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1. General

.1 Objective

.2 Personnel Management Programs

.3 Responsibilities for Personnel Management

.4 Personnel Management Instructions System

1. GENERAL

.1 Objective. The objective of Personnel Management is the establishment and maintenance of the most effective working force possible to accomplish the mission of the Bureau and to conform to public policy.

.2 Personnel Management Programs. Chief among the specific programs directed to the achievement of the objective of Personnel Management are the following. Each is set out in more detail in appropriate chapters of 44 BIAM Additions to the Federal Personnel Manual.

A. Manpower Planning. Determine short and long range manpower needs, analyze adequacy of manpower supply sources and develop action plans to eliminate demand/supply imbalances.

B. Position Management and Classification. Determine, establish and maintain economical, efficient and effective position structure for organizations throughout the Bureau.

C. Staffing. Maintain a highly skilled and fully utilized work force through initial employment, reassignments, promotions of the best qualified, and judiciously administered reductions in force when required.

D. Employee Development. Train employees in accordance with determined needs to perform assigned duties with maximum effectiveness and to prepare them for advancement to more responsible assignments.

E. Pay and Wage Administration. Assure that employees are paid appropriately for the work performed and in accordance with law and regulation.

F. Labor Relations. Cooperate with unions and employee groups to maintain harmonious relations. Negotiate agreements and secure participation in the improvement of personnel policies and work conditions.

G. Employee Relations. Establish and maintain equitable and understandable standards of employee ethics, conduct and job performance. Administer leave, health benefits, retirement, life insurance, and related programs. Reassign, demote or remove employees whose performance or conduct is unsatisfactory.

.3 Responsibilities for Personnel Management.

A. Management Responsibility. Deputies to the Assistant Secretary - Indian Affairs, Area Directors, and officers in charge of operating offices are responsible for personnel management for their jurisdictions. Managers

and supervisors generally are responsible for personnel management for their employees within the scope of authorizations and established procedures.

B. Staff Responsibility. The Chief, Division of Personnel Management is responsible for developing and implementing personnel policies and programs for the entire Bureau. Personnel Officers at all echelons are responsible for developing and implementing policies and programs for the jurisdictions they serve.

.4 Personnel Management Instructions System. For ease in locating specific references regarding the Personnel Management Program, Personnel staff must be familiar with the Personnel Management Instruction System. This System consists of:

A. Policy. The Federal Personnel Manual and its Supplements comprise the basic personnel management instructions to be followed by the Department and the Bureau. These are supplemented by the Department to show Departmental policy and practice or to encompass matters not covered by the Federal Personnel Manual. The Bureau in turn provides additional instructions to show Bureau policy and practice and to include matters not covered by the Federal Personnel Manual and the Department additions. The complete system consists of the Federal Personnel Manual and its supplements, Department Additions to the Federal Personnel Manual and its supplements. Apart from this system the Bureau issues one or more chapters of general personnel management information for all holders of the Bureau of Indian Affairs Manual.

B. Basic Manual. The personnel part of the Bureau of Indian Affairs Manual is located in 44 BIAM. Chapters 1 to 10 are reserved for this part. It consists of general management information and will be distributed and addressed to all holders of the BIAM. Basic manual references are the 44 BIAM followed by the chapter (never more than two digits), section, subsection, etc. For example, this is 44 BIAM 1.4B.

C. Additions to Federal Personnel Manual. The Bureau Additions to the Federal Personnel Manual are issued as the 44 BIAM and distributed to BIA offices. These are the Bureau's detailed personnel instructions. The Bureau uses the same titles and chapter and subchapter numbers as the Federal Personnel Manual (chapter numbers always consist of three digits). Sections and subsections are numbered as in the basic Bureau of Indian Affairs Manual. Reference 44 BIAM 302, 1.1 is Chapter 302, Employment in the Excepted Service, Subchapter 1, General Provisions, Section 1, Indian Preference.

Page headings, which slightly differ from the rest of the BIAM, are as follows:

BUREAU OF INDIAN AFFAIRS MANUAL 44 BIAM ADDITION TO FPM
PERSONNEL MANAGEMENT
Chapter 302 Employment in the Excepted Service 44 BIAM 302, 1.1

Subchapter 1. General Provisions

D. Personnel Management Guides. Procedural instructions suitable for treatment as a handbook are issued as Personnel Management Guides. They are identified as supplementals to specific 44 BIAM chapters when appropriate. When guides establish mandatory requirements, they are numbered as supplements to 44 BIAM and numbered consecutively beginning with 44-1. Specific distribution is determined for each guide.

E. Personnel Management Letters and Bulletins. Information that must be communicated quickly or that has no place in the Manual are issued as follows:

(1) Manual Bulletins. Directives or other manual material are issued as Manual Bulletins as provided in 0 BIAM Supp. 2. Bulletins go to all holders of 44 BIAM over the signature of the Deputy to the Assistant Secretary - Indian Affairs (Operations). This material must be issued in Manual format as soon as possible and not later than six months after date of issuance. If it is not issued as a BIAM issuance, the Bulletin expires after six months and is no longer in effect.

(2) Personnel Management Letters (BIAM-PML). Personnel Management Letters contain important instructions regarding the implementation of the Personnel Management Program, which, normally because of urgency, are not printed as BIAM material at the time of issuance. BIAM-PML's are issued over the signature of the Chief, Division of Personnel Management. Personnel Management Letters are numbered serially by fiscal year, as well as coded according to the subject matter classification (usually pertinent chapter, et al) of the Federal Personnel Manual. Such material remains in effect until incorporated into the BIAM or specifically canceled.

(3) Personnel Management Bulletins (BIAM-PMB). Personnel Management Bulletins usually contain announcements, notices, requests for information, informational issuances, etc. which are normally of a temporary nature. BIAM-PMB's are issued over the signature of the Chief, Division of Personnel Management. Personnel Management Bulletins are numbered serially by fiscal year, as well as coded to the subject matter classification (usually pertinent chapter, et al) of the Federal Personnel Manual. Such material is usually not appropriate for inclusion in the BIAM. The expiration date for BIAM-PMB'S will be entered at the bottom of the first page.

F. Filing. The 44 BIAM Additions to the Federal Personnel Manual and its supplements are filed immediately after the corresponding FPM or supplement subchapter and following Department Additions, if any.

G. Requisitions. Requests to be placed on the distribution lists for 44 BIAM Additions to the Federal Personnel Manual and specific supplement of the Federal Personnel Manual and its supplements and the Department Additions to them are to be sent to the Regulations and Directives Staff.

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Subchapter 1 - General Provisions (No BIAM issuance planned)

Subchapter 2 - Entitlement to preference (No BIAM issuance planned)

Subchapter 3 - Administration of Preference

Subchapter 3 Administration of Preference

.1 Veterans Preference and Indian Preference - The same procedures used for veterans preference in the competitive service will apply in those appointments made under Schedule A 213.3112(a)(7).

Preference will be accorded as follows:

10 - Point Indian Veterans

5 - Point Indian Veterans

Indian non-Veterans

.2 Responsibilities - Area Directors are delegated authority for determining veterans preference except claims for spouse and mother preference based on the service connected disability of a veteran spouse or child and preference based in part on common law marriage. These claims should be forwarded to the appropriate OPM office.

.3 Filling Positions Restricted to Veterans - A non-Veteran Indian, who is entitled to Indian preference, has appointment preference over a non-Indian veteran not only for excepted appointment to the positions enumerated in Section 1 of the Veterans Preference Act of 1944, as amended, but also to any position provided the Indian is given an excepted appointment. (See Solicitor's opinion dated June 4, 1954).

.4 Passing Over a Preference Eligible - A preference eligible may not be passed over to select a non-preference eligible with a lower ranking score. If the selecting official chooses to pass over a preference eligible and select a non-preference eligible, he/she must prepare a written report stating the reasons and forward it to the Area Director. The Area Director is responsible for making the final decision. When the request involves a preference eligible who has a compensable service connected disability of 30 percent or more, the Area Director will notify the preference eligible of the proposed passover, the reason why and the veteran's right to respond to the Area Director within 15 days of the notification. These reasons must be directly related to the veteran's qualifications or suitability.

.5 Contract Education Positions - Veterans preference does not apply in appointments to positions made in the contract education system. It is however, applicable to retention preference in a reduction in force.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Solicitor
Washington 25, D. C.

June 4, 1954

M-36205

Memorandum

To: The Director of Personnel

From: The Solicitor

Subject: Appointment of Indians to positions restricted to veterans

You have requested my opinion on the following question:

> "May the Bureau of Indian Affairs appoint a nonveteran Indian to a position restricted to veterans by excepted appointment if no Indian veterans are available, even though non-Indian veteran applicants may be available?"

For the purpose of this opinion an Indian will be considered to be a person of one-fourth or more Indian blood.

I.

Your question is prompted by the restriction imposed in the proviso to section 3 of the Veterans' Preference Act of 1944 (5 U.S.C., 1952 ed., sec. 852), as amended, which reads as follows:

> "In all examinations to determine the qualifications of applicants for entrance into the service ten points shall be added * * * Provided, That in examinations for the positions of guards, elevator operators, messengers, and custodians competition shall be restricted to persons entitled to preference under this * * *[act] as long as persons entitled to preference are available and * * * for such other positions as may from time to time be determined by the President."1/

It is clear from the language quoted immediately above, and from the legislative history of the act, that the restriction contained in section 3 relating to examinations for positions applies

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1/ Apprentices were added to the restricted category of positions by the act of August 14, 1953 (67 Stat. 581).

only to positions in the competitive service, that is, positions for which the applicants or incumbents first must qualify by taking a competitive civil-service examination.2/

II.

Section 12 of Chapter X-1 - Filling Competitive Positions, of the Federal Personnel Manual, provides under the heading "Filling Restricted Positions by noncompetitive Actions," that the restrictions in section 3 of the Veterans' Preference Act of 1944, as amended, " * * * applies only to competition in examinations of applicants for entrance into the service, that is, to competitive examinations."3/

2/ In explaining the purpose of the bill (H.R.4115) which became the Veterans' Preference Act of 1944, with reference to section 3 the House Committee on the Civil Service stated, on March 27, 1944, that "Section 3 * * * provides that so long as persons entitled to preference are available civil-service examinations for positions of guard, elevator operator, messenger, and custodian are to be limited to competition among persons entitled to preference. * * *" (Emphasis added.) (H. Rept. No. 1289, 78th Cong., 2d sess.) The Senate Committee on the Civil Service stated, on March 25, 1944, with respect to section 3, that "* * * In addition, competition for the positions of guards, elevator operators, messengers, and custodians would be restricted to veterans as long as veteran applicants are available." (Emphasis added.) (S. Rept. No. 907, 78th Cong., 2d sess.) Both reports stated, in the discussion of section 3, that until the expiration of 5 years following the end of the war, the President would be authorized to add other positions to the restricted list. In the House debate on the bill, Mr. Ramspeck, the Chairman of the House Committee on the Civil Service, made the following statement: "* * * It also gives absolute preference to veterans in examinations for the position of guard, elevator operator, messenger, and custodian, as long as preference eligibles are available. It also gives the right to assign other groups of positions for a period of 5 years, to veterans only; which is a rather important provision in view of the situation that has prevailed. It strengthens the law as to passing over veterans, so that a veteran himself, or his designated representative, may know what the reason is. That is one of the things the veterans themselves have been very much interested in." 90 Cong. Rec. 3505 (April 17, 1944).

3/ The remainder of section 12 imposes limitations upon the filling of restricted positions through noncompetitive actions, but it is clear from the opening paragraph of section 1 of the chapter that these limitations do not apply to positions excepted from the competitive service.

Under 5 CFR 6.1,6.100, 6.110(c)(1), there have been excepted from the competitive civil service: "Positions in the Bureau of Indian Affairs, Washington, D. C., and in the field when filled by the appointment of Indians who are of one-quarter or more Indian blood."

5 CFR, Part 21, prescribes regulations with respect to appointment to positions excepted from the competitive service, but section 21.11 provides in part as follows:

> "(b) Procedural modifications. In view of the circumstances and conditions surrounding employment in the following classes of positions the agency concerned will not be required to apply to such positions the appointment procedures of the regulations in this part. Provided, That the principles of veteran preference shall be followed as far as administratively feasible and the reasons for his non-selection shall be furnished upon request to any qualified and available preference applicant. * * *
>
> * * * * * * *
>
> "(6) Such positions as are included in Schedule A (Part 6 of this chapter) and similar types of positions, whenever the Commission agrees with the agency that such position shall be included hereunder."4/

On October 25, 1950, Civil Service Commission Letter No. 50-173 was issued by the Executive Director of the Commission to "Regional Directors, Managers of Branch Regional Offices and Central Office Division Chiefs and Staff Officals of the Civil Service Commission." Its subject was "Clarification of instructions relating to the temporary appointment of Indians in the Bureau of Indian Affairs."5/

4/ Chapter R3 of the Federal Personnel Manual, governing "Reductions-in-force," includes in its list of retention preferences that of "Indian Preference," with the following comment:

> A number of laws enacted by Congress, the most recent of which is the act of June 18, 1934 (48 Stat. 984), conferred upon persons of Indian descent preference in employment in the Bureau of Indian Affairs. The Commission construes such preference in appointment as conferring preference in retention in the Service superior to the preference of competing non-Indian employees. Such preference in retention is recognized by placing Indian preference employees above competing non-Indians in the same retention subgroup." (P. R3-6)

5/ The instructions referred to appear to be those contained in letters dated August 3 and August 23, 1950, from the Executive Director, Civil Service Commission, to the Director of Personnel, Department of the Interior, and letters dated July 24, 1947, and August 23, 1947, from the President, Civil Service Commission, to the Secretary of the Interior.

The portions of Letter No. 50-173 pertinent to the question here under consideration are as follows:

"1. A review of inspection reports, correspondence with several regions and with the Bureau of Indian Affairs has indicated some misunderstanding concerning the manner in which Indian and veterans' preference are observed in temporary appointment procedures in this Bureau. The misunderstanding seems to result from the fact that two appointment procedures are used by the Bureau. An appointment made under Schedule A, Regulation 6.110(c)(1), to a position that would otherwise be in the competitive service, removes such position from the competitive service. In effecting these excepted appointments, the Bureau follows the following priority order:

10-point Indian veterans
5-point Indian veterans
Indian non-veterans

"2. Since these are excepted appointments, this priority order is not subject to Commission jurisdiction.

It is clear from the foregoing considerations that whenever positions in the Bureau of Indian Affairs are filled by

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6/ The letter stated, also: "2. * * * When the excepted appointment procedure is not used, and temporary appointments are made through the competitive process, the Commission's regulations governing priority order of selection become effective. This order is as follows:

"I. Qualified 10-point veterans
A. Qualified 10-point veteran Indians
B. Qualified 10-point veteran non-Indians
"II. Qualified 5-point veterans
A. Qualified 5-point veteran Indians
B. Qualified 5-point veteran non-Indians
"III. Qualified non-veterans
A. Qualified non-veteran Indians
B. Qualified non-veteran non-Indians

"3. The Department of the Interior has advised that it is its policy to make excepted appointments of Indians to the extent of availability of such qualified candidates; but that when qualified Indians are not available for excepted appointment, the rules applicable to the competitive service will be observed.

"4. The above priority order of selection applies only to temporary appointments. * * *

"5. It is the purpose of this Commission Letter to clarify existing instructions. It will not be made a part of the Manual or handbooks."

Indians, as defined, the positions automatically become positions which are excepted from the competitive service and which are therefore not subject to laws or regulations applicable to positions in the competitive service. Inasmuch as the proviso in section 3 of the Veterans Preference Act of 1944 is applicable only to the competitive service, it has no effect upon positions in the Bureau of Indian Affairs when filled by the appointment of Indians, as defined.7/

III.

Therefore, in my judgment, the categories of positions which would otherwise be covered by the proviso in section 3 of the Veterans Preference Act are to be regarded in so far as the appointment of persons of one-fourth or more Indian blood is concerned as positions excepted from the competitive service to which the proviso is inapplicable and to which section 12 of the Indian Reorganization Act respecting preference for Indians applies. Accordingly, even though a non-Indian veteran is available for a position that would otherwise fall within the scope of the proviso in section 3, the Bureau of Indian Affairs may make an excepted appointment (under Schedule A, Civil Service Rule VI) of a non-veteran Indian to the position.

(Sgd) William J. Burke
Acting Deputy Solicitor

7/ The act of June 18, 1934 (48 Stat, 984, 25 U.S.C., 1952 ed., sec. 461 et seq.), is also known as the Wheeler-Howard Act and the Indian Reorganization Act. Section 12 of the act provides that "The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such position." (25 U. S. C., 1952 ed., sec 472) There were several earlier Indian preference laws, viz., acts of June 30, 1934 (4 Stat. 737, 25 U.S.C., 1952 ed., sec. 45); May 17, 1882 (22 Stat. 88, as amended by the act of July 4, 1884 (23 Stat. 97, 25 U.S.C., 1952, ed., sec. 46); August 15, 1894 (28 Stat. 313, 25 U. S. C., 1952 ed., sec. 44), and April 30, 1908 (35 Stat. 71, as amended by the act of June 25, 1910 (36 Stat. 861, 25 U. S. C., 1952 ed., sec. 47). The Civil Service Commission placed in an excepted status under Schedule A of the Civil Service Rules, "positions in the Bureau of Indian Affairs, Washington, D. C., and in the field, when filled by the appointment of Indians * * *." In its Minute No. 2, of October 29, 1942, the Commission ruled that these positions, if occupied by Indians, were not brought into the classified service by the Ramspeck Act and Executive Order No. 8743. See 78 Cong. Rec. 11123, 11126, 11127, 11137 (1934).

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Subchapter 1. The Competitive Service (Positions) (To be issued later. Use 44 IAM 212.1 until superseded)

Subchapter 2. Change in Status of Position (No BIAM issuance planned)

Subchapter 3. Competitive Status (Individuals) (No BIAM issuance planned).

Subchapter 4. Effect of Competitive Status on Position (No BIAM issuance planned).

SUBCHAPTER 1. The Competitive Service (Positions)

.1 Status of Positions. Recommendation for a determination by the Civil Service Commission as to whether a position is excepted, either by statute, executive order, or by Commission action under Schedule A, B, or C should be submitted to the Central Office, Attention: Chief, Branch of Personnel.

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Subchapter 1. Scope of Excepted Service (No BIAM issuance planned).

Subchapter 2. Positions Excepted by Statute (No BIAM issuance planned).

Subchapter 3. Positions Excepted by Commission Action (No BIAM issuance planned).

Appendix A Identifying Attorney Positions (No BIAM issuance planned).

Appendix B Requests for Excepting Positions Under Schedules A, B, or C (To be issued later. Use 44 IAM 213, Appendix B until superseded)

Appendix C Schedule A Exceptions Applicable to All Agencies (No BIAM issuance planned).

Appendix D Schedule B Exceptions Applicable to All Agencies (No BIAM issuance planned)

Appendix E Cooperative Work-Study Programs Under Schedule B Section 213.3. (a) (No BIAM issuance planned)

Appendix F. Appointments Under Section 213.3102(w) of Schedule A (No BIAM issuance planned)

Appendix G. Restriction on Employment of Sons and Daughters of Agency Personnel (No BIAM issuance planned)

APPENDIX B. Requests for Excepting Positions under Schedule A, B, and C.

.1 Recommendation for the Office of Personnel Management approval of exception of a position under Schedule A or B will be submitted with complete justification to the Central Office, Attention: Chief, Division of Personnel Management. (See FPM 213, Appendix B, for information and documents required.)

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Subchapter 1. Responsibilities for Personnel Management Within the Executive Branch of the Government (To be issued later. Use 44 IAM 230,1 until superseded)

Subchapter 2. Delegation of Authority to the Agencies by the Civil Service Commission (To be issued later. Use 44 IAM 230,2 until superseded)

Subchapter 3. Organizations of Officials concerned with Personnel Management (No BIAM issuance planned)

Subchapter 1. Responsibilities for Personnel Management Within the Executive Branch of the Government.

.1 Management Responsibility. The Commissioner, Deputy Commissioner, Associate Commissioner, Assistant Commissioners, Area Directors and Officers in Charge of operating offices are responsible for effective personnel management throughout their organizations.

.2 Staff Responsibility. Personnel offices provide advice and staff assistance to management and are responsible for developing and directing a comprehensive program of personnel administration to maintain an adequate, qualified and efficient working force in the Bureau. This program will include position classification, wage administration, labor relations, recruitment, placement, examining, training and employee development, employee relations, program review, personnel standards, procedures and records.

A. Central Office. The Assistant Commissioner (Administration) discharges the duties of the Commissioner with respect to administrative mangagement, including personnel management. The Branch of Personnel has primary responsibility for the development of policies and programs for the Bureau and for operating the program for the Central Office.

B. Area Offices. The Assistant Area Director responsible for Administration or Administrative Officer is charged with responsibility for operating the Personnel Management Program for the Area, with immediate responsibility resting with the Branch of Personnel.

C. Other Jurisdictions. Operating offices and other jurisdictions will operate personnel programs commensurate with delegated authority. Administrative officers are charged with immediate responsibility.

Subchapter 2. Delegation of Authority to the Agencies by the Civil Service Commission

.1 Delegation of Authority. Pursuant to the authority delegated to the Commissioner by 205 DM 8, the authorities indicated below are hereby redelegated to be exercised in accordance with the conditions and limitations contained in 2.3 below.

A. The Assistant Commissioner (Administration) and, under his direction, the Chief, Branch of Personnel, are authorized to exercise all of the authority for Personnel Management delegated to the Commissioner by 205 DM 8.

B. Area Directors and, under respective direction, Assistant Area Directors, Assistant Area Directors (Administration) and Area Personnel Officers are authorized:

(1) To make appointments to and status changes in all positions except key positions listed in 2.3 below.

(2) To classify all positions subject to the Classification Act of 1949, and the Interior General Schedule except key positions listed in 2.3 below and to establish wage rates for ungraded positions. Prior approval of the Central Office must be obtained before classifying any position in the same grade as the line or staff supervisor of the position.

(3) To approve payment of travel and transportation incident to transfer of employees (See 42 IAM 2.3.5).

C. Area Directors are authorized to redelegate, in writing, as deemed necessary to meet operating requirements:

(1) To Officers in Charge of Operating Offices, authority to effect the following types of personnel actions:

(a) Emergency appointments limited to one month or less to graded positions GS-1 to 7 and all IGS positions.

(b) Temporary, part-time and intermittent appointments, pay adjustments, and extensions of employment for total periods not to exceed one year and separations by the use of Standard Form 50A only, in the following positions:

(i) Ungraded positions covered by approved wage schedules.

(ii) Positions of Fire Control Aid to be filled in emergencies or for seasonal periods, rates for which are fixed by Interior General Schedule.

(2) To such field supervisory employees, upon recommendation of the Officer in Charge of an Operating Office, as the Area Director determines are necessary in the interest of effective administration 1/, authority to make appointments, pay adjustments, and extensions of employment and separations, as provided in 2.1C(1)(b) above.

D. Additional redelegations to specific Area Directors and others are hereby made as follows:

(1) The Chief, Branch of Plant Design and Construction is authorized:

(a) To make appointments to and status changes in positions, except key positions listed in 2.3 below and to approve travel and transportation expenses incident to transfer of employees. (See 42 IAM 2.3.5)

(b) To redelegate in writing, the authority in (a) above to the Assistant Chief, Branch of Plant Design and Construction.

(c) To redelegate in writing to field supervisory employees, as deemed necessary to meet operating requirements, authority to effect personnel actions listed in 2.1C(1)(b)(i) above.

(2) The Area Director, Gallup Area, is authorized to redelegate in writing:

(a) To officers in charge of operating offices and Subagency Superintendents, Navajo Agency, authority to make excepted appointments, pay adjustments and separations of Indians

1/ These designations include supervisors in charge of projects such as Subagency Superintendents, construction superintendents, road foremen, project engineers, irrigation managers, district agents, field representatives, forest managers, and range conservationists.

in graded positions GS-1 to 7 and all IGS positions for periods up to one year.

(b) To the Chief, Personnel Services Section, authority to make appointments and status changes, except adverse actions, in all positions within his authority.

(c) To the Chief, Actions Unit, authority to effect terminations, pay adjustments and Schedule Step Increases, in all positions within his appointing authority.

(3) The Area Director, Juneau Area, is authorized to redelegate in writing, to the Administrative Officer in charge of the Seattle Office, authority to effect appointments to and status changes in graded positions, GS-1 to 7, and all upgraded positions and to approve travel and transportation expenses incident to transfer of employees (See 42 IAM 2.3.5).

(4) The Area Director, Portland Area, is authorized to redelegate in writing to the Director of Personnel, Consolidated Administrative Services, all of the authority delegated to him by 2.1B above, except to approve wage rates for ungraded positions, with authority to redelegate to the Personnel Services Representative and classification staff member responsible for Bureau of Indian Affairs actions.

(5) The Area Director, Billings Area, is authorized to redelegate in writing to the Project Engineer, Flathead Irrigation Project, authority to make appointments to and status changes in graded positions GS-1 to 7, all IGS positions and all ungraded positions and to approve travel and transportation expenses incident to transfer of employees (See 42 IAM 2.3.5).

Area Director
Chief, Branch of Plant Design and Construction
Assistant Area Director
General Superintendent
Superintendent
Assistant General Superintendent
Assistant Superintendent
Subagency Superintendent
School Superintendent, Non-Reservation Boarding School
Area Field Representative, GS-12 and above
Project Engineer, Independent Irrigation Project
Director, Missouri River Basin Investigations Project
Mills Manager, Red Lake
Consultants and Experts

(2) Serious Misconduct and Irregularities

Authority redelegated under 2.1 above does not include personnel actions involving alleged serious misconduct, irregularities, disloyalty, or subversive activities, until prior authority is received from the Office of the Secretary. (See 44 IAM 311.2 for a list of these offenses and for exceptions.)

(3) Transfer to Alaska

Employees being appointed or transferred to Alaska will be required to sign an agreement to remain on the job for two years. Travel and transportation expenses to Alaska will be paid by the Bureau only if the employee remains on the job for twelve months or more and such expenses back to his residence in the States will be paid by the Bureau only if he remains on the job for two years or more, unless separated for reasons beyond his control and acceptable to the Area Director, Juneau Area Office.

B. General Conditions

(1) An official who delegates authority that he holds does not divest himself of the power to exercise the authority, nor does he relieve himself of the responsibility for action taken pursuant to the delegation. Such official may establish procedural controls or otherwise direct

(6) The Area Director, Phoenix Area, is authorized to redelegate in writing to Officers in Charge of operating offices, authority to make excepted appointments, pay adjustments and separations of Indians in graded positions GS-1 to 7 and all IGS positions for periods up to one year.

(7) The Superintendents, Cherokee, Miccosukee and Seminole Agencies are redelegated the authority to effect personnel actions listed in 2.1C(1) and to administer oaths required in connection with employment.

.2 Definitions of Terms:

A. Appointments and Status Changes. As used in this Section authority "to make appointments and status changes" includes authority to recruit, select, appoint, promote, change to lower grade, reassign, transfer, effect pay adjustments and periodic step increases (without regard to appointing authority) retire, and separate employees; to grant leave without pay, not to exceed one year, and to take disciplinary action as may be necessary in dealing with cases of employee misconduct, except those involving serious offenses which must be reported immediately to the Central Office. (See the list of such serious offenses in 44 IAM 311.2).

B. Officer in Charge. As used in this Section this term means the official heads of Operating Offices. This includes:

General Superintendent
Superintendent
School Superintendent, Non-Reservation Boarding School
Project Engineer, Independent Irrigation Project
Area Field Representative

.3 Conditions and Limitations

The redelegations of authority contained in this Chapter are subject to the following.

A. Specific Limitations

(1) Key Positions. Classification actions and appointments and status changes, except pay adjustments and periodic step increases, for the following key positions are not redelegated by 2.1 above and will be effected by the Central Office or the Department:

or restrict the actions of the subordinate. Actions by personnel officers involving management decisions will be on the basis of approval by appropriate staff and line officials.

(2) Applicable laws of Congress, directives of the President, regulations and instructions of other Federal Agencies, and the policies, standards, programs and administrative instructions of the Department and the Bureau must be observed.

.4 Authority to Designate Officers and Employees to Administer Oaths.

A. Area Directors and the Chief, Branch of Plant Design and Construction are authorized to designate officers and employees to administer oaths required by law in connection with employment in the Executive Branch of the Government, to administer oaths to witnesses in any matter pending before the United States Civil Service Commission and to execute jurats in application forms relating to employment, pursuant to Section 206, Act of June 26, 1943 (Public Law 90 - 78th Congress).

.5 Authority to Grant Permission to Employees to Accept Reserve Commissions in the Armed Forces

Area Directors. Area Directors are authorized to grant permission to employees without regard to grade, or wage rate to accept commissions in the Armed Forces when applicants are required by the regulations of the Armed Forces to obtain the approval of the head of the Department to accept such a mission.

.6 Sources of Additional Information

A. 14 IAM 3.1, Order 551, Sec. 2 for general delegation of authority to Central Office personnel.

B. 42 IAM 2.3.5 for delegation to approve travel incident to employment

C. 14 IAM 3.1, Order 551, Sec. 354 for delegation to permit employees to testify in administrative or judicial proceedings pursuant to 43 CFR 2.20.

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Subchapter 1. Personnel Management - Definition, Objectives, Public Policy Responsibilities (To be issued later. Use 44 IAM 250,1 until superseded)

Subchapter 2. Elements of Effective Agency Personnel Management: Planning Operations, and Evaluation (No BIAM issuance planned)

Subchapter 3. Guides for Implementing Personnel Management Objectives (To be issued later. Use 44 IAM 250,3 until superseded)

Subchapter 1. Responsibility, Authority, and Organization for Agency Personnel Management.

.1 Sources of additional information.

A. 44 IAM 230,1. for responsibility and organization for personnel management.

B. 44 IAM 230,2. for delegations of authority.

Subchapter 3. Guides for implementing personnel management objectives.

.1 Responsibility. Appointing Officers throughout the Bureau will be responsible for adhering to the Commission's guides for implementing personnel management objectives.

.2 Sources of additional information.

A. The Bureau's additions to each of the FPM Chapters cited in FPM 250.

B. 46 IAM 2 for Safety Management.

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Subchapter 1. Personnel Policy (No BIAM issuances planned)

Subchapter 2. Departmental Manual (To be issued later. Use 44 IAM 272,2 until superseded)

Subchapter 3. Personnel Management Publications (No BIAM issuance planned)

Subchapter 4. Standard Issuances (No BIAM issuances planned)

Subchapter 5. Mobilization Issuances (No BIAM issuances planned)

44 IAM
272.2
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Subchapter 1. Bureau Evaluation Program.

.1 Purpose and Objectives. The purpose of the Bureau's personnel management evaluation and assistance program is to measure progress toward established personnel management goals and objectives and to effect improvements in personnel management. The program provides the mechanism for gathering information for management as to whether delegated authorities and assigned responsibilities are being carried out as intended. In addition, it provides for a review of all managerial responsibilities that have an impact on the utilization of human resources. The program is based upon and implements the President's memorandum of October 9, 1969, on personnel management and Office of Personnel Management requirements and guidelines. Evaluations should provide managers with assurance that:

A. Delegations of authority have been made to the lowest practical management level to insure cost conscious and timely accomplishment of missions.

B. Officials who have been delegated authority to take personnel management actions are carrying out these responsibilities effectively and in accordance with Governmental and Departmental policies.

C. Managers at all levels are considering the personnel management implications of management decisions as well as the impact of their decisions on manpower resources.

D. The personnel function is helping managers to carry out the basic programs for which they are responsible.

E. The personnel function is a contributing member of the management function, and fully involved in the management process at the earliest planning stages.

F. Managers are meeting their personnel management obligations, and that the spirit and intent of Federal personnel programs are being carried out.

G. Managers are making the most efficient and economical use of manpower resources in carrying out their programs.

H. Managers are making their organization a dynamic, innovative one, on a par with the best in Government and industry.

I. Management at the higher level is assisting the local managers in carrying out their personnel management responsibilities.

.2 Responsibility.

A. The Division of Personnel Management is responsible for the development and maintenance of a system for evaluating the effectiveness of personnel management in the Bureau and for its coordination, as appropriate, with other administrative functions at the Bureau level.

B. In keeping with its responsibility for guiding and coordinating the personnel management activities of the Bureau, the Division of Personnel Management provides guidance and assistance for and coordinates Area personnel management evaluation programs to insure a comprehensive Bureau effort. In this manner the Chief Personnel Officer of the Division of Personnel Management can evaluate and report on overall personnel program achievements and:

(1) Establish policies and guidelines for Area evaluation programs to assure enough of consistency to permit a comprehensive evaluation of personnel management in the Bureau, and review Bureau policy and procedural statements.

(2) Advise and assist Areas in any phase of their personnel management evaluation program.

(3) Review Area evaluation systems to insure that:

(a) Annual goals and objectives are established.

(b) Progress toward meeting these goals and objectives is monitored.

(c) Evaluation capability exists and is being effectively used down to the local level.

(4) Conduct personnel management evaluations of Areas on a periodic basis through on-site reviews of selected field activities and Area headquarters.

(a) These evaluations will ascertain the degree to which Bureau and Area goals and objectives are being met.

(b) Where deficiencies in personnel management are noted during evaluation, the Chief Personnel Officer can identify and direct

specific corrective action and require a specific action plan which includes target dates, action items, and responsible officials.

(c) The Chief Personnel Officer makes on-site follow-ups to determine action to be taken to resolve deficiencies.

(d) The Chief Personnel Officer will publish an annual analysis of Bureau-wide personnel management evaluations in order to identify significant trends.

(5) Conduct Bureau-wide evaluations of specific personnel functional program areas.

(6) Participate in Area-led evaluations.

(7) Identify the personnel management goals and objectives for the ensuing year by January 1st of each year.

C. Area Responsibility. Each Area is responsible for establishing and implementing a system which conforms to 370 DM 275.2 for evaluating the effectiveness of its personnel management. While overall responsibility for personnel management evaluation rests with the Area Director, operational responsibility for obtaining, reporting, analyzing, and acting upon information developed through evaluation process is fixed with the Area Personnel Officer.

(1) Each Area must develop a plan which meets the objectives of personnel management evaluation. Send two copies of these plans and all subsequent revisions to the Chief Personnel Officer, Division of Personnel Management at the time of issuance.

(2) Each Area is responsible for providing the Division of Personnel Management with copies of reports resulting from on-site evaluations conducted by the Office of Personnel Management.

(3) Each Area is responsible for developing personnel management goals and objectives in accordance with 370 DM 275.

.3 Annual Evaluation Schedule. Prior to August 31 each year, the Division of Personnel Management will identify the evaluations the Bureau plans to conduct during the forthcoming fiscal year. Consideration will be given to such factors as date of latest evaluation, expressed needs of the Areas, and special considerations or problems at the Bureau level.

Each Area will provide the Division of Personnel Management, by July 1 each year, a schedule of the on-site personnel management evaluation activities which will be undertaken in the Area during the forthcoming fiscal year. The schedule will contain all on-site evaluations to be conducted by the Area and will provide the name and location or organization to be evaluated and the approximate date and length of the time of the evaluation.

The Division of Personnel Management will provide the Department with Bureau and Area schedules. These schedules will be coordinated with schedules proposed by the Office of Personnel Management regional offices. A consolidated schedule of all evaluation efforts within the Bureau will be distributed by September 30. Areas will notify the Division of Personnel Management immediately of any changes in their schedule, with reasons for the change and a revised schedule.

.4 Annual Evaluation Report. Each Area Office shall provide the Division of Personnel Management a report on the personnel management evaluation activities for the past fiscal year by October 30. The report should include a narrative section identifying significant problem areas, degree to which management understands and supports the personnel management evaluation program, effect of manpower and budgetary restrictions, and results achieved. The report should identify which field activities were evaluated in the past year and the dates of the evaluation. Copies of any PME reports that were not submitted during the past fiscal year should be submitted at this time.

.5 Coordinating, Cross-publicizing and Improving Evaluation Efforts. Personnel management evaluation activities are expected to result in information of value to all levels of management. The Division of Personnel Management stimulates further improvement in personnel management through exchanging and publicizing information as appropriate. Each Area will carry out similar activities for its subordinate levels. The Division of Personnel Management will:

A. Analyze evaluations conducted by the Areas, for:

(1) Significant problem areas.

(2) Successful techniques.

(3) Trends noted.

(4) Overall summary of results.

FPM Addition 44-53, 5/4/79

B. Publicize new techniques and developments in the field of program evaluation from outside sources (i.e., Office of Personnel Management, other agencies, State and local government, etc.).

C. Meet periodically with personnel responsible for the evaluation efforts in each Area to discuss personnel management evaluation activities.

D. Provide assistance to Areas in promoting and installing a workable personnel management evaluation system at the local installation level.

.6 Safeguarding Information. In accordance with the Office of Personnel Management's policy, evaluation reports are prepared for the use of management and staff personnel. Reports or excerpts from reports may be released under the Freedom of Information Act in compliance with the conditions set forth in the Department of the Interior PMB No. 76-259 (250).

Subchapter 2. Bureau Evaluation Program.

.1 Coordination. Personnel Management Evaluation will be coordinated with Area Offices, other internal staff offices, and the Department of the Interior as appropriate.

.2 Methods. Evaluation methodology and resources will include on-site surveys, personnel questionnaires, management self-evaluation reports, Office of Personnel Management reports and any other studies available to obtain sufficient information on which to base an evaluation of how well managers are carrying out their personnel management responsibilities, and insure that delegations of authority are being properly exercised.

A. On-Site Surveys: Comprehensive personnel management evaluations will be conducted on a cyclic basis through on-site surveys. This survey will be conducted with the purpose of providing advice and assistance in how to further the attainment of operating program objectives through better management of human resources. Where deficiencies surface during surveys, specific corrective action will be directed.

B. Personnel Questionnaire Survey: Questionnaires will be given to employees for completion at least three weeks prior to the start of the on-site evaluation. The analysis of the questionnaire will be used as an aid in developing leads for preliminary detection of organization problems that should be explored while on-site.

C. Internal Personnel Management Evaluation: The manager cannot meet his/her personnel management responsibility unless the manager knows whether his/her decisions are being carried out as intended, and whether they are meeting the Area's objectives. Therefore, each Area will conduct internal personnel management evaluations on a continuing basis and report the findings to the Central Office, together with the follow-up actions.

.3 Gathering and Analyzing Information.

A. The on-site survey will begin with an opening conference to insure mutual understanding of the objectives of the review. Also, management can inform the reviewers of any special areas of concern that the team can cover and report on. Survey team members will conduct interviews, examine personnel records, audit positions and personnel actions and complete other tasks relative to the evaluation. There will be daily contact between the team leader and the personnel officer.

B. Interviews: Fact finding interviews will be conducted with managers, supervisors and employees. Each team member will function as a generalist, obtaining information in interviews on all personnel management subjects and reporting and analyzing such information.

Individual interviews will be held on request with the understanding that the main purpose is to obtain information for judging general personnel management effectiveness and not to attempt to solve individual problems.

C. Records Examination: The records and files of the personnel office are essential to effective office management and required by regulations. Official personnel folders, service record cards, and other records will be spot checked for compliance with established procedures and regulations. Personnel reports will be reviewed for purpose, adequacy and timeliness. Completed personnel actions will be examined for legal and regulatory compliance. Personnel policy guides (Merit Promotion Program, etc.) will be reviewed for consistency with established guidelines, coverage, organization, clarity and adequacy for implementation.

D. Desk Audits: Desk audits will be conducted on a selected basis to determine the accuracy of classification, occupational series, title and grade and evaluation statement. Classification files will be reviewed to determine whether the required cyclic audit program has been implemented to provide for systematic review of all positions within a four year cycle.

E. Reference Library: A review of reference materials, such as Federal Personnel Manual, Department and Bureau additions, and related publications, will be made, noting the location and accessibility to the personnel office staff and whether material is up to date.

F. Close-out Conference: A close-out meeting will be held for a general discussion of findings. All key managers will be requested to attend the closing conference.

G. Analysis: Analysis of facts will be made in accordance with the standards set forth in procedural guidelines of Personnel Management Evaluation and Assistance Program.

.4 Reports. Each on-site evaluation will result in a written report of the findings and will be published no later than 60 days after the completion of the on-site review. The purpose of the report will be to inform the Area Director of evaluation results and to outline specific actions required to correct any program deficiencies.

.5 Follow-up Action. Follow-up action will be designed to overcome identified personnel management deficiencies and to speed up program improvement. Areas are required to reply, specifically, to the Evaluation Report within 60 days of the date received. Follow-up on corrective actions taken by the Area may be in the form of correspondence, on-site visits or direct assistance.

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Subchapter 1. General Policies Governing Personnel Records and Files

BIAM REISSUE
FEBRUARY 1984

Release 44-81, 11/22/82

Subchapter 1. General Policies Governing Personnel Records and Files

.1 Policy: The policies prescribed by FPM 293 are incorporated intact as the Bureau's policy governing personnel records and files. Requests for exceptions or modifications are to be forwarded to the Chief, Division of Personnel Management. Favorable requests shall then be prepared for the signature of the Director of Personnel for submission to the Office of Personnel Management for approval.

.2 The Basic Personnel Records and Files System. The system prescribed in FPM Supplement 293-31 is incorporated intact as the Bureau's personnel records and files system.

.3 Records to be Maintained. In addition to the records described in FPM-293, the following records will be maintained in the Official Personnel Folder:

A. Form BIA-4432, dated January 1978, Verification of Indian Preference for Employment in Bureau of Indian Affairs and Indian Health Service Only.

B. Documentation of Waiver of Indian Preference under P.L. 96-135

C. Form BIA-6232, dated February 1980, Education Employment Contract for Contract Education Employees.

D. Employment Agreement for travel for Contract Education Employees to Alaska.

BIAM REISSUE
FEBRUARY 1984

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Subchapter S1. Introduction

Subchapter S2. The Service Control File

Subchapter S3. The Chronological Journal File (No BIAM issuance planned)

Subchapter S4. The Position Description File (Reserved)

Subchapter S5. The Official Personnel Folder File

Subchapter S6. Use of the System in the Personnel Office (No BIAM issuance planned)

Subchapter S7. Establishing and Using the System in Operating Offices (No BIAM issuance planned)

Subchapter S8. Operating or Work Folders for Employees (No BIAM issuance planned)

Subchapter S1. Introduction.

.1 Purpose. The basic personnel records and files system prescribed by FPM Supplement 293-31 is incorporated intact as the Bureau's personnel records and files system. Deviations from this uniform recordkeeping system must have prior approval from the Office of Personnel Management (OPM). Requests for exceptions or modifications are to be forwarded to the Chief Personnel Officer, Division of Personnel Management. Favorable requests shall then be prepared for the signature of the Director of Personnel, Department of the Interior, for submission to the OPM.

Subchapter S2. The Service Control File.

.1 Purpose. The Service Control File provides information on organizational structure and historical and current status data on employees. By its nature, the File can also provide an excellent tickler for suspense dates not readily found in another system.

.2 Location. Each Bureau office that processes and approves personnel actions shall maintain a Service Control File. The File shall be located in the organizational unit responsible for processing personnel actions.

(NOTE: The reference to Automated Service Control Files, Chapter 290 is not applicable. The entire Chapter 290 was deleted by Basic Installment #277, dated February 10, 1982.)

Subchapter S5. The Official Personnel Folder (OPF).

.1 Location. The official personnel folders for the Assistant Secretary and all Schedule C employees whose positions are classified at GS-15 will be maintained in the Office of the Secretary, Division of Personnel Services, Office of Secretarial Operations. All other folders will be maintained in the office having authority to process personnel actions.

.2 Access to the Folder. Official personnel folders will be made available to employees or former employees; an official of the Executive Branch of the Government, who has a need for the information in the performance of his/her official duties; and certain other Federal officials. All requirements specified in Chapter 294, Availability of Official Information, Subchapter 7, Official Personnel Folder will be followed.

.3 Request for Official Personnel Folder. Prior to employment, no personnel folder will be forwarded to another office except for temporary use in the performance of official duties. Pre-employment information will be requested from the employing office by use of SF-75, Request for Preliminary Employment Data. Upon employment, the gaining office will request the folder by furnishing the losing personnel office with a copy of the SF-50 which records the employment action and shows the effective date of the action. This SF-50 should be submitted within five days after the date of appointment. If the SF-50 cannot be forwarded within five days, a copy of the SF-52 that is prepared for the incoming employee should be sent to the losing office with a request for the OPF and SF-1150.

.4 Transfer of Folder. Before releasing the OPF, the releasing agency must review the folder to insure appropriate records are in the folder, that all extraneous material has been removed and that the proper identifying information is on the folder tab. Other instructions in Subchapter 5, paragraph S5-5.14 must be followed.

.5 Contents of the Official Personnel Folder.

A. Permanent records are records which affect an employee's status and service. They are always filed on the right side of the folder in chronological order except that documents related to a particular action will be filed with the SF-50 covering the action or documents which update experience.

In addition to the permanent records and documents listed in FPM Supplement 293-31, Subchapter 5, paragraph S5-6.1, the following documents will be filed on the right hand side of the OPF:

(1) Form BIA-4432, dated January 1978, Verification of Indian Preference for Employment in Bureau of Indian Affairs and Indian Health Service Only

(2) Documentation of Waiver of Indian Preference under P.L. 96-135

(3) Form BIA-6232, dated February 1980, Education Employment Contract for Contract Education Employees

(4) Employment Agreement for travel for Contract Education Employees to Alaska

NOTE: Some form numbers shown in the FPM Supplement are obsolete. These have been changed as follows:

(1) SF-51, Request for Insurance is now SF-2822

(2) SF-176 or SF-176T, Life Insurance Coverage is now SF-2817

(3) SF-54, Designation of Beneficiary is now SF-2823

(4) SF-56, Agency Certification of Insurance Status is now SF-2821

B. Temporary records are peripheral papers relating to an employee but are not records which affect status and service. These papers will be filed on the left side of the folder. The following examples of temporary records are in addition to those enumerated in Subchapter 5, paragraph S5-6.2:

(1) Travel agreements and authorizations

(2) Job offer letters and letters of acceptance

(3) SF-75 - Request for Preliminary Employment Data

(4) Appointment and promotion recommendations and correspondence related to them

(5) SF-59 - Request for approval of non competitive action (approved SF-59's are filed on the right side of the folder)

(6) Clearance forms completed when the employee leaves the agency (except for a form containing the employee's written resignation)

(7) Retirement application and supporting documents

(8) Requests for training and approvals of training requests (only the document showing successful completion of the course is a permanent record)

(9) Duplicates of employee's applications for employment

(10) Employee's request for change to lower grade or reassignment

(11) Certificates of issuance of Government Motor Vehicle Operators Identification

(12) Letters or memoranda of a miscellaneous nature relating to (but not affecting) employee's status or service record

C. Some records are NEVER filed in the OPF under any circumstances. These may be of either a permanent or temporary nature. The following records are in addition to those shown in Subchapter 5, paragraph S5-7:

(1) DI-130-131 - Application for Motor Vehicle Operator Permit (Send to Office of Safety)

(2) SF-47 - Physical Fitness Inquiry for Motor Vehicle Operator Permit (Send to Office of Safety)

(3) Notice of Bonding (Send to Financial Management)

(4) Promotional Opportunity applications, ratings and other evaluations (these are always filed in the appropriate Promotional Opportunity Bulletin folder)

(5) Designation of Beneficiary - unpaid compensation

.6 Purging of Folder. Folders should be periodically reviewed for extraneous material. All temporary material must be retained for at least one year but no longer than two years (except that disciplinary action papers may be retained for the period of time specified in the letter). All temporary material must be disposed of when the employee leaves the agency or when the material exceeds two years.

CENTRAL OFFICE FINAL EXIT CLEARANCE

Employee Name & Location	Social Security Number	Date _____ Last Day of Duty _____
Separation _____ Resignation _____ Transfer To _____ Retirement _____ Reassignment to another Bureau _____	Forwarding Address:	

Employing offices will prepare this form for each employee upon separation, resignation, transfer, retirement or reassignment to another Bureau. Each employee is required to clear with the offices listed below and return or account for all items issued during his/her employment: upon completion, this form will be returned to the appropriate Servicing Personnel Officer.

		Initials of Responsible Official	
A. Bureau Wide			
1. Immediate Office Supervisor		_____	Supervisor (to collect & initial)
A.	SF-52 (Initiated in FPPS)	_____	
B.	Final T & A (Not released until Finance & Accounting signed)	_____	
C.	Government Credit Cards	_____	
D.	Cell Phone	_____	
E.	Government Driver's License	_____	
F.	Telephone Credit Card	_____	
G.	Palm Pilot	_____	
H.	Gas Credit Card	_____	
I.	Government Vehicle	_____	
J.	Pager	_____	
K.	Computer at Home	_____	
L.	Artwork/Artifacts	_____	Current Curator (703-390-6468)
M.	Computer User ID Terminated	_____	
		Financial Officer	
2. Finance & Accounting			
A.	Travel Advance	_____	(Certify & Initial)
B.	Account Receivable	_____	(Certify & Initial)
C.	No Outstanding Debts	_____	(Certify & SIGN)
D.	Transit Subsidy Discontinued	_____	TSP Coordinator 4600-MIB 208-4174
E.	Parker Building Key Cards	_____	NBC Security 1229 MIB
F.	Classified Document Debriefing	_____	NBC Security 1229 MIB
G.	Main Interior Key Cards	_____	NBC Security 1229 MIB
H.	Main Interior Keys	_____	NBC Security 1229 MIB

		Initial of Personnel Servicing Officer	
3. Personnel			
A.	Employment Agreements	_____	
B.	Met service time requirement for:		
	Student Loan Payoff	_____	
	Relocation Bonus	_____	
	Recruitment Bonus	_____	
	PCS Move	_____	
C.	Access to FPPS & T&A terminated	_____	
D.	*Ethics Exit Interview	_____	Human Resources Policy Office 1800 G Street (202-343-2536) *call to see if necessary

4. For Central Office Employees Only, the following Departmental Clearances will be required

A.	Library Services (NBC)	_____	C Street Lobby	208-5816
B.	Nat'l Security Debriefing (BIA)	_____	Room 2617	208-3599
C.	Keys &DOI ID Cards (NBC)	_____	Room 1229	208-3261
D.	Parking Permits	_____	Room1210	208-7182
E.	BIA ID Cards	_____	Room 2617	208-3599
F.	G Street Access Card	_____	8th Floor, G Street	202-343-2536

CERTIFICATION OF COMPLETION OF EMPLOYEE EXIT CLEARANCE

I certify that all government property and permits have been accounted for, and unless otherwise shown, no amount is due to the Federal Government from me. I understand that failure to satisfactorily complete this clearance process may delay the release of my final paycheck.

_____ _____

Employee Signature Date

I certify that the employee has completed the exit clearance process.

_____ _____

Authorizing Official Date

PRIVACY ACT STATEMENT

The authority for requesting information hereon from an employee is as follows: Section 301.552a (d), 4108, 5501 et. seq., and 5705 of Title 5 of the U.S. Code; and sections 3301 et seq., 3501 et. seq., and 3701 et. seq. Of title 31 of the U.S. code. The information will be used to determine if the employee, by virtue of or relative to his or her Federal Employment, is indebted to the U.S. government for money, property, documents, or otherwise or has any obligations to the Federal Government will release the employee's final pay check, retirement, or other amounts due to the employee. Information on the form may be provided to a federal agency for the purpose of collecting a debt owed to the Federal Government through administrative or salary offset. Furnishing the information on the form is voluntary but failure of an employee to complete the form maybe grounds to withhold the release of monies otherwise due to the employee from the Federal Government

REGIONAL/FIELD FINAL EXIT CLEARANCE

Employee Name & Location	Social Security Number	Date _____ Last Day of Duty _____
Separation _____ Resignation _____ Transfer To _____ Retirement _____ Reassignment to another Bureau _____	Forwarding Address:	

Employing offices will prepare this form for each employee upon separation, resignation, transfer, retirement or reassignment to another Bureau. Each employee is required to clear with the offices listed below and return or account for all items issued during his/her employment: upon completion, this form will be returned to the appropriate Servicing Personnel Officer.

