEMENT RELATIONS

LABOR MANAGEMENT RELATIONS

Primary Sources

FPM Chapter 711
EO 11491, as amended
EPA Labor Management Relations Manual

Background

The Government-wide plan for Labor-Management Relations was established by Executive Order 11491, effective January 1, 1970, which has been amended by Executive Orders 11616, 11636 and 11838. The program places primary responsibility for developing and maintaining effective labor-management relationships on the Agency. There is a mutual obligation shared by both agency and employee representatives to deal with each other constructively, to uphold the integrity and efficiency of the public service, and to honor the rights of individual employees.

Role of the Supervisor

You are the "key person" in your activity for labor relations with the union or unions which have been chosen by employees as their exclusive representative and with which collective bargaining agreements are negotiated. It is imperative that supervisors:

- . Maintain neutrality to assure that employee and labor organization rights granted by Executive Order 11491 are not violated;
- . Consult and negotiate with recognized labor organizations as required under Executive Order 11491 and negotiated labor-management agreements;
- . Represent management in the administration of Agency policy and labor-management agreements;
- . Adhere to the requirements of Section 19 of Executive Order 11491 governing unfair labor practices; and
- . Inform the servicing personnel office of significant problems in labor-management relations.

Role of the Servicing Personnel Office

Responsible for:

- . Providing appropriate advice, assistance and guidance to employees, management officials, and supervisors on labor relations matters, such as

labor organization petitions for recognition, appropriate units for recognition, matters appropriate for negotiation, and dues withholding;

. Assuring that all pertinent labor-management relations information is promptly brought to the attention of the Agency's Labor Relations Officer;
and

. Preparing counterproposals for and participating in the negotiation of agreements as appropriate.

Q1. HOW ARE EPA EMPLOYEES RESTRICTED IN LABOR ORGANIZATION PARTICIPATION?

A. Employees of the Security and Inspection Division and the Office of Audit are excluded from union membership and participation.

Certain professional employees in personnel management or other positions where there could be a conflict of interest are excluded from union membership and participation.

Managers and supervisors are allowed to belong to labor organizations, but may not be included in a bargaining unit for purposes of exclusive recognition. In addition, managers and supervisors are not permitted to participate in the management of a labor organization or serve as a labor organization representative.

Q2. ARE SUPERVISORS RESPONSIBLE FOR COMPLIANCE WITH NEGOTIATED AGREEMENTS EXISTING WITHIN THEIR ORGANIZATIONS?

A. Yes, and it is therefore the responsibility of each supervisor to be fully cognizant of the provisions of any such valid agreement and to assure that the provisions are adhered to.

Q3. CAN FEDERAL EMPLOYEES STRIKE?

A. No, Federal employees are specifically prohibited by law from striking against a Government agency. Executive Order 11491 specifically prohibits unions from calling or engaging in a work stoppage, slowdown, or strike. In addition, the Order prohibits unions from picketing an agency in a labor dispute or condoning such action by failing to take action to stop it.

EQUAL EMPLOYMENT OPPORTUNITY

Primary Sources

FPM Chapter 713
EPA Equal Opportunity Manual
Executive Order 11375
Executive Order 11478

Background

It is the policy of EPA to comply with the provisions of the Equal Employment Act of 1972 and Executive Orders 11428, 11375 and 11478, to:

- . Provide equal employment opportunity for all persons;
- . Prohibit discrimination in employment because of race, religion, color, national origin, sex, age, marital status, political affiliation, physical handicap, or any other irrelevant factor; and
- . Promote, through affirmative action, the full realization of equal employment opportunity.

This policy applies to and is an integral part of every aspect of personnel policy and practice in the employment, development, advancement, and treatment of EPA employees.

Role of the Supervisor

Have working knowledge of Agency/local affirmative action program.

Assure implementation of supervisory responsibilities under the plan.

Abide by the provisions of the Merit Promotion Program.

Take supervisory training courses in EEO and career counseling.

Actively participate in the Upward Mobility Program.

Counsel employees to reach their maximum potential.

Encourage qualified employees to achieve maximum advancement potential.

Encourage minorities and women to get training and earmark some training funds for Upward Mobility.