		Initials of Responsible Office	
A. Bureau Wide			
1. Immediate Office Supervisor		_____	Supervisor (to collect & initial)
A.	SF-52 (Initiated in FPPS)	_____	
B.	Final T & A (Not released until Finance & Accounting signed	_____	
C.	Government Credit Cards	_____	
D.	Cell Phone	_____	
E.	Government Driver's License	_____	
F.	Telephone Credit Card	_____	
G.	Palm Pilot	_____	
H.	Gas Credit Card	_____	
I.	Government Vehicle	_____	
J.	Pager	_____	
K.	Computer at Home	_____	
L.	Artwork/Artifacts	_____	
M.	Computer User ID Terminated	_____	
		Financial Officer	
2. Finance & Accounting			
A.	Travel Advance	_____	(Certify & Initial)
B.	Account Receivable	_____	(Certify & Initial)
C.	No Outstanding Debts _____		(Certify & SIGN)
D.	Transit Subsidy Discontinued	_____	
3. Security Office			
A.	Key Cards	_____	
B.	Key	_____	
C.	Classified Document Debriefing	_____	BIA Security Officer 202-208-3599

		Initials of Personnel Servicing Officer	
4. Personnel			
A.	Employment Agreements	_____	
	Met service time requirement for:		
	Student Loan Payoff	_____	
	Relocation Bonus	_____	
	Recruitment Bonus	_____	
	PCS Move	_____	
B.	BIA Identification Card	_____	Regional Director's Designee
C.	Forwarding Address	_____	
D.	*Ethics Exit Interview	_____	*if necessary
E.	Access to FPPS & T&A terminated	_____	Personnel Servicing Officer

CERTIFICATION OF COMPLETION OF EMPLOYEE EXIT CLEARANCE

I certify that all government property and permits have been accounted for, and unless otherwise shown, no amount is due to the Federal Government from me. I understand that failure to satisfactorily complete this clearance process may delay the release of my final paycheck.

_____ _____

Employee Signature Date

I certify that the employee has completed the exit clearance process.

_____ _____

Authorizing Official Date

PRIVACY ACT STATEMENT

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Subchapter 1. General Provisions (No BIAM issuance planned)

Subchapter 2. Notification of Personnel Actions

Subchapter 3. Preappointment Package (No BIAM issuance planned)

Subchapter 2. Notification of Personnel Action.

.1 Forms Used in Recording Personnel Actions.

a. Form 9-500, Notification of Personnel Actions (Approved Exception to SF-50), is used to record personnel actions as required by this chapter, except that:

(1) Standard Form 50-A, Notice of Short Term Employment, may be used in recording employment limited to one year or less when Area Offices have delegated appointing authority to the agency level.

b. Exceptions to Use of Prescribed Forms.

(1) Request for exceptions to the use of Office of Personnel Management approved forms, procedures or terminology shall be forwarded to Central Office, Attention: Chief, Division of Personnel Management, for concurrence. Upon concurrence, a request shall be prepared by the Central Office for the signature of the Director of Personnel for submission to the Office of Personnel Management.

(2) Requests for exceptions to the use of Departmental approved forms, procedures or terminology shall be forwarded to the Central Office, Attention: Chief, Division of Personnel Management, for submission to the Office of Personnel, Office of the Assistant Secretary - Policy, Budget and Administration, for approval.

(3) Request for exceptions to the use of Bureau approved forms, procedures or terminology shall be forwarded to the Central Office, Attention: Chief, Division of Personnel Management, for approval.

.2 Submission of Personnel Action Reports to the Office of Personnel Management.

Time of Submission. Agencies must submit all required notifications and documents to the Office of Personnel Management no later than Friday of the week during which the notifications and documents are distributed (i.e., a package will be forwarded to OPM on Friday of each week).

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Subchapter 1. Reserved

Subchapter 2. Cooperation with Other Merit Systems (No BIAM issuance planned)

Subchapter 3. Commission Approval in Filling Positions in GS-16,17, and 18 (No BIAM issuance planned)

Subchapter 4. Maintaining Control on the Number of Permanent Employees (No BIAM issuance planned)

Subchapter 5. Obligated Positions (No BIAM issuance planned)

Subchapter 6. Time-in-Grade Restrictions (No BIAM issuance planned)

Subchapter 7. Employment of Assistants (No BIAM issuance planned)

Subchapter 8. Detail of Employees (To be issued later. Use 44 ~~IAM~~ BIAM 300,8 until superseded) 6/24/92

Subchapter 9. Reserved

Subchapter 10. Employment of Specially Qualified Scientific and Professional Personnel (No BIAM issuance planned)

Subchapter 11. Employment of Noncitizens (No BIAM issuance planned)

Subchapter 8. Detail of Employees

8.1 Competitive Employees. An employee serving in a competitive position may be detailed from his/her regular position to another position without change in his/her civil service or pay status, when it is the most efficient means of meeting a temporary or emergency situation or when it is in the best interest of the Government to assign an employee temporarily to another position. Except for details to unclassified duties, there should be an officially classified position description for each position.

8.2 Excepted Employees [Schedule A 213.3112(a)(7)] to Competitive Positions. Employees serving under a permanent excepted Indian preference appointment may be detailed to competitive positions. All other excepted employees will not be assigned to work in competitive positions without prior approval of the Director of Personnel, Department of the Interior.

8.3 Temporary and Term Employees. Temporary employees may be detailed to another position within the Bureau if the position meets the criteria for temporary employment. Term employees may be detailed to another position if the position meets the criteria for term employment. Details of temporary and term employees are subject to the same time limits and documentation requirements as details of permanent employees. A detail does not extend the expiration date of a temporary or term appointment.

8.4 Education Employees. Contract Education employees will be detailed according to 62 BIAM 11.30B. Status quo education employees will be detailed in the same manner as non-education employees.

8.5 Time Limits on Details. Details may be made to positions at the same, lower, or higher grade or to unclassified duties in 120 day increments for a maximum of one year (except SES). Non-competitive details to higher grade positions or positions with promotion potential are limited to 120 days. Competitive procedures will be used for anything exceeding 120 days. In computing time limits, a new time limit applies each time an employee is detailed to a different position. When the total number of days on detail to any position will exceed 240 days, authority to extend beyond this limit must be approved by the Chief, Division of Personnel Management. If the employee's services are needed in a higher graded position for more than 60 days, a temporary promotion should be effected if the employee qualifies. Temporary promotions cannot exceed 120 days without competition.

8.6 Details to Senior Executive Service (SES Positions). For information regarding details to SES positions, see FPM Supplement 920-1, Subchapter 5.

8.7 Credit Given for Details.

A. Qualifications: The period of time spent on details is credited as an extension of the work performed immediately prior to the detail, or on its own merits, whichever is more beneficial to the employee.

B. Time-in-Grade: The period of time spent on detail is credited for time-in-grade purposes at the grade of the position the employee officially holds.

8.8 Details to and from Key Positions. Employees occupying positions listed in 370 DM 311, 1.5 may not be detailed without prior approval of the Assistant Secretary - Indian Affairs and the Assistant Secretary, Policy, Management and Budget. Requests should be submitted to the Chief, Division of Personnel Management, for transmittal to the Department.

8.9 Details to and from Field Positions within Area Office Appointing Authority.

A. Area Directors are authorized to approve details in 120 days increments in accordance with the provisions specified above. One extension may be approved for the total of 240 days. Any extension beyond 240 days will require approval of the Chief, Division of Personnel Management.

B. Area Directors may detail employees within their appointing authority to another area upon negotiation with the Area Director requesting the employee's services.

8.10 Details to and from Central Office.

A. Upon approval of the Chief, Division of Personnel Management, Area Directors may detail field employees to the Central Office for a period not to exceed 1 year. The time limits as described in paragraph .5 will apply.

B. Upon approval of the Chief, Division of Personnel Management, and with the concurrence of the appropriate Director of the Program, employees may be detailed from the Central Office to positions within the Area Office's appointing authority.

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Subchapter 1. General Provisions

.1 Indian Preference. An Indian has preference, by law, in appointment to a vacant position in the Bureau of Indian Affairs. Preference will be extended to persons of Indian descent who are:

A. Members of any recognized Indian tribe now under Federal jurisdiction;

B. Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;

C. All others of one-half or more Indian blood of tribes indigenous to the U.S.;

D. Eskimos and other aboriginal people of Alaska; and

E. Until October 4, 1985, a person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians, whose rolls were closed by an Act of Congress.

.2 Authority. Preference shall apply in filling both excepted and competitive positions. The latest legislation granting preference to Indians is the Indian Reorganization Act of June 18, 1934 (48 Stat. 986), which conferred upon qualified persons of Indian descent, preference in appointment to vacancies in the Bureau of Indian Affairs. The Office of Personnel Management issued an excepted appointment authority for Indian preference eligibles under Schedule A 213.3112 (a)(7) by publication in the Federal Register on September 24, 1976, as follows:

> "All positions in the Bureau of Indian Affairs and other positions in the Department of the Interior directly and primarily related to providing services to Indians when filled by the appointment of Indians. The Secretary of the Interior is responsible for defining the term 'Indian'."

The Secretary of the Interior defined in 25 CFR 5.1 persons of Indian descent who would be eligible for preference in employment. See .1 above and 44 BIAM 302.2.

.3 Waiver of Indian Preference. P.L. 95-561, November 1, 1978, and P.L. 96-135, December 5, 1979, provide for a waiver of Indian preference under certain circumstances.

A. Notwithstanding any provision of the Indian preference laws, such laws shall not apply in the case of any personnel action respecting any employee not entitled to Indian preference if each tribal organization concerned grants, in writing, a waiver of the application of such laws with respect to such personnel action.

.4 Reassignment of non-preference eligibles under Public Law 96-135. The Secretary may redelegate to the Under Secretary or Assistant Secretary to approve reassignment of non-preference employees under the following conditions:

(1) to assure the health or safety of an employee or of any member of the employee's household;

(2) in the course of a reduction in force; or

(3) because the employee's working relationship with a tribe has so deteriorated that the employee cannot provide effective service to such tribe or the Federal Government.

Subchapter 2. Eligibility Standards

.1 Policy. In accordance with 25 CFR 5.1, the Bureau will extend employment preference to persons meeting the criteria below:

A. Members of any recognized Indian tribe now under Federal jurisdiction;

B. Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;

C. All others of one-half or more Indian blood of tribes indigenous to the U.S.;

D. Eskimos and other aboriginal people of Alaska; and

E. Until October 4, 1985, a person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians whose rolls were closed by an Act of Congress.

.2 Guidelines for Interpretation. Additional interpretations for above definitions, respectively, are:

A. Members of Federally recognized Indian tribes are those persons officially enrolled in accordance with such tribes' constitutional membership criteria. If there are no tribal constitutions or official tribal rolls, such members will obtain verification under Form BIA-4432 (See Illustration 1) from both the respective tribal representative and the BIA representative of the area/agency office. However, if the Bureau maintains the tribe's rolls or records, the signature of the authorized BIA representative is sufficient and it will not be necessary to obtain tribal signature.

B. Applicants shall meet all three of the following criteria:

(1) Be descended from a member of a tribe now under Federal jurisdiction;

(2) Have been born on or before June 1, 1934; and

(3) Have been residing within any Indian reservation on June 1, 1934.

C. This criterion applies to persons whose ancestry is not of a Federally recognized tribe(s), as well as those whose ancestry is of a Federally recognized tribe(s).

D. The Alaska Natives Claims Act of December 18, 1971, (85 Stat. 688) required for purposes of eligibility, the following:

"All persons who are enrolled with one of the organized Alaska Native groups or who qualified for enrollment, including their descendants, who possess at least 1/4 degree Alaska Native blood."

E. This criterion will apply to the Osage Tribe of Oklahoma whose rolls were closed by Act of Congress. Many such persons have received preference based on the one-quarter degree standard. In order that they are not now deprived of that eligibility and made to meet the one-half degree standard, the quarter-degree standard will apply until October 4, 1985, or until the tribe formally organizes and establishes membership standards, whichever comes first.

.3 Restored Recognized Status to Terminated Tribes. Tribal members whose Federal recognition has been restored, such as the Menominee Tribe and Confederated Tribe of Siletz Indians, will be entitled to Indian preference in employment in accordance with 25 CFR 5 (See Illustration 2, "Tribes and Bands for Which the Federal Trust Relationship Has Been Terminated.").

.4 Terminated Tribes. Indian members of terminated tribes or bands whose Federal trust relationship has been terminated are not entitled to any service performed for Indians because of their status as Indians. As a result of the Solicitor's Opinion, M-36297, dated August 24, 1955, (See Illustration 3, "Indian Preference in Employment") in the case of Uintah and Ouray Indians of mixed blood, pursuant to Section 23 of the Act of August 27, 1954 (68 Stat. 867, 877), the Solicitor determined that such Indians will not be entitled to preference in employment in the Bureau of Indian Affairs and upon issuance of such terminated proclamation, such Indians will be treated as non-Indians with respect to employment. (Illustration 4, "Preference in employment for Indians of one-half degree or more ancestry of terminated tribes," dated August 3, 1977, reiterates the Solicitor's Opinion, M-36297.)

.5 Effect of Employed, Terminated Indian Tribes' Tribal Members. Members of terminated Indian tribes, who are currently employed in the Bureau under the Schedule A appointing authority, will remain in the excepted service, so long as the employee is continuously employed in the Bureau. However, these employees will not be entitled to Indian preference for all other personnel considerations as promotion, transfer, or reassignment. If a member of a terminated Indian tribe leaves his/her employment with the Bureau and seeks subsequent reemployment, such former employees will be considered for employment on the same basis as a non-Indian.

.6 Movement from Competitive Service to Excepted Positions.

A. An employee serving in a competitive position with career status who is moved in the interest of the Bureau or Department to a Schedule C position or to an overseas or territorial excepted position may be granted reemployment rights by the Assistant Secretary of Indian Affairs. The employee shall be advised in writing that reemployment rights are, or are not, granted.

B. It is the policy of the Bureau to encourage Indian employees with excepted appointments to seek competitive status. It is not, however, the policy of the Bureau to convert Indian employees with competitive status to an excepted appointment, since it is not beneficial for an Indian employee to lose or forfeit his/her competitive status.

.7 Positions Paid from Tribal Funds.

A. Positions Paid from Funds Disbursed Through Treasury Disbursing Offices.
Tribal Funds and Indian Monies, Proceeds of Labor, funds held by the United States in trust for various Indian tribes and disbursed through disbursing offices of the Treasury Department are considered to be Federal funds. All positions financed from such funds are considered to be Government positions and are subject to the requirements of the Classification Act of 1949, as amended, unless specific exempting language appears in the Act appropriating or otherwise authorizing the expenditure of such funds.

B. Positions Paid from Funds within Local Control of Tribal Councils.
Funds carried in Deposit Funds' accounts in the name of a tribe, its governing body, or in the name of a tribal association or enterprise do not require authorizing Congressional legislation for their use. Positions paid from these funds are not considered to be Government positions, nor are the incumbents of such positions considered to be Federal Employees. Compensation for such employment is fixed by the employing body.

.8 Veterans Preference. See 44 BIAM 211.2.

.9 Qualification Standards. See 44 BIAM 338.4.

.10 Equal Employment Opportunity.

A. Except for Indian Preference eligibles, all appointments in the Bureau of Indian Affairs shall be made without regard to race, sex and ethnic group.

B. The Supreme Court Decision of 1974 (Morton v. Mancari) concluded that Indian Preference does not constitute "racial discrimination" or even "racial" preference, but is rather an employment criterion designed to further the cause of Indian self-government and to make the Bureau of Indian Affairs more responsive to the needs of its constituent group.

.11 Suitability. FPM 731,1.1 defines suitability as "a requirement or requirements for employment by the Government having reference to the character, reputation, and fitness of the person under consideration." (See 44 BIAM 335,3.17, "Determining Basic Eligibility;" 44 IAM 338,4, "Qualification Standards;" and FPM 731, "Suitability."

.12 Promotion and Internal Placement. See 44 BIAM 335

.13 Reduction in Force. See 44 BIAM 351.

Form BIA - 4432
Rev. October 1984

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY

To Establish eligibility for Indian preference for employment with BIA/IHS, complete one of the categories below and submit with your SF-171, Application for Federal Employment.

Category A

MEMBERS OF FEDERALLY RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES.

This is to certify that the person named below is a member of the tribe indicated:

Full Name	Date of Birth	Tribal Affiliation

Tribal leader or Representative	BIA Representative	Date

Title	Title

Date	Agency Name

Category B

DESCENDANTS OF MEMBERS OF FEDERALLY RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES WHO WERE RESIDING ON ANY INDIAN RESERVATION ON JUNE 1, 1934.

This is to certify that the person named below has established to my satisfaction that he is a descendant of an enrolled member of the tribe named below and that he was living on an Indian reservation on June 1, 1934. The applicant's family history is outlined on the attached family history chart:

Name of Individual	Date of Birth	Reservation of Residence on June 1, 1934

Ancestor	Tribal Record of Affiliation

Date	BIA Representative

Title

Agency

Release No. 44-92, 2/25/85

Category C

PERSONS WHO POSSESS AT LEAST ½ DEGREE INDIAN BLOOD DERIVED FROM TRIBES INDIGENOUS TO THE UNITED STATES:

This is to certify that I have reviewed the documentation to support the below listed individual's claim to the possession of at least ½ degree Indian blood. The attached family history chart outlines the individual's family history:

Name	Date of Birth	Degree of Blood and Tribal Derivation

Based on:

Name Records

BIA Representative

Date

Title

Agency

Category D

PERSONS OF ESKIMO OR OTHER ABORIGINAL PEOPLES OF ALASKAN DESCENT

This is to certify that the person named below has established to my satisfaction that he is qualified for Indian Preference because of his possession of Eskimo or other aboriginal peoples' blood of Alaska. The attached family history chart outlines the individual's family history.

Name	Date of Birth	Alaska Native Group

Record(s) on Which Based

BIA Representative

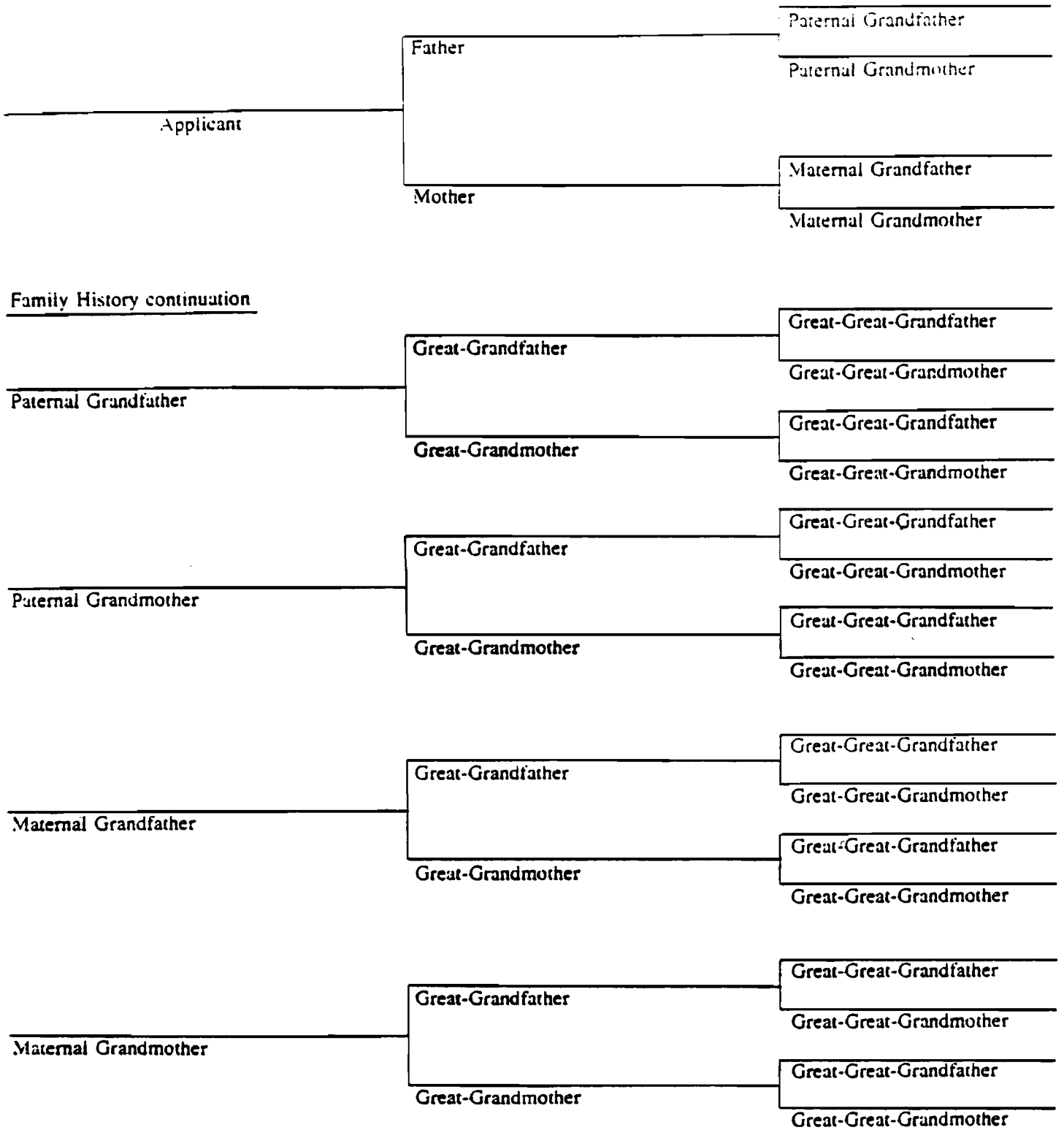
Date

Title

Agency

FAMILY HISTORY

for Categories B. C. & D



INSTRUCTIONS FOR COMPLETION OF Form BIA-4432

Instructions to Applicants (Form BIA 4432):

It is the responsibility of the individual establishing evidence of entitlement to Indian preference in employment to submit as much background information as possible to verify eligibility for preference.

Category A: If you are a member of a Federally recognized tribe, you may contact either your tribe or the BIA Agency Office servicing your tribe for completion of this category. If the tribe certifies, then the verification must be countersigned by the servicing Bureau office. If the Bureau maintains the records or has a copy of a current tribal roll in its custody, the Bureau verification and signature is sufficient.

Category B, C, and D: If you are claiming preference based on any of these categories, you should provide as much information as possible regarding your family history. This will be the only information which the Bureau will have to certify to your descendancy.

Instructions to the Division of Tribal Government Services:

This form has been designed for verification that an individual is entitled to preference in employment. If the applicant does not meet the criteria, the form should not be completed and signed by your office. Upon verification by the Area Director, Superintendent, or the designated BIA Representative, the individual will be entitled to preference in employment.

Instructions to the Personnel Office:

Receipt of this properly verified form, together with SF-171, "Personal Qualifications Statement," entitles an applicant to preference in employment.

Form BIA-4432
Revised October 1984

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN THE BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY

Category E

(Void after October 4, 1985)

A person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians, whose rolls were closed by an Act of Congress.

This is to verify that _____
(Name of Applicant)

_____ is a descendant of the Osage Tribe

and possesses _____ of Indian blood, ancestor's
(Degree)

Final Roll No. _____

_____
BIA Representative

_____
Title

_____
BIA Address

Instructions for completion of Form BIA-4432

Instruction to Applicants:

It is your responsibility to provide the Bureau Representative with sufficient family history information to verify that you are at least one-quarter degree Indian ancestry of the Osage Tribe of Indians, whose rolls were closed by an Act of Congress.

Instructions to Personnel Office:

Upon verification by the Superintendent, Osage Agency, or the designated representative, the individual will be entitled to preference in employment.

(Note: To be completed and submitted with SF 171, Personal Qualifications Statement, ONLY.)

PRIVACY ACT AND PAPERWORK REDUCTION ACT STATEMENT

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN THE BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY (Form BIA-4432)

GENERAL--This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974), December 31, 1974, for individuals completing Federal Employment Application Forms.

AUTHORITY TO COLLECT PERSONAL INFORMATION--The Indian Reorganization Act of June 18, 1934, 25 U.S.C. 472, provided that "Such qualified Indians shall hereafter have the preference to appointments to vacancies in any such positions." On September 24, 1976, the then Civil Service Commission (now Office of Personnel Management) amended the Schedule A excepted appointing authorities for Indian preference eligibles and directed the respective Secretaries of the Department of the Interior and the then Department of Health, Education and Welfare (now Department of Health and Human Services, D/HHS) to define the term, "Indian."

The Bureau and the Indian Health Service (D/HHS) will extend an employment preference to persons of Indian descent who meet one of the following standards of 25 CFR 5.1 (25 U.S.C. 479):

A. Members of any recognized Indian tribe now under Federal jurisdiction;
B. Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;
C. All others of one-half or more Indian blood of tribes indigenous to the U.S.;
D. Eskimos and other aboriginal people of Alaska; and
E. Until October 4, 1985, a person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians whose rolls were closed by an an Act of Congress.

PURPOSES AND USES--The principal purpose for the forms is to grant preference in employment in the Bureau and the Indian Health Service to individuals meeting the standards of 25 CFR 5.1.

EFFECTS OF NONDISCLOSURE--Disclosure of the information sought is voluntary. To be considered a preference eligible according to the standards of 25 CFR 5.1, proof of membership, descendancy or degree of Indian ancestry must be submitted as indicated on rolls or records acceptable to the respective Secretaries.

TRIBES AND BANDS FOR WHICH THE FEDERAL TRUST RELATIONSHIP HAS BEEN TERMINATED

Name	Authorizing Statute	Effective Date
Alabama and Coushatta Tribes of Texas	68 Stat. 768	7-1-1955
Catawba Indians of South Carolina	73 Stat. 592	7-1-1962
Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians	67 Stat. 718	8-13-1961
Menominee Tribe of Wisconsin **	68 Stat. 250 70 Stat. 544 70 Stat. 549 72 Stat. 290 74 Stat. 867	4-30-1961
** Restored December 22, 1973		
Mixed-blood Ute Indians of the Uintah and Ouray Reservation	68 Stat. 724	8-27-1961
Ponca Indian Tribe of Nebraska	76 Stat. 429	10-27-1966
Tribes and Bands of Western Oregon including the following tribes, bands, groups or communities of Indians: Confederated Tribes of the Grande Ronde Community, Confederated Tribes of Siletz Indians *, Alsea, Applegate, Creek, Calapooya, Chaftan, Chempho, Chetco, Chetlessington, Chinook, Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek,Euchees, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta, Shasta Costa, Siletz, Siuslaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina and Yoncalla	68 Stat. 724	8-13-1956

* Restored November 18, 1977

TRIBES AND BANDS FOR WHICH THE FEDERAL TRUST RELATIONSHIP HAS BEEN TERMINATED

Name	Authorizing Statute	Effective Date
Individual California Rancherias		
Laguna Rancheria	61 Stat. 731	1958
California Rancheria Act as amended:	72 Stat. 619 76 Stat. 390	Publication - date -
Alexander Valley (Wappo)		8-1-1961
Auburn		12-30-1965
Big Valley (Pinoleville)		11-11-1965
Blue Lake		9-22-1966
Buena Vista		4-11-1961
Cache Creek		4-11-1961
Chico (Meechipta)		6-2-1967
Cloverdale		12-30-1965
Crescent City (Elk Valley)		7-16-1966
Graton (Sebastopol)		2-18-1966
Greenville		12-8-1966
Indian Ranch		9-22-1964
Mark West		4-11-1961
Mooretown		8-1-1961
Nevada City		9-22-1964
North Fork		2-18-1966
Paskenta		4-11-1961
Pinoleville		2-18-1966
Potter Valley		8-1-1961
Quartz Valley		1-20-1967
Redding (Clear Lake)		6-20-1962
Rohnerville (Bear River)		7-16-1966
Ruffeys (Ruffeys Valley - Etna Band)		4-11-1961
Scotts Valley (Sugar Bowl)		9-3-1965
Wilton		9-22-1964
Shingle Springs (Verona tract)		
Sold and Proceeds Distributed		7-16-1966
Mission Creek		
Sold and Proceeds Distributed		7-14-1970
Strathmore		
Sold on Defirement Plan		8-16-1967

M-36297

August 24, 1955

INDIAN PREFERENCE IN EMPLOYMENT

Indians: Receipt of Government Benefits--Indian Tribes: Terminal Legislation

Upon the issuance of a proclamation, Indians who are subject to section 23 of the act of August 27, 1954 (68 Stat. 868, 877), will not be entitled to preferment in employment by the Bureau of Indian Affairs.

Indians: Receipt of Government Benefits--Indian Tribes: Terminal Legislation

The positions of Indians subject to section 23 of the act of August 27, 1954, who are presently employed by the Bureau of Indian Affairs will remain in the excepted category in which they have been placed by the Civil Service Commission so long as the Commission's regulations remain unchanged.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Solicitor
Washington 25, D. C.

M-36297 August 24, 1955

Memorandum

To: Commissioner, Bureau of Indian Affairs

From: The Solicitor

Subject: The effect of section 23 of the act of August 27, 1954 (68 Stat. 868, 877) on Indian preference in employment

You have asked me whether the laws providing a preference for the employment of Indians in the Bureau of Indian Affairs will be applicable to certain Uintah and Ouray Indians of mixed blood as to whom a proclamation is issued pursuant to section 23 of the act of August 27, 1954 (68 Stat. 868, 877), and how the Indians to whom the act applies who are presently serving in the Bureau of Indian Affairs under excepted appointments will be affected.

I.

Section 23 of the act of August 27, 1954 (68 Stat. 868, 877) reads as follows:

> "Upon removal of Federal restrictions on the property of each individual mixed-blood member of the tribe, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such individual is terminated. Thereafter, such individual shall not be entitled to any of the services performed for Indians because of his status as an Indian. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to such member over which supervision has been terminated, and the laws of the several States shall apply to such member in the same manner as they apply to other citizens within their jurisdiction."

It seems clear that the language used in the provision quoted is broad enough to exclude the Indians to whom it is applicable from the operation of all Federal laws affecting Indians because they are Indians. This interpretation is confirmed by the construction which the Department put upon identical language which it drafted with respect to the Klamath Indians. In its submission to the Congress on January 4, 1954, of the draft of a proposed bill to provide for the termination of Federal supervision over the property of that tribe, it stated with reference to a comparable provision:

"Section 18 of the bill provides that when Federal restrictions are removed from the property of the tribe and its members a proclamation will be published in the Federal Register, and thereafter such Indians will have the same status under State and Federal law as any other person or citizen. * * *"1/

The statutory provisions that establish a preference for Indians in employment by the Bureau of Indian Affairs (see 25 U. S. C., secs. 44-47, 472) are, of course, laws that affect Indians because they are Indians. It follows, therefore, that the Indians who are subject to section 23 of the act of August 27, 1954, will not be entitled to preferment in employment by the Bureau of Indian Affairs, but, upon the issuance of a proclamation, are to be treated like any other person or persons with respect to employment.

II.

The preference in favor of the employment of Indians by the Bureau of Indian Affairs has been given effect through regulations of the Civil Service Commission, 5 CFR 6.1, 6.100, 6.110(c)(1), excepting from the competitive civil service "Positions in the Bureau of Indian Affairs, Washington, D. C., and in the field when filled by the appointment of Indians who are of one-quarter or more Indian

---

1/ Similar language was used in a number of departmental reports concerning other termination legislation. Language substantially identical to that used in section 23 is to be found in the following acts:

Act of June 17, 1954, 68 Stat. 250 (Menominee Indians);
Act of August 13, 1954, 68 Stat. 718 (Klamath Indians);
Act of August 13, 1954, 68 Stat. 724 (various Oregon tribes);
Act of August 23, 1954, 68 Stat. 768 (Alabama and Coushatta tribes);
Act of September 1, 1954, 68 Stat. 1099 (Paiute Indians in Utah).

Substantially the same words were also used in other termination bills in the 83d Congress: S. 2750 and H.R. 7319, relating to the Flathead Indians; S. 2749 and H.R. 7322, relating to the California Indians; S. 2743 and H.R. 7318, relating to the Sac and Fox, Kickapoo and Potawatomie tribes; and S. 2748 and H.R. 7316, relating to the Turtle Mountain Indians, North Dakota.

blood."[2/] These positions, as pointed out in Opinion M-36205, dated June 4, 1954, are therefore not subject to the laws or regulations applicable to positions in the competitive service, when the positions are held by Indians.

It would seem, therefore, that so long as the Civil Service Commission regulations remain unchanged, positions held by Indians subject to section 23 of the act of August 27, 1954, will remain in the excepted category.

There is undoubtedly a question, however, whether, in the light of the new provisions of the law, the Civil Service Commission will deem it proper to continue in the excepted category the positions occupied by the Indians in question. What the standing of the Indians occupying these positions will be if and when the positions are restored to the competitive civil service is a question which it appears to me the Civil Service Commission must answer.

(Sgd) Edmund T. Fritz
Acting Solicitor

2/ This regulation was amended on March 29, 1955 (19 F. R. 1861) to include positions elsewhere in the Department of the Interior directly and primarily relating to the providing of services to Indians when filled by Indians.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20240

MEMORANDUM 03 AUG 1977

To: Acting Deputy Commissioner of Indian Affairs

From: Acting Associate Solicitor, Indian Affairs

Subject: Preference in employment for Indians of one-half degree or more ancestry of terminated tribes

The memorandum dated July 19, 1977, requests this office's opinion on the question of eligibility of persons of one-half degree or more Indian ancestry of terminated tribes for a preference in employment in the Bureau.

The issue is raised because of the proposed definition of "Indian," 42 Fed. Reg. 27609 (May 31, 1977), tracking the statutory definition of the term, 25 U.S.C. §479. The statute and the proposed regulation, 25 U.S.C. §258.1(c), each have a provision including persons of one-half degree or more Indian ancestry. No other qualifications besides the minimum Indian ancestry are needed to meet this criterion. Because it is silent on the effect of termination, several offices of the Bureau and several affected persons are now apparently contending that termination of the tribe through which they trace their ancestry had no effect on their preference eligibility.

In our view, the question was answered in Solicitor's Opinion M-36297 of August 24, 1955. It concluded that the language of the act terminating Uintah and Ouray Indians of mixed blood, Act of August 27, 1953, 68 Stat. 868, which provided that upon termination all statutes which affect Indians because of their status as Indians shall not be applicable to those terminated, precludes extending a preference in employment to them. Both the definition of "Indian" in the Indian Reorganization Act, supra, and the preference provision, §472, are

Received
Bureau of Indian Affairs
Personnel Management
AUG 4 1977
Central Office

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

statutes which affect Indians because of their status as Indians. Thus, neither statute may be applied to those terminated. As a matter of law, in determining preference eligibility, consideration may not be given to the degree of Indian ancestry derived from a terminated group.

Hans Walker, Jr.

Hans Walker, Jr.

Subchapter 1. Administration and General Provisions

1. Policy. Prior approval shall be obtained from the Office of the Secretary before an individual may be employed as an expert or consultant, regardless of the funds from which the employee will be paid.

2. Civil Service Commission review. Quarterly reports must be made to the Office of Personnel Management regarding all new expert or consultant appointments made for a period of more than 30 calendar days (whether full-time, part-time, or intermittent and paid or unpaid); the first extension of all appointments initially limited to 30 calendar days or less, and; the reappointment of all experts and consultants at the end of each service year.

The reports shall be submitted in the format of Illustration 1. Particular attention should be taken in completing the following items:

(3) Title of Position:
Identification Number of Position:
The Commission requires that each statement of duties performed by an expert or consultant be assigned a position identification number. The identification number of the position will be placed on the SF-50, Notification of Personnel Action.

(4) Appointing Authority.
Section 104, 5 U.S.C. 3109 will be used in most instances in appointing experts and consultants in the Bureau.

(7) Estimate of number of days of work.
This information is required to determine whether the expert or consultant is a Special Government or regular employee for conflict of interest purposes. The Department will also make a determination of the use of the funds allocated for expert and consultant employment.

(10) Description of Duties.
The position for which the services of an expert or consultant are required must provide adequate information to show that the work is not of a continuing nature and that it can be performed only by persons possessing special expertise. It will specify the kind and quality of experience and training a person must have to qualify him to provide the service. The statement of duties will show whether it is one in which the person will perform purely in an advisory or consulting capacity as a consultant, or one that requires the services of an expert in a particular field whose knowledge and mastery of the principles, practices, problems, methods and techniques of his field of activity, or of a specialized area in the field, are clearly superior to those usually possessed by ordinarily competent persons in the activity.

(11) Experience and Training resume of Expert or Consultant.
State specifically the portion of experience and training which relate to the duties he will perform. Furnish information which verifies that he is an expert in the field in which he is to advise, or, that he has achieved knowledge considered superior to that possessed by ordinarily competent persons in his field or activity.

EXPERT AND CONSULTANT EMPLOYMENT REPORT

(1) Bureau:
Personnel Office:
Telephone Code and Extension:

(2) Name of Expert or Consultant:
Date of Birth:

(3) Title of Position:
Identification Number of Position:

(4) Appointing Authority:

(5) Appointment Effective Date: Appointment NTE Date:

(6) Salary Rate:

(7) Estimate of No. of Days of Work:

(8) Employment and Financial Interest Statement:

(9) Statement that the appointee is, or will be, assigned only to the duties for which the appointment is made.

(10) Description of Duties (Indicate whether advisory or expert in nature):

(11) Experience and Training Resume of Expert or Consultant Which Qualify him for the Position:

(12) Number of Days on Which Service Was Performed in Previous Service Year (Reappointment only):

Appendix A. Procedural Instructions Regarding Employment of Experts and Consultants.

1. Procedure for obtaining Secretarial approval of Expert and Consultant employment. Experts or Consultants shall not be employed without prior approval of the Office of the Secretary.

   A. The requesting office shall submit six copies of completed Form DI-370, Request for Approval of Expert or Consultant Employment, together with a completed SF-171 or resume of the background of experience and qualifications of the appointee, and an SF-52, Request for Personnel Action, to the Division of Personnel Management at least 30 days prior to the proposed effective date. In completing the DI-370, the information requested in 44 BIAM 304,1.2 should be included in the appropriate items.

   B. Request for Approval of Expert or Consultant Employment, DI-370, shall be submitted to the Division of Personnel Management for an appointment or status change of a paid or without compensation expert or consultant.

   C. A memorandum shall be submitted to the Office of the Secretary, notifying that Office of the proposed separation action.

2. Responsibilities, Ethical and Other Conduct of Experts and Consultants. A completed Form DI-213, Confidential Statement of Employment and Financial Interests, for special Government employees shall be obtained prior to the date of entrance on duty and shall be kept current by supplementary statements from the employee.

   A. Copies of the financial statements shall be maintained for five years in a separate file in the Division of Personnel Management.

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Subchapter 3. BIA Selective Placement Programs

.1 Purpose

.2 Policy

.3 Responsibilities

.4 Action Items

Add. to FPM Release 44-84, 4/22/83

Subchapter 3. BIA Selective Placement Programs

3.1 Purpose. The purpose of this chapter is to establish policy and procedures of the Bureau of Indian Affairs with respect to selective placement programs for individuals who have special problems in obtaining and retaining employment. The programs of selective placement include the physically disabled, mentally retarded, mentally restored, disabled veterans, rehabilitated offenders, and prisoners of correctional and penal institutions, who are approved for work release programs.

3.2 Policy. It is the policy of the Bureau of Indian Affairs to provide full and continuing employment opportunities, advancement potential, reasonable accommodations, and a barrier free working environment for qualified physically and mentally disabled individuals, and to extend employment opportunities to other persons who are covered by other selective placement programs approved by the Office of Personnel Management (OPM). Indian preference will apply in employment of individuals under selective placement programs. All Bureau officials will strive to meet the objectives of the selective placement programs to insure total success.

3.3 Responsibilities. The Deputy Assistant Secretary - Indian Affairs (Operations) has the overall responsibility for the operation of these selective placement programs. The Director, Office of Administration, will provide general program direction. The Chief Personnel Officer, Division of Personnel Management, will provide Bureauwide program guidelines and general management. The area directors have overall responsibility for the operation of the programs within their organizational jurisdictions with the major responsibility for implementation of the programs assigned to the operating personnel offices where the initial employment occurs.

3.4 Action Items.

A. Designation of Coordinators. The Chief Personnel Officer is the Bureauwide Coordinator for Selective Placement. The Division of Personnel Management coordinates all employment matters within the Bureau of Indian Affairs and maintains consolidated recruitment information which makes it a suitable base of operations for the coordinator. Each area director will designate an areawide Selective Placement Coordinator.

B. Central Office, Chief Personnel Officer, Division of Personnel Management, will:

(1) Prepare the affirmative action plan and recruitment plan for handicapped individuals which will provide guidelines and suggested action items.

(2) Prepare the affirmative action plan and recruitment plan for disabled veterans which will provide guidelines and suggested action items.

Add. to FPM Release 44-84, 4/22/83

(3) Consult with the area offices on the affirmative action plans. After the plans are finalized and approved, submit them to the Department Office of Personnel, Division of Employment.

(4) Prepare the annual accomplishment report on employment of the handicapped and the annual report on disabled veterans. At the time of the annual reports, review the status of the selective placement programs in the Bureau.

(5) Keep the Bureau of Indian Affairs Manual addition to the Departmental Manual and the Federal Personnel Manual on selective placement up-to-date.

(6) Keep area personnel officers informed of new guidelines and information on employment under the selective placement programs.

(7) Inform supervisors and managers on the selective placement programs and keep them up-to-date on new guidelines so they can make use of the programs.

(8) Attend, or designate a representative to attend departmental meetings of Bureau Coordinators to share pertinent information; discuss problems and/ or successes; determine training needs for self and area coordinators and assist in the identification of appropriate training to meet such needs.

C. Area Directors will:

(1) Identify appropriate vacancies and consider qualified persons under the selective placement programs, whose applications are on file, or contact various organizations, assisting handicapped individuals and disabled veterans, for possible candidates.

(2) Establish recruitment contacts with organizations to obtain qualified handicapped applicants. Indian organizations, veterans organizations, Vocational Rehabilitation Services, etc., should be provided copies of vacancy announcements.

(3) Contact the State Employment Office to identify a specific person to send vacancy announcements to when applicants are scarce. All vacancies will be listed with the State Employment Service when all other sources of recruitment are exhausted.

(4) Arrange training for the personnel staffing specialists in the use of appointment options available for selective placement, such as Schedule A and 700-hour authorities, in accordance with Indian preference policy. Training will be provided on an individual need as determined by the supervisor. Such training will be offered by OPM or on-the-job.

Add. to FPM Release 44-84, 4/22/83

(5) Prepare input for the annual statistical reports on accomplishment in hiring handicapped individuals and the annual report on hiring disabled veterans. The reports, which are due in the Washington office on October 1 each year, will include the number of applications of disabled individuals in the applicant supply file, the number of these applicants referred to selecting officials, and the number of them actually hired by each handicap code as designated for reporting purposes. At this time, Veterans statistics will be reported separately in the same format. Any impediments to hiring under these programs should also be reported.

D. Reporting Requirements. The Central Office, Division of Personnel Management, submits the Bureau Affirmative Action and Recruitment Plans for both handicapped individuals and for disabled veterans for the fiscal year on October 15 of each year. Also, the annual accomplishment report for handicapped individuals and the report for disabled veterans are prepared at this same time. The plans and reports are sent to the Department Director of Personnel when approved. The Central Office, Division of Personnel Management, also prepares any additional reports on selective placement that the Office of Personnel Management, Equal Employment Opportunity Commission, or the Department require.

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Subchapter 1. Veterans Readjustment Appointments General Provisions

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Subchapter 1. General Provisions

.1 Purpose of the Veterans Readjustment Appointment Program. The purpose of the Veterans Readjustment Appointment (VRA) Program is to enhance employment opportunities for eligible Vietnam era veterans in the Bureau of Indian Affairs. The Program is intended to help meet the unique needs of these veterans in the current labor market, regardless of their skill level.

.2 Policy. It is the policy of the Bureau of Indian Affairs to strongly support the VRA Program.

A. Every effort will be made to locate eligible Indian Vietnam era veterans, especially those who are disabled, for first consideration for Bureau vacancies.

B. The provisions of Indian preference shall be followed in VRA appointments. When there are no eligible Indian veterans, other veterans will then be considered.

C. When an applicant is eligible for a VRA appointment, and Indian preference, the VRA appointment authority will be used, rather than Indian preference.

.3 Authority. The Nature of Action Code is 170; Nature of Action is Excepted Appointment; the Authority Code is J8M; and the Authority is Reg. 307.103 for VRA appointments. The remarks should include "Appointed per instructions in FPM Bulletin 307-19." The VRA appointing authority, as specified in the Federal Personnel Manual Chapter 307, shall be used whenever appropriate.

.4 Responsibilities for the VRA Program.

A. General direction for the VRA Program in the Bureau of Indian Affairs rests with the Deputy Assistant Secretary - Indian Affairs in Central Office and the Area Directors in the field.

B. The Chief Personnel Officer will provide the leadership for the program and designate the Bureauwide Coordinator for the program.

C. The Bureauwide Coordinator. The designated Bureauwide Coordinator has the following responsibilities:

(1) Monitor the progress of the Program within the Bureau;

(2) Keep up-to-date on changes in procedures in the program issued by the Office of Personnel Management (OPM);

(3) Inform area coordinators of changes in the program;

(4) Provide assistance on the program to Area Coordinators, managers, and supervisors when requested and needed;

(5) Develop procedures to be used in the program within the Bureau, and;

(6) Prepare any reports requested of the Bureau on the VRA Program.

D. Area Coordinators. Each Area Director will designate an Area Coordinator for the VRA Program. The Area Coordinator has the following responsibilities:

(1) Keep fully informed on changes in the VRA authority;

(2) Review positions with supervisors to determine which vacancies would be appropriate to be filled by VRA authority;

(3) Keep managers and supervisors informed on VRA and the benefits of using the authority;

(4) Maintain contact with recruitment sources to locate eligible Vietnam era veterans for consideration for vacancies (i.e., Tribal Organizations, Veterans Organizations, Veterans Administration, and State Employment Offices);

(5) With the Employee Development Specialist, supervisor, and employee, develop the educational and/or training plan for the employee to follow;

(6) Give career counselling to the VRA employee as requested and needed;

(7) Monitor the progress of VRA employees to see that job performance and participation in education and training courses is satisfactory;

(8) Maintain necessary data on VRA appointments to prepare requested reports and to monitor progress of the program; and

(9) Follow-up to see that conversions to competitive appointments are made on VRA employees who have satisfactory work performance and have completed their training plan at the end of two years.

E. Supervisors. Supervisors have the following responsibilities in their areas for the VRA Program:

(1) Review positions in their areas with the Personnel Office to see what vacancies would be appropriate to fill by VRA authority;

(2) Consider veterans for vacancies and use the VRA authority to fill positions as often as appropriate;

(3) Work with the Personnel Office and the employee to develop an education and/or training program for the VRA employee; and

(4) Evaluate the work performance of the VRA employee, and assist in counselling if the employee's work performance is not satisfactory.

F. Employees. An employee under a VRA authority appointment has the following responsibilities:

(1) Work with his/her supervisor and the Personnel Office to develop an educational and/or training program;

(2) Maintain a satisfactory work performance; and

(3) Submit appropriate evidence of satisfactory completion of educational and/or training courses in his/her developmental program.

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Subchapter 9. The Stay-in-School Programs

Subchapter 1. General Provisions.

.1 Purpose. The purpose of this subchapter is to provide Bureau guidelines and instructions for student employment and work study programs. It is the Bureau's authoritative guide for the implementation of the youth and student employment programs.

.2 Policy. It is the policy of the Bureau to locate and recruit students to implement the student employment programs as outlined in Chapter 308 of the Federal Personnel Manual. Indian preference shall apply at the Bureau in hiring under any of the student employment programs covered in Chapter 308 of the Federal Personnel Manual.

.3 Responsibilities. The Chief, Division of Personnel Management, shall appoint a Bureauwide Coordinator of student employment programs. The responsibilities of the Coordinator shall be as follows:

A. Bureauwide Coordinator.

(1) Plans and coordinates student employment programs designed to meet the Bureau's program objectives and staffing needs as well as the career goals of the student.

(2) Provides technical guidance and assistance to Area offices.

(3) Keeps managers and supervisors informed on student employment programs and works with them to develop duties for the students.

(4) Maintains liaison with secondary schools, colleges, universities, tribal offices, and BIA Agencies as sources for recruiting qualified students.

(5) Coordinates and prepares the Bureau's annual reports on student employment as required by the Office of Personnel Management (OPM) and the Department of the Interior.

B. Area Coordinators. Each Area Director shall appoint a Student Employment Coordinator for his/her Area. The Area Coordinator shall have the following responsibilities:

(1) Plans and coordinates student employment programs designed to meet the Area's program objectives and staffing needs as well as the career goals of the student.

(2) Provides guidance and assistance relevant to student programs to managers and supervisors, keeps them up to date on the programs, and works with them to develop duties for the students.

(3) Maintains liaison with the Bureauwide Coordinator, secondary schools, colleges and universities, tribal offices and BIA Agencies concerning the recruitment of qualified students.

(4) Prepares annual reports on student employment in the Area as required by the Office of Personnel Management, the Department and the Bureau's Central Office.

Subchapter 2. Cooperative Education for Baccalaureate Students

.1 Purpose: The purpose of this Subchapter is to provide instructions and guidelines for employment of Baccalaureate students in the Bureau.

.2 Objectives. The objectives of the cooperative education programs covered in this Subchapter and in Subchapters 3, 4 and 5 are:

A. To attract to the Bureau of Indian Affairs qualified individuals who have experience and training, academically and on-the-job, in occupations previously identified as career goals by the individuals.

B. To encourage individuals to enter new or developing occupations and professions.

C. To provide individuals with early exposure to technical, and professional work demands.

D. To provide individuals with the opportunity for early and gradual adaptation to the work environment.

E. To provide an opportunity for initial training at a relatively low cost.

F. To develop good work habits, familiarity and acceptance to the Federal work environment.

.3 Working Agreements. Before hiring a cooperative education student the Employee Development Specialist at the Area office will determine that the educational institution meets the requirements specified in FPM Chapter 308, Subchapter 2-3(3).

A. The Area Directors are authorized to sign the working agreements initiated by the Employee Development Specialists for any Baccalaureate cooperative education student. A copy of the agreement shall be submitted to the Division of Personnel Management, Employee Development Branch.

B. Area Personnel Staffing offices shall ensure that students hired are aware of the conditions of employment as stated in 370 DM 308,2.

.4 Bureauwide Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management as indicated in Subchapter 1. and 1.3, will work with the Area coordinators to further the Baccalaureate student employment program.

.5 Area Coordinators. Each Area Director will submit to the Central Office, Division of Personnel Management, the name of the Area student employment coordinator for students in a Baccalaureate program and notify that office of any changes in coordinators.

.6 Program Evaluation. Central Office, Division of Personnel Management will evaluate student employment activity when Personnel Management conducts evaluations at Area offices. Evaluations shall be conducted on a semi-annual basis or when the Bureauwide Coordinator contacts Area Offices regarding the program.

.7 Reports. The annual reports on student employment from the Area Offices for each fiscal year will also be used to evaluate the effectiveness of the student employment programs in the Bureau. The reports are due in the Division of Personnel Management, Staffing and Manpower Branch by October 15 of each year. (FPM Chapter 308, Appendix A, and Form DI-4).

Subchapter 3. Cooperative Education Programs For Graduate Students

.1 Purpose. The purpose of this Subchapter is to provide instructions and guidelines for employment of graduate students in the Bureau under the Cooperative Education Program.

.2 Working Agreements. Before hiring a cooperative education student the Employee Development Specialist at the Area office will determine that the educational institution meets the requirements specified in FPM Chapter 308, Subchapter 3.2(3).

A. The Area Directors are authorized to sign the working agreements initiated for any graduate cooperative education student by the Employee Development Specialist. A copy of the agreement will be submitted to the Division of Personnel Management, Employee Development Branch.

B. Area Personnel Staffing Specialists shall ensure that graduate students hired are aware of the conditions of employment as stated in 370 DM 308,2.

.3 Bureau Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, as indicated in Subchapter 1 and 1.3, will work with the area coordinators to further the graduate student employment program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, the name of the Area student employment coordinator for students in a graduate program and notify that office of any change in coordinators.

.5 Program Evaluation. The Division of Personnel Management shall evaluate student employment activity for graduate students when Personnel Management Evaluations are conducted at Area Offices and when the Bureauwide Coordinator contacts Area offices regarding the program on a semi-annual basis.

.6 Reports. The annual reports on student employment from the Area Offices for each fiscal year will be used to evaluate the effectiveness of the programs in the Bureau. The reports should be submitted to the Division of Personnel Management, Staffing and Manpower Branch, by October 15 each year. (FPM Chapter 308, Appendix A, and Form DI-4).

Subchapter 4. Cooperative Education for Students Pursuing Associate Degrees

.1 Purpose. The purpose of this Subchapter is to provide instructions and guidelines for employment of associate students in the Bureau of Indian Affairs under the Cooperative Education Program.

.2 Working Agreements. Before hiring a cooperative education associate student, the Area Employee Development Specialist shall determine that the educational institution meets the requirements in FPM Chapter 308, Subchapter 4.2(3).

A. The Area Directors are authorized to sign the working agreements initiated by the Employee Development Specialist for any associate cooperative education student. A copy of the agreement shall be sent to the Division of Personnel Management, Employee Development Branch.

B. Area Personnel Staffing Specialists shall ensure that associate students hired are aware of the conditions of employment, have a copy of the Cooperative Agreement, and Statement of Understanding (370 DM, Chapter 308, Appendix D and E).

.3 Bureauwide Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, under 44 BIAM 308,1 and 1.3, will work with the area coordinators to further the associate student employment program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, Staffing and Manpower Branch, the name of the Area Student Employment Coordinator for students in an associate degree program and notify that office of any change in coordinators.

.5 Program Evaluation. The Division of Personnel Management shall evaluate student employment activity for associate students when Personnel Management Evaluations are conducted at Area Offices and when the Bureauwide Coordinator contacts area offices regarding the program on a semiannual basis.

.6 Reports. Annual Reports are due from the Area Offices each fiscal year on student employment and will be used also to evaluate the effectiveness of the student employment programs in the Bureau. The reports should be submitted to the Division of Personnel Management, Staffing and Manpower Branch, by October 15 each year. (FPM Chapter 308, Appendix A, and Form DI-4).

Subchapter 5. Cooperative Education for Students in High Schools.

.1 Purpose. The purpose of this Subchapter is to provide instruction and guidelines for employment of cooperative education students in high schools in the Bureau of Indian Affairs.

.2 Working Agreements. Before hiring a cooperative education high school student, the Area Employee Development Specialist shall determine that the educational institution meets the requirements of FPM 308, Subchapter 5.2(3).

A. The Area Directors are authorized to sign the working agreements initiated by the Employee Development Specialist for any cooperative education high school student. A copy of the agreement shall be sent to the Division of Personnel Management, Employee Development Branch.

B. Area Staffing Specialists shall ensure that high school students are aware of the conditions of their employment and have a copy of the Cooperative Agreement (370 DM, Appendix F).

.3 Bureau Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, under 44 BIAM 308, 1 and 1.3, shall work with area coordinators to further the high school student employment program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, Staffing and Manpower Branch, the name of the Area Student Employment Coordinator for high school students and notify that office of any change in coordinators.

.5 Program Evaluation. The Division of Personnel Management will evaluate student employment activity for high school students when Personnel Management Evaluations are conducted at Area Offices and when the Bureauwide Coordinator contacts area offices regarding the program on a semi-annual basis.

.6 Reports. There are no required formal reports on cooperative education employment of high school students. However, Area Offices should maintain records of SF-50's of any hirings in order to supply any data requested by OPM, the Department, or Division of Personnel Management.

Subchapter 7. Acceptance of Volunteer Service.

.1 Purpose. The purpose of this Subchapter is to provide instructions and guidelines for acceptance of student volunteer service in the Bureau of Indian Affairs.

.2 Working Agreements. Before accepting a student volunteer, the Employee Development Specialist for the Area must determine that the educational institution is accredited.

A. The Area Directors are authorized to sign the working agreement initiated by the Employee Development Specialist (370 DM, Appendix C) for student volunteers.

B. Area Personnel Staffing Specialists shall ensure that students are aware of the conditions of volunteer service.

.3 Bureauwide Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, as specified in Subchapter 1 and 1.3, will work with the Area Coordinators to further the Student Volunteer Program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, Staffing and Manpower Branch, the name of the Area student employment coordinator for volunteer service and notify that office of any change in coordinators.

.5 Program Evaluation. The Division of Personnel Management shall evaluate student volunteer employment activity when Personnel Management Evalutions are conducted at area offices and when the Bureauwide Coordinator contacts Area Offices regarding the program on a semi-annual basis.

.6 Reports. An annual report is due by October 15 of each year. It is to be completed on OPM Form 1428 (attachment 2 to FPM Bulletin 298-45) and sent to the Division of Personnel Management, Staffing and Manpower Branch. This will also be used for evaluation of the program.

Subchapter 8. The Federal Junior Fellowship Program.

.1 Purpose. The purpose of this Subchapter is to provide instructions and guidelines for employment of students under the Federal Junior Fellowship Program.

.2 Records. Detailed records shall be kept by Area Offices, which will include specific recruiting efforts and a file of copies of SF-50's so that data can be obtained on activities under the Federal Junior Fellowship Program. The Division of Personnel Management, the Department, and OPM will review these records when they perform Personnel Management Evaluation surveys.

.3 Bureauwide Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, as indicated in Subchapter 1 and 1.3, will work with area coordinators to further the program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, Staffing and Manpower Branch, the name of the Area student employment coordinator for the Federal Junior Fellowship Program, and notify that office of any change in coordinators.

.5 Personnel Ceilings. When the Staffing and Manpower Branch receives the allocation of ceiling for the BIA, the Bureauwide Coordinator will distribute the allocation to the Area Offices. The Coordinator will keep in close contact with the Area Offices to see that the allocation is not exceeded.

.6 Program Evaluation. The Division of Personnel Management will evaluate student employment under the Federal Junior Fellowship Program when Personnel Management Evaluations are conducted at Area Offices and when the Bureauwide Coordinator contacts Area offices regarding the program on a semi-annual basis.

.7 Reports. An annual report for each fiscal year is required from the Area Offices. It should be submitted to the Division of Personnel Management, Staffing and Manpower Branch, by October 15 each year. The format is found in Appendix A, FPM Chapter 308 and Form DI-4. This report will also be used to evaluate the student program in the Bureau.

Subchapter 9. The Stay-in-School Program.

.1 Purpose. The purpose of this Subchapter is to provide instructions and guidelines for employment of students under the Stay-in-School Program.

.2 Records. Detailed records shall be kept by Area Offices, which will include specific recruiting efforts and a file of copies of SF-50's so that data can be obtained on activities under the Stay-in-School Program. The Division of Personnel Management, The Department, and OPM will review these records when they perform Personnel Management Evaluation surveys.

.3 Bureauwide Coordinator. The Bureauwide Coordinator appointed by the Chief, Division of Personnel Management, as indicated in Subchapter 1 and 1.3, will work with Area Coordinators to further the Program.

.4 Area Coordinators. Each Area Director shall submit to the Division of Personnel Management, Staffing and Manpower Branch, the name of their Area Student Employment Coordinator for the Stay-in-School Program, and notify that office of any change in coordinators.

.5 Personnel Ceiling. When the Staffing and Manpower Branch receives the allocation of ceiling for the BIA, the Bureauwide Coordinator will distribute the allocation to the Area Offices. The coordinator will keep in close contact with the Area offices to see that the allocation is not exceeded.

.6 Program Evaluation. The Division of Personnel Management will evaluate student employment under the Stay-in-School Program when Personnel Management Evaluations are conducted at area offices and when the Bureauwide Coordinator contacts Area offices regarding the program on a semi-annual basis.

.7 Reports. There are no formal reports due on the Stay-in-School Program. However, Area Personnel Offices should be sure that records maintained as mentioned above have sufficient information so they can provide data to the Division of Personnel Management, the Department, or OPM as required or requested.

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Subchapter 1. Restrictions on Employment of Relatives

Subchapter 2. Emergency Exceptions (No BIAM issuance planned)

Subchapter 3. Miscellaneous Provisions (No BIAM issuance planned)

Subchapter 1. Restrictions on the Employment of Relatives

1. Policy. The definitions and restrictions described in FPM 310 are incorporated intact as the Bureau's policy governing restrictions on the employment of relatives. In addition, no more than one member of a family may be employed in the same organizational unit where one would have supervision over the other or their employment would reflect adversely upon the Bureau.

2. Coverage. The provisions of this subchapter apply to all offices in the Bureau.

3. Responsibility. Appointing Officers are responsible for administering these restrictions by Area and Agency officials.

4. Exceptions. In emergency situations, such as forest fires, floods, earthquakes, etc., Agencies may employ relatives to combat the emergency. An exception may also be made in the case of immediate family at isolated field stations or where there is a shortage of quarters. Exceptions in these situations and in other emergencies (e.g., when recruiting efforts have failed to provide qualified candidates other than a family member) will be made with the approval of the next higher supervisory level.

5. Miscellaneous. Bureau officials and supervisors must bear in mind that the appointment of any person to a position in violation of regulations shall be null and void. Further, any person so appointed may be required to reimburse the Bureau for any funds (salary, per diem, etc.) expended in his behalf. Public officials violating regulations governing employment of relatives are subject to applicable penalties on this account.

Subchapter 2. The Power to Separate, Suspend, Furlough, or Reduce Rank or Compensation

.1 Source of additional information

A. 44 IAM 230 for delegation of authority and list of key positions for which appointing authority, and therefore authority to separate, suspend, furlough or reduce in rank or compensation, has not been delegated.

.2 Serious misconduct or irregularity cases. Bureau appointing officers shall take no personnel action except as set out in 370 DM 311,2.2 without prior approval of the Office of the Secretary in cases involving alleged serious misconduct, irregularities, disloyalty, or subversive activities. An employee may be placed on annual leave or leave without pay with his consent, and if circumstances so require he may be detailed to another assignment at the same location, pending final decision. While it is impractical to anticipate, by definition, all such offenses, broad categories are stated as follows:

A. Statutory Violations. Irregularities in the performance of official duties in violation of Federal Statutes.

B. Financial Irregularities. Matters involving financial irregularities regardless of the amount involved.

C. Government Property Irregularities. Matters involving any irregularity in use of and accounting for Government property.

D. Official Misconduct. Matters pertinent to performance of official duties and involving violation of regulations promulgated by the Office of the Secretary, the Bureaus, and other Federal agencies when such regulations are applicable to the Department.

E. Personal Misconduct. Matters involving personal misconduct in instances where the conduct is so notorious as to reflect adversely on the Government.

F. Disloyalty or Subversive Activities. Matters involving disloyalty or subversive activities should be reported immediately to the Central Office for further disposition.

.3 Irregularity - The Term. The term "irregularity" as used in 311,2.2 above is intended to cover wrongful acts which are the products of malintent, neglect of duty, or irresponsible performance. Occasional

errors in posting, tabulating, or documenting in financial operations or similar inadvertencies in property management are not regarded as "irregularities." It will be noted that a distinction is made between "official misconduct" and "personal misconduct." The first of these terms refers to actions of the employees as to matters occurring in the course of official functions, the second term refers to private behavior outside of official duties and having no relation to the work of the Department.

.4 Minor Administrative Irregularities. Matters involving trivial offenses and simple misconduct may be administratively inquired into and disposed of by the Area Director. These inquiries shall be made fairly and impartially. If the inquiry discloses offenses falling into the categories shown in 311,2.2 above, the inquiry shall be suspended and the matter reported to the Central Office at once.

.5 Special Statutory Responsibility. Matters involving the violation of Federal laws, the enforcement of which is given to the Bureau by statute or by regulations approved by the Secretary, are not required to be referred to the Department.

.6 Preliminary Inquiry. The Bureau shall refer matters enumerated in 311,2.2 above (A through F) to the Department and except as otherwise requested such referrals shall not be preceded by partial or preliminary inquiry. Exception. As to the time of referral, an exception is recognized in connection with financial irregularities in regard to which internal audit determinations essential to establish the existence of an irregularity and its apparent scope are encouraged rather than prohibited. This exception extends to technical accounting findings, and not to determinations based on witness interviews and other actions purely investigative in character.

Referrals to the Department of Justice - The Department cooperates fully with the Department of Justice by referring for prosecution or necessary additional investigatory handling, any matter in which violations of Federal Statutes are involved. Such matters, however, are referred only by decision of the Office of the Secretary through the Solicitor and usually after investigation by the Department.

Similarly, investigative matters of an exploratory or general compliance nature are referred outside the Department only after consideration and decision by the Office of the Secretary as to what investigative action shall be taken. Bureau and office heads are responsible for full compliance with this policy on the part of their headquarters and field offices.

.7 Outside Referrals. Except as provided for below, the Bureau shall not refer directly to any agency outside the Department matters falling within the investigative jurisdiction of the Office of the Secretary.

.8 Reporting Cases to Local and Federal Law Enforcement Officers. Occurrences of crimes requiring immediate police action may be reported directly to the local or Federal law enforcement officers at or near the site of the crime. While this authority is intended to apply primarily to crimes of violence occurring on official premises, it may be extended to reporting to local or Federal law enforcement officers (1) any acts of depredation in which there is no inference of employee involvement and (2) theft or damage of Government property wherein there are indications of breaking, entering or other burglarious evidence and in which there is no inference of employee involvement.

Whenever the limited authority for direct reporting is exercised, notice of such action, together with a report of the circumstances in the case and the identity of the enforcement agency to which referred, shall be immediately forwarded to the Bureau through channels for referral to the Department.

.9 Sources. Receipt of information from any of the following sources should be considered in reporting offenses to the Central Office:

Information, allegations, complaints, or other communications which reflect adversely upon the integrity of the Department's policies and practices and upon the conduct of its employees may be received from the general public, including anonymous sources; from individuals or firms having official relationships with the Department; or by disclosures in reports and correspondence of other Executive agencies and the Congress. They may be communicated, in writing or orally, to field or headquarters personnel of the Department.

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D. Designing Positions to Attract, Retain, Develop and Motivate a Competent Work Force

1.1 General. Position Management involves structuring positions, functions and organizations to achieve the goals of the organization in the most effective and efficient manner within the approved resource levels. Position management has several purposes. Among them are: economy of operations, enhanced productivity, full utilization of the skills of employees, and motivation and advancement of employees. Since position management is related to accomplishing the goals of the organization and goals differ among organizations, precisely what constitutes sound position management varies from organization to organization. The judgment of managers, based upon position management principles and staff guidance, determines what constitutes sound position management in each organization.

1.2 Policy. It is the policy of the Bureau that positions be planned, structured and staffed as effectively and efficiently as possible and that managers and supervisors, with staff support from personnel, equal employment opportunity, management analysis and budget specialists, are responsible for sound position management.

1.3 Objectives. The objectives of this policy are: to develop sound and economical organization and position structures which serve mission requirements, to control unwarranted average grade escalation, to reduce operating costs through effective utilization of human resources and skills, to increase employee productivity, to support the Bureau's Indian preference and equal employment opportunity efforts, and to involve both line and staff managers in the analysis of organization and position structures.

1.4 Responsibilities. The responsibility for position management rests at the highest level of the Bureau. It has, in turn, been delegated to the Area and Central Office Directors. This responsibility shall be redelegated explicitly to line managers who can carry it out at appropriate levels and who have ready access to the directors of the organizations. The performance appraisals of these line managers should include assessment of their contributions to sound position management. The directors responsible for position management should coordinate the necessary staff work to make sure managers and supervisors receive technical assistance and training from personnel specialists, budget analysts, management analysts, etc. The directors should review proposals from subordinate managerial and supervisory personnel for their potential impact on position management.

A. Division of Personnel Management. The Division of Personnel Management provides policy issuances and technical guidance to the servicing personnel offices with regard to position management, and considers position management to be an important aspect of personnel management evaluations.

B. Servicing Personnel Offices. The servicing personnel offices provide local issuances, training and technical assistance to managers and supervisors to assist them in fulfilling their position management responsibilities. The servicing personnel offices review position management during cyclic classification and personnel management evaluations, and particularly during the planning stages of reorganizations.

C. Position Management Reports. By June 30 of each year, the servicing personnel offices submit reports to the Chief Personnel Officer detailing the position management problems they have encountered in the preceding year and the actions they have taken, and plan to take, to resolve them. The Chief, Branch of Position Management and Classification, uses these reports in designing a Bureau-wide position management plan to be submitted to the Department by August 15 of each year for implementation during the next fiscal year.

1.5 Key Considerations. This section discusses key considerations supervisors and managers should take into account in carrying out their responsibility for sound position management.

A. Unnecessary Organizational Fragmentation. The number of separate units, each with a supervisor, should be kept to a minimum, consistent with the effective execution of assigned programs and functions. The number of supervisors should be no greater than the number required to plan work for, check the performance of, and give guidance on unusual assignments to a work force of substantially full performance employees. Each supervisor should have a span of control great enough to require spending a substantial amount of time performing supervisory duties, but should not have so many subordinates that staying fully informed and in control is impossible. Management can reduce the number of supervisory positions by using senior employees effectively in giving guidance to less experienced employees. Excessive fragmentation can delay decisions and mission accomplishment due to difficulty in coordination.

B. Excessive Layering. The number of levels of supervision should also be kept to a minimum. Authority should be delegated to the lowest appropriate working levels with direct linkage to management officials. There should be as low a ratio as possible of supervisors to employees consistent with effective execution of assigned programs and functions. Review of work at several levels is wasteful. Excessive layering can confuse the lines of authority and can have a negative impact on both the grade levels and motivation of employees.

C. Excessive Use of Deputy and Assistant Positions. The need for deputies and staff assistants depends upon the scope and complexity of the manager's workload or the manager's travel requirements. The complexity can be so great that organizing and directing program functions is impossible without a deputy and/or staff assistant(s). Travel requirements or frequent assignment to special projects combined with decisions which cannot wait can also necessitate a deputy and/or staff assistant(s). However, the rank of the manager's position does not in itself justify such positions. Deputy and staff assistant positions, like supervisory positions, should be kept to the minimum consistent with effective mission accomplishment for the sake of economy. Excessive use of deputy and assistant positions can lead to conflict in staff-line relationships, ambiguous lines of authority and dilution of responsibility in line positions.

D. Overlap. Waste and confusion can result from having functions and assignments, or parts thereof, duplicated in different parts of the organization.

E. Career Ladders. Organizations should be structured so that trainees have an adequate and equitable opportunity to advance to the full performance level. The position structure should provide for progression by capable employees from clerical positions to technical, administrative and professional positions and from those kinds of positions to supervisory and managerial positions while adequately meeting the requirements of the organization's mission. As far as possible, highly specialized positions should be avoided since such positions do not qualify employees for other positions and the employees lose mobility. Without career ladders and potential for mobility, it is difficult to recruit, retain and motivate capable employees.

F. Sound Position Structure. The grade levels of all positions must be fully supported by essential work to be accomplished and all employees must be fully utilized at the levels of their positions.

1.6 Structuring Individual Positions. The most critical stage of sound position management is designing new positions. Reorganizations, retrenchments and changes in program emphasis require substantial numbers of new position descriptions; therefore, during these events, attention to position management is critical. As the individuals most knowledgeable about the work to be performed, the supervisors should write position descriptions with technical assistance from personnel specialists. Supervisors and managers should seek technical assistance as well from administrative managers, management analysts, budget analysts and other staff experts when deciding what duties and responsibilities to assign to new positions, designing the positions to attract the kinds of employees desired, deciding what kinds of skills and knowledges will be required and deciding what kind of supervision and direction will be applied. There are several important considerations supervisors and managers should take into account both in designing new positions and reviewing existing positions:

A. Projecting the Kinds and Levels of Skills and Knowledges Required. This decision will determine the overall type of position to be established, e.g., managerial, supervisory, professional, administrative, technical or clerical. It will also determine the type of employee to be recruited, the parameters of the duties and responsibilities to be assigned, and how the position will relate to other positions in the organization. Thorough attention to projecting the skills and knowledges to be required will help avoid such problems as: failure of anticipated grades to materialize, dissatisfaction on the part of underutilized or overburdened employees, problems in recruiting, and hindrance of employee development and career progression.

B. Projecting Duties, Responsibilities and Supervisory Controls. The specific duties and responsibilities assigned, along with the level of supervision applied, result in the title, occupational series and grade level of the position as well as the specific qualifications required. The duties and responsibilities assigned must fall within the mission of the organization and they must be realistically assigned so they can be expected to be actually performed. The duties should not overlap or duplicate the duties of another position and should not involve application of outmoded methods. The nature and extent of supervision applied should relate to the nature of the duties and level of responsibility of the position. Poorly designed positions can result in lack of continuity in the organization's flow of work, problems in justifying the grade levels desired, questionable lines of authority and responsibility, and lack of employee interest.

C. Proper Classification. Positions must be properly classified in accordance with the classification standards published by the Office of Personnel Management. Improper occupational series and titles can result in recruitment of employees with inappropriate qualifications. Improper grade levels cause waste if high and employee dissatisfaction if low.

D. Designing Positions to Attract, Retain, Develop and Motivate a Competent Work Force. While significant, a high grade level is not the only motivating influence on employees. Most employees also desire a challenge, responsibility, a sense of accomplishment and personal prestige. Recruiting overqualified employees is nearly as unproductive as recruiting poorly qualified employees. Responsibility should be delegated to the lowest reasonable level, and there should be clear linkages to higher level positions so employees can see potential for advancement. Managers should consider automating repetitive routine work and should try to balance responsibility equitably among all positions in the organization.

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Subchapter 2. The Career Conditional Employment System

.1 Service Requirement for Career Tenure.

A. When a continuing position is filled by use of the Excepted Appointing Authority, the employee is placed on an Excepted-Career-Conditional Appointment. Upon completion of a 3-year period of substantially continuous creditable service, the employee is converted to Excepted-Career. This career status applies to service in the Bureau of Indian Affairs only. (Note: If an employee appointed from a competitive register already has Excepted-Career status, he/she is considered as having career status as long as he/she remains in the Bureau of Indian Affairs).

B. When an Excepted employee is subsequently appointed from a competitive register, the personnel action would convert the employee to a career-conditional appointment, regardless of how long the employee has served under Schedule A 213.3112(a)(7). In order to have competitive career status, the employee must complete three years of substantially continuous creditable service from the date of appointment from a register.

.2 Coding Change of Tenure.

The following procedures are used for changing tenure when an employee is converted from "Excepted-Conditional" to "Excepted-Career."

Subchapter 26 of FPM Supplement 296-33, Table 26, Rule 8.

NOAC: 880 (Suffix H)
NOA: Chg in Tenure Group
Authority Code: PKM
Authority: Reg 351.502
Remark: "Completion of 3 years substantially continuous service under "Excepted-Conditional Appointment" per agreement between OPM and the Department of the Interior, February 1965." (Code T29)

A second remark required by the Department in Personnel Management Letter No. 65-20 (315) dated July 14, 1965, Subject: Conversion to Career or CareerConditional Appointment - Indian Preference, will be included on each change in tenure SF-50:

Remark: "This employee is considered as having Career Status (Group I) while he/she holds a position directly and primarily related to providing service to Indians." (Code YG9)

.3 Conversion of Less than Full-time Permanent Employees to Full-time Permanent Employment

Conversions of this type will be made on a competitive basis, except when a full-time employee requested and was granted a temporary change to less than full-time for personal reasons. The nature of an employee's initial appointment dictates whether future actions may be taken noncompetitively. Competition for less than full-time employment does not entitle one to full-time employment.

Subchapter 9. Probation on Initial Appointment to a Supervisory or Managerial Position.

.1 Purpose. This subchapter provides guidance on use of probationary periods for first-time supervisors and managers.

.2 Coverage. Positions covered are identified through application of the supervisory grade evaluation guide definitions. Employees who have not served in supervisory or managerial positions in the Federal Government are subject to a probationary period upon initial appointment to such positions.

.3 Policy. The length of the probationary period shall be at least 12 consecutive months from entry into the position. The time may be extended when necessary to further assess the employee's supervisory or managerial performance. This extension must be uniformly applied to all positions in the Bureau.

A. If, after a full and fair trial, an evaluation of the employee's performance reveals supervisory or managerial deficiencies which make him or her unsuited for continued employment in the position, the employee is to be returned to the position from which he or she was promoted or reassigned, if the position is still vacant. If it is not, the employee is to be returned noncompetitively to a nonsupervisory or nonmanagerial position for which qualified, at the grade level from which promoted or reassigned. (See 44 BIAM 430 for information on performance evaluation responsibilities.)

B. Within Indian preference laws, this will mean that the employee will assume the first appropriate position in the immediate Area (or Central Office if applicable) where the person is employed. If after three months no position is available, the search will be extended Bureau wide. During the search for an appropriate vacancy, the employee will not exercise supervisory or managerial functions.

.4 Crediting Service Toward Completion of the Probationary Period.

A. An employee who is serving or has served in a Federal civilian managerial position does not have to complete a probationary period as either a manager or a supervisor.

B. An employee who is serving or has served in a Federal civilian supervisory position who is assigned to a supervisory position does not have to complete a probationary period as a supervisor; but if the employee is assigned to a managerial position the employee will have to complete a probationary period as a manager.

C. Temporary service as a supervisor or manager counts on an actual day-for-day basis toward completion of the probationary period when acquired within the 12 months immediately preceding the permanent appointment. In order for the time to be credited toward the probationary period, the employee must have been officially assigned to the position (e.g., a temporary appointment, promotion, or reassignment for a period in excess of 120 days). Service while on detail or in an acting capacity during a temporary absence of the regular supervisor or manager does not count.

D. In the absence of records which clearly support an individual's claim that he or she should be exempt from the probationary period requirement because of previous service in a supervisory or managerial position, the employee must serve a probationary period. An employee who believes he or she has served in a supervisor or managerial position and who wishes to contest a determination that a probationary period is required may do so under agency grievance procedures. There is no right of appeal to the Merit Systems Protection Board.

.5 Monitoring Probationary Period Performance. The Area personnel office will be responsible for releasing initial and nine month reminder notices to the appropriate supervisor of probationers; however, it remains the responsibility of each agency to monitor and report quarterly progress of appointees and submit final performance appraisal documents. The complete procedure is incorporated in 44 BIAM 411 and is consistent with the appraisal requirements for probationary supervisors and managers contained in 44 BIAM 430.

.6 Effect of Return on Salary. An employee who is promoted to a supervisory or managerial position and who is subsequently returned to his or her former grade level, will be placed in the grade and step formerly held. Highest previous rate rule does not apply. The required waiting period for the next periodic step increase begins as of the date of promotion to the managerial or supervisory position (for example: An employee is in a two-year waiting period of which he or she served one year and seven months before being promoted to a supervisor or managerial position on April 1, 1981. The employee is returned to his/her former grade and step on October 1, 1981. Before being eligible for step increase consideration the employee must complete a two year waiting period. The period served in the higher grade will be counted toward this new waiting period. The waiting period begins April 1, 1981).

.7 Effect of Return on Subsequent Consideration. Return of an employee to a nonsupervisory or nonmanagerial position should not serve to deny the employee consideration for subsequent assignment to a supervisory or managerial position. An employee may not be suited to a particular position but be quite capable of performing satisfactorily in another supervisory or managerial position. However, if an employee is assigned to a supervisory or managerial position and is subsequently returned to a nonsupervisory or nonmanagerial

position, he or she will be not eligible for consideration for that specific supervisory or managerial position in that specific location for a period of six months after his or her return (Example: Employee A is promoted to Supervisory File Clerk in the Records Section at General Headquarters. Subsequently, he/she is returned to his/her former position of File Clerk. The supervisory position is reannounced. Employee A cannot be considered for that specific position for the six months after the return). This does not preclude consideration for any other supervisory or managerial position, at any location, for that employee.

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Subchapter 8. Separation of Temporary and Indefinite Employees (No BIAM issuance planned)

Subchapter 1. General Provisions.

.1 Policy. The Bureau shall provide, to the fullest extent possible, part-time and intermittent employment opportunities consistent with the effective and economical use of manpower.

.2 Guides. Many Bureau positions are ideally suited for part-time and intermittent employment (e.g., substitute teachers, forestry, fire control/suppression positions and certain clerical and title program positions) on a permanent or temporary basis. It is also possible that many full-time positions can be converted to one or more part-time or intermittent position(s) without affecting mission accomplishment. In order to assure that every effort is made to provide part-time and intermittent employment opportunities, each Area must implement procedures which, as a minimum, provide for:

A. Periodic examinations of Division and Branch functions to determine which positions, if any, could be adequately filled by part-time employees;

B. Periodic employee inventory to identify those who might be interested in a part-time work schedule; and

C. The restructuring of jobs and work schedules, where appropriate, to create maximum opportunities to effectively use part-time employees.

.3 Position Management. Review of functions and employee inventory should be conducted at least once annually. Restructuring of positions is a continuing process of position management and is a daily responsibility.

Subchapter 3. Term Employment.

.1 Policy. Term appointment will be made whenever feasible. This policy assures that employees occupying long-term, project nature positions will receive the rights and benefits to which they are entitled. Term employment is used under conditions authorized by the Office of Personnel Management to fill positions that will last longer than one year but are clearly of a project nature and will terminate upon completion of the project.

.2 Duration. Term employment is used for periods in excess of one year but must not exceed four years.

.3 Authority. FPM Letter 300-24 dated May 15, 1978, delegated authority to agencies to determine whether term appointments are appropriate. The criteria for making this determination are discussed in FPM 316.3. Filling such positions will be based on merit principles. Requests to use the Term Authority shall be submitted to the C.O. Division of Personnel Management for approval.

.4 Selections for Term Employment. Once authority has been granted to use term appointments, Indian preference in employment will be adhered to. In the absence of qualified Indian candidates, former Federal employees eligible for reinstatement may be appointed or Office of Personnel Management registers requested.

The applicant supply file will be the primary source of applications for Indian candidates. An appointment for a qualified Indian candidate would be Excepted-Indefinite with a statement on the Form 9-500 reading "Employment will not exceed the length of the project or 4 years". In the absence of qualified Indian candidates, authorized term appointment positions may be filled by non-Indians. A request for a list of eligibles should be directed to the appropriate certifying OPM Office in the usual manner.

Subchapter 4. Temporary Limited Employment.

.1 Policy. Consistent with Department policy, temporary appointments will not be made to positions which are expected to last more than one year or are recurring (year after year) in nature. Except as provided for below, permanent (full-time, part-time, intermittent) positions shall be filled by career or career-conditional appointments in the competitive service and by similar appointments in the excepted service. This policy assures that employees occupying continuing positions will receive the rights and benefits to which they are entitled. The following types of positions are filled by temporary limited appointments:

A. Positions not expected to last more than one year (such temporary manpower needs will generally include appointments: (1) pending action on a request to establish a permanent position; (2) for special short term projects that develop which were not planned or budgeted to be carried out by the permanent workforce; (3) to reduce a work backlog; (4) to meet an emergency situation, etc.)

B. Seasonal positions (i.e., positions involving periodically recurring employment other than career-type positions);

C. Part-time and intermittent positions that are not clearly of a continuing nature; and

D. Continuing positions, when temporarily vacated for periods of less than one year (to fill in behind an incumbent who has been temporarily promoted or detailed to another position; extended sick leave; extended non-pay status [LWOP]; pending recruitment and fill of a permanent position that is vacant, etc.) or when filled by persons 70 years or older.

.2 Exemption from Security Requirements. The Department has been granted an exemption by the OPM from the investigative requirements of Executive Order No. 10450 for various specific temporary positions. A National Agency Check (NAC) is not required for appointments to non-sensitive positions lasting six months or less. For an extension of a temporary appointment beyond six months from the date of the original appointment and for appointment to sensitive positions, a NAC is required. This exemption does not excuse appointing officers from determining that the appointment of any employee is consistent with the interest of national security.

.3 Procedures and Internal Control.

A. General. Personnel Officers and management officials with delegated authority to make temporary limited appointments are responsible for establishing internal procedures and controls that will assure the spirit and intent of Bureau policy for temporary employment is adhered to.

B. Procedures

(1) Documentation. Temporary positions may be established and filled or permanent and continuing positions filled for reasons as stated in paragraph .1 above with appropriate documentation and approval by an official with delegated appointing authority. Officials responsible for evaluating and approving requests must assure that temporary positions are not established to carry out on-going program responsibilities except to satisfy a short-term need or reduce a work backlog. Documentation of the reasons for establishing a temporary position and/or utilizing temporary limited appointment(s) will be retained with appointing documents in the Official Personnel Folder.

(2) Construction Rate Positions. Before establishing a Construction Rate Position for temporary limited employment, the following must be documented:

(a) The construction or repair work is being carried on in a locality where Office of Personnel Management examination coverage is not provided, or candidates are not available.

(b) Agency and/or Area recruitment has not produced available candidates.

(c) The construction or repair work is not recurring in nature or included as an on-going Bureau program responsibility.

(3) Selection and Appointment.

(a) Selection from Office of Personnel Management or Applicant Supply File Certificates for temporary limited appointments will be in conformance with the Bureau's Indian Preference Policy and provisions of Law. Preference will be accorded veterans in initial appointment as defined by FPM Chapter 211.

(b) Except for 30-days Special Need appointment and appointments to wage board Construction Rate positions under Office of Personnel Management Reg 316.402(a) and Schedule A §213.3102(i), respectively, selections will be made from Applicant Supply File or Office of Personnel Management Certificates. In no case may a non-certificate appointment be made of a non-Indian to a 30-days Special Need for Construction Rate position without first verifying that no qualified Indians are available in the servicing personnel office Applicant Supply File.

.4 Duration and Extension of Temporary Limited Employment. Except as otherwise provided in this subchapter or in subchapter 7:

A. Temporary limited appointments may be made for the full period of one year and when made initially for less than one year may be extended without prior approval of the OPM for a period not exceeding one year from the date of initial appointment. Excepted temporary limited appointments may be made for the full period of one year and when made initially for less than one year, may be extended without prior approval of the Central Office for a period not extending beyond two years from the date of the initial appointment. Requests to fill excepted temporary positions must be accompanied by a statement explaining why the position should be filled with a temporary appointment. The statement should identify the positions as meeting one of the criteria listed in .1 above. Lack of a permanent ceiling or similar arbitrary administrative decisions would not be sufficient justification for the hiring of temporary employees.

B. Any extension beyond one year for temporary appointment for competitive service requires the prior approval of the Office of Personnel Management.

C. Any extension beyond two years for excepted temporary appointment requires the prior approval of the Central Office. Request for such extensions, on a short-term basis, may be approved only when it is shown that all of the following conditions exist:

(1) The original temporary appointment was made in good faith; and

(2) The extension is required to complete the work on which the temporary appointee is engaged; and

(3) The extension is not so long that in the interest of the competitive or excepted system career or career-conditional appointment would be preferable.

D. Requests for extension should be accompanied by the same information as is required in .2a(2) above. When all of the conditions can be documented and the extension is approved by appropriate authority, the appointment may be extended without a break in service.

E. Extensions beyond one year of temporary limited appointments involving part-time or intermittent duty are generally authorized without regard to the existence of the conditions stated above. As an alternative measure, consideration can be given to filling the positions on a permanent basis if it appears they will continue in existence indefinitely.

.5 Employment of Persons 70 or Older and Annuitants.

A. New Appointees. Regardless of the type of appointment which would have been applicable if he were under 70 years of age, a person entering duty on or after his 70th birthday is given temporary limited appointment. Temporary limited appointments of persons 70 years and older may be extended for an additional period of one year or less.

B. Reemployment of Annuitants. Disability annuitants found recovered and annuitants whose retirement was based on involuntary separation may be given a temporary limited appointment, a reinstatement, or any other type of appointment which might be appropriate to the situation. In such cases, the nature of the position governs the nature of the appointment. Annuitants whose retirement was based on a voluntary separation, or a separation for age retirement, misconduct, or delinquency, or a disability annuitant not found recovered have special employment provisions. Detailed information on employment of this group of annuitants may be found in FPM Supplement 831.1.

.6 Temporary Limited Appointment from Registers.

Temporary limited appointments may be made by selection from registers in accordance with Chapter 332. Certification from OPM Registers will not be requested if the servicing personnel office Applicant Supply File or Open Continuous Consideration File contains qualified Indian applicants who are available for temporary appointment.

.7 Temporary Limited Appointments from Outside Registers.

Within the Bureau the primary source for temporary limited appointments shall be qualified Indian applicants certified from the Applicant Supply file or Open Continuous Consideration Files under Sch A 213.3112 (a)(7) authority or by utilizing Office of Personnel Management Reg. 316.407(a) for appointments of 700 hours or less. The 700 hour appointing authority may be used to appoint a non-Indian applicant as certified from the Applicant Supply File if there are no qualified Indian applicants available.

.8 Non-Competitive Temporary Limited Appointments.

Reinstatement Eligibles. Former competitive career or career-conditional employees eligible for reinstatement as set forth in FPM 316.4.8 may be given temporary limited employment, subject to Indian Preference, without regard to Office of Personnel Management Registers or non-Indian Applicant Supply File candidates. Temporary limited employees appointed on the basis of reinstatement eligibility may not be non-competitively converted to reinstatement career or career-conditional. All actions to fill a position on a permanent basis within the Bureau will be accomplished competitively under provisions of the Merit Promotion Plan.

Reappointment of Former Temporary Employees. Within the Bureau of Indian Affairs former temporary employees originally appointed competitively from Office of Personnel Management or Applicant Supply File registers or rosters may not be noncompetitively reappointed to the same position. If the temporary manpower need reoccurs after separation of the former temporary employee, selection must be made competitively from Applicant Supply File or Office of Personnel Management certificates that are reissued upon request.

.9 Temporary Limited Appointments to Meet Special Needs.

Thirty-day Special Need Appointments may not be used to extend a service limitation imposed by some other appointing authority or to facilitate an applicant in applying, pending examination, referral, or other competitive processes. No more than one appointment of a given person may be made by an agency under this authority during any period of 12 consecutive months. The Special Need Authority, if used, must be mission oriented and the 30-day special need appointment essential to the operation or delivery of services. Such appointment may be extended for one additional month without prior approval.

.10 Limitations on Other Methods of Making Temporary Limited Appointments.

Temporary Limited Appointments may not be made under circumstances and conditions other than provided for in this issuance. Additionally, the requirements for Central Office or Office of Personnel Management approval of extensions is not to be circumvented by separation and immediate reemployment of temporary employees. As a minimum, a break in service of (3) work days must occur before a separated temporary employee may be employed in the same position or in another temporary position.

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Subchapter 8. Identification of Vacancies for Referral to non-Indian Employees

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Subchapter 8. Identification of vacancies for referral to non-Indian employees.

.1 Purpose. To set forth the Bureau's responsibility in the referral of non-Indians to other federal agencies under Public Law 96-135.

.2 Policy. The Bureau of Indian Affairs will make every effort to assist non-Indian employees who desire employment in other federal agencies or in other bureaus in the Department of the Interior.

.3 Responsibilities.

A. The Office of Personnel Management has offered its assistance in circulating the referral plan among federal agencies, and OPM representatives will be available for individual counseling and assistance to BIA non-Indian employees.

B. Bureau personnel offices are responsible for contacting other federal agencies to determine what vacancies are available for which non-Indian employees may be considered. Personnel offices are also responsible for preparing a bi-weekly list of these vacancies and distributing them within their area of jurisdiction so that they may then be distributed to employees. This list should contain the position, series, grade and the agency to contact. The addresses of OPM area and regional offices will be available in BIA personnel offices and field installations for the convenience of employees who are interested in contacting them.

Bureau officials should publicize their efforts to refer non-Indians to other federal agency officials at the meetings of the Federal Regional Council, Federal Executive Board and Federal Executive Association.

C. Non-Indian employees who are interested in locating positions in other agencies must provide the BIA personnel office or agency office with a written request to receive the bi-weekly listing of job vacancies. SF-171's must not be forwarded to BIA personnel offices. If a vacancy occurs for which the individual feels he/she is qualified, applications must be forwarded directly to the agency announcing the vacancy.

.4 Counseling the Employees. BIA area personnel officers will provide assistance to non-Indian employees concerning opportunities and procedures for filing applications.

.5 Reporting. Each BIA area personnel office will keep a record of all non-Indians who move from the Bureau to other agencies or other Bureaus in the Department. A report of the name, position, title, grade, and receiving agency will be sent to the Chief Personnel Officer by September 20 of each year.

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APPENDIX A

Mechanics of the Applicant Supply System

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APPENDIX B

Transmutation Table (See 44 BIAM 335, 1.17 for use)

Subchapter 1 General Provisions.

.1 Basic Policy Governing Recruitment and Selection. The Bureau of Indian Affairs policy is to use all appropriate recruitment sources and to fill vacancies with the best qualified candidates available within the scope of Indian preference. When an individual meets the criteria of Indian preference he/she will be afforded preference in filling a vacancy by appointment, promotion, reassignment, or lateral transfer.

.2 Establishment of an Applicant Supply File. Area personnel offices and other offices with delegated appointing authority will establish and maintain an applicant supply file.

Separate sections in the applicant supply file will be established for candidates to be considered under the Federal Equal Opportunity Recruitment Program (FEORP) and candidates to be considered under the Handicapped Program and Disabled Veterans Program.

The offices of Agency Superintendents for Education, Area Education Program Administrators, and school principals will maintain applicant supply files as specified in 62 BIAM, 11.2, Appendix B.

.3 Acceptance of Applications. Applications will be accepted from persons eligible for noncompetitive appointment. This includes Indian preference eligibles, veterans, and status applicants.

.4 Limitations on Acceptance of Applications.

A. Within delegated appointing authority, recruiting lists will be opened for the acceptance of applications for any established position (permanent or temporary) from individuals eligible for excepted appointment under Indian preference (Schedule A, 213.3112 (a)(7)). Recruiting lists must be updated during the month of January each year. The recruiting lists may be updated more often if the need warrants.

B. Within delegated appointing authority, the applicant supply file will be open to all veterans and to all status non-Indian applicants (reinstatement eligibles) when:

(1) A qualified Indian is not available; or

(2) Applicants on hand will not cover current or projected vacancies.

.5 Ranking of Applicants. For permanent or temporary positions, eligible applicants from the Applicant Supply File for the occupation to be filled, will be ranked using the Transmutation Table in 44 BIAM 335, Appendix 2 and referred in order by score. However, eligible 30 percent disabled veterans will automatically be placed at the top of the Certificate without ranking. Those with 10 percent veterans preference will be given an additional 10 points above the basic score for non-veterans. A copy of the Transmutation Table is Appendix B to this Chapter and instructions for use are in 44 BIAM 335, 1.17.

.6 Temporary Employees. Eligible temporary employees who have indicated interest in permanent positions will automatically be ranked and referred under provisions of Indian preference if their score is appropriate.

.7 Passing Over Preference Eligibles. Suitability will be the only reason for passing over a veteran. The selecting official must submit reasons in writing for passing over a veteran. Authority has been delegated in 44 BIAM 211, 3.4 to the Area Directors to determine approval or disapproval on waiving veterans preference.

.8 Elimination of Applicants Who Have Three Considerations. When an Indian or non-Indian applicant has been considered three times for three actual appointments to the same type position, with appropriate justification for non-selection, such as suitability (i.e. bad leave record, poor performance, conduct, etc.), he/she may be eliminated from further referral for temporary or permanent positions. Documentation of the three considerations must be made on the roster from which removed and on the individual's application to include: position title, series and grade for which considered; date considered; referral certificate number and name of applicant selected.

Appendix A. MECHANICS OF THE APPLICANT SUPPLY SYSTEM.

A.1 Recruiting Lists. A "recruiting list" will be maintained by Personnel Services in Central Office, each area personnel office, and any other office delegated appointing authority - (See Illustration 1 for suggested format for the list).

A. Central Office and Area Personnel Offices. Central Office and each area personnel office will issue a recruiting list during the month of January of each year for GS and Wage Grade positions (permanent and temporary). These recruiting lists may be updated more often if needed.

The Central Office and area offices may open their applicant supply files for acceptance of applications from non-Indian status (reinstatement eligibles) applicants when a qualified Indian applicant is not available; or when applications on hand will not cover current or projected vacancies.

Applications will be accepted from non-Indian veterans at all times, to be considered when Indian candidates are not available.

Central Office and area office applicant supply files may be opened for non-status, non-Indian applicants only after receipt of general or specific appointing authority from the Office of Personnel Management, or when an OPM delegated agreement can be used.

B. Agencies. Recruiting lists will be issued each January to accept applications from Indian applicants eligible for excepted appointment to any established temporary or permanent position. Recruiting lists may be updated more often if the need warrants.

Local recruiting lists may be opened for applications from non-Indian applicants (reinstatement eligibles), with the approval of the area personnel officer, for hard-to-fill permanent positions or positions that are temporary short-term needs, after a determination has been made that a qualified Indian applicant is not available.

A copy of the local recruitment list must be submitted to the area personnel officer by February 1st of each year.

A.2 Acceptance and Rating of Applications.

A. Forms Used:

(1) SF 171, Personal Qualifications Statement, will be used by all applicants when filing for positions at the Bureau of Indian Affairs.

(2) SF 79-2, Background Questionnaire (Optional for the applicant to fill out).

(3) Form BIA 4432 (Verification of Indian Preference for Employment in the Bureau of Indian Affairs and Indian Health Service Only) if Indian preference is claimed.

(4) Proof of military service (DD-214, Armed Forces of the United States Report of Transfer or Discharge, or other appropriate documentation) if veterans preference is claimed.

B. Action on Incoming Applications.

(1) All incoming applications will be date stamped the same day received. A log system will be maintained to record the action taken on each application (i.e. date received, if returned, reason shown, final disposition, etc.). (See Illustration 2 for suggested log).

(2) Verification of Indian preference for Employment in the Bureau of Indian Affairs and Indian Health Service Only, (Form BIA 4432) must be attached to the application if Indian preference is claimed. (Illustration 3).

(3) A candidate seeking reemployment with the federal government must provide proof of reinstatement eligibility. A copy of the separation personnel action (SF 50, Notification of Personnel Action) will be sufficient to establish eligibility.

If veterans preference is claimed the applicant must provide proof of service (DD-214 Armed Forces of the United States, Report of Transfer or Discharge) or other evidence of service.

C. Return of Applications. Incomplete or unsigned applications will be returned and a specific deadline given for return in order for the application to be considered. (See Illustration 4 for suggested letter).

If Indian preference is claimed, applications that do not have the Verification of Indian Preference for Employment in the Bureau of Indian Affairs and Indian Health Service Only (Form BIA 4432) will be returned for resubmission.

All applications for positions not listed on the current recruiting list will be returned.

Applications rated ineligible for one specific type of position will be returned at the option of the area office or retained for record with disposition as indicated in FPM 333, Appendix A4. The established procedure used should be documented in each Area Personnel office. However, the applicant will be provided an opportunity to apply for other types of positions on the recruiting list for which qualified.

D. Rating Applications. Upon receipt of a complete application the applicant will be evaluated and rated within five days. The position, series, and grade for which eligible, date rated and name of individual rating the application will be recorded on the application. (See Illustration 5 for suggested rating sheet).

Applicants rated eligible will be immediately rostered on a log of qualified candidates (See Illustration 6 for suggested log sheet.). A card format may be used as suggested in Illustration 7. The application will be filed in the applicant supply file by the occupational series for which eligible. However, minority candidates to be considered under FEORP will be placed in a separate section of the file and actions recorded on the suggested worksheet (Illustration 8). Candidates to be considered under the Handicapped and Disabled Veterans Programs will be placed in separate sections of the file also, and actions recorded on the suggested worksheet (Illustration 9).

All applicants rated eligible will be vouchered for references using Illustration 10. The last two employers plus one character reference will be asked to provide references on non-status applicants. Status candidates will be vouchered for a reference from the last place of federal employment.

The applicant will be notified that he/she is eligible. (See Illustration 11 for suggested letter). The applicant will be informed that at the end of one year he/she must update his/her SF-171 by submitting an SF-172 to remain in active file.

An action summary sheet shall be attached to the application. (See Illustration 12 for suggested worksheet).

A.3 Referral of Qualified Applicants.

A. Upon receipt of Standard Form 52 (Request for Personnel Action) to fill a temporary or permanent position, the applicant supply holding office will check the list of rostered Indian applicants for referral.

B. Applications from qualified temporary employees who have indicated interest in permanent positions will automatically be ranked and referred under provisions of Indian preference in proper order as appropriate. Employees will be advised of the importance of keeping applications up-to-date.

C. Concurrent Consideration of Applicant Supply File Candidates Under Provisions of the Merit Promotion Plan.

(1) Qualified Indian candidates from the applicant supply file will be certified in accordance with Paragraph A.3A above. Certificates will be noted as supplemental "Applicant Supply Certificate" and will also identify the vacancy announcement. (See suggested certificate Illustration 13).

(2) When it is determined that no qualified Indian applicants are available for a position vacancy announced under the Merit Promotion Plan, status non-Indian applicant supply file candidates will be certified for consideration. Status non-Indian Applicant Supply File candidates may not be certified when there are qualified Indian candidates available.

D. Referral and Certificates. Candidates will be referred in order, after ranking from the Transmutation Table (Appendix B). All current and complete applications of qualified candidates will be referred in ranked order. However, qualified 30 percent disabled veterans will automatically be placed at the top of the certificate without ranking. Those candidates with 10% veterans preference will be given 10 points on their score above the base score for non-veterans.

(1) The selecting offical will return the certificate and applications to the issuing official no later than 30 calendar days from the date of issuance. An extension of time can be given by the issuing office. Certificates will be listed on the applicant supply roster prior to issuance (see Illustration 14 for suggested roster). Appropriate action regarding the certificate will be noted on the roster.

(2) Non-Indian, non-status applicants selected for temporary limited appointment under OPM authority will be removed from the applicant supply file at the time of appointment.

(3) A letter will be sent to each selectee informing him/her of the selection and indicating time and place to report. (See suggested letter, Illustration 15).

(4) A non-selectee's application will be returned to the file and the appropriate notation made on the roster or card.

(5) Those who failed to reply to inquiries will have their applications returned to them with an enclosed letter. (See suggested letter, Illustration 16).

A.4 Responsibility of the Selecting Official. The selecting official has the responsibility to insure that the individuals referred are selected within the provisions of merit principles and federal law.

The selecting official shall not contact the applicant to notify him/her of selection until the applicant supply file holding office has determined that the selection conforms to required procedures.

A Failed to Reply (FR) or a Declination (D) must be documented either by certified letter receipt; written declination; or the date, time and signature of the individual who received the declination.

A.5 Disposition of Applications. An Indian or status non-Indian applicant selected for a temporary limited appointment will have his/her application retained in the applicant supply file and will be considered for other higher level temporary positions and/or permanent positions for which qualified.

A.6 Maintenance of Records. Offices must maintain worksheets of action on candidates under FEORP and under the Handicapped and Disabled Veterans Programs. This is necessary in order to have statistics for reports required on these programs. This can be done by using the suggested worksheets in Illustrations 8 and 9 as mentioned previously.