Role of the Servicing Personnel Office

Provides assistance and advice to managers and supervisors in the activities required of them by EPA's affirmative action program. Also responsible for assuring that EPA's internal personnel program complies with the Agency's equal opportunity policies and regulations.

- Q1. IF AN EMPLOYEE FEELS THAT HE OR SHE HAS BEEN DISCRIMINATED AGAINST, SHOULD THE EMPLOYEE DISCUSS THE COMPLAINT WITH AN EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR (EEOC)?
- A. Yes, the complaint must first be discussed with the EEOC before making a formal complaint.
- Q2. WHERE IS THE SPANISH-SPEAKING COORDINATOR LOCATED IN EPA?
- A. In the Office of Civil Rights.
- Q3. WHAT IS THE ROLE OF THE SPANISH-SPEAKING COORDINATOR?
- A. Assists supervisors with the formulation of the Agency's Spanish-Speaking Program particularly in the areas of recruitment and training.
- Q4. WHERE IS THE NATIONAL FEDERAL WOMEN'S PROGRAM COORDINATOR LOCATED?
- A. In the Office of Civil Rights.
- Q5. WHAT IS THE ROLE OF THE NATIONAL FEDERAL WOMEN'S PROGRAM COORDINATOR?
- A. Assures that equal opportunity for women is an integral part of the Agency's Equal Employment Opportunity Program. Serves as a resource person and principal staff advisor to the Director of Civil Rights on matters affecting the employment and advancement of women, on the existence of poor supervisory and management practices policy, including requirements for elimination of discrimination based on sex.
- Q6. WHAT ARE THE FUNCTIONS OF THE FEDERAL WOMEN'S PROGRAM COORDINATORS WHO ARE APPOINTED IN MAJOR EPA INSTALLATIONS AND REPORT TO THE NATIONAL COORDINATOR IN THE OFFICE OF CIVIL RIGHTS?
- A. Assist in the formulation of the Agency's Annual Affirmative Action Plan for EEO to assure the inclusion of items which will enhance the status and employment opportunities for women.
- Develop policies, programs and activities designed to provide equal employment opportunity for women.
- Serve as a resource person in providing direction, assistance and advice to regions and labs in all areas of personnel management as they relate to the FWP.
- Evaluate the Agency's administrative activities and procedures to insure that the goals of the Federal Women's Program are incorporated into the overall personnel management programs.
- Maintain awareness of discrimination complaints filed alleging sex discrimination.

Assist in analyzing the workforce statistics in order to help identify employment and promotion patterns and develop program objectives to resolve problem areas.

Maintain contact and consult with community and women's groups and other agency FWP officials to obtain advice on the concerns of women. Also participate in meetings, conferences and other activities concerned with issues involving the employment of women.

UPWARD MOBILITY

Primary Sources

FPM Ltr. No. 713-27
EEO Act of 1972 (P.L. 92-261)
Executive Order 11478
Chapter 41, Title 5, U.S.C.

Background

Upward mobility is a Federal management effort to focus personnel policy and practice on the development and implementation of specific career opportunities for lower level employees. Founded on the principles of effective position management, it is a program which develops in a selected portion of a workforce the skills, knowledges, and abilities to qualify for target positions which manifest increased career potential. Within EPA the basic upward mobility program was expanded in 1975 and an increased commitment was made on the part of the Agency to encourage participation in the program on a level directly proportional to the full-time personnel strength of EPA.

Role of the Supervisor

To reinforce top management support of this program in your organizational implementation.

To work with personnel to determine extent of upward mobility opportunities by:

- . Identifying situations in which upward mobility has been inhibited;
- . Identifying and analyzing job patterns which prevent qualified lower grade level employees from advancing; and
- . Assessing the skills utilization of your staff.

To assure adequate program planning to meet the program requirements as assigned.

To participate in merit review panels as required.

Role of the Servicing Personnel Office

To provide technical assistance to program officials in developing effective plans to meet assigned upward mobility program objectives and in developing appropriate trainee/bridge position descriptions and job element examining plans for these positions.

To announce these positions via the Merit Promotion Plan.

To assist the review panel in screening, evaluating, and rating potential trainees and to provide panelists where appropriate.

To handle all appropriate personnel actions.

To assist program officials and selected trainees in developing and implementing training plans and to evaluate and approve them.

To approve and schedule appropriate training.