Table of Contents

ILLUSTRATIONS TITLES

1. Applicant Supply Recruiting List

2. Master Log of Applications Received, Actions and Dispositions

3. Verification of Indian Preference for Employment in the Bureau of Indian Affairs and Indian Health Service Only (Form BIA-4432)

4. Letter for Returning Incomplete SF-171 "Personal Qualifications Statement" to Applicant

5. Rating Form

6. Roster of Qualified Applicants

7. Roster Card for Qualified Applicant

8. Semi-annual Report on FEORP

9. Statistical Chart on Handicapped Individuals and Disabled Veterans

10. Optional Form 49 - Inquiry for United States Government Use Only

11. Notification to Qualified Applicant

12. Action Summary Sheet

13. Applicant Supply File Certificate of Eligibles

14. Applicant Supply Roster

15. Notice of Selection to Applicant

16. Notice of Return of Application Because of Declination or Failure to Respond

17. Notice to Applicant for Update of Application

TEMPORARY POSITIONS

APPLICANT SUPPLY RECRUITING LIST

OPENING DATE	CLOSING DATE	POSITION (TITLE-SERIES-GRADE)	APPLICATIONS ACCEPTED FROM STATUS/NON-STATUS
		APPLICATIONS WILL BE ACCEPTED FROM ANY CANDIDATE, FOR ANY ESTABLISHED POSITION, IF THE INDIVIDUAL IS CERTIFIED AS ELIGIBLE FOR "INDIAN PREFERENCE".	

NOTE: STATUS APPLICANTS: APPLICANTS WITH REINSTATEMENT ELIGIBILITY

NON-STATUS: APPLICANTS WHICH ARE NON-INDIAN AND NO PRIOR GOVERNMENT SERVICE

PERMANENT POSITIONS

APPLICANT SUPPLY RECRUITING LIST

OPENING DATE	CLOSING DATE	POSITION (TITLE-SERIES-GRADE)	APPLICATIONS ACCEPTED FROM STATUS/NON-STATUS
		APPLICATIONS WILL BE ACCEPTED FROM ANY CANDIDATE, FOR ANY ESTABLISHED POSITION, IF THE INDIVIDUAL IS CERTIFIED AS ELIGIBLE FOR "INDIAN PREFERENCE."	

NOTE: STATUS APPLICANTS: APPLICANTS WITH REINSTATEMENT ELIGIBILITY

MASTER LOG OF APPLICATIONS RECEIVED
ACTIONS & DISPOSITIONS

ILLUSTRATION 2

NAME OF APPLICANT	DATE REC'D	ASF POB	ACTIONS	FINAL DISPOSITION REMARKS

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY

To Establish eligibility for Indian preference for employment with BIA/IHS, complete one of the categories below and submit with your SF-171, Application for Federal Employment.

Category A

MEMBERS OF FEDERALLY RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES.

This is to certify that the person named below is a member of the tribe indicated:

Full Name	Date of Birth	Tribal Affiliation

Tribal leader or Representative	BIA Representative	Date
Title	Title	
Date	Agency Name	

Category B

DESCENDANTS OF MEMBERS OF FEDERALLY RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES WHO WERE RESIDING ON ANY INDIAN RESERVATION ON JUNE 1, 1934.

This is to certify that the person named below has established to my satisfaction that he is a descendant of an enrolled member of the tribe named below and that he was living on an Indian reservation on June 1, 1934. The applicant's family history is outlined on the attached family history chart:

Name of Individual	Date of Birth	Reservation of Residence on June 1, 1934

Ancestor	Tribal Record of Affiliation

Date	BIA Representative
	Title
	Agency

Category C

PERSONS WHO POSSESS AT LEAST ¼ DEGREE INDIAN BLOOD DERIVED FROM TRI INDIGENOUS TO THE UNITED STATES:

This is to certify that I have reviewed the documentation to support the below listed individual's cl ...ne possession of at least ¼ degree Indian blood. The attached family history chart outlines the individual's family history:

Name	Date of Birth	Degree of Blood and Tribal Derivation

Based on:

_____

_____

_____

_____

_____

Name Records

_____ _____

BIA Representative Date

_____

Title

_____

Agency

Category D

PERSONS OF ESKIMO OR OTHER ABORIGINAL PEOPLES OF ALASKAN DESCENT

This is to certify that the person named below has established to my satisfaction that he is qualified for Indian Preference because of his possession of Eskimo or other aboriginal peoples' blood of Alaska. The attached family history chart outlines the individual's family history.

Name	Date of Birth	Alaska Native Group

_____

Record(s) on Which Based

_____ _____

BIA Representative Date

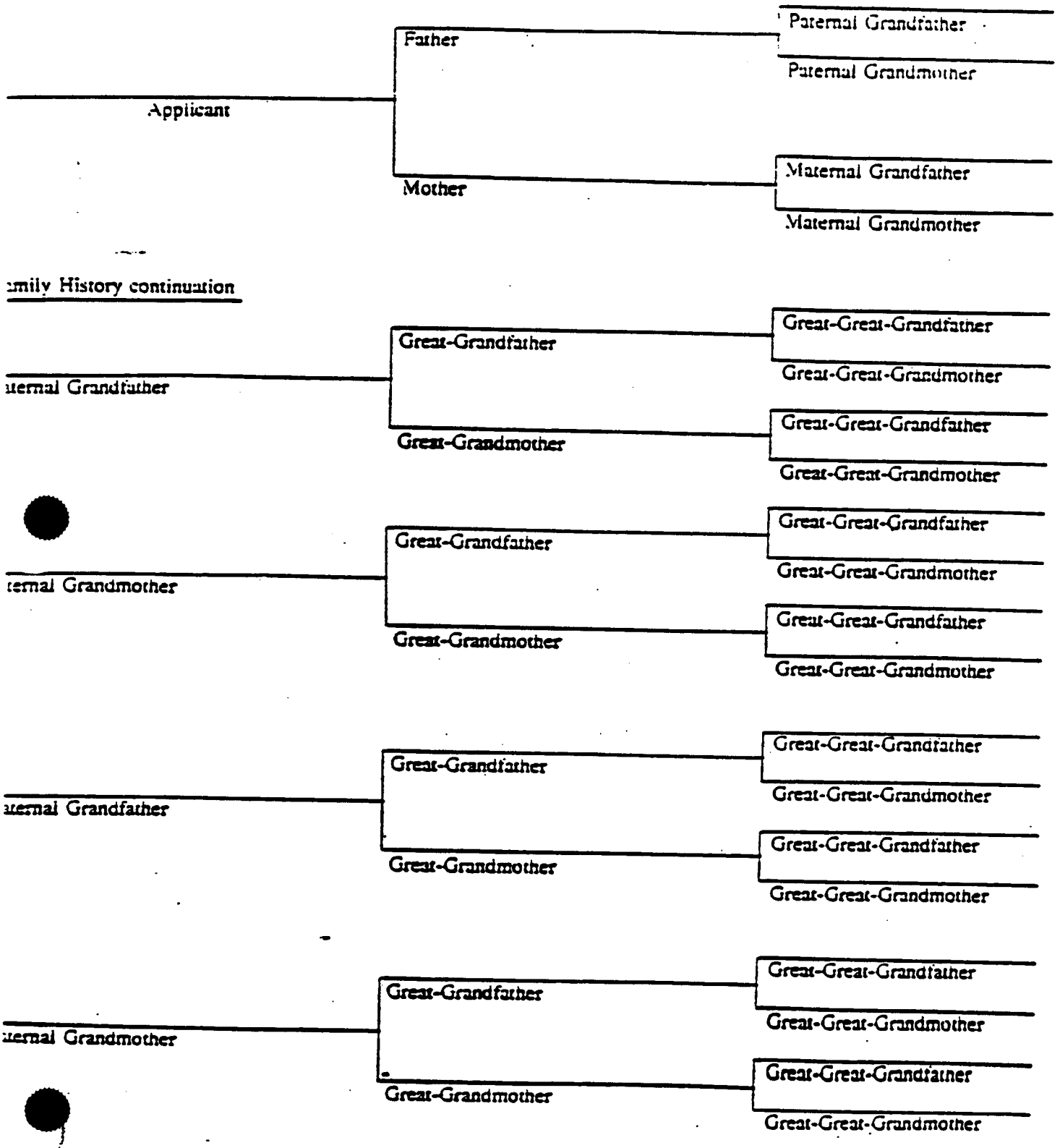
_____

Title

_____

Agency

FAMILY HISTORY
for Categories B. C. & D



INSTRUCTIONS FOR COMPLETION OF Form BIA-4432

Instructions to Applicants (Form BIA 4432):

It is the responsibility of the individual establishing evidence of entitlement to Indian preference in employment to submit as much background information as possible to verify eligibility for preference.

Category A: If you are a member of a Federally recognized tribe, you may contact either your tribe or the BIA Agency Office servicing your tribe for completion of this catagory. If the tribe certifies, then the verification must be countersigned by the servicing Bureau office. If the Bureau maintains the records or has a copy of a current tribal roll in its custody, the Bureau verification and signature is sufficient.

Category B, C, and D: If you are claiming preference based on any of these catagories, you should provide as much information as possible regarding your family history. This will be the only information which the Bureau will have to certify to your descendancy.

Instructions to the Division of Tribal Government Services:

This form has been designed for verification that an individual is entitled to preference in employment. If the applicant does not meet the criteria, the form should not be completed and signed by your office. Upon verification by the Area Director, Superintendent, or the designated BIA Representative, the individual will be entitled to preference in employment.

Instructions to the Personnel Office:

Receipt of this properly verified form, together with SF-171, "Personal Qualifications Statement," entitles an applicant to preference in employment.

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN THE BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY

Category E

(Void after October 4, 1986)

A person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians, whose rolls were closed by an Act of Congress.

This is to verify that _____
(Name of Applicant)

_____, is a descendant of the Osage Tribe and possesses _____ of Indian blood, ancestor's
(Degree)

Final Roll No. _____.

_____
BIA Representative

_____
Title

_____
BIA Address

Instructions for completion of Form BIA-4432

Instruction to Applicants:

It is your responsibility to provide the Bureau Representative with sufficient family history information to verify that you are at least one-quarter degree Indian ancestry of the Osage Tribe of Indians, whose rolls were closed by an Act of Congress.

Instructions to Personnel Office:

Upon verification by the Superintendent, Osage Agency, or the designated representative, the individual will be entitled to preference in employment.

(Note: To be completed and submitted with SF 171, Personal Qualifications Statement, ONLY.)

PRIVACY ACT AND PAPERWORK REDUCTION ACT STATEMENT

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT IN THE BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY (Form BIA-4432)

GENERAL—This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974), December 31, 1974, for individuals completing Federal Employment Application Forms.

AUTHORITY TO COLLECT PERSONAL INFORMATION—The Indian Reorganization Act of June 18, 1934, 25 U.S.C. 472, provided that "Such qualified Indians shall hereafter have the preference to appointments to vacancies in any such positions." On September 24, 1976, the then Civil Service Commission (now Office of Personnel Management) amended the Schedule A excepted appointing authorities for Indian preference eligibles and directed the respective Secretaries of the Department of the Interior and the then Department of Health, Education and Welfare (now Department of Health and Human Services, D/HHS) to define the term, "Indian."

The Bureau and the Indian Health Service (D/HHS) will extend an employment preference to persons of Indian descent who meet one of the following standards of 25 CFR 5.1 (25 U.S.C. 479):

A. Members of any recognized Indian tribe now under Federal jurisdiction;
B. Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;
C. All others of one-half or more Indian blood of tribes indigenous to the U.S.;
D. Eskimos and other aboriginal people of Alaska; and
E. Until October 4, 1985, a person of at least one-quarter degree Indian ancestry of the Osage Tribe of Indians whose rolls were closed by an Act of Congress.

PURPOSES AND USES—The principal purpose for the forms is to grant preference in employment in the Bureau and the Indian Health Service to individuals meeting the standards of 25 CFR 5.1.

EFFECTS OF NONDISCLOSURE—Disclosure of the information sought is voluntary. To be considered a preference eligible according to the standards of 25 CFR 5.1, proof of membership, descendancy or degree of Indian ancestry must be submitted as indicated on rolls or records acceptable to the respective Secretaries.

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:
Personnel Management

ILLUSTRATION 4
Page 1 of 1 page

Dear

The attached SF-171 "Personal Qualifications Statement" is returned to you for the reason(s) checked below:

- [ ] Application is not signed and/or dated.
- [ ] Certificate of Indian blood (Form BIA-4432) was not submitted. You may obtain one at the Census Office where you are registered with your Tribe.
- [ ] You did not submit a copy of your DD-214 (Military Discharge) document.
- [ ] College transcripts were not submitted.
- [ ] You did not complete your application. See circled and/or underlined items marked in RED.
- [ ] We require only one application on file. If you wish consideration for other positions or locations, call or write this office and we will make the changes on your most current application.
- [ ] Other: _____

_____

_____

Application must be returned no later than _____ for consideration.

Sincerely,

Enclosure

Add. to FPM Release 44-85, 8/19/83

RATING FORM

NAME: _____ POB NO.: _____

POSITION: _____ RATING: _____

_____

LOWEST ACCEPTABLE LEVEL OR SALARY

_____

MINIMUM QUALIFYING REQUIREMENTS:

General Experience: _____ Years

From:	To:	Position/Education	Creditable
		TOTAL	

Specialized Experience: _____ Years

From:	To:	Position/Education	Creditable
		TOTAL	

Education/Training: (Describe such as degree, major, training course title, and hours) _____

_____

_____

_____

Minimum Education Requirements:

_____

_____

_____

_____

Rater's Signature: _____ Date Rated: _____

Add. to FPM Release 44-85, 8/19/83

ROSTER OF QUALIFIED APPLICANTS

TITLE	LEVEL	PRIORITY GROUPS

NAME	DATE ENTERED ON ROSTER	ACCEPTABLE LOCATION	WILL ACCEPT TEMP. APPT.	EXPIRATION DATE OR CURRENT APPT.	REMARKS

Add. to FPM Release 44-85, 8/19/83

ILLUSTRATION 6
Page 1 of 1 page

FRONT OF CARD:

	EXC. APPT. NTE		Priority
Name	ASF	ANNOUNCE'MT	Preference
Address	Remarks		Date of Birth
City, State & Zip Code			Social Security
Telephone Number			

Positions qualified for - Level & Series:

Acceptable Location

BACK OF CARD:

Referred	Date	Position Location	Action Taken

SEMI-ANNUAL REPORT ON FEORP

DATE _____

AREA OFFICE _____

OCCUPATION and SERIES

_____

TOTAL OF HIRING OPPORTUNITIES
PERMANENT FULL-TIME (PFT) _____
OTHER THAN FULL-TIME (OTF) _____

MINORITY GROUP	GRADE LEVELS	NO. OF CANDIDATES APPLIED		NO. QUALIFIED CANDIDATES		NO. REFERRED TO SELECTING OFFICER		NO. SELECTED		NO. DECLINED	
		PFT	OTF	PFT	OTF	PFT	OTF	PFT	OTF	PFT	OTF
BF											
BM											
HF											
HM											
AAF											
AAM											
AIF											
AIM											
WF											
WM											
NR											
TOTAL											

HANDICAPPED INDIVIDUALS
AND
DISABLED VETERANS

AREA OFFICE _____ DATE _____

HANDICAPPED CODE		NUMBER OF APPLICANTS		NUMBER OF REFERRALS		NUMBER OF ACCESSIONS		NUMBER OF SEPARATIONS	
NO.	Type of Handicap	Non Veterans	Disabled Veterans	Non Veterans	Disabled Veterans	Non Veterans	Disabled Veterans	Non Veterans	Disabled Veterans

Add. to FPM Release 44-85, 3/19/83

OPTIONAL FORM 49 Rev 11-75)
Prescribed by
U.S. Civil Service Commission
F.P.M. Chapter 736
5049-106

INQUIRY FOR UNITED STATES GOVERNMENT USE ONLY

The person identified below has been appointed to or is an applicant for the position shown. To help us determine whether this person is loyal, trustworthy, and of good character, we ask that you answer all questions on the front and back of this form as fully and specifically as you can. The information you provide, including your identity, will be disclosed to the person identified below if he or she should so request, unless you indicate in item 7 on the reverse side of this form that you do not wish your identity to be disclosed.

Please use this form when replying or show the case number if you reply by letter. A postage-free envelope is enclosed for your reply.
Please reply promptly.

OTHER IDENTIFYING NUMBERS		
DATES OF CLAIMED EMPLOYMENT	KIND OF POSITION HELD	BRANCH OR PLANT AT WHICH EMPLOYED

TO BE COMPLETED BY ADDRESSEE ON THIS INQUIRY

1. HOW LONG HAVE YOU KNOWN THIS PERSON?	2. IN WHAT CAPACITY WERE YOU ASSOCIATED WITH THIS PERSON?: ☐ EMPLOYER *
_____ YEARS _____ MONTHS	☐ SUPERVISOR * ☐ CO-WORKER ☐ FRIEND ☐ OTHER (Specify) _____

* If you were the employer or supervisor, complete the following: (A, B, C, D, E, and F)

(A) TITLE OF THIS PERSON'S POSITION	(B) DATE EMPLOYED:	(C) DATE SEPARATED:
(D) REASON FOR LEAVING:	(E) IF DISCHARGED FOR CAUSE, WAS EMPLOYEE NOTIFIED OF REASON?	☐ YES ☐ NO
	(F) IS THIS PERSON ELIGIBLE FOR REHIRE? *(If "NO," briefly, why not)*	☐ YES ☐ NO

Add. to FPM Release 44-85, 8/19/83

(CONTINUE ON REVERSE SIDE)

3. (A) DO YOU HAVE ANY REASON TO QUESTION THIS PERSON'S LOYALTY TO THE UNITED STATES? ☐ YES ☐ NO

If your answer is "YES," please give full details under ITEM 6.

4. TO YOUR KNOWLEDGE, IS THIS PERSON RELIABLE, HONEST, TRUSTWORTHY, AND OF GOOD CHARACTER? ☐ YES ☐ NO

If your answer is "NO," please explain fully:

5. TO YOUR KNOWLEDGE, HAS THIS PERSON EVER BEEN FIRED FROM ANY JOB FOR ANY REASON, OR QUIT A JOB AFTER BEING NOTIFIED THAT HE/SHE WOULD BE FIRED? ☐ YES ☐ NO

If your answer is "YES," please give:

(A) NAME AND ADDRESS OF EMPLOYER (Including ZIP Code if known)

(B) REASON THIS PERSON QUIT OR WAS FIRED:

6. PLEASE FURNISH ANY OTHER INFORMATION YOU MAY WISH TO OFFER CONCERNING THIS PERSON'S QUALIFICATIONS, CHARACTER, CONDUCT, AND GENERAL FITNESS FOR THIS POSITION.

7. ☐ Please do not disclose my identity to the person identified on the front of this form.

If more space is needed for your answers, please continue on a separate sheet of paper.

PLEASE SIGN YOUR NAME BELOW

Add. to FPM Release 44-85, 8/19/83

(DATE) (SIGNATURE) (OCCUPATION OR TITLE)

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

IN REPLY REFER TO:

PERSONNEL MANAGEMENT

Chapter 333
Appendix A
Illustration 11

Dear

Your application has been received and evaluated and action taken as indicated below:

_____ Rated eligible for

Your application will be kept on file for one year from the date of this notice unless you are selected for a permanent position, fail to reply to official correspondence, or for other reasons.

If you have not been appointed, you may extend your eligibility for one additional year by submitting an SF-172 not later than one year from the date of this letter.

_____ Rated ineligible for

_____ Please complete the enclosed form and return indicating all specific locations where you will accept assignment.

_____

Sincerely,

ACTION SUMMARY SHEET

Name _____

Priority Group _____

RATED BY _____ FOR:

ROSTERED _____

APP. RATED _____

UPDATED _____

UPDATED _____

DATE APPL. PULLED	POB # OR LOCATION	LEVEL	POSITION TITLE	ACTION/REMARKS

APPLICANT SUPPLY FILE
CERTIFICATE OF ELIGIBLES

Certificate No. _____
ASF # _____

Issuing Office:

Date Issued:

Issued To:

Deadline for Return

Selection of an applicant from lower priority groups or non-Indian applicants MAY NOT be made as long as a QUALIFIED Indian applicant is available or until the Veteran Passover has been justified to and APPROVED by the area personnel office or in the case of an Indian Passover has been granted by the tribe.

Symbols for reporting action taken on this certificate:

A - Selected NS - Not Selected CRU - Communication Returned
D - Declined FR - Failed to Reply Unanswered

Vacancies Position Title, Grade Duty Station

Action	Type of Appointment	Preference	Name of Eligible

TO THE ISSUING OFFICE: Report of selection is submitted. All applications and necessary documents are returned.

I verify that the selected individual is not a relative of mine, nor of his/her immediate supervisor.

Selecting official: Date:

PLEASE RETURN CERTIFICATE BY DEADLINE DATE, OTHERWISE CERTIFICATE WILL BE VOIDED.

Certification and Selection

1. Certification will be by priority groups.

2. Selecting officials may select any applicant in the highest group. They may not select from a lower group as long as three fully qualified applicants in a higher group (or in a combination of higher groups) are still available. Thus, if three persons are available in group (1), the appointing officer may not appoint a person from a lower group; if three veterans preference eligibles are available (either 10 point or 5 point), he may not appoint a non-veteran preference eligible.

3. In those instances where certification is made with candidates listed by numerical ranking, no veterans preference or Indian preference eligible can be passed over to select a non-preference eligible of a lower numerical ranking, unless the selection is justified to and approved by the Appointing Officer.

Priority Groups

Priority I - Indian Preference Eligibles with 30 per cent or more compensable disability Veterans Preference.

Priority II - Indian Preference Eligibles with 10 point Veterans Preference.

Priority III - Indian Preference Eligibles with five point Veterans Preference.

Priority IV - Indian Preference Eligibles.

Priority V - Non-Indian Veterans with 30 per cent or more compensable disability Veterans Preference.

Priority VI - Non-Indian Veterans with 10 point Veterans Preference.

Priority VII - Non-Indian Veterans with five point Veterans Preference.

Priority VIII - Non-Indian, non-Veteran.

APPLICANT SUPPLY ROSTER

DATE ISSUED	ASF #	TITLE, SALARY, BRANCH & LOCATION OF VACANCY	TO BE RETURNED	DATE RETURNED

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

IN REPLY REFER TO:
Personnel Management

ILLUSTRATION 15
Page 1 of 1 page

Dear

We are happy to inform you that you have been selected for a

_____

_____ with the Bureau of Indian Affairs at

_____.

Please notify _____ if you intend to accept this job offer. Call or visit _____

_____

on or before 5:00 p.m., _____

If you do not reply by the above date, it will be assumed that you are no longer interested and another selection for this position will be made. Should you decline this offer, please submit a written declination stating your reasons.

Thank you very much for your cooperation and congratulations.

Sincerely,

Add. to FPM Release 44-85, 8/19/83

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:
Personnel Management

Dear

Your name was referred to _____

for the position of _____

at _____.

The selecting official has reported to this office that

[ ] You declined consideration.

[ ] You failed to reply to offical correspondence pertaining to consideration for employment.

Inasmuch as you do not appear to be interested in employment with the Bureau of Indian Affairs at this time, your application is being returned.

Sincerely,

Enclosure

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

IN REPLY REFER TO:
Personnel Management

ILLUSTRATION 17
Page 1 of 1 page

Dear

Your application has been on file since _____.
During this time, we have been unable to place you in a position for which you applied.

Since your application is over one (1) year old, we ask that you update your application if you are still interested and available for employment. Enclosed is a blank SF-172, Amendment to Personal Qualifications Statement, for that purpose.

When returning the updated application, please attach the following information if different from your original application.

- [ ] Certificate of Indian blood (Form BIA-4432).
- [ ] DD-214 (Report of Separation from the Uniformed Services) if you claim veterans preference.
- [ ] College transcripts.
- [ ] Other: _____

Sincerely,

Enclosure

TRANSMUTATION TABLE

Number of KSA's Used										Non-Vets	5 Point Vets
1	2	3	4	5	6	7	8	9	10		
0	0	0	0	0	0	0	0		0	70	75
				1	1	1	1	1/2	1/2	71	76
		1	1	2	2	2	2	3	3/4	72	77
	1		2		3	3	4	4/5	5/6	73	78
		2		3	4	5	5	6	7/8	74	79
			3	4	5	6	6/7	7/8	9/10	75	80
1	2	3	4	5	6	7	8	9	11/10	76	81
					7	8	9	10/11	13/14	77	82
		4	5	7	8	9	10/11	12	15/16	78	83
	3		6		9	10/11	12	13/14	17/18	79	84
		5		8	10	12	13	15	19/20	80	85
			7	9	11	13	14/15	16/17	21/22	81	86
2	4	6	8	10	12	14	16	18	23/24	82	87
				11	13	15	17	19/20	25/26	83	88
		7	9	12	14	16	18/19	21	27/28	84	89
	5		10		15	17/18	20	22/23	29/30	85	90
		8		13	16	19	21	24	31/32	86	91
			11	14	17	20	22/23	25/26	23/34	87	92
3	6	9	12	15	18	21	24	27	35/36	88	93
				16	19	22	25	28/29	37/38	89	94
		10	13	17	20	23	26/27	30	39/40	90	95
	7		14		21	24/25	28	31/32	41/42	91	96
		11		18	22	26	29	33	43/44	92	97
			15	19	23	27	30/31	34/35	45/46	93	98
4	8	12	16	20	24	28	32	36	47/48	94	99
				21	25	29	33	37/38	49/50	95	100
		13	17	22	26	30	34/35	39	51/52	96	101
	9		18		27	31/32	36	40/41	53/54	97	102
		14		23	28	33	37	42	55/56	98	103
			19	24	29	34	38/39	43/44	57/58	99	104
5	10	15	20	25	30	35	40	45	59/60	100	105

Temporary Assignment of Employees Between Executive Agencies and States, Local Governments, Institutions of Higher Education and Tribal Governments

CHAPTER 334

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Subchapter 3. Assignment of Federal Employees to State and Local Governments and Tribal Organizations

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Illustration 1-2

Chapter 334 Temporary Assignment of Employees Between Executive Agencies and States, Local Governments, Institutions of Higher Education and Tribal Governments

Subchapter 1. General Provisions.

1.1 Policy. It is the policy of the Bureau to encourage assignments between Bureau employees and State and local governments, recognized Indian tribes or tribal organizations, and institutions of higher education under the provisions of the Intergovernmental Personnel Act of 1970. Work assignments should provide an opportunity for experience and understanding at different levels of government operations, thereby improving the employee's effectiveness in regular assignments. Utilization of the provisions of this Act also provides an excellent method for training and exchange of expertise between tribal governments and the Federal sector in preparation for a tribe to perform a former Bureau function under contract.

Intergovernmental Personnel Act assignments may be made at any time a mutual agreement has been reached between the State and local Government, tribe, or tribal organization, the Bureau, and the employee. (Assignments may be initiated by any of the organizations or by the Bureau.) Agreement must be authorized and documented on the Assignment Agreement (Optional Form 69). (See Illustration 2)

1.2 Length of Assignment

A. An assignment may be made of up to 2 years and may be extended by the authorized Bureau official for up to 2 more years, with the concurrence of the other parties to the agreement.

B. The Bureau may not send or receive on assignment an employee who has served under the mobility authority for 4 continuous years without at least a 12 month return to duty with the level of government or organization from which originally assigned.

C. Successive assignments without a break of at least 60 calendar days will be regarded as continuous service under the mobility authority.

D. The Bureau may not send on assignment an employee who has served on mobility assignments for more than a total of 6 years during his or her Federal career.

Officials identified as having authority to approve IPA Assignments may submit written requests for waiver of this provision to the

Office of Personnel Management in Washington, D.C. These requests shall be addressed to the Director, Office of Personnel, Department of the Interior, through the Chief Personnel Officer and must arrive well in advance of the first day of any additional assignment.

1.3 Jurisdiction Covered.

A. Non-Federal

(1) Any agency of a State or local government at any level and any multi-State or intra-State authority.

(2) Institutions of higher education, including private as well as public institutions and technical and junior colleges as well as four year colleges and universities. The term State and local government as used in these guidelines will also include public and private institutions of higher education.

(3) Recognized tribes and tribal organizations. These tribes and tribal organizations are fully eligible to participate on the same basis as state and local governments and institutions of higher education.

B. Federal. Employees in both the competitive and excepted service are eligible for temporary assignments under the Intergovernmental Personnel Act. Employees on a time-limited appointment may be assigned under the provisions of this Act; however, care must be taken to assure the agreement does not exceed the time limitations of the appointment and the ensuing service requirement. (See Section 3.8.)

1.4 Exclusion. An IPA assignment is not an appropriate method for filling a tribal position in which the selection for the individual was made through the conventional election process. Any questionable case should be directed to the Washington Office for approval by the Office of Personnel Management, Washington, D.C.

1.5 Reimbursement for Assignments. Agreements for assignment may be with or without reimbursement. The assignment must be mutally beneficial to the Bureau and the organization involved. The Bureau, whenever possible, will pay the salary of employees on detail to a tribe or tribal organization.

In instances where the Bureau is reimbursed for at least 50% of an employee's salary, that employee will not be counted against the Bureau's employment ceiling during the time of the assignment. See 44 BIAM 334,2.7.

1.6 Travel and Transportation Expenses. The Bureau may pay or reimburse an employee of a Federal, State, local government, tribe or tribal organization who is on assignment in accordance with Subchapter 1 of Chapter 57 of 5 USC. Expenses covered for an individual on assignment may include travel which shall cover a per diem allowance to and from the assignment location and a per diem allowance at the assignment location during the period of the assignment. Per diem allowance at the assignment location is provided for short-term assignments and for longer assignments when it is found necessary at the discretion of the agency head and when the allowance can be brought within the provisions of the Standard Government Travel Regulations. Ordinarily, per diem allowance is provided for travel and for temporary duty stations but not for extended assignments such as two years.

The written agreement shall specify whether:

A. The employee will be reimbursed for expenses of transportation of the immediate family and of household goods and personal effects to and from the assignment location;

B. Reimbursement of expenses as part of the written assignment agreement may be allowed if the employee agrees to serve the entire period of the assignment or one year, whichever is shorter unless the assignment is terminated for reasons beyond the employee's control, and the reasons are acceptable to the Bureau; and,

C. The employee will be reimbursed for travel, including a per diem allowance, when traveling on official business away from the designated post of duty during the assignment.

1.7 Nonallowable Expenses. Pre-assigned house hunting trips and payment of certain real estate costs allowed in connection with permanent moves are not allowed for mobility assignments due to their temporary nature and the expectation that employees will return to their original employment location at the conclusion of the assignment.

1.8 Applicable Conflict of Interest Laws and Standards of Conduct Provisions. A State, local government, or tribal employee on assignment to an Executive Agency is subject to law governing the conduct of Federal employees. See Illustration 1, 1-9 Application Conflict of Interest and Standards of Conduct Provisions.

Chapter 334 Temporary Assignment of Employees Between Executive Agencies, and States, Local Governments, Institutions of Higher Education and Tribal Governments

The Bureau is responsible for informing the employee about the applicable conflict of interest laws and standards of conduct provisions. It is important that the above provisions be fully explained and completely understood prior to the mobility assignments. Federal employees on assignment to an Indian tribe or organization shall notify the Commissioner in writing five working days in advance should it be necessary to appear before the government. The notice must state any personal and substantial involvement the individual may have had regarding the subject matter while employed in the Bureau.

Chapter 334 Temporary Assignment of Employees Between Executive Agencies, and States, Local Governments, Institutions of Higher Education and Tribal Governments

Subchapter 2. Assignment Agreements.

2.1 Negotiation for Assignments. Assignments on detail or leave without pay under the provisions of this Act may be initiated by the Bureau, the tribe or tribal organization, a State and local government, or an institution of higher education. The initial negotiations may be in person, to facilitate reaching a mutual understanding, but the official request for a Bureau employee must be in writing, outlining:

A. The purpose and objective of the assignments;

B. The employee's skills and background required;

C. The length of the assignment; and,

D. The share of salary and other expenses the requesting organization will pay.

2.2 Bureau Responsibility.

A. Before a Federal, Tribal, State or local employee makes a decision on a pending assignment, the employee must be informed of the choices available in connection with his/her rights and benefits when assigned on leave without pay from any jurisdiction. The employee must also be aware of his/her obligations and responsibilites for the preservation of these rights and benefits.

B. When developing an assignment which involves the movement of a State, local government, tribe, or tribal organization employee to the Bureau, specific provisions should be made in the agreement to the effect that the employee involved can return to his/her home agency in a position comparable to that from which he or she was originally assigned and that the employee can be assured that his or her rights and benefits will be fully protected.

C. In negotiating an agreement, the Agency should keep in mind the effect of assignments upon the rights of an employee flowing from collective bargaining agreement(s) or established relationship(s) under either State or local laws or regulations or the Civil Service Reform Act.

2.3 Assignment Agreement. The IPA mobility program Assignment Agreement (OF 69) is used to document each mobility assignment. The form will be signed by the requesting officer, the assignee and the authorized Bureau official.

The written agreement shall document the choices that the Federal employee on leave without pay makes concerning retirement, group life insurance and health benefits. Before a Bureau employee consents to the agreement the Bureau must notify the employee of his/her rights to receive full retirement credit under the retirement system and to retain full coverage under group life insurance, the health benefits program, or any of these. If the employee elects to continue to receive full benefits under these programs, the agreement will obligate the employee to continue making his/her share of the payments, and will define the arrangements for making the payments. The agreement must document for the State, local governments, tribe or tribal organization employee his/her entitlement to coverage under the Federal Employee Health Benefits program.

If the Bureau pays more than 50% of the costs of the mobility assignment involving a Federal employee and the period of assignment exceeds six months, the rationale for the cost-sharing arrangements shall be documented in the mobility agreement.

2.4 Approval Authority. Each Area Director shall approve requests for IPA assignments for employees within his/her appointing authority. The Deputy Assistant Secretary - Indian Affairs (Operations) shall approve assignments for Central Office employees. Each appointing officer shall designate an IPA Coordinator and advise the Chief, Division of Personnel Management, of the Coordinator's name, location and telephone number.

2.5 Termination of an Assignment Agreement. Normally, an assignment will not be terminated before the length of time specified in the agreement. However, the agreement may be terminated at any time at the option of either agency. An early termination of an agreement should be documented with a letter giving the revised termination date. A copy of this letter must be forwarded to the Chief Personnel Officer, Division of Personnel Management, for submission to the Office of Personnel Management, Central Office.

In the event of a reduction-in-force during the time an employee is on an IPA assignment, the employee will be considered for reassignment or placement as if he/she were not on an assignment. If the employee accepts a reassignment during a RIF to another position, a new agreement

must be initiated. If the employee cannot be placed, and it is necessary to separate the employee, the agreement shall be terminated.

2.6 Submission of Agreement.

A. Prior to the effective date of the agreement, personnel officers will forward a copy of the agreement to the Chief, Branch of Employee Data and Compensation in Albuquerque, New Mexico.

B. Four copies of the agreement are to be submitted to the Central Office, Division of Personnel Management, Attention of the IPA Coordinator, not later than two weeks after the effective date of the agreement.

2.7 Reporting on SF-113A, Monthly Report of Federal Civilian Employment.

A. Employees on detail to another organization shall not be counted on the SF-113A report if the gaining organization pays 50% or more of the employee's salary. A SF-50, Notification of Personnel Action, shall be coded as follows:

(1) Nature of Action Code: 977 Detail under IPA-Salary reimbursement 50% or more.

(2) Remarks: Detailed to (name of organization) in accordance with IPA. (Name of organization) will pay____ % of salary.

B. When an IPA assignment is completed, a SF-50 will be cut putting the employee back into the employee count for the SF-113A report. A SF-50 shall be coded as follows:

(1) Nature of Action Code: 979 Expiration of Detail

(2) Remarks: Completion of IPA Assignment with (name of organization).

C. Employee on detail to another organization where the detail is non-reimbursable will remain on the SF-113A count.

D. Employee on detail from another organization shall not be reported on the SF-113A report.

E. Employees appointed as a result of an IPA Assignment shall be reported on the SF-113A.

F. A copy of the agreement form shall be placed in the employee's Official Personnel Folder.

G. It is not necessary to submit a copy of SF-50, IPA Detail, to the Office Personnel Management.

H. Employees on an IPA leave without pay assignment to another organization shall not be counted on the SF-113A report if the period of leave without pay exceeds 30 calendar days.

Subchapter 3. Asssignment of Federal Employees to State and Local Governments and Tribal Organizations

3.1 Assisting Tribal Organizations. In conjunction with the Indian Self-Determination Act, the Bureau anticipates an increasing number of requests for the use of details to tribal organizations as provided by the amendments to the Intergovernmental Personnel Act. Each management official should be sensitive to the needs and requests of tribal officials for assigning Bureau employees. If there is no local Bureau employee available for assignment, assistance should be provided a tribal official in locating a qualified Federal employee from another source. Tribal employees should be encouraged to accept assignments in the Bureau under the provisions of the IPA. (See FPM 334,4)

3.2 Employees on Detail. A Federal employee on detail under an IPA assignment shall retain all Federal benefits and will continue to receive pay and benefits from funds available to the Bureau even though these may be reimbursed to the agency in whole or in part. If the detail is reimburseable, the agreement must define what portion of the agency contributions each organization agrees to pay. The employee will continue to earn leave and absence from duty charged against that leave. Hours of duty will be determined by State and Local government subject to the 40-hour work week and the 8-hour non overtime day requirement for Federal employees. An employee will be excused for Federal holidays without charge to leave, or the employee will receive pay for work performed. The employee may be excused from duty on a State holiday without charge to leave or be required to work without premium pay.

3.3 Employees on Leave Without Pay. A Federal employee on leave without pay is given an appointment by the gaining organization in accordance with the terms of the agreement. The employee is paid by the organization to which he/she is temporarily assigned.

A. Supplement Pay. When the employee's pay from the gaining organization is less than the pay received had the employee remained in the Bureau, the Bureau will make a supplemental salary payment to equal the former Federal pay. The determination for supplemental pay will be made by the appointing official authorizing the assignment.

B. Accrual of Leave.

(1) An employee on leave without pay for an IPA assignment is entitled to annual and sick leave accrual and use as if the employee had continued in the regular assignment.

(2) Annual and sick leave balances are transferable both to and from these assignments subject to the limitations prescribed for annual leave carryover. The agreement will specify whether the State, local government, or the Executive Agency will bear responsibilities for the cost of the leave (earned or used).

(3) The entire assignment period of leave without pay is creditable in determining the rate of accrual for annual leave.

C. Workweek, Hours of Duty and Holiday. The State or local government, tribe or tribal organization, in accordance with its policies and regulations, will determine the employee's workweek, hours of duty, and holidays to which the employee is entitled.

D. Retirement Coverage.

(1) The employee is entitled to receive full service credit for the leave without pay if he or she pays currently into the Civil Service Retirement Fund the employee's percentage of retirement contributions on the basic pay plus any supplement received (See 3.3A). At the time the employee makes this payment, the Bureau will make its matching contribution. If an employee elects to retain retirement credit under the retirement system, the Agreement shall specify the exemption from any mandatory retirement system of the gaining organization(s).

(2) If the employee elects not to pay into the Federal Retirement System, as indicated above, he or she shall receive credit for not more than six months leave without pay in a calendar year.

(3) An employee may not receive both retirement annuity and compensation from the employing organization for injury or disability to himself or herself covering the same period. The employee may elect to receive the benefit paying the greatest amount.

(4) If the employing organization pays a salary higher than the employee's basic salary, the basic pay of the Federal position constitutes the maximum amount of salary which may be considered for Civil Service retirement purposes.

E. Group Life Insurance and Health Benefits.

(1) Continuation of health benefits and life insurance coverage will be permitted for the duration of the employee's assignment provided the employee and agency each pay their share of the premiums. There is no period of free coverage for these employees.

(2) An employee may not be covered by the Federal life insurance and health benefits programs if he or she elects coverage under the employing organization's plan and the Office of Personnel Management determines the plan(s) are similar to the programs for Federal employees.

3.4 Bureau Responsibility. As part of the written agreement, the Bureau must furnish the employee with specific information about how, when and where payments for employee benefits are to be submitted. For retirement and group life insurance purposes, the Bureau is responsible for determining the basic rate of pay for the employee. The Bureau is also responsible for timely collections of, accounting for, and depositing in the respective funds all retirement, group life insurance, and health benefit payments required to protect the rights of the employee on leave without pay and for accounting for and depositing in the respective funds all agency and employee contributions.

The employee's failure to deposit the payments on time will terminate full retirement credit, coverage under group life insurance, and health benefits programs on the last day of the pay period for which payments were currently deposited, subject to a 31-day extension of group life insurance and health benefits. Coverage may commence when the employee actually enters on duty in a pay status in the Bureau. However, full retirement credit and group life insurance and health benefits coverage may be reinstated retroactively when, in the judgment of the Office of Personnel Management, failure to make the required current deposits was due to administrative error or other circumstances beyond the control of the employee and the required payments were deposited at the first reasonable opportunity available to the employee.

3.5 Service Credit.

A. Service on a leave without pay assignment is creditable in full for Federal salary purposes including within-grade increases, retention and leave accrual purposes.

B. Determination of an acceptable level of competence for within-grade increase purposes is waived for periods of service under an assignment to a State or local government or tribal organization.

3.6 Promotion. An employee on leave without pay is a Bureau employee and is to be considered a Bureau employee for promotion purposes on an equal basis with other Bureau employees. The employee may not be promoted based strictly on the work performed while on an IPA assignment.

3.7 Status on Return to Duty. The Bureau must return an employee to the position occupied during the absence on leave without pay, or the Bureau shall reassign the employee to a position of like seniority occupied during the temporary assignment. Should it be necessary to take any personnel action affecting the employee who is on an assignment, the action will be handled as if the employee were actually performing his/her duties in the Bureau.

3.8 Service Requirement

A. Before an employee of the Bureau may be assigned under the Act, he/she must agree in writing to serve in the Civil Service upon completion of the assignment for a period equal to the length of the assignment.

B. In the event the employee fails to carry out the agreement (except for good and sufficient reason, as determined by the Commissioner) the employee shall be liable to the United States for payment of all expenses (excluding salary) of the assignment.

3.9 Evaluation Report by Returning Assignees. The Departmental Manual part, Evaluation Report by Returning Assignee, 370 DM 334,3.8, places a requirement on the Bureau to assess the effectiveness of mobility assignments. A report covering the 6 points outlined in 370 DM 334,3.8 should be forwarded to the Chief Personnel Officer, Division of Personnel Management, not later than 60 days after completion of an assignment.

Subchapter 4. Assignment of an Employee From a State or Local Government or Tribal Organization.

4.1 Individual on Detail. An individual on detail to the Bureau from a State, local government, tribe or tribal organization is not entitled to Federal pay.

4.2 Status of State, Local Government, Tribe or Tribal Organization Employee Receiving a Federal Appointment.

A. An individual may be given a two-year temporary appointment. The appointment may be extended for not more than an additional two-year period. The appointment is not subject to the Federal retirement system or the Federal Employee Group Life Insurance program. The employee is not eligible to enroll in the Federal Employee Health Benefits program unless his Federal appointment results in the loss of coverage under a State or local health benefits system. In such case the employee will be given a right to enroll in the health benefits program.

B. If the State, local government, tribe or tribal organization fails to continue the employer's contribution to the local retirement or life insurance or health benefits plan, the Bureau may pay the employer's contribution during the employee's period of assignment. The Bureau will transmit any such contribution directly to the State or local government system.

C. Personnel Action Documentation. Enter "171 Excepted Appointment NTE" as the personnel action code and nature of action on the appointment document. The appointment authority is cited as 5. U.S.C. 3374.

1-9 APPLICATON CONFLICT OF INTEREST
LAWS AND STANDARDS OF CONDUCT PROVISIONS

a. A State or local government employee on assignment to an executive agency is subject to a number of provisions of law governing the ethical and other conduct of Federal employees. Briefly, the provisions of title 18, United States Code, prohibiting certain kinds of activity to which these employees are subject are:

-Section 203 (receiving compensation for claims, contracts, etc);

-Section 205 (prosecuting claims against and other matters affecting the Government);*

-Section 207 (prosecuting claims involving matters connected with former duties-disqualification of partners);*

-Section 208 (employee or a special Government employee acting or participating in any matter in which he, his family, his partner, or the organization with which he is connected or is seeking employment has a financial interest);

-Section 209 (an employee receiving salaries or contributions from other than Government sources for his Government services);

-Section 602 (solicitation of political contributions generally);

*Modified by P. L. 93-638. Employees must notify Federal agency before which the matter is pending of any prior involvement in the case.

— Section 603 (solicitation of political contributions in Federal buildings);
— Section 606 (intimidations to secure political contributions);
— Section 607 (making political contributions);
— Section 643 (failure to account for public money);
— Section 654 (wrongfully converting property of another);
— Section 1905 (disclosure of confidential information); and
— Section 1913 (lobbying with appropriated funds).

These employees are also covered by section 638a of title 31, United States Code, which prohibits the misuse of Government vehicles. For more complete summaries of these sections see FPM chapter 735, appendix A. These employees are also subject to Executive Order 11222, Prescribing Standards of Ethical Conduct for Government Officers and Employees; part 735 of the Commission's regulations; and the standards of conduct regulations of the Federal agency to which they are assigned. In addition, some agencies have special statutory requirements relating to employee conduct. State and local government employees are subject to these restrictions also.

b. The legislation (5 U.S.C. 3371 through 2376) does not exempt from the Federal conflict-of-interest statutes a Federal employee assigned to a State or local government or institution of higher education whether the assignment is by detail or by leave without pay. With regard to the conflict-of-interest statutes, the Department of Justice, after noting that such an assigned Federal employee remains a Federal employee throughout the assignment, concluded that those statutes continue to apply to him. The Department stressed that the applicability of the conflicts statutes does not mean the Federal employee cannot be assigned under the intergovernmental assignment statute. What is meant is that when so assigned the Federal employee may not act as an agent or attorney[1] on behalf of the State or local government or educational institution before an executive agency or a court in connection with any proceeding, application, or other particular matter in which the Federal Government is a party or has a direct and substantial interest. The Department of Justice pointed out that the conflicts statutes do not prevent an assigned Federal employee from engaging in nonrepresentational activities such as organizational assignments, personnel management, and internal administration. For this reason, when an executive agency develops a specific intergovernmental assignment for a Federal employee it should be particularly alert to any possible conflict-of-interest problems, or the appearance thereof, which may be inherent in the proposed assignment. Applicable Federal and State conflict-of-interest laws should be reviewed with the employee to assure that conflict-of-interest situations do not inadvertently arise during the assignment.

c. State and local government employees on assignment are subject to the provisions of chapter 73 of title 5, United States Code (suitability, security and conduct, including restrictions on political activity), and any applicable local or State prohibitions.

d. The Federal agency must inform an employee before he consents to the assignment of the provisions of the foregoing statutes and regulations or must provide copies of the information to him. The employee must acknowledge in writing on the assignment agreement his receipt of this information or documentation.

[1] The House and Senate Committee Reports relative to the conflict-of-interest statute also use the terms "representative activity" and "representational activities" in describing the statutory ban.

69 - Rev. 9/79
Office of Personnel Management
FPM Chapter 334

ASSIGNMENT AGREEMENT

Title IV of the

Intergovernmental Personnel Act of 1970

(5 U.S.C. 3371 - 3376)

INSTRUCTIONS

This agreement constitutes the written record of the obligations and responsibilities of the parties to a temporary assignment arranged under the provisions of the Intergovernmental Personnel Act of 1970.

The term "State or local government," when appearing on this form, also refers to an institution of higher education, an Indian tribal government, and any other eligible organization.

Copies of the completed and signed agreement should be retained by each signatory.

Within 15 days of the effective date of the assignment, two copies of this form must be sent to:

Faculty Fellows and Personnel Mobility Division
Office of Intergovernmental Personnel Programs
Office of Personnel Management
P.O. Box 14184
Washington, DC 20044

Procedural questions on completing the assignment agreement form or on other aspects relating to the mobility program should be addressed to either mobility program coordinators in each Federal agency or to the staff in the Intergovernmental Personnel Programs Division in Office of Personnel Management's regional office.

PART 1—NATURE OF THE ASSIGNMENT AGREEMENT

1. ☐ New Agreement ☐ Modification ☐ Extension

PART 2—INFORMATION ON PARTICIPATING EMPLOYEE

2. Name *(Last, First, Middle)*

3. Social Security Number

4. Home Address *(Street, City, State, ZIP Code)*

5. - A. Have you ever been on a mobility assignment? ☐ YES ☐ NO

5. - B. If "YES", date of each assignment *(Month and Year)*
FROM: TO:

PART 3—PARTIES TO THE AGREEMENT

6. Federal Agency *(List office, bureau or organizational unit which is party to the agreement)*

7. State or Local Government *(Identify the governmental agency)*

8. Is assignment being made through a faculty fellows program? If yes, give name of program. ☐ YES ☐ NO

PART 4—POSITION DATA

A—Position Currently Held

9. Employment Office Name and Address *(Building, Street, City, State and ZIP code)*

10. Employee's Position Title

11. Office Phone No. *(Area Code)*

12. Immediate Supervisor *(Name and Title)*

B—Type of Current Appointment

13. Federal Employees *(Check appropriate box.)*
☐ Career Competitive
☐ Other *(Specify)*
Indicate GS Level

14. State and Local Employees
State or Local Annual Salary
Original Date Employed by the State or Local Government

C—Position To Which Assignment Will Be Made

15. Employment Office Name and Address *(Building, Street, City, State and ZIP code)*

16. Assignee's Position Title

17. Office Phone No. *(Area Code)*

18. Immediate Supervisor *(Name and Title)*

(2)

PART 5—TYPE OF ASSIGNMENT

19. Check Appropriate Box	20. Period of Assignment *(Month, Day, Year)*
☐ On detail from a Federal agency	FROM: TO:
☐ On leave without pay from a Federal agency	
☐ On detail to a Federal agency	
☐ On appointment in a Federal agency	

PART 6—REASON FOR MOBILITY ASSIGNMENT

21. Indicate the reasons for this mobility assignment and discuss how the work will benefit the participating governments. In addition, indicate how the employee will be utilized at the completion of this assignment.

PART 7—POSITION DESCRIPTION

22. List the major duties and responsibilities to be performed while on the mobility assignment. Attach an accurate current description of the position being filled through the IPA assignment.

PART 8—EMPLOYEE BENEFITS

23. Rate of Basic Pay	24. Special Pay Conditions *(Indicate any conditions that could increase the assigned employee's compensation during the assignment period)*

25. Leave Provisions *(Indicate the annual and sick leave benefits for which the assigned employee is eligible. Specify the procedures for reporting, requesting and recording such leave)*

(3)

PART 9—FISCAL OBLIGATIONS

Identify, where appropriate, the office to which invoices and time and attendance records should be sent.

26. Federal Agency Obligations *(If paying more than 50 percent of a Federal employee's salary beyond a 6-month period, specify rationale for cost-sharing decision.)*	27. State or Local Government Agency Obligations

PART 10—CONFLICTS OF INTEREST AND EMPLOYEE CONDUCT

☐ 28. Applicable Federal, State or local conflict-of-interest laws have been reviewed with the employee to assure that conflict-of-interest situations do not inadvertently arise during this assignment.

☐ 29. The employee has been notified of laws, rules and regulations, and policies on employee conduct which apply to him/her while on this assignment.

PART 11—OPTIONS

30. Indicate coverage or "N.A." if not applicable

A. Federal Employees Group Life Insurance

☐ Covered ☐ N.A.

B. Federal Civil Service Retirement

☐ Covered ☐ N.A.

C. Federal Employee Health Benefits

☐ Covered ☐ N.A.

31. State or Local Agency Benefits *(Indicate all State employee benefits that will be retained by the State or local agency employee being assigned to a Federal agency. Also include a statement certifying coverage in all State and local employee benefit programs that are elected by the Federal employee on leave without pay from the Federal agency to a State or local agency.)*

32. Other Benefits *(Indicate any other employee benefits to be made part of this agreement)*

PART 12—TRAVEL AND TRANSPORTATION EXPENSES AND ALLOWANCES

33. Indicate: (1) Whether the Federal agency or State or local agency will pay travel and transportation expenses to, from, and during the assignment as specified in Chapter 334, of the Federal Personnel Manual, and (2) which travel and relocation expenses will be included.

(4)

PART 13—APPLICABILITY OF RULES, REGULATIONS AND POLICIES

34. Check Appropriate Boxes

☐ YES
☐ Yes, with exceptions attached

A. The rules and policies governing the internal operation and management of the agency to which my assignment is made under this agreement will be observed by me.

☐ B. I have been informed that my assignment may be terminated at any time at the option of the Federal agency or the State or local government.

☐ C. I have been informed that any travel and transportation expenses covered from Federal agency appropriations may be recoverable as a debt due the United States, if I do not serve until the completion of my assignment (unless terminated earlier by either employer) or one year, whichever is shorter.

☐ D. I have been informed of applicable provisions should my position with my permanent employer become subject to a reduction-in-force procedure.

☐ E. I agree to serve in the Civil Service upon the completion of my assignment for a period equal to that of my assignment. Should I fail to serve the required time, I have been informed that I will be liable to the United States for all expenses (except salary) of my assignment. *(For Federal employees only)*

PART 14—CERTIFICATION OF ASSIGNED EMPLOYEE

In signing this agreement, I certify that I understand the terms of this agreement and agree to the rules, regulations and policies as indicated in Part 13 above.

35. Location of Assignment *(Name of Organization)*	36. Date *(Month, Day, Year)* From: / To:
37. Signature of Assigned Employee	38. Date of Signature *(Month, Day, Year)*

PART 15—CERTIFICATION OF APPROVING OFFICIALS

In signing this agreement, we certify that:

- the description of duties and responsibilities is current and fully and accurately describes those of the assigned employee;
- this assignment is being entered into to serve a sound, mutual public purpose and not solely for the employee's benefit;
- at the completion of the assignment, the participating employee will be returned to the position he or she occupied at the time this agreement was entered into or a position of like seniority, status and pay.

State or Local Government Agency	Federal Agency
39. Signature of Authorizing Officer	40. Signature of Authorizing Officer
41. Date of Signature *(Month, Day, Year)*	42. Date of Signature *(Month, Day, Year)*
43. Typed Name and Title	44. Typed Name and Title

PRIVACY ACT STATEMENT

Sections 3373 and 3374, Assignment of Employees To or From State or Local Governments, of Title 5, U.S. Code, authorizes collection of this information. The data will be used primarily to formally document and record your temporary assignment to or from a State or local government, institution of higher education, Indian tribal government, or other eligible organization. This information may also be used as the legal basis for personnel and financial transactions, to identify you when requesting information about you, e.g., from prior employers, educational institutions, or law enforcement agencies, or by State, local, or Federal income taxing agencies.

Solicitation of your Social Security Number (SSN) is authorized by Executive Order 9397, which permitted use of the SSN as an identifier of individual records maintained by Federal agencies. Furnishing your SSN or any other data requested is voluntary. However, failure to provide any of the requested information may result in your being ineligible for participation in the Intergovernmental Assignment Program.

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Subchapter 1 - Merit Promotion Plan

1.1 Purpose and Scope. This subchapter establishes the Bureau of Indian Affairs (BIA) Merit Promotion Plan. It is consistent with and adds instructions to Office of Personnel Management (OPM) requirements set forth in 370 DM 335. The plan is a systematic program and means for selection of employees according to merit. It applies to positions in both the competitive and the excepted service (including Indian preference appointments under Schedule A, 213.3112(a)(7)), except for positions which are excepted specifically from coverage. (See 44 BIAM 335, 1.7 for exceptions.)

1.2 Definitions. Pertinent definitions are in FPM Chapter 335, Subchapter 1-2; FPM Chapter 210; and 25 CFR Part 5.

1.3 Policy. For purposes of making appointments to vacancies in all positions in the Bureau of Indian Affairs, a preference will be extended to persons of Indian descent. Non-Indian candidates are not employed for positions when qualified, if eligible Indian candidates are available. Within the context of Indian preference, Bureau policy requires that candidates for positions be identified, evaluated, and selected on the basis of merit and without discrimination based on political, religious or labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying disabilities, or age.

1.4 Indian Preference. Preference will be afforded persons meeting the standards whether the placement action involves initial hiring, reinstatement, reemployment, transfer, reassignment, or promotion. (25 CFR 5.2(a)).

A. Standards. Individuals of Indian descent meeting any one of the criteria below are eligible for Indian preference:

(1) Members of any recognized Indian tribe now under Federal jurisdiction;

(2) Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;

(3) All others of one-half of more Indian blood of tribes indigenous of United States: and

(4) Eskimos and other aboriginal peoples of Alaska.

B. Persons employed by the Bureau on February 16, 1978. Those individuals who received preference in any previous appointment will continue to be preference eligibles so long as they are continuously employed.

C. Applicant Responsibility. Individuals claiming Indian preference must provide a completed Form BIA-4432, Verification of Indian Preference. This form is available in any BIA Personnel Office, Agency, or respective Tribal Office. The only exception that will be made is that employees whose tribes have been terminated and who have been continually employed by the BIA may use the old Certificate of Indian Blood. Tribal identification cards are not acceptable. Individuals are responsible for presenting documentation as appropriate and necessary in support of the claim for Indian preference.

D. Tribal Waiver. A tribe may grant, in writing, a waiver of the application of Indian preference laws when recommending selection of a Bureau non-Indian employee. When a non-Indian accepts a position under this provision, however, any entitlement he or she might have to retirement under Public Law 96-135 is thereby canceled.

1.5 Management Discretion. Nothing is this plan restricts management's right to fill any position by some other appropriate means. Management has the right to select or not to select from "best qualified" candidates. In the exercise of this discretion, nevertheless, Bureau policy must not be violated. A determination as to the availability of eligible Indian candidates must be made and documented before a non-Indian may be reassigned, transferred, or appointed to any position.

1.6 Covered Actions. This plan covers all promotions under Section 335.102 of the OPM Regulations, Schedule A, 213.3112(a)(7), and the following types of actions:

A. Permanent promotion to a higher grade.

B. Temporary promotion for over 120 days.

C. Details of more than 120 days to higher grade positions or to positions with promotion potential.

D. Reassignments and changes to lower grade positions with promotion potential higher than the position from which an employee is changed (except as permitted by reduction-in-force).

E. Transfer and reinstatements to higher grade positions and to positions with promotion potential higher than the last grade held in a nontemporary position in the competitive service.

F. Excepted appointments to a higher grade, or to a position with promotion potential higher than the last grade held in a nontemporary position in the excepted or the competitive service.

G. Selection for training designed to prepare an employee for advancement and is a requirement for promotion.

H. Term appointments and term promotions to higher graded positions.

1.7 Exceptions. This plan does not apply to:

A. Executive Positions. Positions in the Senior Executive Service (SES), the Executive Assignment System, and schedule C of the excepted service.

B. New Classification Standard or Correction of Classification Error. The promotion of an incumbent of a position which is upgraded without significant changes in duties and responsibilities due to issuance of a new classification standard or correction of an initial classification error.

C. Reduction-in-Force. A change permitted by reduction-in-force regulations.

D. Special Employment Program. Appointment of disabled veterans with 30% or more compensability, veterans readjustment appointments; conversions of cooperative education students; appointment of the handicapped, Peace Corps, and Vista volunteers; or other appointments under special employment program authority.

E. Executive Management Pool Appointments. Consistent with BIA and Departmental regulations for prior approval (e.g., key position clearance requirements in 370 DM 311), an eligible candidate may be appointed to an Executive Management Position from the Executive Management Pool within the parameters of Indian preference (covered in 44 BIAM 412).

F. Career and Career Ladder Promotions. Employees may be noncompetitively promoted when at an earlier stage they were selected from a civil service register or under competitive

procedures for an assignment intended to prepare them for the position being filled, and the intent and career ladder of the position were documented before the job was filled.

(1) Promotion of a Career Ladder Incumbent. An employee who is selected competitively for a job advertised at multiple grade levels and filled at a grade lower than its established full performance level may be promoted non-competitively up to the full performance level of the job without further competition when the intent and career ladder were advertised and documented before the position was filled. Selection for a position at a grade below its full performance level does not, however, entitle a selectee to successive and automatic promotions. Career promotions may be made when the manager or supervisor determines them to be warranted, and the employee's current performance and most recent performance appraisal are at least fully successful in all critical and all noncritical elements in his/her performance standards.

(2) Promotion of an Understudy. Promotion of an understudy to the target position may be made when the position becomes vacant, provided the employee has demonstrated potential for satisfactory performance at the next higher grade level. An understudy is one who was selected competitively for training to assume the duties of a position scheduled to be vacated by a current incumbent, in a definite period of time (normally one year or less). If the employee is not promoted, he/she must be removed from the understudy position by appropriate action.

(3) Trainee Positions. An employee who is selected competitively for training which is part of an authorized training agreement, part of a promotion program, or required before consideration for promotion, shall be promoted non-competitively upon satisfactory completion of the training and achievement of the required level of qualifications. (A trainee assignment is one involving a well defined program of a definite duration. It may include on-the-job and/or classroom training, and the performance of assigned tasks on a rotating or non-rotating basis. Most assignments are performed with close guidance and supervision.)

(a) When a trainee is selected, training requirements shall be documented and filed in the employee's Official Personnel Folder (OPF), along with a copy of the completed training agreement and the Individual Development Plan (IDP) for the employee. To ensure appropriate documentation of the OPF, a copy of the trainee's training agreement and IDP shall

be attached to each Request for Personnel Action (SF 52) to promote the employee, together with an evaluation of the trainee's progress.

(b) Merely meeting time-in-grade requirements for higher grades is no guarantee that a trainee possesses sufficient knowledge, skills, and ability (KSA) to perform at a higher level. If the minimum time frame established for advancement to the next higher level passes and the incumbent has not yet demonstrated possession of the level of KSA's to assure satisfactory performance at the next higher level, the supervisor, the employee, the employee's representative (if requested by the employee), and a representative of the personnel office will discuss appropriate action to be taken. (For example, this could include extension of the current developmental phase for not more than six months to allow the employee to remedy deficiencies, and with a reevaluation of the employee at the end of the extension.)

(4) Accretion of Duties. When an employee is assigned to a position and it is reclassified to a higher grade based on the addition of duties and responsibilities, the employee may be promoted noncompetitively, if;

(a) The position is the only job within the immediate organization to which the responsibility logically could have been added;

(b) The appropriate supervisor over the position submits a written, signed, and dated statement outlining all changes which have been made in the job; the reason(s) for the changes; and recommending noncompetitive promotion of the employee;

(c) The servicing classification staff has documented in a written, dated evaluation statement that a successor determination is appropriate; that the new job absorbs the duties of the original position; and that it has the same primary purpose, title, and series.

(d) The action is approved in writing by the Deputy Commissioner of Indian Affairs (who may redelegate this authority no lower than the Director of Administration) as being consistent with Indian preference requirements and merit staffing principles within the context of Indian preference.

(5) Cooperative Education Appointments. Following noncompetitive conversion of cooperative education students in

accordance with requirements in FPM Chapter 308, they may be promoted noncompetitively up to the full performance level in the position.

G. Temporary Promotions of 120 Days or Less. A qualified employee may be promoted noncompetitively when the duration will not exceed 120 days. (See FPM Chapter 335, 1-5a(1) regarding temporary promotions over 120 days.)

H. Details To Higher Grade Positions. A detailed employee may be promoted noncompetitively when the duration of the detail will not exceed 120 days.

I. Repromotion of a Previously Downgraded Employee. A previously downgraded employee may be noncompetitively promoted up to a grade from which previously demoted if the demotion was without personal cause; not at the employee's request; and the repromotion action is consistent with Indian preference. (When employees are returned to a lower grade following temporary promotion, they are not considered as "a previously downgraded employee" under this provision.)

(1) Each personnel office will maintain lists of employees eligible for repromotion. Prior to advertising a position vacancy, qualified Indian employees who are eligible under this provision will be referred for consideration before other eligibles. If there is no Indian employee eligible under this provision, a vacancy announcement will be issued to determine the availability of Indian candidates from other sources. When there is a qualified, eligible Indian candidate available from any source, non-Indian candidates will not be referred.

(2) A non-Indian may be repromoted only when where is no eligible Indian available for a position vacancy.

J. Priority Consideration. Priority consideration of an employee who did not receive proper consideration in a competitive promotion action within the parameters of Indian preference. A vacancy announcement need not be issued.

K. Other Actions. Other actions which are approved by the Director of Personnel (PPM) as exceptions to this plan.

1.8 Responsibilities. Effective application of established Promotion Plan policies and procedures is the responsibility of all concerned personnel, including employees, managers, and

supervisors. Each is expected to carry out assigned responsibilities in order to maintain the integrity of, and confidence in, the promotion plan. Responsibilities are:

A. Central Office, Division of Personnel Management.

(1) Develop, implement and update, as necessary, a Bureauwide Merit Promotion Plan.

(2) Review and evaluate, periodically, the effectiveness of the promotion plan.

B. Area Personnel Offices.

(1) Develop any necessary supplements to this plan required to meet local needs. Plans will be submitted to the Central Office, Division of Personnel Management, for approval.

(2) Administer promotion plans in conformance with policies and standards issued by the Office of Personnel Management, the Department of the Interior, and the Bureau.

(3) Assure the managers and supervisors are informed of their responsibilities under this plan.

(4) Keep employees and supervisors informed of the basic principles, policies, and procedures of the promotion plan.

(5) Maintain promotion records.

(6) Provide technical assistance to promotion panels involved in ranking process.

C. Bureau Management Officials and Supervisors.

(1) Must know and understand the provisions of the promotion plan and periodically discuss it with employees.

(2) Provide the personnel office with a crediting plan for each vacancy announcement.

(3) Serve on promotion panels for the purpose of evaluating and ranking candidates qualified and available for promotion.

(4) Give fair and impartial consideration to eligible candidates.

(5) Encourage and help employees to develop and prepare themselves for advancement.

(6) Release employees selected for promotion at the earliest date possible. Under no circumstances will the action be delayed more than 30 days without the recorded approval of the personnel officer when an employee is located at the same location. For employees moved outside of the location, the release date will be delayed no longer than one pay period after receipt of a cost comparison of moving expenses from GSA without approval of the releasing personnel officer.

(7) Assist personnel offices in reviewing promotion plans.

(8) Complete Supervisory Appraisals for employees applying on Vacancy Announcements.

(9) shall not notify applicants of selection. Official notification will be made by the servicing personnel office. (See paragraph 19.E.)

D. Employee Responsibilities.

(1) Serve, upon request, on promotion panels for the purpose of evaluating and ranking qualified candidates.

(2) Be familiar with the Merit Promotion Plan.

(3) Participate in self-development activities, on-the-job training, and formal training.

(4) Complete an SF-171 when applying for a vacancy, and include all training, education, experience, awards, and professional outside activities. This information should be complete and current. Employees are responsible for submitting the Verification of Indian Preference form (BIA-4432) and updating their personnel records including additional education, training and/or skills gained outside the employee's present assignment. Employees are responsible for personal delivery or costs of mailing their completed SF-171 to the appropriate personnel office recruiting for the position. Employees may not use any Government envelopes, or telefax equipment.

(5) Demonstrate competence for advancement through diligent and effective performance in current assignment.

(6) Complete the supplemental questionnaire which contains knowledge, skills, and abilities required in the job to be filled.

(7) Advise the personnel office which advertised the vacancy, within three work days after notification of selection, of acceptance or declination of job offer. No response will be considered a declination.

1.9 Temporary Promotions and Details. As indicated above, competition is required for details of more than 120 days to higher grade positions and to positions with known promotion potential. Selections for temporary promotions to higher grade positions or positions with known promotion potential must be made through competitive procedures if they will exceed 120 days.

A. These requirements may not be avoided by a series of short term temporary assignments. All of an employee's service during the preceding 12 months under both temporary promotions and details to higher grade positions (both competitive and noncompetitive) will be counted to determine the 120-day limit for noncompetitive assignments. (See FPM Chapter 335, 1-5a(1).)

B. In accordance with 25 CFR 38.13(a), a status quo Education employee who is temporarily promoted will become a contract employee upon return to his/her previously held position.

C. Temporary assignments to higher grade positions should be accomplished by a temporary promotion, competitively or non-competitively, when:

(1) The need for a temporary replacement is expected to last more than (60) days.

(2) The selectee is required to fully assume the position. The supervisory management official certifies in writing that the temporary assignee will assume the full scope of the grade-con-trolling duties and thereby warrant pay at the higher grade level.

(3) The employee meets the minimum applicable qualification standards for the position.

D. All individuals to be temporarily promoted, either competitively or noncompetitively, will be advised in advance of the temporary nature of the action and all conditions relating to

it, including the expected duration and the fact that they are entitled to return to their permanent position at the expiration of the temporary promotion (See 1.9B for status quo Education employees). Also, it will be made clear that management, at its discretion, may terminate a temporary promotion at any time sooner than the expiration date.

E. Temporary promotions will not be used for training or job-try-out purposes.

F. Temporary promotions do not confer later eligibility for special repromotion consideration.

G. Individuals selected for details to the same or lower grade should normally be qualified to perform the functions of the position to which detailed.

1.10 Areas of Consideration. Applications from Indians will be accepted regardless of the area of consideration specified by a vacancy announcement.

A. All Other Recruitment Sources. When it is evident that a sufficient number of qualified candidates will not be available as a result of Departmentwide consideration, the announcement will be distributed to other recruitment sources. This may include other Federal Agencies, Indian organizations, and tribal councils.

B. Departmentwide. Positions at grade GS/GM-13, 14, and 15, unless an exception has been approved by the Department. When it is evident that there is a large number of highly qualified Indian candidates in the Bureau, the announcement may be Bureauwide.

C. Bureauwide. Positions at grade GS-7 through GS-12 and trades and labor positions (WG/WL-10 and above) must be announced Bureauwide.

D. Areawide. Positions within the area in grade GS-6 and below, and all trades and labor positions (WG, WL-9, and below) will be announced areawide. The following locations will be combined to constitute an area of consideration.

(1) Phoenix and Sacramento

(2) Eastern Area Office and central office

(3) Anadarko and Muskogee

E. Central Office Positions.

(1) For central office positions, through GS-6 located in Washington, the area of consideration will be Washington, D.C., Metropolitan Area.

(2) Central office positions, GS-6 and below, located outside Washington, D.C., and physically located within an area, shall be announced within the Metropolitan area in which the position is located.

(3) Central office positions GS-7 and above will be announced in accordance with instructions contained in A, B, and C above.

F. Expansion of Area of Consideration. Minimum areas of consideration identified above are expected to provide a sufficient number of highly qualified candidates. In order to assure that stated purposes of the plan are maintained, the following procedures will apply:

(1) When it is determined in advance that the minimum area will not yield highly qualified candidates, announcement shall be made initially throughout the expanded area.

(2) If the minimum area is used and fails to produce highly qualified candidates, the area of consideration shall be expanded. Normally, extension to the next organizational area of consideration (i.e, areawide expanded to Bureauwide) will satisfy the requirement for expanding the area of consideration, but each vacancy should be evaluated individually.

G. Exception to Area Consideration. In filling positions by temporary promotions, NTE one year, or details to a higher graded position for more than 120 days, the area of consideration need not be extended beyond the standard area of consideration. When temporary promotions or details may lead to a permanent promotion, the regular area of consideration must be used.

1.11 Position Structuring. The process of locating candidates cannot begin until a final determination is made on whether the vacant position will remain unchanged or redesigned in some way. Considerations that could be involved include:

A. Job redesign requires advance planning to determine resources available and the impact of a redesigned position upon the productivity of the unit. Unless the proper supervision and guidance can be provided to an individual who is at a trainee level and the unit can accomplish the workload with a less that full performance employee, job redesign should not be considered.

B. Advanced placement planning is necessary to determine the most desirable and effective staffing action to be taken. Skills requirement analysis combined with analysis of qualifications available in the work force and in the general labor market may indicate that attempts to fill should or should not be for the same grade or even in the same job series as the position that was vacated.

C. Consideration of labor costs may result in a redesign of the position to a lower grade, or it may be determined that use of part-time, or intermittent employment is preferable to filling by full-time placement action.

D. Consideration of the objectives of the Bureau's action plan for EEO, upward mobility hiring, placement and advancement of handicapped and disabled veterans, and others may reveal the need to redesign the vacated position to provide more equitable opportunities for employment and advancement.

1.12 Crediting Plan for Announced Vacancies. These procedures provide a system for conducting the job analysis, developing ranking criteria, and provide formats for adequate and proper documentation in the selection process. The job holding office will be responsible for developing the crediting plan. The use of crediting plans is mandatory. (See Illustration 1 for instruction.)

1.13 Vacancy Announcements.

A. Contents of Vacancy Announcements.

(1) Announcement Number.

(2) Opening date - Closing date.

(3) Title, series, grade of position, the full performance level, and salary-range.

(4) Issuing Office.

(5) Location (to include Duty Station and Organization).

(6) Area of Consideration.

(7) Statement of Indian Preference, "In filling this vacancy, proof of eligibility for Indian preference is required." Form BIA-4432, "Verification of Indian Preference for Employment" must accompany the application of an individual who claims Indian preference.

(8) Brief description of duties.

(9) Qualifications required (OPM Qualifications Standards or BIA Excepted).

(10) Selective placement and/or quality ranking factors.

(11) When required, include statement of employment and financial interest.

(12 On positions of a policy or decision-making nature, announcement must contain: "An employee selected for this position must meet conflict of interest requirements of the Bureau of Indian Affairs".

(13) Conditions of Employment.

(14) Statement of Non-Payment of Travel when required.

(15) Testing designated positions shall contain "All applicants tentatively selected for this position will be required to submit to urinalysis to screen for illegal drug use prior to appointment".

(16) On critical sensitive positions background investigations will be necessary.

(17) Selective Service Statement.

(18) Requirement for SF-50.

(19) DI 1935 - Applicant Background Survey.

(20) Telephone number of office accepting applications.

(21) The following authorization statement will accompany ONLY those applications which are submitted for positions which require tribal consultation:

> "I hereby authorize any and all persons involved directly or indirectly in the selection process to review my SF-171, Application for Employment."

_____
Signature of Applicant

(22) If Merit Pay Position, indicate on vacancy announcement.

(23) Availability of Government Housing

(24) A statement on EEO, consistent with Indian preference requirements.

B. Mailing Date for Vacancy Announcements. The servicing personnel office is responsible for the preparation, duplication, and distribution of Vacancy Announcements to all organizational activities, other Department Bureau Headquarters and Federal Agencies. A vacancy announcement must be mailed in advance of its opening date as follows:

(1) Other Recruitment Sources - 8 Calendar Days

(2) Departmentwide - 8 Calendar Days

(3) Bureauwide - 5 Calendar Days

(4) Areawide - 5 Calendar Days

C. Time Limit for Vacancy Announcement:

(1) Other Recruitment Sources and Departmentwide (GS/GM-13 and above) - 30 Calendar Days. Announcements will be forwarded to all DOI Bureau Headquarter's personnel offices. Procedures prescribed for the Department's vacancy information system or for special job categories or grade levels must be followed.

(2) Bureauwide (GS-7 to GS-12) - 21 Calendar Days or shorter if appropriate (i.e., a reannouncement of a previously advertised job or a temporary position). Announcements will be forwarded to the Bureau Personnel Offices for distribution.

(3) Areawide - 14 Calendar Days.

1.14 Methods of Locating Candidates.

A. Vacancy Announcements. Applicants must submit an Application for Federal Employment (SF-171) for each vacancy with an appraisal which has been completed by the applicant's supervisor within the preceding year. An employee or outside applicant who claims Indian preference is responsible for submitting a copy of a Verification of Indian Preference Form with his/her application (Form BIA-4432). In addition, any other forms required by a particular announcement must be submitted (i.e., copies of college transcripts, veteran's verification).

B. Nominations. Supervisors may nominate candidates for appointment or promotion to a particular vacancy. Supervisors should advise nominees to send a SF-171 and other appropriate documents.

C. Applicant Supply File. The Applicant Supply File is an inventory of applicants who wish to be considered for future vacancies for which they qualify.

D. Automatic Consideration. Permanent employees temporarily absent on military furlough, leave without pay, detail, participating in special training courses, serving with a public or international organization, absent due to a compensable injury or disability or on an IPA Assignment shall receive consideration for promotion to any position for which they are qualified. Appointing offices are responsible for setting up procedures to insure this consideration.

E. Special Program Applicant Supply Files.

(1) Federal Equal Opportunity Recruitment Program (FEORP) - In filling vacancies, Indian preference will be applied first, and if there are no qualified Indians, then qualified candidates from other groups covered under FEORP will be given every consideration.

(2) Handicapped Programs. Handicapped applicants who meet the qualifications requirements will be referred to

selecting officials concurrently with other eligibles within the scope of Indian preference. Applications from handicapped applicants who meet the severely handicapped authority may be accepted after the closing date of the announcement up to issuance of the certificate of eligibles. On vacancy announcements, if competitive status is required, a statement will be added as follows: "Competitive status is not required if the person selected is a handicapped individual eligible for appointment under Section 213.3102(u) of Schedule A. Such individuals need not be present or past Federal employees."

(3) Disabled Veterans Program. Disabled veterans who meet the qualifications will be referred concurrently with other eligibles within the scope of Indian preference. Particular emphasis will be made to refer veterans with 30% or more compensable disability.

F. Veterans Readjustment Appointments - Certain qualified veterans of the Armed Forces may be hired for a two year period leading to permanent Civil Service status.

G. Reemployment Priority Lists - Reemployment of individuals who were separated involuntarily.

H. Repromotion Priority Lists - Repromotion of individuals who were demoted involuntarily.

1.15 Time Limits for Accepting Applications. Applications and all accompanying documents must be received by the closing date of the announcement. Applications from individuals residing outside the commuting area of the position to be filled, which are postmarked three (3) calendar days after the closing date, will be accepted only if the personnel office is notified on or before the closing date of the vacancy announcement.

1.16 Determining Basic Qualifications.

A. Qualifications Standards. The Interior Department Excepted Qualifications Standards and/or Office of Personnel Management Qualifications Standards constitute the basic qualifications requirements for positions filled under this plan. Every candidate who meets the basic standards is considered qualified for the position. Indian applicants will be rated for basic qualif-ications. If the Indian applicants are unacceptable for valid reasons, i.e., suitability, then the non-Indian applicants will be rated. If there are no Indians, then non-Indians will be rated. (See Illustration 1, Sec. 6. Ranking

Candidates). Eligibles who will meet all of the position qualification requirements, time-in-grade requirements, etc., within 30 days after the closing date of the announcement may be considered. They may not be promoted until all the requirements are met.

B. Selective Placement Factors. In some instances, a particular job or job environment will necessitate that an additional basic qualification requirement must be met to satisfactorily perform the job. For example, in some jobs the incumbents will be able to perform the required duties and responsibilities only if they are fluent in a language other than English or willing to travel by plane. These additional, absolutely essential requirements, are referred to as selective placement factors. Justification of the relationship to the actual duties of the specific job to be filled shall be maintained in the file. When selective placement factors are identified as essential, the factors become part of the basic requirements for basic eligibility. Candidates who do not meet the established selective placement factors will be ineligible for the specific position to be filled even though they do meet the other standards. All requests to use selective placement factors will be submitted to the Chief, Division of Personnel Management.

1.17 Ranking Procedures.

A. Promotion Panels. Promotion panels will be established in order to rank candidates for positions at GS-7 and above when there are more than ten (10) eligible candidates. Panels will consist of at least two or more members, and a personnel specialist serving in an advisory capacity to ensure that proper procedures are followed. Panel members must occupy positions the same and higher grade than the position to be filled and should be familiar with the duties of the job. (See Illustration 1, for detailed instructions).

B. Panel Exceptions. Candidates who are basically qualified will be evaluated on a combination of factors considering their overall knowledge, skills and abilities. If there are ten (10) or fewer applicants, they may be evaluated by either a personnelist or a rating panel. If a personnelist conducts the ranking procedure, all applicants must be rated against the KSAs and a summary determination prepared indicating whether there are significant differences in their KSAs. If no significant difference is found, then all 10 applicants may be referred along with a statement by the personnelist attesting that there were no meaningful distinctions among the applicants' backgrounds. When advertising at multiple levels a panel is necessary only when there are more than 10 candidates at any one grade level.

1.18 Ranking Qualified Candidates.

A. Best Qualified. Candidates determined to be basically eligible for the position are evaluated further to identify those who are best qualified. This process is referred to as ranking. If no qualified Indian candidates are available, non-Indians will be ranked. The requirement to further evaluate (or rank) eligible candidates is based on the merit principle that selecting officials are entitled to choose from among best qualified candidates. The ranking process is based on a comparison of the eligible candidates' qualifications against a set of job-related criteria that has been predetermined by a crediting plan (Illustration 1) for the specific job or type of job to be filled. These job-related criteria go beyond the basic standards of eligibility and are expressed in terms of the specific knowledge, skills, and abilities (KSAs) that either (1) must be brought to the job or (2) if possessed to a high degree, will distinguish the likely highly satisfactory performers from those who are likely to be only adequate.

B. Elements used in the Ranking Process.

(1) Experience and Education. The SF-171, Application for Federal Employment, and Supplementary Experience Statements will be examined to determine the type and quality of experience and education in relation to the position to be filled.

(2) Supervisory Appraisals. Although appraisals will always be used in ranking, no candidate will be screened out automatically for failure of his/her supervisor to complete an appraisal. They will, however, be unable to receive maximum credit without the supervisory appraisal. An employee must be permitted, upon request, to review a copy of any supervisory appraisal of his/her work performance or potential which was used or may be used in consideration for promotion. Appraisals can be no more than 12 months old at the time of receipt.

(3) Training, Self-Development, Outside Activities and Awards. Candidate's training, self-development, outside activities and awards will be considered to the extent they are relevant to performance in the job to be filled. Amounts of training will not be a criteria factor in the ranking process unless there is evidence that it demonstrates a clear and positive relationship between amounts of training and possession of higher levels of the KSA.

C. Restricted Practices. The following occurrences will lead to suspension of competitive action in process and a new action must be initiated:

(1) Changes in basic qualification requirements of job related criteria after a vacancy announcement has been published.

(2) Compromise of evaluation criteria.

1.19 Referral of Candidates and the Selection Process. Selecting officials have the right to select from among a group of best qualified candidates. They may elect to fill positions from other appropriate sources, consistent with Indian preference and merit promotion regulations, i.e., priority promotion consideration and priority reemployment.

A. The best qualified candidates will be referred to the selecting official. (Normally three to five candidates will be certified in alphabetical order). Up to ten candidates may be certified when a meaningful distinction cannot be made among a smaller number of qualified candidates.

B. If a position is advertised at more than one grade level, selection may be made at any grade level so long as there is compliance with the Indian preference policy in the selection process (i.e., a non-Indian may not be selected at any grade level if there is a qualified Indian available at any of the levels advertised).

C. Candidates outside BIA will be identified by a parenthetical notation (Outside Candidate). Non-federal Indian applicants will be referred on a supplemental certificate.

D. Personal interviews and telephone contacts may be used in the selection process. When an interview is afforded any of the referred candidates, all of the other individuals on the certificate will be interviewed. Such contacts provide (1) another means to evaluate and compare candidates; (2) an opportunity to explore more thoroughly the relationship of training and self-development of the candidates to the position for which they are being considered; (3) a chance for the candidates to discuss their background and the position; (4) increased confidence in the promotion process on the part of all concerned.

E. A selecting official shall not notify candidates of their selection. The servicing personnel office will notify the applicant. [See paragraph 1.8.C(9)]

F. The Selecting Official must provide a written statement on the selection certificate (Illustration 8) documenting the reason for selecting a specific candidate. This statement must reflect the candidate's qualifications with regard to the requirements for the position being filled. The statement will be retained in the Merit Promotion file. If the selecting official does not desire to select any of the candidates on the certificate, non-selection should be justified on the certificate and returned to the personnel office within 30 days for further placement action. The certificate automatically expires 30 days from the issuance date. The expiration date may be extended an additional 30 days upon approval of the personnel officer.

G. Within 5 days after a selection has been made, the appointing office will inform each non-selected candidate whether they were among those on the certificate and will give the name of the candidate selected for the position.

1.20 Supplemental Certificates.

A. Applicant Supply File Candidates. It is the Bureau's policy to provide Indian preference eligibles with every opportunity for employment. Indian preference eligibles entered into an applicant supply file who are rated qualified for a position being filled under the promotion plan will be referred on a Supplemental Certificate for concurrent consideration. Non-Indian applicants entered into an Applicant Supply file may be referred on a Supplemental Certificate for consideration if there are no qualified Indian preference eligibles available. Candidates in the applicant Supply file may be ranked in accordance with transmutation table outlined in 44 BIAM 333.

B. Departmental Career Placement Assistance Program. Lists of candidates will be screened against vacancies. When there are eligible candidates for vacancies, these candidates must be considered in accordance with the DCPA and Bureau guidelines.

1.21 Release of Employees and Notices to Selected Candidates. Employees normally will be released to report to their new position no later than two weeks following notification of selection by the personnel office. In no case will the action be delayed more than 30 days without the recorded approval of the personnel officer. The selected employee will be notified in writing or by documented telephone call within five working days following receipt of the complete certificate.

1.22 Maintenance of Promotion Records.

A. Promotion Records. Promotion records must contain the following required information for two (2) years, or after an OPM evaluation, whichever comes first:

(1) Copy of the Vacancy Announcement and any amendments.

(2) Job Analysis and Crediting Plan describing the job related criteria and rating/ranking methods used.

(3) Completed rating and ranking forms.

(4) Names of all applicants and qualifications determinations on each applicant, including copies of the SF-171's and other information used; such as, supervisory appraisals.

(5) Promotion certificate and the supplemental certificate if one was issued.

(6) Copies of letters notifying all promotion applicants or other candidates of their non-selection.

(7) Any correspondence or inquiries received in regard to the promotion action, including copies of applications and any other information received from candidates who were considered.

(8) Identification by name, position title, series, grade, and organizational location of persons involved in evaluating the candidates qualifications.

(9) Copy of pertinent position description.

(10) Names of candidates receiving special consideration and the reason why special consideration was given.

(11) Copy of guidance and instruction issued to panel (if any).

(12) A record of any further screening actions on each certificate of the candidates (e.g., interview, reference checks).

1.23 Information to Employees.

A. Copies of the Merit Promotion Plan will be furnished to

supervisors and posted on bulletin boards accessible to all employees. Employees will be notified where a copy of the promotion plan is available and who they should contact for additional information. All newly appointed employees will be informed of the promotion plan during their orientation. After a significant revision of the promotion plan, employee orientation shall be held to provide the following information:

(1) Major changes in the plan and where a copy of the plan is available for review.

(2) Where bulletin boards are located for the posting of vacancy announcements.

(3) How employees may request consideration and the importance of carefully completed applications.

(4) How positions may be filled by promotion as well as by reassignment, reinstatement, and outside recruitment.

B. The following information about specific competitive placement actions will be furnished to each candidate considered under a vacancy announcement upon request:

(1) Whether the employee was considered for promotion.

(2) Whether the employee was found to be basically eligible.

(3) Whether the employee was determined highly qualified.

(4) Whether the employee was among the best qualified group from which selection was made.

(5) Whether the employee was selected.

(6) Whether the position was filled from a priority source.

C. Upon a request of an employee candidate who was not referred among the best qualified, the personnel office will provide information regarding the areas in which the employee needs to improve in order to increase future opportunities.

1.24 Employee Complaints and Grievances. The personnel office shall respond promptly to an employee question or complaint about the promotion program or about a specific promotion action. Every effort will be made to handle the matter on an informal

basis. If the matter cannot be resolved informally, the employee may submit a formal complaint under applicable grievance procedures or under the procedures for handling equal employment opportunity complaints, whichever is appropriate. Matters which are not grievable either under the Administrative or Negotiated Grievance System include:

A. Failure to be selected for promotion where proper promotion procedures have been used.

B. An action required to be taken under provisions of a statute or instructions of the Office of Personnel Management.

1.25 Review of Plan.

A. A review of the plan will be conducted periodically by the Division of Personnel Management to insure that the plan is effective in meeting the needs of management and Bureau employees. The Office of Equal Employment Opportunity will be consulted for input during the review period.

B. The personnel office will consult with employee organizations where the union has exclusive recognition during the development and revision of the promotion plan.

Crediting Plan Guide of Merit Promotion Plan

1. Introduction

These instructions outline the procedures for documenting job-related knowledge, skills, and abilities (KSAs) in the rating and ranking of candidates under the Merit Promotion Plan. The basic qualification, of course, will be determined by the OPM Qualification Standard, applicable Departmental, or BIA Excepted Qualification standards. This procedure provides a systematic approach for documentation of the steps taken in the ranking process. It provides a system which assesses all relevant aspects of a candidate's background to determine at what level the candidate possesses a particular knowledge, skill, or ability. These procedures will be used for all General Schedule positions and the job element rating system will be used for Wage Grade positions.

2. Job Analysis

Job analysis is a systematic method of identifying job content. It involves the identification of critical tasks, knowledge, skills, abilities, and other personal characteristics associated with adequate performance on the job. Upon receipt of the SF-52 to begin the recruitment process, the personnel specialist needs to identify the major duties of the position. This information usually can be obtained from the position description and the Supervisor and/or subject matter expert (SME). Classification standards may also prove helpful in identifying the major duties of the job. When the major duties are identified, they will be recorded in Column I on the Job Analysis Interview Form BIA-4442 (Illustration 2). The Personnel Specialist and/or the supervisor or SME will identify the knowledge, skills, and abilities (KSAs) necessary for the accomplishment for each major duty. These KSAs will be recorded in Column II. The supervisor of the position or the SME must sign the form before it is considered valid.

After the KSAs are identified, the Personnel Specialist will need to review them with the supervisor/SME to determine the KSAs which are:

(a) not relevant
(b) not capable of being measured
(c) capable of being combined with others

In determining what KSAs are to be used, the decision should be made as to whether it is a characteristic that is reasonable to expect candidates at a particular grade to possess, or whether it can be learned within a reasonable period of time on the job. For example, knowledge of Bureau regulations might be an unreasonable KSA for a candidate outside the Bureau and might very well limit the competition. If the KSA is unratable or unreasonable to expect, it should be eliminated. The following example demonstrates format and acceptable KSAs for the sample duties.

Duties	Associate KSAs
1. Directs or advises on programs involving funds management, personnel management, procurement, contract administration, property management.	Knowledge of administrative management and its related functions in order to provide direction and advice.
2. Provides advice to head of the organization and management officials in matters pertaining to management services.	Ability to communicate orally. Ability to communicate in writing.
3. Plans, organizes, and coordinates and provides technical assistance on BIA programs.	Knowledge of Bureau programs. Skill in developing clear and meaningful oral and written expression.

3. Development of a Crediting Plan

The selecting official and/or subject matter expert will define levels at which candidates might possess each KSA and record them on the Crediting Plan, Form BIA-4443 (Illustration 3). For each KSA, superior, good, and accept-able levels of performance will be defined. These will become the ranking factor levels in the crediting plan. These levels are not intended to be all inclusive. They merely serve as possible indicators of those levels. Following are the point values assigned and a description of each level:

	POINT VALUE
Superior	5
Good	3
Acceptable	1

Superior Level	Indicates an individual has: (1) had extensive experience or education which applies to the KSA, and (2) used the KSA in a variety of settings.
Good Level	Evidence of possession of KSA, but not at the level described as superior.
Acceptable Level	Possession of the KSA.

For each level described, examples of experience, training, and outside activities should be included to provide evidence of that level of qualifications. When the levels of experience have been defined, it will be necessary to obtain the signature or a notation of approval of the supervisor or SME for each KSA listed on the Crediting Plan. These are the factors that will be used in evaluating all candidates.

4. Vacancy Announcement

The Vacancy Announcement will contain ranking factors that have been identified for use in ranking candidates and a selective placement factor, if approved by the Central Office's Chief, Division of Personnel Management.

Ranking Factors (KSAs) are used to arrange candidates in order of relative merit. They are job related factors that allow meaningful distinctions of qualified candidates. They are knowledge, skill, and abilities used as criteria to estimate eligibles' potential for performance in the position. These factors should provide a sound basis for considering, evaluating, and comparing candidates.

Selective placement factors are qualifications which are essential to successful performance in the position to be filled and are in addition to the qualification standards required by the Office of Personnel Management. Selective placement factors may not be used merely because it would be desirable for the position. They are essential to satisfactory performance in the position to be filled.

5. Information Required

All applicants will be required to submit an Application for Federal Employment, SF-171, and a Supervisory Appraisal of Demonstrated Performance or Potential, Form BIA-4450 (Illustration 4). The knowledge, skills, and abilities as identified in the crediting plan will be inserted as Ranking Factors on the supervisory Appraisal and will be the basis of rating by the Supervisor. Applicants will be asked to complete the Supplemental Questionnaire, Form BIA-4446, (Illustration 5) addressing each KSA listed in the vacancy announcement.

6. Ranking Candidates

If there are five or fewer qualified candidates, they may be certified to the selecting official without being ranked. When there are more than five candidates at GS-7 and above, panels will be convened for ranking. The panel will consist of at least two, and preferably three members, who are the same grade or higher than the position to be filled. The selecting official will not participate in the panel. The personnel representative will provide technical assistance and information about the position and procedures to be used by the panel, but will not serve as a ranking member. When an EEO representative is not a panel member, a representative will be invited to attend as an observer.

The panel will be provided a copy of the vacancy announcement, the position description, and the crediting plan for review. The Ranking Sheet Form BIA-4447 (Illustration 6) will be used for each panel member to record the points accorded each applicant. When Indian applicants are available, it will not be necessary to rank non-Indians. Non-Indian applicants will be ranked only if the Indian candidates are not available (See 44 BIAM 335 1.16). The reverse of Form BIA-4447 may be used to document reasons for assigning point values.

Experience, training, self-development and outside activities, supervisory appraisals, and awards will all be considered in the evaluation process. The personnel specialist will discuss the definitions and use of these elements with the panel as follows:

Experience - The quality and recency of experience will be considered.

Training, Self-development and Outside Activities - Courses or training sessions, seminars or outside activities that would increase the candidate's potential for performance on the job to be filled.

Supervisory Appraisals - Review of appraisals will be made to determine applicants' past performance and potential for performance. While BIA appraisals should be used when possible, appraisals from other agencies will be assessed in the same manner as BIA appraisals.

Awards - Awards will be considered to the extent that they indicate ability, motivation, and effectiveness.

When each panel member has completed individual ratings, the personnel specialist will record the name, title, and office location of each candidate and the individual point values on the Summary of Panel Member Evaluation for Merit Promotion, Form BIA-4448 (Illustration 7). The personnel specialist initiates discussion among the panel members concerning their ratings to try to resolve any problems. For example, if there is a wide disagreement on the ratings, this should be discussed with the panel members. The points for each candidate will then be averaged and entered into the average score column. The 3 to 5 candidates with the highest scores will be the best qualified candidates who will be referred to the selecting official. The best qualified candidates are those whose rating equals or exceeds the points of all the good levels added together. For example, if there are 5 KSAs, the total of the good levels would equal 15 points and any applicant whose rating equals 15 or more points will be best qualified.

The personnel specialist is responsible for properly documenting the Merit Promotion File so that it is clear as to why the best qualified candidates were considered to be best qualified.

7. Merit Promotion Certificate

The personnel office will list the best qualified candidates on the Certificate of Candidates (Form BIA-4449) (Illustration 8) in alphabetical order and forward to the selecting official. The selecting official will identify the selection or indicate a non-selection and return it to the Personnel Office for final processing.

JOB ANALYSIS INTERVIEW

POSITION, TITLE, SERIES, GRADE _____

SIGNATURES: _____
Supervisor/Subject Matter Expert

_____
Personnel Representative

Column I List four or five major functions to be performed on this job.	Column II For each function what KSAs are required.

Crediting Plan

POSITION TITLE, SERIES, GRADE: _____

KSA TITLE: _____

	POINT VALUE
SUPERIOR LEVEL -	5
GOOD LEVEL -	3
ACCEPTABLE LEVEL -	1

SUPERVISORY APPRAISAL OF DEMONSTRATED PERFORMANCE OR POTENTIAL

Announcement No._____

PLEASE HAVE THIS APPRAISAL COMPLETED BY YOUR SUPERVISOR AND SUBMIT WITH YOUR APPLICATION, SF-171 (If the appraisal is submitted directly by the Supervisor, the Applicant will be permitted to review and/or obtain a copy of the appraisal upon request.)

Name of Applicant:_____ Position: _____

Basis of Appraisal					Level of Performance			
Check one					Please Check as appropriate:			
Outside Activities	On-the-Job Performance	Formal Training	Unable to Appraise	RANKING FACTORS (Knowledge, skills, abilities, and personal characteristics)	4-Exceptional 3-Above Average 2-Average/ Satisfactory 1-Rarely Satisfactory			
					4	3	2	1

SUPERVISORY APPRAISAL OF DEMONSTRATED PERFORMANCE OF POTENTIAL

Announcement No. _____

NARRATIVE: BRIEFLY EVALUATE THE CANDIDATE'S OVERALL ABILITY TO PERFORM THE DUTIES AND RESPONSIBILITIES OF THE POSITION. NARRATIVE COMMENTS ARE REQUIRED FOR ALL EVALUATIONS.

IN WHAT CAPACITY ARE YOU MAKING THIS APPRAISAL? (Please ✓ as appropriate)

☐ Present Immediate Supervisor ☐ Present 2nd Level Supervisor ☐ Other (Specify)

☐ Former Immediate Supervisor ☐ Former 2nd Level Supervisor

Period During Which You Supervised the Applicant: From: To:

Appraiser:

(Signature) (Date) (Phone No.)

SUPPLEMENTAL QUESTIONNAIRE
(on Knowledge, Skills, and Abilities)

Position applied for: _____

Vacancy Announcement No. _____ Closing Date: _____

Name of Applicant: _____

Use additional sheets of paper to tell about the knowledge, skills and abilities listed below.

To receive full credit for your qualifications, be sure to describe experience, training, awards, hobbies, self-development achievements, and any other aspects of your background which demonstrate the level of knowledge, skills, or ability you have. This supplement will be the principal basis for determining whether or not you are highly qualified for the job.

Describe your qualifications in each of the following:

The information you provide is considered to be part of your application and as such is certified correct by your signature on the SF-171 or equivalent.

Form BIA-4447
(Rev. 4/22/92)

DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

Ranking for Merit Promotion

POSITION TITLE, SERIES, GRADE: _____

Vacancy Announcement # _____ Location: _____

Rater: _____ Date: _____

C A N D I D A T E S

Knowledge, Skills, and Abilities													

Form BIA-4448
(Rev. 4/22/92)

DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

SUMMARY OF PANEL MEMBER EVALUATION FOR MERIT PROMOTION

TOTAL POINT VALUES

POSITION: _____

Vacancy Announcement # _____

Name, Title, Location	RATER A	RATER B	RATER C	AVERAGE SCORE

CERTIFICATE OF CANDIDATES

Position Title, Series, Grade: _____

Vacancy Announcement # _____ Location: _____

Issue Date: _____ Expiration Date: _____
(30 days)

☐ Drug Testing Required ☐ Background Checks Required

Best Qualified Candidates in Alphabetical Order

Issuing Officer Title Date

Note: Job Offers will only be made by Personnel Staff.

SYMBOLS USED IN REPORTING ACTION: A - Selected D - Declined
NS - Considered but not selected

Selecting Official Title Date

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Subchapter 2. Restrictions on Sons and Daughters

Subchapter 3. Qualification Standards

Subchapter 4. Educational Requirements (No BIAM issuance planned)

Subchapter 5. Age Requirements (No BIAM issuance planned)

Subchapter 6. Appointments Above the Minimum Because of Superior Qualifications (No BIAM issuance planned)

Appendix A Recording Standards and Employee Qualifications

Appendix B Guidelines for Submitting Proposals to Establish Entry Age Limits (No BIAM issuance planned)

Subchapter 2. Restrictions on Sons and Daughters.

.1 Restrictions on Employment of Sons and Daughters of Agency Personnel.
(a) For appointments to student or summer employment in the competitive service, see FPM Chapter 338.

(b) Sons and daughters eligible for appointment under Sch. A, 213,3112(a)(7) may be appointed to student or summer employment when the appointment is not prohibited by Section 3110 of Title 5, U.S.C. (FPM Chapter 310), Employment of Relatives.

A son or daughter may be appointed to student or summer employment when: (1) There is urgent need resulting from an emergency posing an immediate threat to life or property or (2) The son or daughter is a member of a family meeting the income criteria in Appendix G of FPM Chapter 213.

Subchapter 3. Qualification Standards.

.1 Excepted Qualification Standards. BIA Excepted Qualifications Handbook and approved excepted standards will be applied in all personnel actions involving individuals who present proof of Indian Preference for general schedule positions. Internal crediting plans are to be developed for filling wage grade positions.

.2 Written and Performance Tests. No written or performance test will be required unless the standard specifically includes such test.

.3 Suitability Qualifications. A candidate has not fully met the qualification standards until a determination of acceptability for the position has been made. Applicants and employees must be evaluated in a manner that will promote the efficiency of the Bureau while assuring fair, impartial, and equitable treatment of the person. FPM Chapter 731, Suitability, and FPM Letter 731-3, Suitability Guidelines for Federal Employment are to be used in determining suitability for competitive appointments. Similar procedures will be utilized for excepted appointees based on Indian Preference. To aid in this process, the following forms will be utilized in vouchering: OF-49, OF-50 and OF-51.

.4 Trainee Positions. Trainee positions may be advertised at lower grade levels than the full performance position to attract candidates, particularly promising Indians, who may not qualify at the full performance level. To be eligible, candidates must meet the qualification standards of the grade advertised. The announcement must indicate a trainee position with potential to the higher grade, and appropriate training plans must be developed.

.5 Indian Judges. An Indian Judge hired as a full-time or part-time employee with a regularly scheduled tour of duty must meet appropriate qualification requirements for the appropriate series. Indian Judges hired on an intermittent basis must be hired under the conditions of the Excepted Qualification Standard for Indian Judges (Intermittent, Ungraded). An Indian Judge employed on an intermittent basis and who does not serve on a regular, predetermined tour of duty is exempt from Chapter 51 of Title 5 U.S.C. Judges must be members of the tribe under the jurisdiction of the employing Court of Indian Offenses. In situations where no tribal members are available, a non-member Indian or a non-Indian may be appointed. When one or more tribes in a multiple tribe service unit cannot agree to accept a member of another tribe as a Judge, available non-member Indians must be appointed. In the absence of any Indian candidates, a non-Indian may be appointed. Appropriate waiver of Indian preference must be requested by the Tribal Council or Councils (of multiple service tribes) and granted by the Assistant Secretary - Indian Affairs (25 CFR 1.2).

Appendix A. Recording Standards and Employee Qualifications.

A-1. Recording Standards Used. When the standard used is in the BIA Excepted Qualificiations Handbook, the notation of standard used must reflect "BIA-(Series and date approved)."

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Subchapter 1. General Provisions (To be issued later. Use 44 IAM 339,1 until superseded)

Subchapter 2. Physical Standards (No BIAM issuance planned)

Subchapter 3. Delegation of Authority to Agencies (To be issued later. Use 44 IAM 339.3 until superseded)

Subchapter 4. Employment of the Handicapped (To be issued later. Use 44 IAM 339.4 until superseded)

Subchapter 5. Employment of the Mentally Retarded (To be issued later. Use 44 IAM 339.5 until superseded)

Subchapter 1. General Provisions

.1 Policy

A. The same procedures regarding medical examinations for employees in the excepted service will be followed as for employees in the competitive service.

B. It is within the discretion of the appointing office as to whether pre-employment chest X-rays and Wasserman Tests, as well as periodic physical examinations, shall be required for prospective as well as current employees assigned food handling duties and other employees who work closely with the students. This same discretion may be exercised for employees transferring between Bureau Areas or from other Federal Agencies.