To provide career counselling to trainees and to meet and consult with supervisors of trainees on a regular basis.

To help supervisors effect necessary placement actions for trainees who do not successfully complete program.

Q1. WHAT IS A BRIDGE POSITION?

A. A "bridge" position is a trainee position established in accord with our Agency training agreement and designed to provide the incumbent with a developmental work experience, the successful completion of which should ready that individual for advancement into a target position with increased career potential.

Q2. WHAT IS A TARGET POSITION?

A. A target position is a pre-established position, offering increased career growth, for which the Upward Mobility program participant has been trained and into which that individual is initially placed following completion of the bridge assignment.

Q3. WHO IS ELIBIBLE FOR THE PROGRAM?

A. Applicants must be EPA employees serving under career or career-conditional appointment and employed by the Agency for at least one year.

Q4. HOW LONG DOES THE TRAINING PERIOD LAST?

A. The length of the training period varies according to the grade differential between the trainee position and the target position; upon satisfactory completion of the training program and upon recommendation of the supervisor, the trainee is promoted to the target position. Persons selected for Upward Mobility may not be promoted into the target job until they have met both the specialized and general experience requirements for the target grade and series.

Q5. WHAT ABOUT TRAINEES WHO DO NOT COMPLETE THE PROGRAM?

A. Trainees who don't wish to complete the program or who fail to meet program requirements may return to their previous job or its equivalent.

ENVIRONMENTAL **REGIONAL ADMINISTRATOR**
PROTECTION
AGENCY

ORDER

R3140.2

Region IX

June 12, 1975

PERSONNEL-UPWARD MOBILITY

UPWARD MOBILITY

1. **PURPOSE.** This Order defines the philosophy, policy, and responsibilities of the Region IX Upward Mobility Program.
2. **PHILOSOPHY.** EPA's philosophy of "Upward Mobility" is founded on the principles of effective position management and the need for special developmental and training programs directed toward all levels of the Agency's work force. The programs will provide maximum feasible opportunities to enhance the identification, selection and development of employees. Development is geared toward the highest level of the employee's potential within and across occupational series, and it assures that the Agency always maintains a cadre of competent employees.
3. **POLICY.**
 - A. Region IX policy is to support the philosophy of "Upward Mobility" expressed above.
 - B. The main thrust of the Region IX effort will be directed toward the development of employees below the GS-9 level, who have at least one year of service with the Agency and who occupy "dead-end" positions.
 - C. Per EPA Headquarters memorandum of February 3, 1975, signed by the Assistant Administrator for Planning and Management, approximately 1% of the Agency's personnel ceiling will be devoted to upward mobility positions during FY76. Region IX has established a higher goal, that each Division be responsible for establishing at least one Upward Mobility position. Permanent ceiling spaces will be used for all Upward Mobility positions.
 - D. Upward Mobility positions will be filled under Merit Promotion Plan procedures in accordance with the EPA Upward Mobility Training Agreement, contained in Operations Memorandum 65 of July 29, 1974 (copies of this Agreement are available in the Personnel Office and from the EEO Officer).

ORDER

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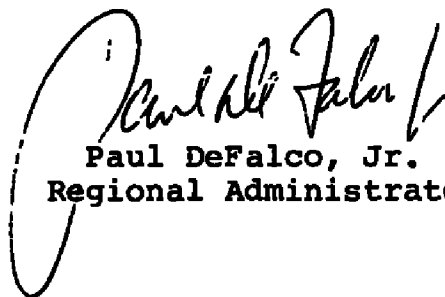
E. The appropriate Division Director and the Regional Administrator must concur in all selections made for Upward Mobility positions.

4. RESPONSIBILITIES.

A. Compliance with Agency and Region IX policy will be reviewed periodically by the EEO Officer and reported to the Regional Administrator. Any modifications in Upward Mobility training plans or target positions must be approved by the EEO Officer.

B. Division Directors and supervisors will review position structures for possibilities of restructuring jobs and establishing career ladders under the Upward Mobility Program.

C. The Personnel Office will review the organization periodically and recommend, where appropriate, the establishment of bridge and target positions. The Personnel Office will provide guidance to supervisors and managers in the development of position descriptions and training plans.



Paul DeFalco, Jr.
Regional Administrator