Subchapter 3. Delegation of Authority to Agencies

1. Obtaining Medical certificates. A certificate of medical examination, SF-78, will be obtained for appointments to positions in which the following conditions exist:

   A. Positions involving operation of motor vehicles.

   B. Positions involving exceptional stress.

   C. Positions which involve food handling.

   D. Positions involving direct physical contact with people.

   E. Positions involving work above ground level or around hazardous duty, or which otherwise have physical demands more arduous than those described on SF-177.

2. Obtaining statement of physical ability for light work. A statement of physical ability, SF-177, will be used for all initial appointments, regardless of the duration of the appointment, with the exception of appointments to positions in which duties listed above are included. If, after review by appointing officer, it is felt the candidate does not meet the medical qualifications for the position, a certificate of medical examination may be requested.

3. Review of Medical certificates. The Personnel Officer will have the responsibility for reviewing the SF-78, Medical Certificate, and SF-177, Statement of Physical Ability for Light Work.

4. Maintenance of Medical Records. Medical records will be maintained in a separate "confidential" file. Current records in official personnel folders should be placed in the "confidential" files.

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Appendix B.	Management Aspects in Reduction in Force
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Subchapter 1. Reduction-In-Force - General Information

.1 Responsibilities. Each Area Director is responsible for granting approval to conduct a reduction-in-force. The Deputy to the Assistant Secretary - Indian Affairs (Operations) will be advised in writing when a reduction-in-force involves a major reorganization or impacts 20% or more of the positions at a particular location. Reduction-in-force involving education positions must be approved by the Deputy to the Assistant Secretary/Director - Indian Affairs (Indian Education Programs).

.2 Indian Preference. Those employees entitled to Indian preference, regardless of the type of appointment (excepted or competitive) shall be placed on the retention registers above competing non-Indians in the same subgroup. Retention registers shall be worked in retention order. See Subchapter 2, Retention Factors, for authority to combine registers published in Public Law 96-135, dated December 5, 1979.

.3 Certain Education Employees. Education employees who were employed prior to November 1, 1978, and who were in positions which have been designated as "Education contract" position, are deemed to be status quo employees. Any assignment as a result of a reduction-in-force is considered to be involuntary.

It shall be the policy of the Office of Indian Education Programs to reassign employees adversely affected by a reduction-in-force to available vacancies for which they are qualified. Reassignment offers shall be made first within the commuting areas. If appropriate vacancies do not exist within the commuting area, reassignment offers shall be extended Agency-wide. If no appropriate vacancies exist within the Agency, reassignment offers shall be extended Area-wide. Reassignment and retaining general schedule status are subject to local school board approval. The Under Secretary or Assistant Secretary - Indian Affairs' approval is required when reassigning non-Indians. Reassignment of a non-Indian to a vacant position may only be made before the vacancy has been advertised. If the vacancy has been advertised and there is an Indian candidate, Indian preference shall take precedence.

Subchapter 2. Retention Factors

.1 Competitive Areas. The locations listed below are designated as competitive areas for reduction in force purposes.

A. Washington, D.C. (Central Office and Eastern Area Office).

B. Indian Arts and Crafts Board, Washington, D.C..

C. Central Office Positions in Albuquerque, New Mexico, except F below.

D. Central Office positions located in the Denver, Colorado commuting area.

E. Haskell Indian Junior College, Lawrence, Kansas.

F. Southwestern Indian Polytechnic Institute, Albuquerque, New Mexico.

G. Institute of American Indian Arts, Santa Fe, New Mexico.

H. Each Area office, Area field office, Agency, independent Irrigation Project and the Indian Arts and Crafts Board Museum which is located within the same commuting area as defined by the appropriate Area office shall be combined into one competitive area for positions not covered under contract or by the Office of Indian Education Programs (OIEP).

Positions at each school and agency under the Director, OIEP and funded in accordance with 25 CFR Part 39, (formerly 25 CFR Part 31h) the Indian School Equalization Program, shall be considered separate and apart from positions in other Bureau Programs.

I. Each individual installation for educator positions covered under contract.

J. Juneau Area Office and Seattle Support Center.

K. Each construction project on an Indian reservation or on Federally owned land for workers employed in ungraded positions on such projects.

.2 Retention Registers.

A. Retention registers shall be combined for permanent Sch. A 213.3112 (a)(7) and all competitive employees. Education contract personnel shall be on a separate register. Those employees entitled to Indian preference shall be placed above all those not entitled to Indian preference within each sub-group. Managers and supervisors who are serving probationary periods for the managerial or supervisory positions shall be placed in Group I if they are otherwise eligible to be included in this group. A manager or supervisor serving on a probationary period for a managerial or supervisory position will be in Group II if he or she has not completed a regular probationary period.

B. Retention registers shall be established in the following manner:

(1) Group I

AD (30% compensable service-connected disability Veterans)	(I)	5-2-60 SCD
	(I)	4-3-62
	(NI)	6-5-55
	(NI)	4-2-56
A (Veterans not entitled to 30%)	(I)	
	(I)	
	(NI)	
B (Non-Veterans)	(I)	
	(I)	
	(NI)	
	(NI)	

(2) Group II
AD
A
B

(3) Group III
AD
A
B

.3 Credit for Performance.

A. An employee who has an appraisal of record of Level I performance as of the date of issuance of a specific reduction in force notice shall receive four years of additional service, and

B. An employee who has an appraisal of record of Level II performance as of the date of issuance of a specific reduction in force notice shall receive two additional years of service.

C. No additional service credit shall be given at Level III, IV, or V.

Subchapter 3. Release from Competitive Level.

.1 Use of Vacancies . The reassignment process shall be undertaken in retention order.

A. Appropriate vacancies (a vacancy of the same grade for which an employee is qualified) shall be filled prior to the exercise of bumping or retreat rights.

B. Affected employees who are not placed through the reassignment process and who are eligible to bump or retreat will be placed through this retention process. Employees who cannot be placed will be separated from Federal service in accordance with OPM rules and regulations outlined in FPM 351.

Subchapter 4. Assignment Rights

.1 Assignment of Career or Career Conditional Competitive and Excepted Employees

A. All available employment sources shall be explored for possible placement of employees who will be affected by reduction in force. Employees with assignment rights reached in reduction in force action shall be separated after an advance notice of 30 full calendar days. The following actions shall be taken in locating employment for permanent employees:

(1) Temporary employees will be terminated if there are permanent employees who are willing to accept these positions.

(2) When an affected employee is not able to move from the present location, contacts will be made with other employees to determine if they are willing to be reassigned to another location in order to allow placement of the affected employees.

(3) Contact will be made with other appointing officers to determine possible vacancies to which the employee might be assigned, within the parameters of Indian preference, if no assignment is available in the competitive area.

(4) If assignment is not possible within the Bureau, contacts will be made with other Federal agencies for placement possibilities.

B. A full-time employee may not displace an other-than-full-time employee. The offer to a full-time employee of a vacant other-than-full-time position does not satisfy the full-time employee's right of assignment. However, a full-time employee may be offered a career seasonal or other less-than-full-time vacant position in lieu of separation. Employees who are offered and accept an other-than-full-time position shall be given priority consideration for assignment back to a full-time position, within the parameters of Indian preference. A full-time employee may not be displaced by an other-than-full-time employee even though the other-than-full-time employee has more years of creditable service.

C. Assignment rights may be satisfied by offering the employee assignment to a specifically limited temporary position, provided it will last three months or longer. If an employee accepts an offer of assignment under reduction in force to a specifically limited temporary appointment employee status is retained.

Subchapter 5. Transfer of Function.

.1 General. When the transfer of function involves movement to a different commuting area, a change from one competitive area to another and there is a reduction in the total number of positions or the number of positions in the competitive level, reduction in force procedures shall be applied at the gaining location.

.2 Procedures.

A. Employees occupying positions in a transferring function shall be considered to be employees of the receiving organization and shall be placed in appropriate consolidated competitive levels. Employees shall not be physically moved to the new commuting area (except for temporary details) until a specific assignment is determined.

B. Employees shall receive advance notice of a proposed transfer of function (Illustration 1.). The notice shall include the purpose of the transfer, specific assignments, and the effective date and shall provide space for the employee to indicate whether the transfer is accepted or declined. If the transfer is declined the employee shall be separated unless a position is located elsewhere or the employee resigns. The notice must be issued in sufficient time to allow at least 15 days (after the employee has been notified by the Personnel Officer) for the employee to accept or decline the transfer.

C. Employees who are unable to transfer with the function shall be advised of vacancies for which they may apply.

SUGGESTED FORMAT

Mr. John O.K. Doke
123 Main Street
Sample, Ohio

Dear Mr. Doke:

The Assistant Secretary - Indian Affairs has approved a change in management structure which involves moving your duties and position from Sample to Specific, Ohio. This transfer of function is designed to _____ (state purpose) _____. This transfer of function shall be effective not later than ____(date)_____. Permanent change in duty station shall be coordinated through our office with Ms. Staffing Specialist as the contact person. She can be reached on FTS _____ (Area Code 111). Reimbursement for certain expenses for yourself, your dependents and your household goods or storage thereof, and sale or purchase of real property is authorized, subject to the limitations contained in the Federal Travel Regulations. Contact Ms. Staffing Specialist for further information on travel and to obtain the necessary documents to effect your move.

Please complete the attached form indicating your acceptance or declination to accompany your position to Specific, Ohio and return to:

Bureau of Indian Affairs
Personnel Office in Charge
Address

Your acceptance or declination must be returned to the above address no later than 15 calendar days after receipt of this notice. Failure to respond shall be considered a negative response. If you decline this offer, you will be separated under adverse action procedures and will not be entitled to placement through reduction in force procedures, but would be entitled to severance pay.

Additionally, you should indicate on the enclosed Acceptance/Declination form where you would be willing to relocate, so efforts can be made to assist you in finding other employment.

We look forward to your joining the Staff in Specific. If you need further assistance, please contact me at _____.

Sincerely,

Personnel Officer

To: Address of Personnel Office

ACCEPTANCE/DECLINATION FORM

_____ I elect to accompany my position to Specific, Ohio.

I would like my move set up for _____

_____ I elect not to accompany my position to Specific, Ohio.

_____ I wish assistance in obtaining employment in these geographic areas:

_____ Signature

_____ Date

Return this form in the enclosed envelope postmarked no later than 15 days from receipt of this letter.

Subchapter 6. Reduction in Force Notices and Additional Statements

.1 Sample Notices

The following illustrations are two suggested formats of specific reduction in force letters that contain the types of information that normally will be provided to employees.

A. Specific Notice of Reduction in Force and Offer of Position Change

To: Service:
Competitive Area:
Competitive Level:
Retention Subgroup:
Service Computation:
Title:
Grade:
Salary:

This is to inform you that it has become necessary to effect a reduction in force in the _____ competitive area, competitive level _____. As an employee in retention subgroup _____ in this competitive level, your name has been reached on the retention register for release from your competitive level due to reduction in force effective _____. This reduction in force is caused by _____
_____
_____.
Since your name has been reached on the retention register, this is to inform you that you are offered the position of _____ at ____. You must indicate your acceptance or declination of this offer within five (5) work days of receipt of this letter. Failure to reply shall indicate your declination. Should you either decline or fail to reply, you shall be separated at the close of business on _____. You are to remain in a work status during the notice period unless you request and obtain approval for leave as appropriate. You shall be paid in a lump sum for unused annual leave to your credit after the separation date in accordance with current leave regulations.

As an employee in retention Group I or II, you are entitled to employment consideration for available positions for which you are qualified within your competitive area as well as other areas.

You shall be entitled to grade retention for the period _____ to _____.

During the grade retention period, you shall receive all within grade increases you may be entitled to and full comparability increases. Your grade retention entitlement shall cease should you (1) resign and have a break in service of one workday or more; (2) be placed in a grade equal to or higher than your retained grade; (3) decline the offer of a grade equal to or higher than your retained grade; (4) be demoted either at your request or for personal cause; or (5) you elect in writing to have your grade retention terminated.

Copies of pertinent regulations, appeal procedures, and the retention registers are available for your review in the Personnel Office _____ _____. You may contact _____ Staffing Specialist who will assist you. Before submitting an appeal, you are encouraged to contact _____ who is assigned to your organization. If you desire, your rights and the procedures and conditions of this action shall be explained to you.

As a result of being reached for separation from your competitive level, you may be eligible for discontinued service retirement. The attached Supplemental Information Statement provides information concerning this type of retirement as well as other information concerning reduction in force procedures.

We regret the necessity for this action. During your notice period every effort will be made to locate a position in your competitive area for which you qualify. Be assured that the action in no way reflects on your efficiency. It is hoped the action will not decrease your dedication to duty nor your confidence in the Bureau of Indian Affairs as an employer. We wish to assist you in any way we can with questions you might have. Do not hesitate to contact the Personnel Office if we can be of assistance.

Please acknowledge receipt of this letter in the space provided on the enclosed copy and return it to your supervisor. Your signature does not constitute your reply to this letter, but merely shows that you have received it.

Personnel Officer

Enclosure

NOTE: If a lower standing employee in the same competitive level is to be retained because of a continuing or temporary exception to order of release, reasons for this retention must be included.

B. Specific Notice of Reduction in Force Separation

To:

Service:
Competitive Area:
Competitive Level:
Retention Subgroup:
Service Computation:
Title:
Grade:
Salary:

This is to inform you that it has become necessary to effect a reduction in force in the _____ competitive area, competitive level _____. As an employee in retention subgroup _____ in this competitive level, your name has been reached on the retention register for separation due to reduction in force. This reduction in force is caused by _____

_____

_____.

Since your name has been reached on the retention register, this is to inform you that it shall become necessary to effect your separation at the close of business _____. You are to remain in a work status during the notice period unless you request and obtain approval for leave as appropriate. You shall be paid in a lump sum for unused annual leave to your credit after the separation date in accordance with current leave regulations.

As an employee in retention Group I or II, you are entitled to employment consideration for available positions for which you are qualified within your competitive area as well as other areas.

This action is being taken in accordance with regulations and policies of the Merit Systems Protection Board and the Department of the Interior. If you believe there has been a violation of your rights under the Merit Systems Protection Board or Bureau of Indian Affairs regulations, you may appeal this action directly to the Merit Systems Protection Board_____

_____

any time after the effective date of this action, but not later than 20 calendar days after the effective date of this action. Your appeal, if made, must be in writing and signed by you. It must state that this office is taking the action, and must include your full name, address, and telephone number, your organization, position title, grade and salary or rate of pay, nature and date of this action, date of the notice (or attach a copy of this notice), and your reasons in detail for believing the proposed action is wrong.

Copies of pertinent regulations, appeal procedures, and the retention registers are available for your review in the Personnel Office _____ _____. You may contact _____ Staffing Specialist who will assist you. Before submitting an appeal, you are encouraged to contact _____ who is assigned to your organization. If you desire, your rights and the procedures and conditions of this action shall be explained to you.

As a result of being reached for separation from your competitive level, you may be eligible for discontinued service retirement. The attached Supplemental Information Statement provides information concerning this type of retirement as well as other information concerning reduction in force procedures.

We regret the necessity for this action. During your notice period every effort will be made to locate a position in your competitive area for which you qualify. Be assured that the action in no way reflects on your efficiency. It is hoped the action will not decrease your dedication to duty nor your confidence in the Bureau of Indian Affairs as an employer. We wish to assist you in any way we can with questions you might have. Do not hesitate to contact the Personnel Office if we can be of assistance.

Please acknowledge receipt of this letter in the space provided on the enclosed copy and return it to your supervisor. Your signature does not constitute your reply to this letter, but merely shows that you have received it.

Personnel Officer

Enclosure

NOTE: If a lower standing employee in the same competitive level is to be retained because of a continuing or temporary exception to order of release, reasons for this retention must be included.

.2 Reduction in Force Supplemental Information. The following provides supplemental information that may be provided to employees who are affected by a reduction in force. This information is applicable to both Career and Career Conditional competitive and excepted employees who may be affected by reduction in force. This information is designed to assist you in understanding various aspects of a reduction in force and the results of possible separation.

A. The Bureau Re-employment Priority List: If you have not declined an offer of a position with rate of pay equal to or higher than your present position, your name shall be entered and continued on the re-employment priority list for the commuting area from which separated, for two years from the date of separation if you have career status and one year if you have career-conditional status. During your period of eligibility you shall be considered for any vacancy for which you are qualified, available, and entitled that is in the commuting area from which separated. As long as eligibles remain on the re-employment priority list, the appointing authority may not fill a competitive position by the transfer of an employee from a different agency or by the new appointment of any persons except a 10-point preference eligible. Your name shall be removed from the list prior to expiration of your period of eligibility upon (1) your written request; (2) your acceptance of full-time, non-temporary appointment in the competitive service; or (3) your declination of an offer of such position with representative rate no less than the rate of the position held when separated. Persons who believe their re-employment priority rights have been violated may appeal at any time to the Merit Systems Protection Board at the address given in the reduction in force letter.

B. OPM Displaced Employee Program (Not applicable to Excepted Service). The Office of Personnel Management's Displaced Employee Program (DEP) supplements the efforts of this office. A separated competitive employee in tenure Group I or II is eligible to file an updated SF-171 with the Office of Personnel Management under this program. To receive benefits under this program, the application must be filed in the Area Personnel Office within 90 days after the effective date of separation. You will be accorded the benefits of positions at your present grade and at any lower grades which you indicate you will accept. Priority referral ahead of the Office of Personnel Management registers will be given you in accordance with the Office of Personnel Management procedures. Displaced career employees receive priority referral benefits by the Office of Personnel Management for two years and career conditional employees for one year. The period is not extended by a temporary appointment. The priority referral benefit is terminated earlier in the event that (1) the employee requests discontinuance in writing; (2) the employee accepts non-temporary full time employment in the competitive service; or (3) the employee declines an offer of full-time employment at or above the grade which is indicated as acceptable by an employee.

C. Discontinued Service Retirement. If you are scheduled for involuntary separation by a reduction in force, you may be entitled to an immediate annuity under the Discontinued Service provisions of the Office of Personnel Management Retirement System if you are age 50 and have completed 20 years of creditable service, including five years of civilian service; or regardless of your age, you have completed 25 years of creditable service, including five years of civilian service. In either case, you must have been employed under the retirement system for at least one year within the two-year period immediately preceding your separation.

NOTE: If you elect to retire under Discontinued Service, you lose the right to appeal the reduction in force. If you wish to retain your appeal rights, you must first be separated by RIF and then apply for discontinued service retirement. (Reference: Covington v. Department of Health and Human Services, Federal Circuit Court of Appeals, No. 84-976 12/18/84.

D. Retirement Eligibility Under Public Law 96-135.

(1) Non-Indian employees of BIA who have been employed continuously by the Bureau or a tribal organization since December 21, 1972 and are not eligible for Indian preference are eligible for retirement at age 50 with 20 years of Federal service or at any age with 25 years of service.

(2) The same employees, if separated involuntarily (except by removal for cause on charges of misconduct or delinquency), may retire at age 48 with 18 years of service or at any age with 23 years of service.

(3) Employment with a tribal organization may be used in determining retirement eligibility under Public Law 96-135 only if

(a) the tribal organization employment occurred after January 4, 1975; and

(b) the individual was employed by BIA or IHS immediately before the tribal organization employment; and

(c) at the time of employment by the tribal organization, the individual and tribe elected to retain civil service retirement coverage.

(4) An employee who reached or reaches the age and service requirements for retirement under Public Law 96-135 on or after December 5, 1979 must separate within five years after first meeting those requirements in order to retire under Public Law 96-135.

(5) Upon recommendation by the Deputy Assistant Secretary - Indian Affairs or the Assistant Secretary may approve the postponement of retirement of an employee for a period not to exceed 12 months. All postponements may not exceed five years for an employee.

E. Refund of Retirement Deductions. Upon separation, you may elect to withdraw your contributions to the retirement fund in a lump sum if you are not eligible for an annuity, or you may leave your retirement deductions in the retirement fund avoiding the necessity of redeposit to receive credit for service if you are re-employed in the Federal service. To be eligible to receive a refund, you must have been separated for at least 31 consecutive days. There is no advantage in leaving your retirement deductions in the fund if you have less than five years of creditable civilian service and you do not contemplate returning to the Government service. However, if you will be entitled to a deferred annuity at age 62, the value of the deferred annuity in most cases will exceed the amount of the lump sum credit. Upon attaining age 62, and filing a claim for retirement annuity, a survivor-type annuity may be elected. Leaving the lump sum credit in the fund does not preclude a refund at a later date, providing you make application with the Office of Personnel Management at least 31 days before the day you would become eligible for an annuity. If you die before attaining age 62, the lump sum credit is payable as a death benefit.

F. Severance Pay. You are entitled to severance pay if your separation is involuntary and on the date of separation you have been on the rolls in the Federal service for at least the preceding 12 calendar months. You are ineligible for severance pay if you have:

(1) fulfilled the requirements for an immediate annuity at the time of separation,

(2) are entitled to an immediate annuity which was earned as a member of the military service,

(3) are receiving compensation from the Office of Federal Employees Compensation;

(4) if, at the time you are offered, you decline to accept a position of equal pay within the same commuting area.

G. The Department of the Interior Career Placement Assistance Program. Placement opportunity benefits are available to career and career-conditional employees who may have been separated by reduction in force. Application under this program may be made through the Area Personnel Office.

Subchapter 7 - Reduction in Force Appeals, Grievances and Corrective Action

1. Reduction in Force Appeals.

A. Right to Appeal. An employee (including Contract Education) not included in the Negotiated Agreement between the Bureau of Indian Affairs and the Council of NFFE Locals who feels that his/her rights have been violated, may appeal to the Merit Systems Protection Board (MSPB). An appeal to this Board may be made at any time after the effective date of the action being appealed but not later than 20 days after the effective date.

B. Right to File a Grievance. Employees covered (including Contract Education) under the Negotiated Agreement must use the negotiated grievance procedure and may not appeal to the MSPB. A grievance must be presented within 15 work days following the effective date of the action being appealed.

Subchapter 8 - Establishment and Maintenance of the Reemployment Priority List (RPL)

Each area will establish re-employment priority lists for each commuting area in which Group I and II employees are separated. Indian employees whose names are on this list shall have priority consideration to vacancies over Non-Indians. Copies of the RPL must be furnished to all Department of the Interior activities in the commuting area. An up-to-date copy shall be provided to Central Office by the 25th of each month for subsequent submission to the Office of Personnel, Department of the Interior.

Appendix B. - Management Aspects of Reduction in Force

1. Management Considerations. To the maximum extent possible and consistent with sound management practices, reductions shall be effected through carefully planned measures designed to minimize the impact of reduction in force on employees. Reduction in force actions shall be made in accordance with the rights of career employees, Indian preference, veterans preference, and the rules and regulations outlined by the Office of Personnel Management. Part 351 does not apply to any employee in the Senior Executive Service.

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Appendix B. President's Memorandum of August 15, 1964, Assistance to Certain International Organizations (No BIAM issuance planned)

Subchapter 1. General Objectives of Reemployment Rights

.1 Scope. This chapter covers the Bureau's policy and procedures for administering reemployment rights authorized by statute or Office of Personnel Management regulations. It covers Bureau employees assigned to certain positions within the Department, transferred to other agencies, international organizations, assigned to overseas projects sponsored by the Agency for International Development and to tribal organizations.

.2 Policy. It is the policy of the Bureau to provide reemployment rights as fully as possible within the confines of the Reorganization Act of 1934. Succeeding chapters detail impact of Indian preference in employment laws upon reemployment.

.3 Responsibility. The Commissioner of Indian Affairs is responsible for the administration of reemployment rights within the Bureau. He or his designated representative shall be responsible for recommending to the Secretary the action to be taken when reemployment rights involve positions which require Secretarial approval of the change of incumbency.

Subchapter 2. Reemployment Rights Based on Movement Between Executive Agencies During Emergencies

.1 Letters of Authority. Requests for Letter of Authority must be submitted to the Division of Personnel Management with complete justification for the request. Division of Personnel Management will prepare the request for the signature of the Director of Personnel.

.2 Approval to Grant Reemployment Rights.

A. The Commissioner of Indian Affairs or his designated representative shall be responsible for the approval of granting reemployment rights of Central Office employees transferred to another executive agency during an emergency and after approval of the Letter of Authority has been received from the Office of Personnel Management. The Area Director or his designated representatives shall be responsible for granting approval of reemployment rights within the Areas. Under Indian preference laws, non-Indians are eligible for reemployment only if no qualified Indian is available for the position being filled.

B. Reemployment Responsibility. Reemployment of an employee shall be the responsibility of the appointing officer granting reemployment rights.

(1) An applicant is entitled to reemployment in the position held immediately before leaving the Bureau or in another position for which qualified at the same grade level and in the same competitive area as the position last held.

(2) At the time of application, the agency will determine the employee's availability for positions outside the immediate competitive area. If the applicant cannot be placed in the competitive area, employment opportunities will be extended outside the competitive area based upon his availability. Should he decline a position in any area wherein he has indicated eligibility, the applicant's reemployment rights will be terminated.

C. An applicant's right to reemployment may be satisfied by offer of a vacant position at the grade or level last held with the Bureau or offer of a vacant position at a grade other than the one to which entitled if he is willing to accept such offer.

D. When a request for personnel action is received in the personnel office, efforts will be made to ascertain whether or not an in-service placement can be made (e.g. through Merit Promotion Announcement). If the reemployment eligible is an Indian, he or she must be reemployed prior to use of the Applicant Supply File. If the person with reemployment rights is not an Indian, the Applicant Supply File will be searched for Indian candidates to be considered at the same time as the MPA. If the position is not filled by internal means, the person with reemployment eligibility must be placed. Indian reemployment eligibles are placed prior to employment from Applicant Supply File, OPM registers or reemployment of Indians or non-Indians without reemployment rights. Non-Indians are reemployed prior to use of the Applicant Supply File, including reinstatement and transfer eligibles, only when there are no eligible, qualified Indians in the File. Non-Indian reemployment eligibles are placed prior to employment from Office of Personnel Management registers or reemployment of non-Indians without reemployment rights.

Subchapter 3. Detail and Transfer of Federal Employees to International Organizations

.1 Approval to Grant Reemployment Rights

A. The Commissioner of Indian Affairs or his designated representative shall be responsible for the approval of granting reemployment rights to Central Office employees who are transferred without a break in service to an international organization except for those employees occupying key positions listed in 44 IAM 311.1. The Area Director or his designated representatives shall be responsible for granting approval of reemployment rights within the Area. Under Indian Preference laws, non-Indians are eligible for reemployment only if no qualified Indian is available for the position being filled.

B. Entitlement to reemployment terminates at the end of no more than eight (8) years following the date employment commences in the international organization unless exercised earlier.

.2 Reemployment Responsibility

A. Reemployment of an employee shall be the responsibility of the appointing officer granting reemployment rights. An applicant is entitled to reemployment in the position he left, or one of like seniority, status and pay for which qualified and in the same competitive area as the position last held. At the time of application, the area will determine the employee's availability for positions outside the immediate competitive area. If the applicant cannot be placed in the competitive area, employment opportunities will be extended outside the competitive area based upon his availability. Should he decline a position in any area wherein he has indicated eligibility, the applicant's reemployment rights will be terminated.

B. An applicant's rights to reemployment may be satisfied by offer of a vacant position at a grade other than the one to which entitled if he is willing to accept such an offer.

C. When a request for personnel action is received in the personnel office, efforts will be made to ascertain whether or not an in-service placement can be made (e.g. through Merit Promotion Announcement). If the reemployment eligible in an Indian, he or she must be reemployed prior to use of the Applicant Supply File. If the person with reemployment rights is not an Indian, the Applicant Supply File will be searched for Indian candidates to be considered at the same time as the MPA. If the position is not filled by internal means, the person with reemployment eligibility must be placed. Indian reemployment eligibles are placed prior to employment from Applicant Supply File, OPM registers or reemployment of Indians or non-Indians without reemployment rights. Non-Indians are reemployed prior to use of the Applicant Supply File, including reinstatement and transfer eligibles, only when there are no eligible, qualified Indians listed in the File. Non-Indian reemployment eligibles are placed prior to employment from Office of Personnel Management or reemployment of non-Indians without reemployment rights.

D. Normally, appointing officers should be able to reemploy without significant problems. However, in those occasional instances when, after following all of the steps outlined in C above, the appointing officer is unable to reemploy, the applicant's paperwork will be forwarded to the Central Office for dispatch to and coordination with other Personnel Offices where the applicant has indicated availability. Paperwork submitted will include the applicant's written request for reemployment, and SF 171 with appropriate attachments and documentation of the effort to reemploy. The Central Office will then direct material to other geographical areas wherein the candidate indicated interest. All appointing officers contacted at this time are subject to paragraph C above.

Subchapter 6. Statutory Reemployment Provisions Not Covered by OPM Regulations

.1 Approval to Grant Reemployment Rights.

A. The Commissioner of Indian Affairs or his designated representative shall be responsible for the approval of granting reemployment rights to Central Office employees transferred without a break in service to the Agency for International Development and the Peace Corps in accordance with the provisions of 370 DM 352.6 except for those employees occupying key positions listed in 44 BIAM 311.1. The Area Director or his designated representative shall be responsible for granting approval of reemployment rights within the Areas.

.2 Reemployment Responsibility.

A. Reemployment of an employee shall be the responsibility of the appointing officer granting reemployment rights. An employee is entitled to be reemployed as promptly as possible, but not more than 30 calendar days after receipt of his application. An applicant is entitled to reemployment in the position held immediately before leaving the Bureau. This position will be treated as an occupied position. It may be filled only on a temporary basis pending return of incumbent. This limitation applies to the appointment, promotion, transfer, or other personnel action assigning an employee to the position.

B. An employee's right to reemployment may be satisfied by offer of another position for which qualified at the same or higher grade level and in the same competitive area as the position last held, if the returnee is an Indian or if there are no qualified Indian candidates for the alternate position. At the time of application, the appointing office will determine the employee's availability for positions outside the immediate competitive area. If the applicant cannot be placed in the competitive area, reemployment rights will be extended outside the competitive area based upon his availability. Should he decline a position in any area wherein he has indicated eligibility, the applicant's reemployment rights will be terminated.

C. Responsibility for reemploying an applicant is nationwide within the Bureau if he cannot be reemployed within the area granting reemployment rights. An applicant's right to reemployment may be satisfied by an offer of a vacant position at the grade or level last held with the Bureau or an offer of a vacant position at a grade other than the one to which entitled if he is willing to accept such an offer, and if there are no qualified Indian candidates for such position (in the case of a non-Indian returnee).

D. Normally, an Area should be able to reemploy without significant problems. However, in those occasional instances when an Area is not able to reemploy, the applicant's paperwork will be forwarded to the Central Office for dispatch to and coordination with other Area Personnel Offices where the applicant has indicated availability. Paperwork submitted will include the applicant's written request for reemployment, and SF 171 with appropriate attachments and documentation of the Area's effort to reemploy. The Central Office will then direct material to other Areas wherein the candidate indicated interest. Placement will be contingent upon a lack of qualified Indian candidates.

.3 Leave without pay benefits for Peace Corps Volunteers and Volunteer Leaders.

The Commissioner of Indian Affairs, Area Directors or their designated representatives may grant leave without pay, not to exceed 30 months, to employees enrolling in the Peace Corps in accordance with the provisions of 370 DM 352.6, except for those employees occupying key positions listed in 44 BIAM 311.1.

Subchapter 7. Reemployment Rights Based on P.L. 93-638 Contracting

.1 Approval to Grant Reemployment Rights

A. The Commissioner of Indian Affairs or his designated representative shall be responsible for the approval of granting reemployment rights of Central Office employees who transfer, without a break in service, when a function of their agency is contracted under the Indian Self-Determination Act and they accept tribal employment in the contracted function. The Area Director or his designated representative shall be responsible for granting approval of reemployment rights within the Areas. Under Indian preference laws, non-Indians are eligible for reemployment only if no qualified Indian is available for the position being filled.

B. The following employees are entitled to reemployment rights:

(1) An employee serving in a competitive position under a career or career-conditional appointment and who has satisfactorily completed at least 6 months of the probationary period;

(2) A non-temporary excepted service employee who has satisfactorily completed at least 6 months of a trial period.

C. The following employees are not entitled to reemployment rights under this subchapter:

(1) An employee who has received a notice of involuntary separation because of reduction-in-force, or other cause, not directly related to contracting under the Act to a tribal organization;

(2) An employee whose resignation has been accepted for reasons other than to accept tribal employment under the act;

(3) An employee serving under a Schedule C excepted appointment or a non-career executive assignment.

D. Rights not related to other fringe benefits. An employee receives reemployment rights even if he is not covered under Federal employee benefits during tribal employment.

E. Reemployment may be exercised only under the following conditions:

A former employee must apply in writing to his former employing agency for reemployment and within 30 calendar days after:

(1) Receipt of notice of involuntary separation from tribal employment; (for this purpose, involuntary separation means any separation against the will and without consent of the individual);

(2) Reversion of the function to Federal operation, whether reversion is through tribal or Federal action; or

(3) Separation with mutual consent of the tribal organization and the Federal agency for reasons of personal hardship or other special circumstances.

F. The employee shall be advised in writing that his entitlement to reemployment terminates for:

(1) Failure to apply for reemployment within 30 calendar days after receipt of notice of involuntary separation from tribal employment, reversion of the function to Federal operation, or separation with the joint consent of the tribal organization and the Federal agency for reasons of personal hardship or other special circumstances;

(2) Resignation from tribal service without the joint consent of the tribal organization and the Federal employer; or

(3) Failure to accept a proper offer of reemployment within ten (10) calendar days of receipt thereof. The information shall be made a part of the permanent portion of the employee's Official Personnel Folder.

G. Duration of reemployment rights:

(1) Reemployment rights are not granted to persons who leave Federal employment for employment with a tribal organization after December 31, 1985.

(2) Entitlement to reemployment terminates at the end of six (6) years following the date employment commences in the tribal organization unless exercised or otherwise terminated before that time as provided in .1.F above.

H. Reemployment Responsibility. Reemployment of an employee shall be the responsibility of the appointing officer granting reemployment rights. An Employee is entitled to be reemployed by the reemploying agency as promptly as possible, but not more than 45 calendar days after receipt of his application. An applicant is entitled to reemployment in the same competitive level, or in another position for which qualified at the same grade level and in the same competitive area as the position last held. At the time of application, the agency will determine the employee's availability for positions outside the immediate competitive area. If the applicant cannot be placed in the competitive area, reemployment rights will be extended outside the competitive area based upon his availability. Should he decline a position in any area wherein he has indicated eligibility, the applicant's reemployment rights will be terminated.

Should a reduction-in-force procedure be used in determining the position to which the employee has a right, the applicant shall be considered an employee of the Bureau.

I. When a request for personnel action is received in the personnel office, efforts will be made to ascertain whether or not an in-service placement can be made (e.g. through Merit Promotion Announcement). If the reemployment eligible is an Indian, he or she must be reemployed prior to use of the Applicant Supply File. If the person with reemployment rights is not an Indian, the Applicant Supply File will be searched for Indian candidates to be considered at the same time as the MPA. If the position is not filled by internal means, the person with reemployment eligibility must be placed. Indian reemployment eligibles are placed prior to employment from Applicant Supply File, OPM registers or reemployment of Indians or non-Indians without reemployment rights. Non-Indians are reemployed prior to use of the Applicant Supply File, including reinstatement and transfer eligibles, only when there are no eligible, qualified Indians in the File. Non-Indian reemployment eligibles are placed prior to employment from Office of Personnel Management or reemployment of non-Indians without reemployment rights.

J. Responsibility for reemploying an applicant is nationwide within the Bureau if he cannot be reemployed with the area granting reemployment rights. An applicant's right to reemployment may be satisfied by an offer of a vacant position at the grade or level last held with the Bureau or an offer of a vacant position at a grade other than the one to which entitled if he is willing to accept such an offer.

K. Normally, appointing offices should be able to reemploy without significant problems. However, in those occasional instances when, after following all of the steps outlined in G above, an appointing office is not able to reemploy, the applicant's paperwork will be forwarded to the Central Office for dispatch to and coordination with other Area Personnel Offices where the applicant has indicated availability. Paperwork submitted will include the applicant's written request for reemployment, and SF-171 with appropriate attachments and documentation of the Area's effort to reemploy. The Central Office will then direct material to other Areas wherein the candidate indicated interest. All Areas contacted at this time are subject to paragraph H above.

L. Employee Option. Before the competitive area is extended under H above, an employee who cannot be placed in the competitive area at the same grade or level as the position last held, may elect to accept a position at a lower grade. If an employee accepts a lower grade, then the Bureau has met its obligation for affording reemployment rights.

M. Bureau Option.

(1) At any stage in the process, an employee's right to reemployment may be satisfied by an offer of a vacant position which, under reduction in force regulation, is in accord with the employee's rights.

(2) The Bureau may offer an employee a position, for which he is qualified and available, outside the competitive area of entitlement. If the employee accepts the position, the Bureau's obligation to reemploy is satisfied.

N. The remarks section of the Standard Form 9-500 will be annotated to reflect the following remarks:

"Reemployment rights in Bureau of Indian Affairs (_____ Area) under Reg. 352.703 NTE_____."

O. An agency may refuse to reemploy when the employee was last separated from tribal employment for serious cause establishing unsuitability for reemployment.

P. An agency may find it is unable to reemploy in the event no position can be found under the procedures above.

Q. Appeals Regarding Reemployment

(1) Denial of reemployment.

(a) If an Area declines to reemploy an employee within 30 days of his application, it must notify him in writing of the reasons and of his right to appeal within 15 calendar days to the Merit Systems Protection Board. The employee may file an appeal with the MSPB no later than 15 calendar days after the receipt of notice denying reemployment. This time may be extended at the discretion of the MSPB upon a showing by the employee that he was not notified of the time limit and was not otherwise aware of the limit or that circumstances beyond his control prevented him from filing an appeal within the time limit.

(b) If an employee feels his reemployment has not been in accordance with his rights, he is entitled to appeal to the MSPB within 15 calendar days after his reemployment becomes effective.

(c) Refusal of a tribe to hire a Federal employee is not appealable to the MSPB.

(2) Finality of the Appeal Decision. The MSPB decision on the right to reemployment shall be final.

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Subchapter 1. General Provisions

.1 Scope. This chapter covers the Bureau's policy for administering restoration rights for employees who sustain a compensable injury and those who leave to perform military duty.

.2 Authority. This Chapter covers statutory rights granted by 38 U.S.C. 2021 et seq. and 5 U.S.C. 8151.

.3 Employees Covered. This chapter covers employees on career or career-conditional excepted and competitive appointments. School year and year long contract education employees are also covered.

.4 Responsibility. The Assistant Secretary of Indian Affairs is responsible for the administration of restoration rights within the Bureau.

Subchapter 3. Agency Action in Employee's Absence

.1 Promotion. Any employee entitled to restoration must be considered for promotion as if he/she were currently present for duty. Appointing officers are responsible for setting up procedures to ensure this consideration. An absent employee must be promoted in his or her position when that position is classified to a higher grade as the result of (1) an increase of duties or responsibilities occurring before the employee's departure, (2) a change in classification standards, or (3) a correction of a classification error. In all other cases, the employee will be considered for promotion under the applicable procedures of FPM 335 and 44 BIAM 335.

School year and year long employees in the contract education system will be accorded consideration for higher level contract positions in accordance with applicable provisions of 62 BIAM 11.

Subchapter 4. Agency Obligation to Restore

.1 General Obligation. The appointing office is obligated to restore an eligible employee usually to the position he or she left but in any case to a position of like seniority, status and pay.

.2 Position to Which Restored.

A. Order of restoration. An employee is restored to a position in the following order except when the position is held by an employee in a higher retention subgroup or when the restoration involves physical disqualification or conflicting restoration rights:

(1) the position promoted or reassigned to while absent for compensable injury or military duty,

(2) the position left because of compensable injury or military duty,

(3) the next best available position for which the employee qualifies.

See FPM 353.4-2 for restoration rights when there is an employee in a higher subgroup, or physical disqualification or conflicting rights are involved.

B. Restoration right is agency-wide. The responsibility for restoration lies first within the area (or Central Office) granting restoration rights for employees not covered by school year or year long education contracts. If the employee cannot be restored within the area or Central Office, the responsibility extends Bureau-wide. When an employee cannot be placed in his or her area, the appointing office will forward to the Central Office an application, a supervisory appraisal, a copy of the personnel action providing the restoration rights and efforts taken to restore within the Area. These will be dispatched to and coordinated with other Area Personnel Offices. The same holds for Central Office employees.

Responsibility for restoration of contract education employees lies within the agency granting restoration rights.

Subchapter 1. General Provisions.

.1 Introduction. This program has been developed to implement the requirements of Part 370 DM 380, Upward Mobility. It is designed to: (a) enable the Bureau to more efficiently accomplish its mission through the maximum utilization of its employees; and (b) enable employees to fully realize their work potential by increasing career opportunities.

.2 Scope. Upward Mobility programs will extend Bureauwide.

.3 Authority. The Equal Employment Opportunity Act of 1972 (P.L. 92-261); Executive Order 11478; and Chapter 41, Title 5, U.S.C.

.4 Definitions.

A. Upward Mobility. A systematic management effort to ensure that personnel policy and practices provide specific career opportunities for employees in grades GS-9 and below, or the equivalent, who are in positions or occupational series which do not enable them to realize their full work potential.

Upward Mobility occurs when an employee, through merit promotion procedures and planned training, moves from one occupational series or position to another which affords greater growth potential. For example, an employee moves from a clerical to a technician or professional position offering greater growth potential, or from a technician to a professional position with an established career ladder. Other examples include offering typing and related training to a mail clerk who lacks the necessary qualifications for an identified typist position or providing required training for a typist to qualify for a stenographic position.

1) Underutilized skills - Employees whose present education training, and capabilities are not fully utilized in their present positions. These employees currently meet the qualifications standards for other positions which offer greater growth potential. An Upward Mobility

announcement using the X-118 standards may be used to reach the underutilized, while the training agreement along with the job element standard may be used to reach the unqualifed employee with high potential. In the interest of economy, efficiency, and employee morale, bureaus should first carefully consider the utilization and placement of all qualified employees through merit promotion procedures prior to training those who are not qualified. (See FPM Bulletin 410-83 - Training in Support of Upward Mobility.)

(2) Underdeveloped Potential. Employees whose underutilized or latent potential can be identified and developed through specialized training and work experience, thus enabling them to perform at a higher level than their present position requires. These employees require additional training and/or experience to meet the qualifications of the targeted position.

.5 Eligibility for Upward Mobility. To be eligible for program participation, an employee must:

A. Be employed by the Bureau of Indian Affairs and be in a position which is classified at a one-grade interval, GS-9 or below or the equivalent.

B. Be serving under a career, career-conditional, excepted career, excepted career-conditional, Veterans Readjustment Act, Selective Placement Program or furlough appointment. Part-time employees also are eligible for participation.

C. Have a current record of service and conduct which is satisfactory and at an acceptable level of performance.

D. Be identified as having potential and career mobility.

E. By recent court decision, Indian preference applies to the filling of all positions. However, (1) Indian preference is not applicable when making competitive selection for on-the-job training for occupations which would offer greater opportunities to employees for career growth potential and (2) Indian preference is applicable when

making competitive selection for participation in a developmental program when an upward mobility position (target) is established and an appointment is made to a new position.

The operation of this program is to be in compliance with 370 DM 380, Appendix 1 (Upward Mobility Training Agreement) and Indian preference requirements as applicable.

.6 Responsibilities. The development, implementation and operation of the Bureau's Upward Mobility Program requires a network of responsible people with matching authority. These people, their responsibilities and authorities are:

A. Commissioner of Indian Affairs. The Secretary of the Interior has delegated full authority and responsibility for the Bureau's Upward Mobility Program to the Commissioner of Indian Affairs including the power of redelegation to responsible people within the Bureau.

B. Bureau-wide Upward Mobility Action Officer. The Bureau Chief Personnel Officer is hereby designated as the Bureau-wide Upward Mobility Action Officer, and is hereby delegated the following basic authorities and responsibilities:

1. Developing Bureau-wide action policies and plans in cooperation with the Bureau's Equal Employment Opportunity Officer.

2. Providing guidance and assistance to Area and Central Office Upward Mobility Action Officers.

3. Developing evaluation criteria to measure results of the Upward Mobility Program utilizing Department and Bureau criteria.

4. Reviewing and approving Area and Central Office action plans and programs.

5. Evaluating Upward Mobility Action Programs at least annually and when and where necessary.

(6) Furnishing periodic and special reports to the Commissioner of Indian Affairs on the status of the program along with recommendations for program improvements.

C. Office-wide Upward Mobility Action Officers. Office Directors will appoint Upward Mobility Action Officers who will serve as the focal point for the development, administration and evaluation of their respective office's Upward Mobility Action Programs. The names, titles, and organizational location of these officials will be furnished to the Bureauwide Upward Mobility Action Officer at the time of their appointment.

D. Area Upward Mobility Action Officers. Field Personnel Officers will serve as Area Upward Mobility Action Officers for the organizations serviced in their assigned geographic area, and are hereby delegated the following basic authorities and responsibilities:

(1) Implementing an Area Upward Mobility program based on Bureau and Departmental guidelines.

(2) Establishing a network of Upward Mobility Action Officers throughout the Area as considered necessary and in cooperation with the appropriate management officials, supervisors, employees, and employee representatives.

(3) Notifying the Bureauwide Upward Mobility Action Officer of new or changes in appointments of Upward Mobility Action Officers within the Area.

(4) Providing advice and assistance to managers, supervisors, employees, and employee representatives on any aspects of the program.

(5) Evaluating Area action programs semi-annually and following through with corrective action where warranted.

(6) Notifying all supervisors and management officials in the Area serviced who their Upward Mobility Action Officer is by name, address, and phone number.

(7) Providing publicity about the program.

(8) Inventorying own, managers', supervisors' and Upward Mobility Action Officers' Upward Mobility training needs throughout the Area and taking action to see these training needs are promptly met. Copies of OF-170, Request, Authorization, Agreement and Certification of Training, will be sent to the Bureau-wide Upward Mobility Action Officer with a copy to the appropriate supervisor.

E. Bureau Central Office Upward Mobility Action Officer. The Chief, Branch of Personnel Services, is hereby designated as the Upward Mobility Action Officer for Central Office and is hereby delegated the same basic responsibilities as the Area Upward Mobility Action Officers.

F. Managers and Supervisors. Each manager and supervisor will:

1. Make Upward Mobility opportunities available to employees by working with personnel to identify appropriate target positions.

2. Provide career counseling to their employees.

3. As considered necessary, contact the appropriate Area or Central Office Upward Mobility Action Officers for assistance in counseling employees on career opportunities and related matters.

4. Suggest program improvements to their Upward Mobility Action Officers.

5. Quarterly evaluate their own actions and effect improvements where warranted, and retain narrative for semi-annual report to Bureau Upward Mobility Action Officer.

In addition, first line supervisors of Upward Mobility participants will take training as appropriate and useful to their needs (See 1.9E) and will be responsible for evaluating the progress of the participants at least quarterly or after each assignment (See 370 DM 380 for Departmental guidelines).

G. Employees. Employees are responsible for:

(1). Objectively appraising their own qualifications.

(2). Participating in the final decision on the career they wish to pursue.

(3). Constructively criticizing the program and offering suggestions for improvement.

(4). Following through with their career plans.

(5). Seeking help from their supervisors when considered necessary.

.7 Identifying Positions. In conjunction with the appropriate servicing personnel office, Office Directors and Division Chiefs will identify organization structure to determine which positions may be designated as Upward Mobility positions, giving consideration to future manpower and staffing needs as well as availability of potential upward mobility candidates.

A. Supervisors will review each position as it becomes vacant and consult with the appropriate Personnel Officer to determine whether the position can be restructured for an upward mobility assignment - that is, whether the duties and responsibilities for the position can be changed to lower the grade and qualification requirements to provide an opportunity to gain entrance into a new career field. If the position can be restructured for an upward mobility assignment, the originating office will so note on the Standard Form 52, Request for Personnel Action in Item F.

B. For each position identified, the target position (i.e. slot) shall be identified which the employee is expected to attain upon the successful completion of required educational and on-the-job training. The general nature of the planned developmental process should be noted on the vacancy announcement.

C. For each position identified, a grade range shall be assigned to provide an entry level and a target level to which an employee may advance at the completion of training.

D. For each position identified, a vacancy announcement should be prepared in accordance with the requirements of the Department's Upward Mobility Training Agreement. Eligibility requirements and the nature of the selection process should be included in addition to the information cited in .7B and C.

.8 Selection for Participation. Selection will be in accordance with procedures established by the Department's Upward Mobility Training Agreement and Part 370 DM 380 as well as the Bureau's Merit Promotion Plan.

.9 Developmental Methodology.

A. Program Length. Employees, depending upon developmental needs, will generally participate in the program from 12 to 18 months; however, this may be for a shorter or longer period, depending upon the employee's qualifications.

B. Program Content. Intensive development will be provided through an appropriate mixture of classroom and long-term training, on-the-job training and rotational assignments. Training will be available in all the administrative specialties, human relations and other program areas designed to meet individual and Bureau projected manpower requirements.

The counselor could be a personnel specialist or a person who has achieved senior levels in the particular career for which the Upward Mobility participant is seeking guidance. Counselors will be trained in the techniques of interviewing, personnel data collection, and qualifications review. Management should also insure, to the extent possible, the availability of counselors to remote facilities on a regular basis.

The primary functions of the counseling program are:

(1) To assist employees in becoming aware of opportunities for advancement and development.

(2) To work with employees and management to develop individual development plans (education and experience) to achieve advancement;

(3) To identify resources available for the effort.

(4) To surface to management the significant problems that are hindering the successful completion of the goal of the program.

E. Supervisory Training. The Central Office, each Area Office and each Agency will be responsible for insuring that all first-line supervisors of Upward Mobility Program participants receive training in their responsibilities in that Program. The supervisor's role in use of career development plans, techniques for job restructuring, relevant elements of the Merit Promotion plan, counseling and coaching, and the philosophy and goals of Upward Mobility should be clarified.

10. Placement. Since participants are selected competitively for program participation in accordance with the Department's Upward Mobility Training Agreement, participants, when qualified, may be assigned or promoted to target positions without further competition.

11. Program Funding. Each Area, Central Office and field installation jurisdiction having responsibility for operation of the Upward Mobility Program shall budget, on the basis of planned operational scope, to provide funds for program operation.

The Central Office, each Area Office, and major field installation shall evidence, in their budget preparation, the forecast of Upward Mobility funding.

.12 Program Evaluation. Bureau evaluation will be conducted by the Central Office Equal Employment Opportunity Officer and the Division of Personnel Management.

The Departmental Division of Program Planning and Evaluation, APM, will include review of Upward Mobility efforts as part of its regularly scheduled personnel management evaluations.

The Upward Mobility Program will be evaluated annually as outlined in the Career Development System Handbook. (Reference to this handbook evaluation guide is found in 44 BIAM 410, 3.2.) The evaluation guide format is as follows:

1. During the past year, how many employees, GS-9 and below, were in your area of jurisdiction? _____

2. How many employees GS-9 and below, were contacted directly at their yearly evaluation during the past year, to acquaint them with the Upward Mobility Program? _____

3. When the Upward Mobility survey was conducted in your jurisdiction during the past year, how many positions were identified as Upward Mobility target positions? _____

4. How many employees, during the past year, applied for Upward Mobility training?

Employee's Name	Present Position (Title, Series, Grade)	Target Position (Title, Series, Grade)	Organization (Location of Target Position, Division, Branch, Etc.)

5. How many employees during the past year, were competitively selected to receive Upward Mobility training in your jurisdiction?

6. How many Upward Mobility Program participants were promoted during the past year? _____

7. What is the number of participants in Upward Mobility who received counseling? _____

8. How many IDP's were developed for participants of the Upward Mobility Program? (Please submit copies of POB's for Upward Mobility participants)

9. How many participants in the Upward Mobility Program were (a) female? (b) Indian? _____

10. How many participants dropped out of the program - give reasons. _____

11. How many supervisors of Upward Mobility participants received training in Upward Mobility during the past year? _____

12. Please submit copy of skills utilization survey conducted.

13. Please submit any tools used to assess employee potential (assessment center, interview format, etc.).

14. Please submit copies of any literature reflecting publicity of the Upward Mobility Program to employees - submit copies of POB's for Upward Mobility positions - provide names of Upward Mobility Career Counselors.

Note: Central Office will provide periodic field visits based on request from Areas or on need as determined by the Chief, Branch of Employee Development and the Central Office EEO Officer.

Subchapter 1. General Provisions

Subchapter 2. Determining Training Needs

Subchapter 3. Establishing Training Programs
Appendix 1. Department of the Interior Career Development Agreement
Subchapter 4. Interagency Training

Subchapter 5. Training Through Non-Government Facilities

Subchapter 6. Payment of Training Expenses

Subchapter 7. Acceptance of Contributions, Awards and Payment from Non-Government Organization

Subchapter 8. Attendance at Meetings

Subchapter 9. Reports and Interchange of Training Information

Appendix 1. Selection, Completion, and Processing of Optional Form (OF) 170, "Request, Authorization, Agreement and Certification of Training."

Illustration 1

Appendix 2. Instructions for Using the Indian Intake and Devlopment Program Training Agreement

Illustration 1-2

Appendix 3. Guidelines for Developing Training Plans for the Indian Intake and Development Program
Appendix 4. Guidelines for Identifying Probationary Supervisors and Monitoring Their
Supplement. Career Development Systems Handbook Required Training

Illustration 1-2

Appendix 5. Bureau of Indian Affairs Career Understudy Program

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Subchapter 1. General Provisions

1 Content. This chapter sets forth Bureau policy to implement the provisions of Chapter 41 of Title 5, United States Code (Government Employee Training Act), Executive Order 11348 of April 20, 1967, regulations issued by the Office of Personnel Management and the Office of Management and Budget, and Departmental regulations. In addition, policy is prescribed to effect efficient administration of Bureau in-service training efforts.

2. Basic Bureau Training Policy.

A. It is the policy of the Bureau to train employees in accordance with determined need in order that they may perform with maximum effectiveness the duties of their positions, prepare for higher positions, and increase the overall efficiency of the Bureau's operations. This training shall be consistent with Bureau policy and objectives, and Bureau officials at all levels shall make available, as necessary, resources, facilities, services, and personnel for the purpose of carrying on the training activities required to meet determined training needs.

B. It is the policy of the Bureau to encourage self-development activities on the part of the employees.

C. It is the policy of the Bureau to require Individual Development Plans (IDP's), (See 44 BIAM Supplement 410, Appendix 2, Illustration 1) for the following:

(1) All requests for training submitted on Standard Form 182 must be covered by an IDP which will be maintained with other training records.

(2) All employees selected for career ladder positions must be covered by an IDP which will outline the skills, knowledges, and abilities required at each level of the career ladder.

(3) All employees selected for Upward Mobility positions must be covered by an IDP.

D. Indian preference will not be applied when selections are made for training, except in those instances when Personnel are selected competitively to be qualified for categorized target positions under a

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training agreement, with the understanding that, following successful completion of training, such individuals may be promoted without further competition to target positions.

3. Training Responsibility.

A. Commissioner of Indian Affairs. The Commissioner of Indian Affairs has overall responsibility for the conduct of reviews to determine Bureau training needs and for implementation and operation of training and development programs to meet determined training needs.

B. Deputy Commissioner of Indian Affairs. To the extent delegated by the Commissioner, the Deputy Commissioner of Indain Affairs has responsibility for the conduct of reviews to determine Bureau training needs and for implementation and operation of training and development programs to meet determined training needs.

C. Director, Office of Administration. The Director, Office of Administration, has overall responsibility for a Bureau-wide Career Development System which involves a planned, systematic process for determining and meeting all categories of training needs.

D. Bureau Career Development Committee. Under the general direction of the Commissioner, the Bureau Career Development Committee is responsible for:

(1) Estimating the number of vacancies expected to occur in Senior Executive Service (SES) positions.

(2) Overseeing the establishment and operation of a system to appraise and select GS-15's for anticipated SES vacancies.

(3) Selecting GS-15 employees for Feeder Group I (SES) and GS-12 through 14 employees for Feeder Group II (SES).

(4) Monitoring development and pursuit of Individual Development Plans (IDP's) for Feeder Groups I and II.

(5) Reviewing Bureau-wide employee training policies.

(6) Providing advice and counsel to individual participants in Feeder Groups I and II.

(7) Assuring that adequate funding be provided to carry out the above responsibilities.

E. The Chief Personnel Officer. The Chief Personnel Officer is responsible for (1) providing general direction in the development of guidelines to determine training needs and evaluation of activities, (2) under the direction of the Director, Office of Administration, providing those quidelines and programs required to operate an effective Bureau-wide Career Development System. The system will provide a competitive developmental "ladder" up which employees may appropriately advance to the limit of their potential. Involved in system development will be training-need determination, development of inter-related programs to meet determined need, and a process for effective evaluation of the System as operated.

F. Area Directors. Each Area Director, under the general direction of the Commissioner, is responsible, within the Area for the conduct of reviews to determine Area training needs and for the implementation and operation of the prescribed Bureau-wide Career Development System.

G. Area Career Development Committee. Under the general direction of the Area Director, the Area Career Development Committee is responsible for providing advice and counsel relative to Area training activities and for evaluating Area training policies. The Committee is also responsible for review and evaluation activities related to the implementation of the Career Development System in the Area.

H. Agency Career Development Committee. Where feasible, an Agency Career Development Committee will be formed under the direction of the Agency Superintendent. The Agency Career Development Committee is responsible for providing advice and counsel relative to Agency training policies. The Committee is also responsible for review and evaluation activities related to the implementation of the Career Development System in the Agency.

I. Area Personnel Officer. Under the general direction of the Area Director, the Area Personnel Officer is responsible for advising on the implementation and operation of the Bureau-wide Career Development System within the Area.

J. Operating Offices. Officials in charge of operating offices are responsible for carrying out those training activities assigned to their offices.

K. Bureau Supervisors. Supervisors at every level are responsible for the training and development of employees under their supervision in relation to the employees job requirements and potential responsibilities. The supervisor's responsibilities include determination of training needs, planning to meet such needs, implementation of Bureau and Area training programs, evaluation of results of training, and as necessary, reporting on training activities carried out.

To assure their competence in executing these assigned functions, supervisors shall participate in all supervisory training, as prescribed for their level of experience by the BIAM and local directives.

Supervisors have a primary responsibility to see that the Bureau-wide Career Development System works properly. Supervisors are responsible for coordinating career development activities with the Career Development Committee and for maintaining close contact with employees under their supervision who are participants in the Career Development System.

4 Training Committee Membership.

A. Bureau Career Development Committee.
The Bureau Career Development Committee will consist of the following members: (1) Area Director (designated by the Commissioner to serve for one year on a rotating basis); (2) Director, Trust Responsibilities; (3) Director, Office of

Tribal Resources Development; (4) Director, Office of Indian Services; (5) Director, Office of Indian Education Programs; (6) Director, Office of Administration; (7) Assistant Director, Financial Management; (8) Chief, Division of Social Services; (9) Chief Personnel Officer; (10) Bureau Equal Opportunity Officer and (11) the Chief, Branch of Employee Development who will serve as Executive Secretary and in an advisory capacity. The Chairman of the Committee shall be elected annually by the Committee members.

B. Area Career Development Committees. Area Directors shall determine the memebership and establish Area Career Development Committees.

C. Agency Career Development Committees Agency Superintendents shall determine the membership and establish Agency Career Development Committees where feasible.

5. Definitions.

A. Intra-Bureau Training. The term "Inter-Bureau Training" refers to that training which is planned, developed, operated, and evaluated by Bureau employees.

B. Departmental Training. The term "Departmental Training" refers to that training which is planned, developed, operated, and evaluated by personnel of the Department of the Interior and attended by Bureau employees.

C. Interagency Training. The term "Interagency Training" refers to that training which is planned, developed, operated, and evaluated by personnel of other Government agencies and attended by Bureau employees.

D. Non-Government Facility Training. The term "Non-Government Facility Training" refers to that training which is planned, developed, operated, and evaluated by people who are not Government employees and which is attended by Bureau employees.

6. Funds for Training. It is Bureau policy that Bureau officials within the scope of their authority give high priority to training. Available funds, resources, and workforce shall be made available to meet determined needs. Advance planning shall be applied to insure the inclusion of funds needed for

training purposes in budget estimates. Costs of training will be borne by the local facility conducting the training or arranging for the conduct of the training except in certain instances when a special financing arrangement may be made in connection with certain Bureau-wide training programs or arrangements.

7. Training Staff. Qualified employees shall be designated to perform training and employee development functions at successive levels within the Bureau.

8. Selection for Training. Selection and assignment of employees to participate in training programs shall be based upon (1) the Bureau's current and continuing operation requirements, and (2) the immediate training needs and career potential of employees. Employees selected for training shall have the qualifications and capabilities necessary to benefit from the instruction and to apply the training in their work. Factors to be considerd are:

   A. The employee's training needs, motivation, knowledge, skill, achievements, potential for growth;

   B. The employee's length of service and the opportunity the employee will have to use the training for the benefit of the Bureau.

   C. The extent of training opportunities previously afforded the employee by the Government;

   D. The employee's interest in and efforts to improve work performance and develop capabilities for higher positions;

   E. The employee's capacity to train others when the completed course or program lends itself to this procedure;

   F. Selections for training shall be made without regard to race, creed, color, national origin, sex, or age except in those specific instances where Indian preference applies. (See 44 BIAM 419, 1.2).

9. Training Arrangements.

   A. Area and operating offices may develop and operate intra-Bureau training programs as required by need.

   B. Employees of other Bureaus of the Department and other Government agencies should be given an opportunity to participate in Bureau training programs if their inclusion will not impair the quality of the training, increase training costs, or extend the time needed to complete the instruction.

   C. Bureau employees may participate in non-Government facility and interagency training in accordance with the policies established. (See 44 BIAM 410, 4 and 5.)

10. Training Agreements. Area Offices may negotiate training agreements with regional offices of the Office of Personnel Management. When such negotiations are successfully completed, a copy of the approved agreement should be forwarded to the Central Office for information purposes. Area Offices are urged to make appropriate use of the Department's Upward Mobility Training Agreement (PML No. 78-42 (410) (380) dated September 19, 1978) and the Department of the Interior's Career Development Agreement (PML No. 78-31 (410) (271) dated January 26, 1978).

Subchapter 2. Determining Training Needs.

1. General. The Bureau's ability to perform its mission is affected by the degree to which employee training needs are determined and met; therefore, it is Bureau policy to annually identify individual and collective training needs in a systematic manner.

2. Review of Training Needs. Training needs will be determined by an application of the techniques prescribed in "A Guide for Determining Training Needs" found in the Career Development System Handbook. See 44 BIAM Supplement 410,2.

3. Role of Managers and Supervisors. Managers and supervisors play a key role in identifying training needs and preparing training programs to meet such needs. The identification of the training needs of individual employees is a critical supervisory responsibility which gives a system to training and a means for developing organizational training plans. (See "A Guide for Determining Training Needs" found in the Career Development System Handbook.) All supervisors should systematically explore the training needs of individual employees in conjunction with the annual process of performance evaluation.

4. Assistance by Training Staffs. Members of Bureau training staffs shall advise and assist managers and supervisors in identifying training needs and implementing required training.

Subchapter 3. Establishing Training Programs.

1. Implementing Bureau-wide Career Development Systems.

   A. General. The Bureau-wide Career Development System, as prescribed by the issuance, "Career Development System Handbook" (44 BIAM Supplement 410, 2.1 to 6.5) will be implemented and operated in accordance with the guidelines prescribed.

   B. Local Programs. In addition to Bureau-wide Career Development System requirements, programs should be developed and operated locally to meet local needs not adequately addressed by the Bureau-wide System.

2. Training Evaluation.

   A. Bureau training activities must be evaluated to assure the judicious expenditures of time and appropriate funds for training purposes; therefore, it is Bureau policy that training activities shall be evaluated in a systematic manner.

   B. To appropriately evaluate Bureau training programs, reference should be made to the "Career Development System Evaluation Guide" found in the Career Development System Handbook. (See 44 BIAM Supplement 410, 6)

3. Employee Orientation.

   A. Bureau Policy. It is the policy of the Bureau to provide effective orientation training for new employees and employees in changed work circumstances. Such training will be conducted in compliance with the Bureau's "Orientation Training Program" (44 BIAM 405).

   B. Responsibility. The Bureau's Orientation Program will be operated under the general direction of the Director, Office of Administration, for those employees under the jurisdiction of the Central Office. Area Directors will have responsibility for the operation of this program within their respective jurisdictions.

4. Supervisory Training.

A. Bureau Policy. "Supervisory Training," Appendix A to FPM 410, establishes certain minimum requirements for the training of supervisors. It is the policy of the Bureau to meet and, to the extent appropriate in the interest of good management, exceed these minimum requirements.

B. Responsibility. The Director, Office of Administration, will have responsibility for the operation of this training for those employees under the jurisdiction of the Central Office. Area Directors and officials in charge of Agencies and Offices will have similar responsibility for those employees under their respective jurisdictions.

DEPARTMENT OF THE INTERIOR CAREER DEVELOPMENT AGREEMENT

1. BACKGROUND AND OBJECTIVES. The Department of the Interior requires competent and well-trained personnel to conduct its complex natural resources program and to provide necessary administrative support. To achieve and maintain an efficient workforce, it is in the interest of the Department to provide for the career development of its employees and, as appropriate, to provide the opportunity for reassignment to different career fields. Through use of this Career Development Agreement, employees with demonstrated potential will be given the opportunity to be selected and trained in careers in new, more promising occupations. Employees who successfully complete the training program will be eligible for lateral reassignment and/or promotion (GS-15 and below) in the target series. The Department benefits by gaining greater flexibility in meeting its staffing needs and by the reassignment of trained personnel whose services are needed in certain occupational specialties. The employee benefits by entering an occupational series where he/she would have additional opportunities to compete for advancement.

The objectives of the Agreement are to:

a. Provide selected employees with a means to enter new occupations with additional career opportunities.

b. Facilitate the development of employees who are in positions which do not enable them to use their full capabilities.

c. Provide a system whereby (1) professional, scientific, and technical personnel with management potential may be reassigned to administrative or management positions; and (2) administrative or management personnel may be reassigned to other administrative or management fields or to management positions over professional activities.

d. Develop the administrative skills of scientific, professional, and technical employees through assignment to administrative and management duties.

e. Provide a source of well-qualified professional employees with administrative abilities from which to meet present and future occupational needs.

f. Facilitate the development of necessary program and academic knowledge to enable well-qualified, capable administrative employees to become line managers in organizations composed primarily of professional employees.

g. Provide managers with an additional tool for special recognition and advancement of persons with high potential in career fields essential to the effective accomplishment of Interior's mission.

2. ORGANIZATIONAL COVERAGE. This Training Agreement is Nationwide in scope, including the Department and bureau headquarters offices in Washington, D.C., and their field installations.

3. POSITION AND GRADE COVERAGE. This Agreement will be applicable to the development of Department of the Interior employees occupying one or two-grade

interval administrative, clerical, technical, scientific, and professional positions at GS-7 through GS-15.

a. This Agreement will permit the reassignment and/or promotion (but not above the GS-15 level) of employees to any two-graded interval position in the occupational groups listed in Appendix A, provided that employees satisfactorily complete their training under the terms of this Agreement and meet minimum educational requirements where applicable. Candidates must meet the minimum educational requirements where such are specified in the qualification standard in Handbook X-118 for either the trainee position or the target position for which selected.

b. Persons employed in the Department of the Interior at the GS-7 through GS-15 levels, or equivalent, are eligible to participate in this training. The Agreement provides for appropriate career mobility in the general grade range of GS-7 through GS-12. In addition, it provides a needed career development experience for potential managers and executives in grades GS-12 through GS-15 in order to broaden their skills and perspectives.

c. An employee selected for training under this Agreement is selected only for the specific training as outlined in his/her individual training plan and for only the specific position immediately at or above his or her present grade (such as GS-9 to GS-11, or GS-12 to GS-13) but not above GS-15, as identified in the plan. (See Section 7 below for requirements pertaining to the employee's individual training plan.) Training plans should follow the format provided in the Sample Training Plan, Appendix B.

d. Representative position descriptions are attached. These include the description of a present position (Appendix C) and description of a target position (Appendix D) in an illustrative case in which an Office Services Supervisor (GS-342-9) is trained and reassigned as a Program Analyst (GS-345-9).

e. In all cases, before assignment is made to the target position, the trainee must complete a full program of training as described in this training agreement under Item 6. LENGTH OF TRAINING.

f. Trainees who fail to meet the performance requirements of the training program may be returned to their former positions or to other positions of similar duties and grades.

g. In no case does this agreement authorize exception to time-in-grade requirements.

4. RESPONSIBILITIES.

a. Bureau Personnel Officers. The Personnel Officer will be responsible for operation of the Career Development Agreement in the bureau. Prior approval of proposed individual training plans and insuring that the training is carried out as outlined in the plan may be delegated to field offices which have been delegated substantial personnel management authority. At the conclusion of the training period, the bureau Personnel Officer will make the final determination concerning the trainee's reassignment and promotability, after having reviewed the original training plan and the evaluation reports described in Section 9 below or the recommendations of the field official who gave prior approval to the

training plan. A statement certifying that the trainee has satisfactorily completed the full year of training in accordance with the Agreement should be signed by the Personnel Officer and made a part of the employee's Official Personnel Folder.

b. Bureau Advisor. A designated bureau official will be responsible for general and continuing supervision of the trainee. This official will serve as the trainee's principal advisor and will counsel the trainee in terms of his/her progress, needs, interests, and problems. In addition, the advisor will see that the evaluation reports in connection with the trainee's progress are submitted as required.

c. Bureau Training Officer. The Training Officer will be available to furnish advice and guidance to the trainee and will consult, as necessary, with the Personnel Officer, Advisor, and other interested persons in providing needed professional assistance.

d. Bureau Training Committee. As determined by the bureau, responsibilities may be assigned to the bureau training committee to review the individual training plans, monitor program implementation, make appropriate recommendations, etc.

e. Bureau Line Officials. Line officials should consider appropriate use of the Career Development Agreement in meeting their staffing needs.

f. Chief, Division of Employee Development, Office of Personnel. The Chief, Division of Employee Development will represent the Director of Personnel in ensuring Departmentwide compliance with the terms of this Agreement.

5. SELECTION OF TRAINEES. Candidates selected for training under this Agreement must possess an overall background of sufficient level and quality to clearly indicate that they have the potential ability to perform successfully in the target position. Such candidates will be competitively selected in accordance with the organizational Merit Promotion Plan and reassigned to a trainee position. Factors to be considered in this evaluation and selection will include past performance, abilities, interests, aptitudes, and personal characteristics. Written tests may be included as a factor in the evaluation process if used in accordance with applicable Office of Personnel Management regulations.

6. LENGTH OF TRAINING. Before reassignment and/or promotion to a specific target position can be effected, all trainees must make up the difference in qualifications from what they bring into the program and the qualifications required (whether general experience or specialized experience or both) for the target position as published in Handbook X-118; training time to make up the difference in such qualifications may then be credited at the rate of one month of training for 2 months of experience under the terms of this training agreement. In other words, if the target position requires 3 years of general experience and 3 years of specialized experience and the employee has no creditable specialized experience, he/she would then need, as a minimum, 18 months of accelerated training (all of which must be specialized experience) under the terms of this approved training agreement before movement is made into the target position.

If the employee is at or above the journeyman level of the target position and has experience in related fields, he/she need not meet the full specialized experience requirement but may instead be given training needed to qualify under the General Amendment for Crediting Specialized Experience, described in Part II of Handbook X-118.

This amendment permits acceptance of closely related experience as specialized, provided the employee has demonstrated journeyman competence in the target occupation. Training to be used to qualify under the General Amendment should total at least 1 year.

7. CONTENT OF TRAINING PLAN. An individual training plan established under this Agreement will provide the employee with such on-the job experience, formal training, special supervision and guidance, and other development opportunities that the total training plan content will eliminate the difference between his/her present capabilities and qualifications and those required for the successful performance of the duties of the position for which he/she will be trained. Academic course offered at local schools and colleges or interagency facilities which are relevant to the target position may be taken during or after working hours at Government expense. Each proposed plan shall be submitted to a designated official (see 4.a.) for prior approval of the plan and of the entry of the employee into the training program. To serve as a guide, a sample training plan is included in Appendix B. All plans will have the following common features:

a. Reason for Training Plan
(description of situation which justifies the proposed training)

b. Education and Experience Background
(including identification of employee's present series and grade)

c. Length and Objectives of Training Program
(including identification of target position by series and grade)

d. Outline and Schedule of Training Program
(including on-the-job training and formal classroom training with the amount of time expected to be devoted to each phase)

e. Official Responsible for Training Program
(identification of Bureau Advisor)

f. Evaluation Reports
(frequency of written reports to be submitted)

g. Determination as to When Trainee has Reached Satisfactory Work Standards

The plan should be prepared for signature by the Bureau Personnel Officer or a designated official to indicate approval of the training that is proposed.

8. FLEXIBILITY IN PROGRAM SCHEDULE. It is desirable that the provisions of the training plan be flexible in order to meet unforeseen situations and new developments that may arise during the period of training. Specifically, adjustments and changes may be made in order to:

a. Extend the length of the training program for a period of time (such as for 3-6 months) to cover contingencies such as illness, annual leave, or the trainee's inability to grasp a portion of the training given;

b. Alter the sequence of training to allow for the learning to be responsive to actual work situations as they arise;

c. Add or modify subject-matter material depending on the needs of the trainee and the agency, the evaluation of experience with the program, or technological changes.

9. EVALUATION PROCEDURES. The trainee and the supervisor involved in each on-the-job work assignment will be required to submit to the Bureau Advisor written reports on his/her progress, according to a schedule to be determined by the Advisor. As a minimum requirement, the trainee's supervisor(s) should give a brief written report to the Advisor describing and appraising the work done by the trainee after each rotating work assignment or at least once every 3 months. The trainee should adhere to the same schedule in providing the Advisor with written progress reports. Upon completion of the training period, the trainee should prepare a summary report on the entire training program.

10. REASSIGNMENT AND PROMOTION. Employees who satisfactory complete the required training will be eligible for promotion (below GS-15) or reassignment to the target position for which trained. Additional development of program participants beyond the target position will follow normal Merit Promotion Plan or career development procedures.

11. APPENDICES.

a. Appendix A - Occupational Group Coverage

b. Appendix B - Sample Training Plan

c. Appendix C- Representative Position Description (Present Position)

d. Appendix D - Representative Position Description (Target Position)

APPENDIX A

OCCUPATIONAL GROUP COVERAGE

Positions in the occupational groups listed below which are classified at two-grade intervals may be established as target positions under this Agreement.

GS-000	Miscellaneous Occupations
GS-100	Social Science, Psychology, and Welfare
GS-200	Personnel Management and Industrial Relations
GS-300	General Administrative, Clerical, and Office Services
GS-400	Biological Sciences
GS-500	Accounting and Budget
GS-800	Engineering
GS-900	Legal and Kindred
GS-1000	Information and Arts
GS-1100	Business and Industry (Except GS-1101 series)
GS-1300	Physical Sciences
GS-1400	Library and Archives
GS-1500	Mathematics and Statistics
GS-1600	Equipment, Facilities, and Service
GS-1700	Education
GS-1800	Investigation
GS-1900	Quality Assurance, Inspection, and Grading
GS-2000	Supply

APPENDIX B

SAMPLE TRAINING PLAN*

Career Development Training Plan
Mr. Ben Blue

1. Reason for Training Plan
The decision to add a program analyst to the Program Analysis Branch is based on increased workload and the continuing need to monitor established programs closely to assure their responsiveness to new priorities and evolving technologies. The introduction of project management further emphasizes the need to develop new methods for obtaining data and recommending reallocations of resources and modifications in program objectives.

2. Education and Experience Background
Mr. Blue was employed by the bureau as an Administrative Assistant, GS-5, in June 1970, following his graduation from Gravel Academy. He has been promoted to positions of increasing responsibility, and now occupies the position of Office Services Supervisor, GS-9.

Mr. Blue's academic preparation included Mathematics for Business Analysis, Government Accounting, Financial Management, and two courses in statistics. His work experience includes preparation of the budget for his division for fiscal years 1972, 1973, and 1974, and the collection of data for the division's annual report for each year since 1973. He received a formal letter of commendation for coordinating the printing of the special report Resources Today.

3. Length and objectives of Training Program
Mr. Blue will receive twelve months of intensive training in the Program Analysis Branch of the Central Management Office in Washington, D.C. The objective of this program is to provide Mr. Blue with skills needed in the analysis of Bureau programs. Following successful completion of this training, Mr. Blue will be assigned to the position of Program Analyst, GS 345-9.

4. Outline and Schedule of Training Program

A. Learning Objectives. At the conclusion of the training program the trainee will be able to:

1. make oral and written presentations of cost-benefit analysis studies,

2. construct a decision table which describes the decision-making process used in establishing annual program objectives,

3. interpret any report produced by the Denver Management Center,

*NOTE: This Sample Training Plan calls for a one-year (twelve month) program. Other Plans may require more time to enable the trainee to qualify for his/her target position. The length of training for each Training Plan must be determined for the specific trainee in accordance with Item 6 of this Agreement, Length of Training.

4. conduct a review of the policies and procedures for property inventories of both major property and real estate,

5. cite and/or interpret regulations and policies governing principal purchasing and contracting,

6. draft working guidelines and operating criteria for a simple micrographic program,

7. prepare and/or analyze fiscal documents for payment of invoices,- contracts, travel vouchers,

8. write an accurate description of the program management system,

9. write an accurate description of the operations of the Denver Management Center, describing all monthly reports and associated-procedures,

10. distinguish between adequate and inadequate staffing patterns and develop recommendations for corrective measures,

11. perform routine operations cited above in accordance with existing delegations of authority,

12. develop new delegations of authority to comply with organizational requirements,

13. write an outline describing the organization of the bureau, including the field establishment.

B. Developmental Activities

1. Assignments

a. Basic Skills - 4 to 4 1/2 months

Supervisor: Senior Program Analyst

Under the general supervision of the Senior Program Analyst (who will prepare the evaluation for this phase) but working directly with various specialists, the trainee will spend one to two weeks on each of the Learning Objectives listed above. He will demonstrate proficiency with each of these skills before moving to the work assignments listed below.

b. Develop Salary Costs for FY 1977 - 1 month

Supervisor: Administrative Assistant

The trainee will develop the total salary cost estimates for FY 1977 for fund distribution to each Operations and Management division.

c. Organization Study - 1 month

Supervisor: Management Analyst

The trainee will develop a proposal for a National project control center, including organization chart and proposed staffing.

d. Research Expenditure Analysis - 2 weeks

Supervisor: Chief, Branch of Statistics

Using Denver Management Center financial management reports the trainee will develop a financial expenditure readout for each Federal programs division. This readout will show: amount annual work planned, amounts obligated, amounts expended, fund balances.

e. Employee Work Status Report - 2 weeks

Supervisor: Administrative Assistant

The trainee will prepare a written report on the amount of time in the Office of Administrative Services lost in FY 1976 from productive effort because of tardiness, illness, accidents, and other causes.

f. Identify Safety Problem Areas - 3 weeks

Supervisor: Bureau Safety Officer

Using accident reports and interviews as necessary, the trainee will identify experienced and potential safety hazards at Bureau printing plants and will prepare a written report, with recommendations.

g. General Experience - 3 1/2 to 4 months

Supervisor: Senior Program Analyst

The trainee will receive general experience in day-to-day operations, including budget analysis and justification, micrographic programs, personnel salary costs, special report preparation, annual work plan preparation, fund control schedules, briefing materials, cost report analysis, and other assignments related to program management in the Bureau.

2. Formal Classes.

a. Management Analysis and Review - 5 days -

Course description: An overview of the process of management analysis, for new analysts. Provides experience with the analysis cycle, from planning the study to developing the report and evaluating installed systems.

b. Computer and Micrographics - 16 evening sessions - American University
Review of relevant computer theories, tools, and techniques, review of micrographic systems, systems approach, search aids and automated retrival, Computer Output Microfilming, Micrographic/computer standards, etc.

c. Problem Analysis - 16 evening sessions - American University
Course description: Develops fundamental ideas involved in reduction of problems to computable form. Includes logical games and management procedures such as PERT.

5. Official Responsible for the Training Program

Administrative Officer

The Administrative Officer has had experience in supervising the administrative programs at field stations, Regional office and Washington office levels. His work with a large number of other offices has given him a knowledge of the types of problems and programs that must be analyzed and improved. He will serve as Bureau Advisor and will counsel Mr. Blue throughout the period of training.

6. Evaluation Reports
At the conclusion of each of the assignments described in Section 4, the assigned supervisor will prepare a brief narrative evaluation of the comprehension of the trainee in the subject matter covered during the assignment. The evaluation will be conducted with the trainee on location and forwarded to the Administrative Officer who will counsel the employee on the evaluation. Mr. Blue will provide his advisor a brief written report of each assignment and at the conclusion of the final training assignment will submit a summary report assessing the total training program.

7. Determination as to When Trainee has Reached Satisfactory Work Standards
The Personnel Officer will review the above evaluation reports at the end of the training period and determine if Mr. Blue completed the assignments in such a manner that he has acquired knowledge and background to enable him to meet the standards for the position of Program Analyst, GS 345-9.

PLAN APPROVED:

Personnel Officer/Designated Official _____ Date _____

CERTIFICATION OF COMPLETION OF TRAINING:

Personnel Officer _____ Date _____

APPENDIX C

REPRESENTATIVE POSITION DESCRIPTION
(Present Position)

Office Services Supervisor
GS 342 - 9

A. DUTIES

Responsible for the printing, duplication, and distribution of all forms and publications. Serves as liaison with the Government Printing Office on production matters.

Responsible for managing, regulating, coordinating and exercising control over personal property assigned to the Regional Office. Plans and develops detailed procedures and guidelines to assist managers and supervisors in all areas of the property management program.

Maintains a close working relationship with the Finance Office to provide cost accounting data for entry in the Financial Management System. Insures general ledger accounts and subsidiary ledgers are in complete balance.

Manages the operation of the automated personal property system. This includes preparation and verification of input data and insuring property records for the Regional Office are updated promptly and accurately. Makes recommendations for improving the automated personal property system.

Supervises the preparation and coordination of all reports required by the General Services Administration, the Department, and the Bureau.

Supervises a group of employees who assist in property management responsibilities and who perform duties relating to security, office relocations, and clerical or technical duties pertaining to the property management program.

Responsible for the space management and telecommunications program for the Regional Office including negotiations with the Department and the General Services Administration.

B. FACTORS

1. KNOWLEDGE REQUIRED BY THE POSITION

Thorough knowledge of Federal, Departmental, and Bureau regulations, policies and procedures in all areas of property management is required.

Requires the ability to communicate orally or in writing to provide advice and to develop detailed procedures for implementing Regional Office property management programs.

2. SUPERVISORY CONTROLS

Works under the general supervision of the Branch Chief who outlines assignments in broad terms of scope, objectives and administrative constraints. Employee is expected to work independently with latitude for initiative and exercise judgment. Work is reviewed for soundness, achievement of objectives, compliance with policy, and timeliness.

3. GUIDELINES

Guidelines consist of Bureau Regulations, Handbooks, User's Guides and Special Directives. Uses these guidelines in planning and developing procedures to insure an effective property management program for the Regional Office.

4. COMPLEXITY

Makes decisions for determining methods and application of procedures to resolve problems inherent to Regional Office property management programs and to determine if new methods or procedures are required. Through expert knowledge of the automated personal property system, the employee must insure that property records are accurate and present a true picture of the Regional Office equipment assets.

5. SCOPE AND EFFECT

By providing definitive advice and assistance to managers and supervisors in the area of property management, the employee's work efforts have a definite impact on the overall operation of the Regional Office property management program.

6. PERSONAL CONTACTS

Personal contacts are with officials of the Government Printing Office, the General Services Administration, the Department, representatives of businesses and industries and other institutions, other bureaus, agencies, and appropriate bureau officials.

7. PURPOSE OF CONTACTS

Personal contacts are made to insure property management sufficiency and to insure compatibility with Federal Procurement Regulations, policies, and procedures, as they apply to Property Management programs. Contacts outside Government agencies are made to develop agreements for procurement, to insure fulfillment of terms, and to obtain timely delivery of goods or services. Assignments also require providing technical advice, participation in high-level conferences, negotiations and meetings which have a significant impact in property management activities.

APPENDIX D

REPRESENTATIVE POSITION DESCRIPTION
(Target Position)

Program Analyst
GS 345-09

This position is located in the Program Analysis Branch. This position has responsibility for the Program Analysis Branch's portion of the Bureau's policies and management objective programs, preparing, coordinating, and updating Bureau policies and providing guidance to management in the development of long range plans, special fundings, and staffing programs.

A. Major Duties

Assists in preparation of analytical papers for OMB.

Assists in the preparation, review, and revision of the Bureau's program objectives.

Secures and provides management with evaluative materials they need for effective direction of programs for Bureau operations.

Participates in preparing long range plans, programs, and recommends alternative plans for the guidance of Bureau activities.

Devises appropriate methods and procedures for collecting and analyzing field program data and assists in preparation of Bureau's input to the Departmental planning and program policy cycle.

Recommends long range program mixes and priorities for soundness, based on social and economic trends, by actually identifying potential problem areas and/or merits.

As needed, prepares briefings for management and drafts working guidelines for micrographic programs.

Reviews Bureau's ADP program and recommends priorities to management for application.

B. Factors

1. Knowledge Required by Position

Extensive knowledge and understanding of the Program Analysis Branch's programs and objectives.

Knowledge and analytical ability required for developing the Bureau's budget.

Knowledge of social and economic conditions affecting the Bureau's policies and programs.

2. Supervisory Controls

Incumbent works under the general supervision of the Chief, Program Analysis Branch. Work assignments are outlined in terms of objectives sought. The supervisor spot checks assignments for adherence to controlling policies; commitment and recommendations made by the incumbent are subject to review. However, on recurring tasks, incumbent works independently.

3. Guidelines

Guidelines are Bureau policies and objectives, Departmental regulations, and OMB guidelines and directives. Incumbent may have to seek other guidelines when none of the above can be applied.

4. Complexity

Complexity lies in the area of meeting short deadlines, devising alternate methods, gathering and researching background data to be used as input to supplement executive summaries and issue papers.

5. Scope and Effect

The scope and effect of the work affects the formulation, presentation, review and, as necessary, revision of Bureau policies, objectives, priorities and programs.

6. Personal Contacts

Contacts are with co-workers, field office personnel, Department officials, staff of OMB, officers of conservation organizations and Congressional staff members.

7. Purpose of Contacts

The purpose of contacts is the exchange of information pertaining to materials prepared in or for the Program Analysis Branch or for resolving conflicts.

8. Physical Demands

Work is mostly sedentary, with occasional overtime.

9. Work Environment

Work is performed in an office setting which is well lighted, heated, and ventilated.

CAREER DEVELOPMENT AGREEMENT Amendment Number 1.

The Department's Career Development Agreement is amended to provide for noncompetitive selection in special circumstances in which organizational needs make it necessary to reassign employees to positions in an occupational area for which they do not have the minimum qualifications. The following paragraphs are to be added and the designation of the Agreement becomes: U.S.D.I. Special Training Agreement CDA dated October 1, 1981, as amended January 19, 1983.

5. SELECTION OF TRAINEES. (Insert the following paragraph beneath the present paragraph in this section.)

> Candidates for training under this Agreement may be noncompetitively selected for reassignment to a trainee position only when the target position has no known or anticipated potential for promotion which is greater than that of the position currently held. Such selections, using the factors listed in the above paragraph, will be approved by the bureau personnel officer, and only when the training is needed to provide the employee with qualifications for reassignment to a position identified through a documented process which includes consideration of bureau priorities and staff resources.

6. LENGTH OF TRAINING. (Insert the following paragraph beneath the present paragraphs in this section.)

> Training may be credited at an accelerated rate as shown above only if it can be expected to quicken the rate of development of the trainee over that normally obtained from experience on the job. The length of training for each trainee must be sufficient to prepare the trainee to perform the duties of the target position. The above provision for crediting time in training at the rate of one month of training for two months of experience is to be applied when appropriate. Training should be credited at the rate of one month of training for one month of experience when the nature of the training is not accelerating the rate of development above normal experience.

Approved:

Morris A. Simms
Director of Personnel

11/19/83
Date

Subchapter 4. Interagency Training.

1. Bureau Policy.

   A. Interagency training will be used when it is the most effective and economical training source.

   B. Employees who receive education leave are also eligible to participate in interagency training.

2. Authorization of Training.

   A. Area Directors may authorize interagency training not exceeding 120 training days or 960 hours in duration. This authority may be redelegated.

   B. The Field Administrator, Field Administration Office, after review for legality and policy compliance by the servicing personnel office, may authorize interagency training not exceeding 120 training days or 960 hours in duration for personnel under the Field Office jurisdiction.

   C. The Chief, Branch of Personnel Services (Washington Office, Division of Personnel Management) may authorize interagency training not exceeding 120 training days or 960 hours in duration for Washington Office personnel.

   D. The Director, Office of Administration, may authorize interagency training exceeding 120 training days or 960 hours in duration.

3. Requirements in the Record. Standard Form 182, "Request Authorization, Agreement, and Certification of Training," shall be used to request, authorize, and record interagency training. No interagency training shall be approved unless the SF 182 is accompanied by a copy of the Individual Development Plan (IDP) of the employee to be trained. This plan should reflect the training proposed. IDP's will be maintained with all subsequent training records.

Submittal of copies of this form to the Washington Office is not required when training is approved locally.

4. Training Employees of Other Government Agencies. Bureau officials may provide interagency training for employees of other Government departments and agencies whenever it is feasible to provide such training. When the training is to be provided on a reimbursable cost-shared basis, an agreement to this effect will be made in advance.

5. Training Evaluation. Interagency training will be evaluated on copy 9 of the SF 182 and retained as part of the record of the training.

Subchapter 5. Training Through Non-Government Facilities.

1. Non-Government Facility Training Policy.

   A. Non-Government training facilities may be used when they are the best and/or the most economical training source.

   B. Employees who receive educational leave are also eligible to participate in non-Government facility training.

2. Authorization of Training.

   A. Area Directors may authorize non-Government facility training not exceeding 120 training days or 960 hours in duration with exception of requests involving a foreign training facility. This authority may be redelegated.

   B. The Field Administrator, Field Administration Office, after review for legality and policy compliance by the servicing personnel office, may authorize non-Government facility training, with the exception of a foreign training facility, not exceeding 120 training days or 960 hours in duration for personnel under the Field Office jurisdiction.

   C. The Chief, Branch of Personnel Services (Washington Office), may authorize non-Government facility training not exceeding 120 training days or 960 hours in duration for Washington Office personnel with the exception of requests involving a foreign training facility.

   D. The Director, Office of Administration, shall authorize all non-Government facility training exceeding 120 training days or 960 hours in duration, with the exception of requests involving a foreign training facility.

   E. Requests for approval of non-Government facility training involving a foreign training facility will be submitted to the Commissioner, attention: Chief Personnel Officer, Division of Personnel Management, for clearance through channels.

3. Requirements in the Record. Standard Form 182, "Request, Authorization, Agreement and Certification of Training," shall be used to request, authorize, and record non-Government facility training. Submittal of copies of this form to the Washington Office is not required when training is approved locally. In connection with requests for approval of non-Government facility training involving a foreign training facility, Form DI 1175, "Foreign Travel Certification," must be submitted along with SF 182.

Careful attention must be given to coding SF 182 according to instructions. These codes become input into the Civil Service Commission's personnel data system and constitute a part of the Bureau's Annual Training Report.

4. Long-term Training Programs (Over 960 hours). When management decides that there is a definite need to assign an employee to a specific long-term training program, details of the program and the application process shall be made known to all potential applicants. Employees shall be advised in the announcement of how the selection(s) will be made. When possible assignment to long-term training should be made competitively.

Because long-term training costs are generally considerably in excess of those for short-term training, costs (including per diem and, in some cases, moving expenses in addition to the salary, plus, perhaps, hiring a replacement) become major management considerations. Such costs make it imperative that the manager consider alternatives, e.g., sending more than one employee to less costly and shorter training before assigning only one employee to long-term training.

Since funds are not available in the Central Office to cover local long-term training costs, local facilities must budget monies to meet the cost of any long-term training undertaken.

Prior to the long-term training assignment, a written plan shall be prepared stating the training to be undertaken and how acquired skills and abilities will be utilized when the training is completed.

Signing a continued service agreement (conditions are explained on the reverse side of copy 1 of SF 182) is a requirement for the employee before management can approve the training. As a minimum, the employee agrees to remain an employee of the Department of the Interior for a period of time not less than three times the length of the training. Computation of the time (obligation) begins with the day after the training is completed.

If an employee leaves the Bureau before fulfilling the requirements of the agreement, provisions of the Departmental Manual (370 DM 410, 5.5 through 5.7) will be applied.

5. Waivers.

A. Officials identified in 44 BIAM 410, 5.2A, B, C, and D as having authority to approve non-Government facility training may: (1) request a waiver of the man-year limitation (the number of man years of training given employees cannot exceed one percent of the total man years of employment of the organizational unit) when it can be shown that the prescribed limitation could delay or injure mission accomplishment; a waiver request will be addressed to the Director, Office of Personnel, Department of the Interior, through the Chief Personnel Officer well in advance of the requirement; (2) determine when it is in the public interest to waive the minimum continuous service requirement; a waiver may be granted and recorded as part of the written request and approval of training; (3) submit a request for waiver of the one-year-in-ten period in accordance with Subchapter 5 of Chapter 410 of the Federal Personnel Manual.

The request requires approval of the Office of Personnel Management in Washington, D.C. and shall be addressed to the Director, Office of Personnel, Department of the Interior, through the Chief Personnel Officer and must arrive well in advance of the first day of training.

6. Limitations, Restrictions and Requirements. Officials having authority to approve non-Government training must ensure that there will be no violation of limitations, restrictions and requirements as set forth in 370 DM 410, 5.

Particular attention should be given to 370 DM 410, 5.2C, Security Requirements; and 370 DM 410, 5.3B, Prohibited Facilities; and 370 DM 410, 5.8, Certification of Applicable Limitations, Restrictions and Requirements.

7. Training Plans. No non-Government training shall be approved unless the request for approval (SF 182) is accompanied by a copy of the IDP of the employee to be trained. This plan should reflect the training proposed. IDP's will be maintained with all subsequent training records.

Subchapter 6. Payment of Training Expenses.

1. Guidelines for Payment of Training Expenses.

A. Funds to cover costs of training must be available at the time a request for training authorization is submitted.

B. The Bureau will pay for properly authorized correspondence courses when the employee has initially paid for the training and presents evidence of satisfactory completion. SF 182 shall be submitted prior to enrollment to obtain proper authorization.

C. The Bureau's share of the payment of training costs will be administratively determined in advance of the first day of training and indicated in the "Estimated Costs and Billing Information" section of SF 182, "Request, Authorization, Agreement and Certification of Training." Administrative determination will be made in accordance with guidance provided by the Federal Personnel Manual (FPM 410 Subchapter 6), the appropriate section of the Departmental Manual, and any additional specific guidance issued by the Bureau.

Subchapter 7. Acceptance of Contributions, Awards and Payment from Non-Government Organization.

1. Bureau Policy. It is the policy of the Bureau to approve acceptance of a contribution, award, or payment from non-Government organizations only in the instances when there is fulll and clear evidence of the propriety of acceptance for the Bureau and the employees.

2. Approving Authority.

A. Authority to approve acceptance of contributions and awards incident to training in non-Government facilities and acceptance of payment of travel, subsistence, and other expenses incident to attendance at meetings has been delegated by the Commissioner to officials authorized to approve non-Government facility training (See 44 BIAM 410, 5.2, above). 5.2, above).

B. An employee may accept a contribution, award, or payment (whether in cash or in kind) only after specific written approval has been received.

3. Responsibility. Officials in charge of Bureau facilities, where concerned employees are stationed, shall initiate, when appropriate, requests for approval of acceptance of contributions, awards, and payment(s) from non-Government sources incident to training and attendance at meetings. Such requests shall be forwarded, through channels, to the designated approving official at least three weeks in advance of the date when the employee would be expected to accept the contribution, payment, or award.

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Subchapter 8. Attendance at Meetings.

1. Approval. Central Office Directors may approve attendance at meetings in accordance with the provisions of 370 DM 410, 8.

Subchapter 9. Reports and Interchange of Training Information.

1. Recording Requirements.

A. Standard Form 182 shall be used to record all formalized Bureau, Inter-Bureau, Departmental, Interagency, and non-Government facility training completed by Bureau employees.

B. Employees shall have primary responsibilities for submittal of evidence (diploma, certificate, transcript of grades, etc.) of self-development activities to their personnel office for filing in their official personnel folder.

2. Reporting Requirements. Each Area Office, the Field Administrator, and the Chief, Branch of Personnel Services (to include the Cherokee, Seminole, and Choctaw Agencies) will submit an annual report of training activities in accordance with instructions in 44 BIAM Supplement 410, 6.4 (Career Development System Handbook).

Appendix 1. Selection, Completion, and Processing of Optional Form (OF) 170, "Request, Authorization, Agreement and Certification of Training."

NOTE: Guidance given herein supersedes instructions printed on back side of OF 170.

1.1 Selection of the appropriate version of OF 170. The OF 170 is printed in three versions to be selected from and used as follows:

A. The 10-Part version is to be used for all interagency and non-Government facility training.

B. The 5-Part version is to be used for all internally conducted training.

C. The 1-Part version is to be used as a worksheet or correction submittal.

1.2 Completion of the 10 Part OF 170. The 10 Part OF 170 will be completed as indicated below:

A. Block A (upper right-hand corner). Coding will consist of appropriate combination of Bureau code, Bureau sub-element and submitting office number. See 44 BIAM 410, Appendix 1, 1.6.

B. Block B (upper right-hand corner). Insert training order or control number. If the OF 170 is used as an obligating document in lieu of a purchase order, the identifying information shown in block 23 may be entered in "B" also or a local document control number may be entered. If it is not locally desired to enter a training request or document control number, this item may be left unfilled.

C. Block C (upper right corner). Check "Initial or Resubmission", as appropriate. (If it is "Correction or Cancellation" use 1 part version).

D. Item 1. Applicant's name. After filling in the applicant's full name (Last, first - middle initial), enter the first five letters of the last name in the shaded area. Use of preferred title (Mr.", "Ms.", etc.) is optional.

E. Item 2. Enter Social Security Number (9 digits) in shaded area.

F. Item 3. Enter year and month of birth (e.g., if your birth date is January 14, 1943, enter 43/01.

G. Item 4. Leave Blank.

H. Item 5. Leave Blank.

I. Item 6. Position Level. Selection: Only one of the following:

(1) Non-supervisory. Any employee who has no supervisory or managerial responsibility, excluding GS-16 and above.

(2) Supervisory. Basically, anyone who is responsible for establishing and monitoring production goals, giving advice, counsel or instruction to individual employees and participates in selection, training and evaluating employees. Exclude GS-16 and above.

(3) Manager. Basically, any employee whose primary responsibility includes directing the work of an organization or specific programs, function or activity, excluding GS-16 and above. Refer to 370 DM 412, Appendix 1 for a more detailed definition.

(4) Executive. All employees GS-16 and above.

J. Item 7. Enter applicant's organizational mailing address (include office/bureau/Department of the Interior).

K. Item 8. Enter office FTS telephone number (i.e., FTS 740-5000) or office commercial number if not on FTS system (i. e., (703) 532-2222).

L. Item 9. Complete for non-Government training of 40 hours or more. Number of years and months of continuous civilian service.

M. Item 10. Prior non-Government training days to be entered on request only for long-term training.

N. Item 11. Enter the applicant's position title or function.

O. Item 12. Enter pay plan, series and grade. Indication of step is optional.

P. Item 13. Leave Blank.

Q. Item 14. Leave Blank unless mandatory by training vendor.

R. Item 15.

(1) Enter name and mailing address of training vendor.

(2) Enter location of training site. (If same as 15a, indicate by marking (X) in box).

S. Item 16. Enter course title and a brief statement of the training objective (benefit to be derived by the Government).

T. Item 17. Enter catalog/course number if appropriate.

U. Item 18. Enter the year, month, and day the course begins and ends (e.g., a course starting June 15, 1976 and ending December 15, 1976, would be entered as 76/06/15 and 76/12/15).

V. Item 19. Enter the total number of course hours (4 digits) and show the breakdown by the number of hours during duty and non-duty. (If total number of course hours is 15, enter 0015.)

W. Item 20. Training codes. See 44 BIAM 410 Appendix 1.6B, C, D or E for specific codes.

X. Item 21. Enter the total amount of direct costs to Government (4 digits) in nearest dollars showing breakdown of tuition, books/materials and other related costs. (If total cost is $95, enter 0095.) Also, enter appropriation account number. If employee will share some of the expense, he may indicate this in the block marked "AGENCY USE ONLY."

Y. Item 22. Enter the total amount of indirect costs to Government (4 digits) in nearest dollars showing breakdown of travel, per diem and other related costs. (If total cost is $250, enter 0250.) Also, enter appropriation account number. If employee will share some of the expense, he may indicate this in the block marked "AGENCY USE ONLY."

Z. Item 23. Purchase Order/Requisition number. To be completed by locally designated office. Enter purchase order number and sign.

AA. Item 24. For all interagency training enter: 14-20-0699. For non-Government facility training: LEAVE BLANK.

BB. Item 25. Enter name and mailing address of nominating bureau finance office for billing purposes.

CC. Items 26 and 27. To be completed by applicant's immediate and second-line supervisors (if appropriate) before submission of form to nominating Bureau training office.

DD. Item 28. To be completed by the local Training Officer.

EE. Item 29. To be completed by the official authorized to approve training. See 44 BIAM 410, 4.2 for Interagency Training; 44 BIAM 410, 5.2 for non-Government Facility Training.

FF. Item 30. To be completed by the local official responsible for recording completion of training.

GG. Items 31 and 32. This agreement must be signed by the nominee for all non-Governmental training that exceeds 80 hours and for which the Government approves payment of training costs prior to the commencement of such training. Employee should enter period of obligated service.

1.3 Completion of the 5 Part OF 170. The 5-part OF 170 will be completed as indicated below:

A. Complete items indicated under 1.2 (above): A, B, C, D, E, F, I, J, K, N, O, R, S, U, V, W, X, Y, Z (if appropriate), BB (if appropriate), CC, DD, EE, FF.

1.4 Completion of the 1 Part OF 170. The 1-Part OF 170 will be completed as indicated below:

A. Complete items as indicated under 1.2 (above): C, D, E, F, S. U plus corrected items.

B. In space marked "Agency Use Only" give a brief description of correction.

1.5 Processing of the OF 170. After completion of the OF 170 as described above in 1.2, 1.3, and 1.4 (with the exception of 1.2FF which is completed after training is accomplished), specific distribution of copies and additional entries on certain copies of the SF 170 must be made. These are described below:

A. Processing of the 10-Part OF 170.

(1) Copy 10 will be pulled and retained by the originating office.

(2) Copies 3-6 must be sent to the training vendor.

(a) For non-Federal training, block out 1.2E (Social Security number) on copies 3-6.

(b) On copy 5 (reverse side), Section I, stamp training office mailing address.

(c) On copy 6 (reverse side), Section I, enter employee's organizational mailing address.

(d) Attach a copy of instructions to training vendor on how to process the form. (See 44 BIAM 410, Appendix 1, Illustration 1.)

(3) Copy 9, sections C & D on training evaluation must be completed by the trainee and his(her) supervisor. The completed copy 9 must be retained by the cognizant employee development officer in a training evaluation file.

(4) Copy 1 must be filed in the individual's official personnel file after 1.2FF (above) is completed.

(5) Copy 2 will be sent to the Branch of Employee Data and Compensation after 1.2FF (above) is completed.

B. Processing of the 5-Part OF 170.

(1) Copy 5 is pulled and retained by the originating office.

(2) Copy 4, sections C & D, on training evaluation must be completed by the trainee and his(her) supervisor. Completed Copy 4 must be retained in the training evaluation file of the cognizant training officer.

(3) Copy 1 must be filed in the individual's official personnel file after 1.2FF (above) is completed.

(4) Copy 2 will be sent to the Branch of Employee Data and Compensation after 1.2FF (above) is completed.

C. Processing of the 1-Part of OF 170.

(1) If correction is in shaded block on the OF-170, an extra copy must be submitted to the Branch of Employee Data & Compensation.

1.6 Coding

A. Area or Office	Bureau Code	Bureau Sub-element	Submitting Office No.
Washington, D. C. (includes Eastern Area)	IN	06	1672
Albuquerque, N.M. (FAO)	IN	06	3324
Aberdeen,S.D. (Area) (includes Minneapolis)	IN	06	1114
Billings, Montana (Area)	IN	06	1431
Juneau, Alaska (Area)	IN	06	1162
Muskogee, Okla. (Area) (includes Anadarka Area)	IN	06	1867
Phoenix, Arizona (Area) (includes Sacramento)	IN	06	1534
Albuquerque, N.M. (Area)	IN	06	1800
Gallup, N.M. (Navajo Area)	IN	06	1148
Portland, Ore. (Area)	IN	06	1535
Seattle, Wash. (Liaison)	IN	06	1616

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B. Principal Purpose of Training

Code	Purpose	Explanation of Purpose
1	As a Result of Mission or Program Change	To provide the knowledges or skills needed as a result of mission, policy, program or procedures. This purpose is organizational orientation; when training is necessary for a substantial number of employees as a result of a policy or program change. The purpose of training is application of a concept. Example: Training for mine inspectors after passage of the Coal Mine Health and Safety Act of 1969.
2	As a Result of New Technology	To provide the knowledges or skills required to keep abreast of developments in the employee's occupational field. The purpose is equipment or process oriented. Example: Training provided an employee in the use, maintenance or repair of new and advanced electronic equipment; the application of new technology; or advances in "the state-of-the-art."

Code	Purpose	Explanation of Purpose
3	As a Result of New Work Assignment	To provide the knowledges and skills needed as a result of assignment to new duties and responsibilities, when such training is not a part of a planned career development program. This purpose is individual oriented--refers to the movement of an individual to a new career or new job. Example: Upward mobility training for a personnel generalist newly assigned as the upward mobility coordinator.
4	To Improve Present Performance	To provide the knowledges or skills needed to improve or maintain proficiency in the present job. Update training such as refresher courses. Examples: Executive development, managerial, and supervisory seminars; refresher typing and telephone techniques for secretaries.

Code	Purpose	Explanation of Purpose
5	To Meet Future Staffing Needs	To provide the knowledges and skills needed to meet future staffing needs through a planned career development program in an occupational specialty, executive or managerial development program, a management internship or a training agreement. This purpose includes training to meet future staffing needs which is not a part of a formal training program. Examples: Training to meet future staffing needs in trades and labor occupations except when provided as a part of a formal apprenticeship program.
6	To Develop Unavailable Skills	To provide the knowledges or skills needed for fields of work that are unique to the Federal Government, or to meet Government staffing needs in occupations for which the labor market cannot produce a sufficient number of trained candidates. Examples: Training air traffic controllers or taxpayers service representatives and retraining engineers to fill mining engineering vacancies because of an insufficient labor market supply.

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Code	Purpose	Explanation of Purpose
7	Trade or Craft Apprenticeship	To provide the classroom or group portion of the formal training that, together with guided work experience, permits the employee to acquire the knowledges and skills needed to meet the full requirements for journeyman status in an apprenticeship program.
8	Orientation	To provide orientation to the policies, purposes, missions, and functions of the employing agency or the Federal Government for new employees.
9	Adult Basic Education	To provide the basic knowledges and skills needed to permit the employee to function in the world of work. Examples: Remedial reading, basic English grammar, GED certification.

C. Type of Training

Indicates the principal subject matter and emphasis of the training provided an employee. (This standard categorizes the subject matter of the training given, not the position of the person trained.)

Code

10 Executive and Management

Education or training in the concepts, principles, and theories of such subject matters as public policy formulation and implementation, management principles and practices, quantitative approaches to management, or management planning organizing and controlling.

11 Management - (Broad field of planning, directing and controlling people, funds and programs. Broad allocation of resources.)

12 Executive - (Courses designed for high level employees when the training is broad, conceptual, policy development type. Typical courses include Federal Executive Institute, The Brookings Institution.)

20 Supervisory

Education or training in supervisory principles and techniques in such subjects as personnel policies and practices (including equal employment opportunity, merit promotion, and labor relations), human behavior and motivation, communication processes in supervision; work planning, scheduling, and review; and performance evaluation.

21 Supervisory (excluding EEO and LMR)

22 Supervisory Training in EEO

23 Supervisory Training in Labor Management Relations

Code

30 Legal, Medical, Scientific and Engineering

Education or training in the concepts, principles, theories or techniques of such disciplines as law, medicine; the physical, biological, natural, social or behavioral sciences; education; economics; mathematics and statistics; architecture; engineering; or foreign affairs.

31 Legal - (Including law enforcement)

32 Physical Science

33 Engineering and Architecture

34 Mathematics and Statistics

35 Social Science (e. g. Sociology, Psychology, Economics)

36 Education (includes teaching, instructing and briefing)

37 Library Sciences

38 Life Sciences (including biological sciences)

39 Other legal, medical, scientific and engineering, not specifically included above.

Code

40 Administration and Analysis

Education or training in the concepts, principles, and theories of such fields as public or business administration; personnel; training; equal employment opportunity; logistics; supply; procurement; finance; systems analysis; policy, program or management analysis; or planning.

41 Budget and Finance

42 Personnel

43 Equal Employment Opportunity

44 Safety Management

45 Organization and Systems

46 Program Policy Analysis and Planning

47 General Services and Contracting (Includes supply, procurement, property, records management)

48 Other Administration and Analysis, not specifically included above.

50 Specialty and Technical

Training of a specialized or technical nature in the methods and techniques of such fields as investigation, security, police science, transportation, air traffic control, computer programming, languages; or medical, legal, or scientific support (technician) work.

51 Automatic Data Processing ("How to" courses in ADP Systems Analysis, Management Information Systems, Programming, Computer and Peripheral Equipment Operation and Maintenance).

52 Instrumentation (operation and maintenance of laboratory equipment).

53 Other Specialized Training not specifically included above.

54 Other Technical courses (Including First Aid) not specifically included above.

Code

60 Clerical

Training in clerical skills such as typing, shorthand, key punch or computer operation, letter writing, filing, or telephone techniques.

61 Clerical

62 Secretarial

70 Trades and Crafts

Training in the knowledges and skills needed in such fields as electrical or electronic equipment installation, maintenance or repair, tool and die making, welding, or carpentry.

71 Trades and crafts (those normally developed through apprentice programs).

72 Facilities and Services (maintenance of buildings and grounds, materials handling).

73 Electronics (operation and maintenance of electronics equipment excluding ADP and Laboratory equipment).

74 Machine operation.

75 Other Trades and Crafts Training not specifically included above.

Code

80 Orientation

Training of a general nature to provide an understanding of the organization and missions of the Federal Government or the employing agency, or a broad overview and understanding of matters of public policy such as the policies relating to equal employment opportunity.

81 Orientation (organizational orientation of new employees excluding functional or subject matter orientation).

82 Safety training.

90 Adult Basic Education

Education or training to provide basic competence in such subjects as remedial redding, grammar, arithmetic, lip-reading or braille.

91 Communication (courses concerned with language, communication skills, reading, writing, speaking, speed reading, etc.)

92 Special Manpower Program in support of Public Policy.

93 Special Skills for Handicapped Employees.

94 Other Adult Basic Education not specifically included above.

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D. Source of Training

Code	Source	Explanation of Source
1	Government-Agency	Use when training is given by the Department or bureaus/offices by Interior employees.
2	Government-Inter-agency	Use when the training is given by a Government agency other than the DOI or an interagency training activity.
3	Non-Government - Designed for Agency	Use when the training is developed and given expressly for DOI by an individual, company, educational institution, professional association or consultant under contract to the Department.
4	Non-Government "Off the Shelf"	Use when the trainee is enrolled in a standard training or educational experience offered by a company, professional association, educational institution or other source, (e.g., university courses; professional symposia; technical, business, or vocational school courses.)
5	State or Local Government	Use when the training is given by a State or local government agency or activity. Note: Education or training provided by State or local educational institutions is to be coded 3 or 4 as appropriate.

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E. Special Interest

Code	Description
0	No special program
1	Executive Development
2	Supervisory Training

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:

SAMPLE

Dear Sir:

We are enclosing OF 170, Request, Authorization, Agreement and Certification of Training. This form will be used as a nomination for training, purchase order and registration/acceptance form.

Please retain copy 3 for your files. Copy 4 will be the purchase order. On the reverse side of copies 5 and 6, please complete the nomination status (Section H) and return to the respective address in Section I.

Should the nominee not be selected for this training, please return copy 6 to the employee (address in Section I) and copies 3 through 5 to the agency's address (address in Section I, copy 5).

Sincerely yours,

Appendix 2 Instructions for Using the Indian Intake and Development Program Training Agreement

1.1 Prior to entrance on duty and in connection with selection and anticipated appointment to a trainee position in the BIA Indian Intake and Development Program, applicants in serious contention will be required to complete the Indian Intake and Development Program Training Agreement. (Illustration 1)

1.2 Distribution of the Agreement will be as follows:

A. The original will be placed in the individual's official personnel folder.

B. A copy will be sent to the Chief, Branch of Employee Development.

C. A copy will be retained by Area Training Officer.

D. A copy will be given to the applicant/employee.

1.3 The cognizant Area Director will be responsible for carrying out the Bureau's responsibilities under the agreement.

1.4 The Area Training Officer will have staff responsibility for monitoring and communicating progress under the agreement.

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN INTAKE AND DEVELOPMENT PROGRAM
TRAINING AGREEMENT

Name of Employee _____

Career Field _____

Location of Training Site: Area Office _____
Agency/Branch _____
Location _____

EOD _____

Expected Minimum Duration of Training _____ months

Target Series/Grade _____

Entry Grade _____

This position has non-competitive promotion potential to _____. It should be noted, however, that promotion is neither guaranteed nor automatic. Promotion will depend upon successful performance. Successful performance as a trainee and completion of the training program will enable the trainee to qualify and be promoted to the next career ladder grade level. Future promotions will be based on demonstrated skill and experience as defined in Handbook X-118 and will be contingent upon attaining the full-performance level in the career ladder.

******

I agree to accept temporary developmental assignments at various offices during my training. I understand that the Bureau of Indian Affairs will specify developmental assignments involving on-the-job training as well as formal training courses. Upon completion of training, my reassignment will be permanent. I understand that I will be reimbursed to the extent permitted by regulations for expenses resulting from temporary developmental assignments or transfers incurred after my initial appointment.

I understand that I will be provided whatever training, rotational assignments and schooling the Bureau of Indian Affairs may determine is necessary for my development in my career field.

5-4435
Rev. 10/79

My training period may be extended to accommodate factors which may have an impact on my grasp of instructional materials, such as annual/sick leave, unforeseen changes in regulatory or legal requirements of subject matter, or my learning pace.

I recognize that the Bureau of Indian Affairs may terminate this agreement at any time by issuing a notice to that effect for such reasons as changes in program requirements, inadequate performance or misconduct on my part. I may also terminate this agreement by providing reasons which are considered satisfactory to the Bureau of Indian Affairs.

_____ _____
Trainee Date

Appendix 3. Guidelines for Developing Training Plans for the Indian Intake and Development Program.

1.1 After completion of an individual Indian Intake and Development Program Training Agreement (see 44 BIAM 410, Appendix 2) and the completion of the appointment documentation, the orientation program will be administered.

1.2 After completion of the new employee orientation program, but in no case less than 45 days after entering on duty, an individual training plan will be completed which will describe on-the-job experience, formal training, special supervision and guidance, and other developmental opportunities designed to eliminate the difference between the employee's present capabilities and qualifications and those required for the successful performance of the duties of the position for which the individual will be trained, i.e., the target position. (See Illustration 1 for the form)

1.3 The Bureau Personnel Officer's signature will indicate approval of the training plan.

1.4 The Area Training Officer will serve as advisor to both the trainee and the supervisor/trainer, and the Area Training Office will counsel both in terms of training progress, needs, interests and problems.

1.5 The Bureau Personnel Officer will be responsible for providing prior approval of each individual training plan.

1.6 On approval by the Bureau Personnel Officer, the plan will be made a part of the employee's official personnel folder.

1.7 Each training assignment for which a certificate of completion is issued will be documented in the employee's official personnel folder (OPF) by a copy of the certificate and a written evaluation by the trainee of the training experience. On-the-job training assignments, or training assignments for which a certificate of completion are issued will be documented in the OPF by a written evaluation by the trainee of the training experience and a report by the supervisor/trainer describing the assignment and verifying satisfactory completion.

1.8 An "Employee Progress Evaluation" report (see Illustration 2) will be submitted to the Area Personnel Officer within 10 days following the close of each fiscal quarter. An evaluation report will be sent to the Bureau's Personnel Officer at the completion of each yearly training plan.

1.9 A training plan will be written as prescribed in 1.2 for each segment of grade progression, i.e., progress from GS-5 to GS-7; from GS-7 to GS-9; from GS-9 to GS-11. The training plan will be written jointly by the supervisor/trainer and the trainee at the beginning of each grade-progression segment. Each newly written plan will be approved as required by 1.3.

1.10 As determined by Bureau management, responsibilities may be assigned to the Bureau Career Development Committee to review the individual training plans, monitor program implementation, and make appropriate recommendations.

1.11 The Chief, Branch of Employee Development, Division of Personnel Management, will represent the Chief Personnel Officer in ensuring Bureau-wide compliance with the terms of the training plan.

Form 5-4433
December 1979

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN INTAKE AND DEVELOPMENT PROGRAM
INDIVIDUAL TRAINING PLAN

NAME OF EMPLOYEE: _____

TRAINEE POSITION _____
TRAINEE SERIES & GRADE _____

TARGET POSITION _____
TARGET SERIES & GRADE _____

TRAINING SITE:
AREA _____
AGENCY/BRANCH _____
LOCATION _____

DATE COVERED BY THIS PLAN:
FROM _____
TO _____

PURPOSE OF TRAINING

SUMMARY OF TRAINEE'S EDUCATION AND EXPERIENCE

SUMMARY OF TRAINING PLAN AND CAREER PROGRESSION

SIGNATURES:

TRAINEE _____ DATE _____

SUPERVISOR/TRAINER _____ DATE _____

ADVISOR _____ DATE _____

CONCURRENCE:

SUPERINTENDENT _____ DATE _____

AREA DIRECTOR _____ DATE _____

APPROVED:

CHIEF PERSONNEL OFFICER _____ DATE _____

Form 5-4433
December 1979

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN INTAKE AND DEVELOPMENT PROGRAM
INDIVIDUAL TRAINING PLAN

EMPLOYEE'S NAME _____ SOCIAL SECURITY NO. _____

POSITION & GRADE _____ ORGANIZATION _____

ASSIGNMENTS	HOW WILL IT BE ACCOMPLISHED	TARGET DATE	DATE COMPLETED

Form 5-4434
December 1979

UNITED STATE DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN INTAKE AND DEVELOPMENT PROGRAM
EMPLOYEE PROGRESS EVALUATION

Name of Employee _____

Position Title, Series, and Grade _____

Period Covered by this Evaluation From _____ To _____

Organization Location _____ Rater's Work Relationship to Employee

_____

_____

_____

_____

---

1. Briefly describe the nature of the work or projects on which the employee has been engaged during the period covered by this rating, including a statement of the signficant knowledges, skills, or experience gained. (See training plan)

2. Comment briefly on each of the following elements, specifying the extent to which the employee meets, exceeds or falls below established requirements for the position (you may add specific items within each element):

Productivity (Volume of work produced, response to deadlines.)

General Competencies (Soundness of decisions, solutions, recommendations, quality of work produced.)

Oral Commmunication (Expression of ideas in a clear concise, and convincing manner. Consider both face-to-face and group discussions.)

Written Communication (Expression of facts in a simple, clear, precise and convincing manner.)

Initiative (Developing constructive ideas and taking necessary steps to to get things done.)

3. Overall Evaluation. (Considering the factors in item 2, what is your overall evaluation of the employee's performance? Describe any outstanding strengths, training needs, or limitations which may affect future effectiveness or progress.)

4. Employee Comments. The above appraisal has been discussed with me and my comments, it any, are as follows:

Employee's signature _____ Date _____

Rater's signature _____ Date _____

Rater's title and organization: _____

_____

Appendix 4. Guidelines for Identifying Probationary Supervisors and Monitoring Their Required Training.

1.1 The Departmental regulations for required supervisory development (Personnel Management Letter 81-40 (411)) read as follows:

"Probationary supervisors . . . A minimum of 40 hours of appropriate training must be completed within the first 6 months after appointment."

"Non-probationary supervisors . . . A minimum of 6 hours of training on personnel or administrative management topics must be completed each year."

In accordance with Departmental policy (370 DM 315, 9), the following procedures are to be followed in identifying new supervisors and ensuring that the proper requirements for supervisory training are adhered to by the Bureau.

1.2 Identifying and Recording Training Information for Probationary Supervisors. Each pay period, each personnel office is to identify probationary supervisors who must meet Departmental training requirements. The Official Personnel Folders (OPF) of these probationary supervisors must be reviewed to determine whether or not they have met training requirements. Attachment A (Supervisory Training Record Probationary Supervisors, Form BIA-4401) is to be used to record the necessary information as indicated. This form is to be completed for each probationary supervisor indicating the dates by which the required supervisory training must be completed and the actual completion dates.

1.3 Probationary Supervisors Who Have Completed Required Training. If after reviewing a probationary supervisor's OPF and determining that the 40 hour training requirement has been met, the dates and specific course titles are to be recorded on the Supervisory Training Record. The form is to be certified by the reviewer and filed in the probationary supervisor's OPF.

1.4 Supervisors and Area Office Directors will be notified by memorandum (attachment B) of probationary supervisors who have not completed the required supervisory training. The Supervisory Training Records for those supervisors who lack the required training should show the date(s) training is to be completed and be filed chronologically for easy review and follow-up.

1.5 Completion of Training Records. Once supervisory training has been completed, the Supervisor's Supervisory Training Record must be certified by a personnel specialist, and filed in the employee's OPF. A separate copy of the certified record should be retained in a separate file in each personnel office for reporting purposes and the monitoring of the 6 hours requirement.

1.6 Completion of 6 Hours of Required Training -- Non-probationary Supervisors. According to PML 81-40 (411), non-probationary supervisors who have satisfactorily completed their probationary period are required to attend a minimum of 6 hours of training on personnel or administrative management topics each year. This training can be met by attending a formal training course, completing on-the-job training, attending briefings by personnel specialists or other administrative staff, and/or completing required readings.

To monitor training, each servicing personnel office must keep records to identify annually those non-probationary supervisors who have and have not had 6 hours of training. It is suggested that supervisors self-certify in a memorandum to their Personnel Officer through their Area Director/Office Director that they have completed the training and specify how this requirement was met.

Attachment C is a sample letter that should be sent to the Area Director/Office Director identifying those supervisors who need to meet the 6 hours required training. For record keeping purposes, a copy of each self-certification should be kept by the supervisor's immediate supervisor and on file in the personnel office.

Form BIA-4401
Revised 10/84

Bureau of Indian Affairs

SUPERVISORY TRAINING RECORD PROBATIONARY SUPERVISORS

Name: _____

Office: _____

(Required)
First 40 Hours
Within 6 Months

Date Entered Supervisory Position	Date Due	Date Completed	Date Due	Date Completed	Supervisory Training Course Title	Remarks

After the supervisor has met the above required training, this form should be kept in the OPF.

Date: _____

The employee named above has met the supervisory training requirements as defined in PML 81-40 (411).

Certified: _____
Signature of Servicing Personnel Management Specialist

Attachment B

(SAMPLE)

Memorandum

To:

From: (Appropriate Personnel Officer)

Subject: Required Supervisory Training - (Name of Probationary Supervisor)

The above-named individual was recently assigned to a supervisory position and is serving a probationary period as a new supervisor. Departmental regulations require that new supervisors take 40 hours of supervisory training and that it be completed within six months from the date of their assignment to a supervisory position.

Our records show that the employee must complete the following supervisory training:

_____ First 40 Hours (Required)

Please assure that supervisory training for this employee is scheduled accordingly so that we meet Departmental regulations. We will be pleased to assist you in scheduling the required training.

(Signature)

Attachment C

(SAMPLE)

Memorandum

To:

From: (Appropriate Personnel Officer)

Subject: Required Supervisory Training for Non-Probationary Supervisors -- Annual Report FY ____

The Department has the following requirement in PML 81-40 (411) for non-probationary supervisors. "A minimum of six hours of training on personnel or administrative management topics must be completed each year. This may consist of briefings on new policies or regulations or refresher training on appropriate topics."

The supervisors named below must meet this requirement during this fiscal year. Please take appropriate action to make sure they meet the requirement and that appropriate notification of such is provided to this office.

(Signature)

Appendix 5. Bureau of Indian Affairs Career Understudy Program.

1.1 Background. The Bureau of Indian Affairs requires competent and well-trained personnel to conduct its complex programs and to provide the necessary administrative support. To achieve and maintain an efficient workforce it is in the interest of the Bureau of Indian Affairs to provide for the development of its employees and, as appropriate, to provide the developmental opportunities through the use of the understudy program. The use of the program is especially appropriate for use in the Bureau because of the option many of its non-Indian employees have to retire early under provisions of P.L. 96-135. There also remains the retirement option for all Bureau employees who meet minimum retirement eligibility requirements. With the retirement of experienced employees, management will need to fill the vacated positions with employees ready to assume positions of increased complexity and responsibility. The understudy program will give employees with demonstrated potential the opportunity to be selected and trained to fill the highly complex and responsible jobs.

1.2 Objectives. The objectives of the program are to:

A. Provide Bureau managers with an additional option to advance persons with high potential to positions of greater responsibility.

B. Facilitate the development of employees who are in positions which do not enable them to use their full capabilities.

C. Provide a source of well-qualified professional employees with administrative skills to meet current and future Bureau occupational needs.

1.3 Understudy Position. An agency may make a career promotion of an understudy to the target position when it is vacated. An understudy is an employee selected for the purpose of being trained to assume the duties of a position scheduled to be vacated in a definite period of time, normally one year or less.

1.4 Responsibility. The Chief, Division of Personnel Management for the Bureau of Indian Affairs will be responsible for operation of the understudy program in the Bureau. Prior approval of proposed individual development plans and insuring that the training is completed as outlined in the plan is the responsibility of the Area or Office Director. At the conclusion of the understudy training period, the Bureau's Chief, Division of Personnel Management will make the final determination concerning the trainee's promotability, after having reviewed the original training plan and evaluation reports. A statement certifying that the trainee has satisfactorily completed a full year of training in accordance with the program requirements will be signed by the Bureau's Chief, Division of Personnel Management and made a part of the employee's Official Personnel Folder.

1.5 Selection of Understudy Trainees. The understudy will be selected competitively and must meet X-118 Qualification Standards or the requirements of the Department of the Interior Career Development Agreement. All understudy positions must be announced. Management will decide prior to the issuance of the vacancy announcement if they wish to use the Department of the Interior Career Development Agreement. Selectees who do not function effectively based on performance evaluations in an understudy position will be reassigned to another position in which he/she will be able to function satisfactorily to the satisfaction of management.

1.6 Developmental Methods. Developmental activities should be undertaken to meet the needs reported on Individual Development Plans. An Individual Development Plan (IDP) is a periodically prepared schedule of developmental experiences including both work assignments and formal training. IDP's should be designed to meet particular training plan objectives needed to improve current performance and/or to prepare the understudy for positions of greater responsibility.

1.7 Supervision. The understudy works under the supervision of the incumbent of the target position. Work assignments are in accordance with requirements of the training plan and work objectives. The supervisor spot checks assignments for achievement of work objectives and compliance with the training plan.

1.8 Evaluation Procedures. The evaluation procedures described in detail in the Department of the Interior Career Development Agreement will be used in the evaluation of all understudy incumbents.

Subchapter 1. Purpose and Scope.

.1 Purpose. The purpose of this manual supplement is to provide users of the BIAM manualized guidance on the Career Development System. Material herein is designed to assist managers in implementing and evaluating the effectiveness of local System operations.

.2 Scope. This handbook does not contain the entire Career Development System. In addition to this reference, you should have the Upward Mobility Program (this program is described in 44 BIAM 380, Upward Mobility), the Cooperative Education Program (this program is described in 44 BIAM 308, Student Employment and Work Study Program) and Executive Development (this program is described in 44 BIAM 412). The aforementioned BIAM references and this handbook constitute the Career Development System.

Should be
FPM ADD 44-50, 4-8-77

Subchapter 2. A Guide for Determining Training Needs.

.1 Determining the Training Needs of Individual Employees.

The significant training needs of individual employees will be determined on a day-to-day basis by work observation and appropriate discussions, and in addition, on an annual basis through a supervisor-employee discussion which will be held in conjunction with the annual consideration of each employee's performance rating.

The value of the training needs determination process, as prescribed, is greatly affected by the accuracy of needs determined, the record that is maintained of these needs, the effectiveness of the training that is undertaken to meet needs, and the record of completed training that is maintained. In other words, the training needs determination process, if it is to be meaningful, must be based upon a carefully devised system.

The process of lending system to this procedure can be greatly simplified if a form is used to record training needs determined, plans for training, and training completion dates. For this reason, a sample form is provided as Illustration 1 of this material. Bureau field offices may see fit to use the sample form without modification, or they may make adjustments or design another form that is more appropriate for local use.

As you will note, the sample form is designed to record the training needs and activities of an individual employee, and it is intended for use in connection with the supervisor-employee discussion which is to be held annually in conjunction with the consideration of the employee's performance rating.

It is suggested that entries on the form should relate to training needs of a nature that require a formalized training approach. More minor needs, which can be met routinely on the job, should not be entered on the Illustration. Such minor needs, however, should not be neglected.

Training need entries on the form should relate to the employee's present functions and anticipated functions in the relatively near future, as this procedure is intended to improve each

employee's present performance and effect a constant development of higher abilities.

The first stage of form preparation involves setting forth that information which describes determined training needs. It is suggested that one copy of the form, at this stage of development, should be forwarded to the cognizant Personnel Office. This will enable officials of that office to analyze the determined needs of all employees and consider the various training activities that are indicated. In addition, these officials can advise supervisory officials of interagency and non-Government facility training that is available that would be appropriate for meeting indicated needs.

The supervisor and the employee should each retain one copy of the form. The supervisor, during the course of the year, should complete entries regarding training activities to be undertaken and training completion dates. When such entries are made the employee should be so advised to permit the entry of the same information on the copy he has retained.

.2 Determining Training Needs Relating to Long-Term Development and Career Objectives.

Most employees have certain career objectives held somewhat in mind; however, few people are able to decide precisely in advance the ultimate goals at which they are aiming. As a consequence, it is difficult for many individuals to decide what training would be most appropriate as a supportive means of attaining a long-range career goal.

The problem of selecting training supportive to career advancement can be simplified, however, when employees think in terms of possible routes of advancement and the various positions which might be occupied in turn. This provides opportunity to consider the qualification requirements of successive positions along possible routes of advancement, and training can then be evaluated in terms of the supportive role it can play in contributing to an individual's selection for positions of greater responsibility.

In this connection, supervisors should describe the Bureau's Career Development System. This description may point to developmental opportunities for which the employee will wish to compete.

It is not usually considered practical that supervisors or staff officials be required to prepare long term training plans for employees; however, supervisors and appropriate staff officials can lend positive assistance and encouragement to employees in the consideration of intermediate and long range career objectives, routes which might be followed in the attainment of such goals, and training and other activities which would contribute to the successful attainment of intermediate and ultimate career objectives. At occasional intervals, and definitely at that time when the form for recording determined training needs is prepared annually in conjunction with a discussion of performance evaluation, it is suggested that supervisors should consult with employees regarding their career plans, lending advice, counsel and encouragement to the extent possible. In addition, in those instances when such reference is considered appropriate, employees should be advised to consult with the individual at that Bureau activity with staff responsibility for training to secure further information regarding available training approaches and opportunities.

Employees should be urged to take action to insure the inclusion of a record of all completed self-development activities in their official personnel folder.

.3 Determining the Training Needs of an Organizational Group of Employees.

The occasion often arises when there is a need to explore the overall training needs of an organizational component of the Bureau. For example, a branch chief at an Agency, Area Office or Washington Office level may wish to explore the training needs of the organization he directs.

Consideration of the total training needs of a group is usually undertaken for several reasons. Of prime importance is the fact that examination of total training needs provides a means for determining the degree of effectiveness with which individual supervisors are executing their responsibilities relative

to training need determination. Consideration of the total training needs of a group also provides opportunity for the organizational component head to acquaint members of his staff with training need findings which he has determined by virtue of his understanding of the complete activities of the organization he directs. Finally, consideration of group training needs can result in improved training and training economies, since duplication of effort can be avoided and expanded personnel resources can be made available to consider training needed and to carry out training required.

A conference approach is usually employed to determine the training needs of a group, and the head of the organizational component, as a general rule, functions as conference leader. This approach can be very effective if care is taken to involve the appropriate officials and such officials lend full cooperation to constructive completion of the task at hand. It must be noted, however, that the value of this approach is also controlled by the nature and extent of pre-conference planning completed by the conference leader and the effectiveness demonstrated by that individual during the course of each conference.

Illustration 2 of this material is included to provide general guidance for the development of an appropriate conference leader's guide to be used in connection with the initial conference to be held to determine group training needs. Bureau officials may see fit to modify this guide or develop another guide which is considered to be more appropriate for local use.

A series of conferences should be held following the initial meeting. These conferences should be held as often as necessary to report advances made relative to training need determination and to acquaint participants with the group training need situation as it exists. Training to be undertaken to meet determined needs and the approaches to be utilized in the execution of needed training should also be discussed during the course of these additional conferences and decisions should be reached relative to these matters.

Since it is difficult to predict the exact nature of the additional conferences, sample conference leader's guides for these meetings are not provided.

.4 Determining Training Needs and Coordinating Training Through Action of Career Development Committees.

The Bureau Manual prescribes that Career Development Committees should be established at the Washington Office, Area Office, and Agency levels. These committees provide the organizational component head with advice and counsel relative to training need determination and serve to coordinate training activities, thus effecting training economies and improved training results.

To achieve optimum results relative to training need determination and training coordination, Career Development Committees should meet on a regular basis for the purpose of identifying training needs which extend to several branches or divisions. When such needs are identified, the Committee can do much to prevent duplication of training activities and improve the quality of training through coordination efforts.

Illustration 1

INDIVIDUAL DEVELOPMENT PLAN

1. Employee: (Name and Soc. Sec. No.)	2. Current Position and Grade	3. Organization

4. Career Goals (Include Positions and Grades)

5. Short Run	6. Long Run

7. Developmental Objectives	8. Developmental Assignments*	9. Formal Training*	10. Other Activities*

11. Developmental experiences needed for:	13. Remarks
a. ( ) Overall career (individual) development b. ( ) More effective performance in present position 12. ( ) No further career development desired/needed at present time	

14. Employee Signature	15. Date	16. Supervisor Signature	17. Date

* Include scheduled date(s)

INSTRUCTIONS FOR PREPARING INDIVIDUAL DEVELOPMENT PLANS

1. Enter employee's full name and Social Security Number.

2. Enter title of position, occupational series and grade; e.g., Director, Programs and Plans Division, GS-301-16

3. Enter name of agency, major sub-unit, and other sub-units as appropriate; e.g., HEW, SSA, Office of the Administrator

4-6. Enter employee's career goals; specify position titles and grades if appropriate; short run (about one year) and long run (about five years)

7-10. Enter specific developmental objectives which are to be met by one or a combination of experiences or activities. Include scheduled dates during which (or by which) developmental activities should occur; e.g.,

Developmental Objective: To become thoroughly familiar with the Federal
Example budget process.

Developmental Assignment: Three month detail to HEW Comptroller Office
Example (July 1 through September 30, 1974).

Formal Training Course: Two-week CSC Seminar for Executives on the
Example Federal Budget Cycle (November 4-18, 1973).

Other Activities: Supplemental readings including OMB issuances, Departmental Budget, and Budget of the United States.

11. Check the block(s) indicating the broad purpose of the developmental activities listed above.

12. Check this block if no developmental objectives specified in item 7. above.

13. Use this space for miscellaneous information; add additional sheets if needed.

14-17. Self explanatory.

NOTE: Copies of the completed and signed IDP should be retained by both the employee and the immediate supervisor. A copy should also be sent to the Executive Manpower Management Officer for review and retention and a copy should be placed in the employee's Official Personnel Folder.

A. Example Conference Leader's Guide for Use in Determining the Training Needs of an Organizational Component of the Bureau

Topic. Consideration of the training needs of our organizational component.

Participants. (Conference leader determines the appropriate individuals to attend the conference.)

Conference Opening. (Conference leader puts the group at ease, further explains topic for discussion (conferees should be advised of discussion topic well in advance of the meeting) and uses whatever approach is considered appropriate to arouse keen interest in the topic.)

Objectives.

1. To encourage implementation of the guide, "Determining Training Needs".

2. To equip ourselves to better coordinate our overall training activities and thus effect improved training results and training economies.

Discussion Prompting Questions. (The below questions are used by the conference leader to assure an orderly, profitable discussion of the topic. These questions should be prepared carefully in advance and impromptu questions should be asked as appropriate.)

1. The need for determining training needs is generally well understood; however, this need may be even more meaningful if we consider it in terms of a means of reaching the objectives of our organizational component. Before we can do this, of course, we must have a common understanding of these objectives.

   In your opinion, what are the objectives of our organizational part of the Bureau?

2. Now that we have a common understanding of the objectives of our immediate organization, we are in an improved position to consider the contribution training can make toward attainment of these objectives. Before we attempt that, however, we need to make a further evaluation of our situation. In your opinion, are we meeting the objectives of our organization as well as we could?

BIAM REISSUE
FEBRUARY 1984

3. It's reasonable to assume no organization reaches its objectives with optimum efficiency. It seems there is always room for improvement. The staffing of an organization, obviously, has much to do with efficiency. From a staff standpoint, what do we lack -- as specifically as possible?

4. Your discussion of the last question has given us additional insight. The problem of all organizations involves the acquisition of personnel, as needed, and the development of personnel to assure the execution of assigned tasks with a high degree of effectiveness and also to insure that individual potential is developed so additional responsibility may be assumed. The next question is asked for the purpose of additional clarification. Who has the responsibility for determining the training needs of employees and conducting or arranging for the conduct of training to meet determined needs?

5. Overall responsibility for determining the training needs of our staff, then, rests with the official in charge; however, this responsibility is delegated to branch chiefs and other supervisory officials. In the final analysis, the basic responsibility for determining training needs rests with each employee's immediate supervisor, who also has the responsibility for conducting or arranging for the conduct of needed training. Supervisors of immediate supervisors should lend assistance as possible and coordinate the training activities for personnel of their unit. In addition, the individual with staff responsibility for training stands ready to lend assistance when requested.

   Determining training needs of individuals is not an easy job, unless we know how to go about it.

   What guidance has been provided in this connection?

6. As our discussion indicated, training has been provided supervisors relative to methods that may be applied to determine training needs. In addition, a guide has been issued which provides specific guidelines for carrying out this task.

   Are we, as a group, adequately acquainted with the provisions of "A Guide for Determining Training Needs?"

7. Obviously, we need to be well acquainted with the provisions of the guide.

Do you feel the supervisors under your supervision are adequately informed of the provisions of the guide "Determining Training Needs?"

8. What should we do to make certain immediate supervisors are well acquainted with this guide?

9. It isn't enough, of course, for supervisory personnel to know the requirements of the guide. If the training needs of our organizational component are to be determined, the requirements of this section must be applied.

   To what extent are the requirements of the guide, "Determining Training Needs" presently being applied?

10. Application of the guides provided by this guide is in our interest from the standpoint of good management practice.

    What can we do to encourage a more widespread and thorough application of the provisions of this guide?

11. When supervisors apply the provisions of the guide, a determination of individual training needs should be the end result.

    Would it be to our advantage, as a group, to have an overall picture of our collective training needs, and if so, how can this be accomplished?

12. An appreciation of our overall training needs may lend to training economies, since it may be possible to conduct group training or utilize other advantageous approaches to meet these needs.

    Do you agree a follow-up meeting is in order to consider our collective training needs and evaluate approaches to meet these needs?

B. Summary

In summary, we have reached the following conclusions:

1. Training can be utilized to help us meet the objectives of our organizational component.

2. Immediate supervisors are responsible for determining training needs and conducting or arranging for the conduct of needed training.

3. Supervisors of such immediate supervisors should lend assistance in this activity and coordinate training efforts.

4. Individuals with staff responsibility for training should stand ready to provide assistance as requested.

5. All supervisors should be well acquainted with the provisions of the guide, "Determining Training Needs".

6. Action should be taken, as discussed, to insure all supervisors are well acquainted with the provisions of this guide.

7. Action should also be taken, as we discussed, to assure that the provisions of the guide are applied.

8. A follow-up meeting is necessary to discuss the collective picture of our training needs and advantageous actions which may be taken to meet these needs.

C. Assignments

Assignments should be made, as appropriate, to carry out decisions reached during the course of the conference. Follow-up procedures relative to these assignments should be clarified.

Subchapter 3. Bridge to Professions Program

.1 Purpose. Many employees, by participation in the Upward Mobility Program or by other means, may advance to grade GS-7 or even to GS-9; however, if these employees cannot gain educational and work-experience requirements, it is not possible for them to move into the various professions. As a general rule, it would not be good management practice to support, through Bureau funding and effort, a program of development that would ultimately qualify an individual, having only a high school diploma and no sub-professional experience, for a professional position. On the other hand, there are many employees, having at least 2 1/2 years of successful college and some sub-professional experience, who could qualify for professional positions in a reasonably short period of time. This program has been designed to identify such individuals and assist them in gaining those qualifications needed to assume professional responsibilities.

.2 Policy. It is the policy of the Bureau, recognizing an evolving future difficulty in filling professional positions, to assist individual employees in gaining the qualifications needed to incumber professional positions, when circumstances indicate such action is good management practice.

This policy is supportive of the Bureau-wide Career Development System.

.3 Objectives. The objectives of this program are:

A. To identify employees having at least 2 1/2 years of successful college and some sub-professional experience who are interested in qualifying for professional positions.

B. To assist such employees, on a competitively selected basis, in gaining those qualifications needed to incumber professional positions.

C. To motivate employees, not presently qualified for this program, to undertake self-development activities that will ultimately qualify them for participation in this program.

.4 Program Announcement. This program will be announced annually on April 1, by the Chief, Branch of Personnel Services at the Central Office and within all Area Offices. (This will allow time for selection of program participants, preparation of Individual Development Plans, and enrollment for the fall semester.) The announcement should describe the program in detail and urge nominations.

.5 Nominations. Interested employees should nominate themselves for this program. (Supervisors of eligible employees should urge them to apply for program participation.) Nominations should include:

A. A letter through channels expressing a desire to participate in the program.

B. A copy of college transcripts.

C. An indication of the major field of study to be pursued.

.6 Selections for Participation. Selections for training are to be made on a competitive basis. Competition shall take into account these factors:

A. Projected Bureau professional staffing needs and the extent to which a planned major field of study will serve to meet projected staffing needs.

B. The past and projected academic record of applicants.

C. The past and projected work record of applicants, based upon supervisory appraisals and other information.

D. The anticipated willingness of the applicant to devote himself to completing academic work successfully and acquiring appropriate experience.

Each Area Career Development Committee will review submitted materials and interview all candidates from the Area. These Committees will recommend applicants for participation to the Area Director who will select, thereby also establishing the local scope of annual participation.

.7 Developmental Activities. When program participants have been selected, an Individual Development Plan shall be prepared for each selectee. This plan will spell out how college courses are to be undertaken and how required work-experience is to be gained.

Since the developmental needs of each participant will vary greatly, considerable difference in Individual Development Plans is to be expected. In this connection, personnel operating this program should apply great flexibility. For example, with regard to college academic activities, one program participant might attend college full-time during the regular term and work for the Bureau during the summer months; another might attend college classes during the morning hours and work at his job during the afternoon; still another might attend college classes only after regular working hours.

Regarding the work-experience phase of the Individual Development Plan, much flexibility is also in order. For example, trainee positions may be established to provide desired work experience, or details or rotating assignments may be preferable.

Academic study and work-experience, in each instance, should be strongly supportive to gaining the qualifications needed to ultimately incumber the nature of professional target position reported by the plan.

It is stressed, at this point, that this program is operated to assist in meeting critical staffing needs of the Bureau that can be predicted, and it is for this reason that the Bureau will assist competitively selected employees in completing their college education. The fact that degrees will be gained is incidental to the primary objective.

.8 Duration of Program Participation. The fact that participants must have successfully completed 2½ years of college study in order to qualify for participation in this program indicates that, as a general rule, participation will be limited to 1½ years. Since there is some possibility, however, that there might be some loss of credits when transferring to a different school, there may be instances when participation will be extended to 2 years.

.9 Program Funding. Managers must hold in mind that as non-Indian personnel leave the Bureau, there will be a growing demand for qualified Indian personnel to fill professional positions. For this reason, efforts to recruit and develop such personnel should have the highest priority, in order to prevent a drastic lowering in the quality of service provided.

This program and the Cooperative Education Program are the primary devices within the Bureau's Career Development System for recruiting and developing professional employees. Consequently, this program is to be given strong fiscal support.

Under present arrangements, no funds are available in the Central Office for distribution to support various training programs. Instead, local offices are expected to budget to meet developmental requirements. Such budgeting action should be taken to support this program.

To avoid placing heavy fiscal demands on an operating program when an employee of that program is selected to participate in this developmental program, it is recommended that Area Offices should consider the establishment of a fund, proportionately supported by all programs, to meet the costs of this program and other appropriate parts of the Bureau's Career Development System.

As a general rule, the Bureau will pay the cost of tuition, fees and books when program participants are attending college courses and, in addition, continue to pay the employee's full salary. However, if the "one-year-in-ten" limitation of the Training Act would be violated, it could be necessary that participants assume certain costs.

Subchapter 4. Bureau Field Management Development Training Program

.1 Purpose. The Bureau Field Management Training Program, which has been in operation for several years, is hereby revised. This revision has been undertaken for the purpose of making this program more supportive to the Bureau's Career Development System.

.2 Policy. It is the policy of the Bureau to achieve early identification of employees believed to have management potential and to provide a continuing system for accelerating the development of individuals so identified. This program is one part of this total system.

.3 Objectives. This program is designed to facilitate an early identification of individuals who are believed to have managerial potential and who have expressed an interest in ultimately assuming managerial responsibility. Additionally, this program is designed to accelerate the managerial development of program participants.

.4 Annual Operation. The Bureau's Field Management Training Program shall be operated on a continuing basis each year. The program will be operated at the Muskogee Area Office, the Aberdeen Area Office, the Albuquerque Area Office, the Navajo Area Office, the Phoenix Area Office, the Billings Area Office, the Juneau Area Office and the Portland Area Office. As applicable, these offices will conduct the training for those Areas for which they perform housekeeping functions. Personnel under Central Office jurisdiction who are selected to participate will be assigned by the Bureau Career Development Committee to receive this training at one of the several Area Offices where the program will be conducted.

Four or five employees will participate in this program annually at each of the locations where the training will be conducted, unless a shortage of qualified candidates dictates operation at a reduced scope.

The cognizant Area Employee Development Officer will coordinate this training at the various locations.

Operation of the program will be started at the indicated Area Offices on August 15 or January 15 of each year, and the annual duration of the training shall be approximately five months.

.5 Annual Program Announcement. Area Directors will announce this program annually to employees under their jurisdiction. The Chief, Division of Personnel Services of the Central Office, will announce this program annually to personnel under Central Office jurisdiction. Annual announcements should be made May 15 or September 15. A resume of this booklet should be attached to announcements to promote employee understanding of this program.

.6 Eligibility Requirements.

A. A minimum of one year of high-quality performance on the job within the Department of the Interior.

B. A civil Service grade not higher than GS-11.

C. A positive interest in a career in management in the Federal Service and a demonstrated capacity for it.

D. Outstanding character, ability and aptitude for leadership, initiative, originality, persistency, cooperativeness, ability in oral and written expression, sound work habits and capacity and willingness to accept responsibility.

E. Good health, adequate to permit the assumption of an intensive schedule of daytime work and after-hours study.

.7 Nominations. All employees who meet the basic requirements as described may nominate themselves for this program or such employees, with the consent of the employee in each instance, may be nominated for this program by any Bureau supervisor. Nominations should follow the annual announcement of the program. Nominations should be made by letter and forwarded through channels.

Recognizing that there is a developing need for Indians who are qualified to assume managerial responsibilities, special efforts will be made to acquaint Indians with this program and to encourage them to compete for selection.

A. The following documents should accompany all letters of nomination:

1. A form SF 171 completed by the applicant.

2. A typed statement of 500 to 1000 words discussing the applicant's interest in Government and his/her career objectives.

3. A list of activities and organizations in which the applicant is currently participating.

4. An official transcript or photostatic copy of college courses and grades.

5. Recommendation from the applicant's immediate supervisor and Branch Chief.

.8 Additional Evaluation Techniques. Locally selected tests, if approved for use by the Civil Service Commission, may be used as one of a number of additional selection techniques. These should not be used for "in or out" purposes.

Candidates will participate in an interview with the Area Career Development Committee.

.9 Selection Process.

A. Area Offices. Each Area Career Development Committee will evaluate all collected data to determine which candidates should receive further consideration.

The Area Career Development Committee will recommend to the Area Director candidates to be considered for selection. Area Directors will select candidates for participation. When an Area will conduct the training for another Area, the Area Directors will work cooperatively to determine the level of participation.

B. Seminole, Cherokee, and Choctaw Agencies. The procedure to be followed relative to the processing of nominations received at these Agencies will be as described for Areas, except the Agency Career Development Committees will carry out the functions assigned to the Area Career Development Committees. Agency Superintendents will recommend candidates for selection. The names of candidates recommended

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for selection will be forwarded to the Central Office, along with the files of collected evaluation material. Selections for training will be made by the Area Director, Eastern Area Office.

C. Administrative Services Center in Albuquerque. The procedure followed relative to the processing of nominations received for units serviced by the Assistant Director, ASC, in Albuquerque will be as described for Areas, except this official will appoint an ad hoc committee to carry out the role of the Area or Agency Career Development Committee. The names of candidates recommended for selection will be forwarded to the Central Office, along with the files of collected evaluation material. Selections for training will be made by the Director, Office of Administration.

D. Central Office. Central Office candidates will be selected by the Director, Office of Administration on the recommendation of an ad hoc committee.

.10 Notification of Successful Candidates. Successful candidates should be notified promptly of their selection. The Central Office will work cooperatively with Area Offices to arrange for the participation of employees selected by the Director, Office of Administration.

.11 Determining Training Needs. Training needs determination will be a joint undertaking of the employee's station of assignment (Agency, Area Office or Central Office) and the Area Office where the trainee will participate in the training. This task should be initially undertaken at the facility of assignment by joint effort of the local Career Development Committee, the Personnel Officer or Administrative Officer (as appropriate), operating officials who are well acquainted with the participant, and always, when possible, recent graduates of the program. A report of preliminary management development training need findings will be submitted to the Area Office where the employee will be trained, well in advance of the start of the training. The initial report of determined management training needs will be analyzed by the Area Employee Development Officer and Area program officials. Following arrival of the trainee at the Area Office, the study of training needs will be completed. This determination of training needs will serve as a guide for the training arrangement to be developed.

.12 Training Program Content.

A. Program Orientation. Bureau employees who are selected to participate in this program will start their training by attending an orientation course of approximately 40 hours duration. This orientation training will be conducted by the Area Employee Development Officer, with assistance from other Area officials. The philosophy of the program should be explained in considerable detail; career objectives of individual participants should be discussed; management training need studies should be completed; working space for individual participants should be arranged; information relative to housing, state taxes, licensing, etc., should be provided and trainees should be given adequate time, as needed, to locate and rent suitable housing.

B. Orientation Report. At the close of the orientation period, trainees will prepare an "orientation report" which will be routed to the members of the Area Career Development Commitee for review and comment. This report should describe the impact of the orientation period in terms of the trainee's growth as a multi-program manager. A reporting of events, as such, that took place during the orientation period should be avoided.

C. Training Assignments. Participants will next arrange, with help from the Employee Development Officer, as necessary, a series of practical on-the-job training assignments to meet predetermined needs. As a general rule, each assignment should last for a period of three to five weeks, depending upon the nature of the assignment and the needs of the trainee; however, assignments of shorter duration, when appropriate, are acceptable. These assignments should be within the various branches of the Area Office, or, in certain instances as related to need, at Agency Offices. On-the-job training assignments should be arranged to promote maximum growth as a multi-program manager. As a consequence over-emphasis of training in the participant's field of specialization involving technical details of limited scope should be avoided.

Operating officials within the various branches where training assignments are undertaken will function as supervisors and instructors during the course of assignments.

The Area Employee Development Officer and the Chief of the participant's branch of specialization will act as primary counselors during the training program.

D. Progress Reports. As practical on-the-job training assignments are completed, each participant will be required to prepare a progress report which will generally describe the training completed in terms of the participant's growth as a multi-program manager. Reports limited to a description of work completed should be avoided. These reports should be routed to the members of the Area Career Development Committee for review and comment.

E. Trainee Evaluation. An evaluation form should be sent to the operating official who functioned as the participant's supervisor-instructor, for completion at the close of the training assignment.

F. Area Office Meetings. Trainees will participate in Area Office training meetings. Trainees will function as chairman of these meetings on a rotating basis. Duties of the chairman will include arrangement of space, contacting the selected speaker, introducing the speaker, and providing concluding remarks.

The Area Employee Development Officer will prepare a schedule for such meetings in advance of the start of each annual phase of this program to indicate selected speakers and the time, place and duration of the meetings.

Bureau policy, branch functions and branch interrelationships should be the major matters to be explained and discussed. Time should be allowed for a question and answer period.

G. Supervisory Training. If they have not done so, participants will be required to complete the Pre-Supervisory Correspondence Training Course. In addition, participants will attend supervisory training sessions conducted at the Area Office.

H. Speech Training. Participants will undertake speech training which will be coordinated or conducted by the Area Employee Development Officer.

I. Professional Society Meetings. Participants will attend appropriate society meetings which are held in the near vicinity.

J. Staffing Meetings. Participants should be invited to attend appropriate staffing meetings.

K. After-Hours Course. When possible, each participant should enroll in an after-hours course at a local college or university. Such courses should relate to the management process. The cost of such courses will be paid by the Bureau under authority of the Government Employee's Training Act.

L. Reading Assignments. Participants will complete designated reading assignments.

.13 Salaries, Travel Expenses, and Per Diem.

A. Salaries. All participants will continue on the payroll at their duty station at their present grade and salary rates.

B. Travel Expenses and Per Diem. Travel expenses and per diem costs for participating field employees will be paid from program funds available to the Area. These expenses and costs for Central Office employees assigned to participate in this program at an Area Office will be paid from program funds available to the Central Office. The program from which each participant is regularly assigned will bear such costs, unless it is determined locally that a varied approach to funding would be more appropriate. Authorized travel expenses of selected participants may not include travel of dependents or shipment of household furnishings. Participants normally stationed at an Area Office where they will take part in the program will not receive per diem during the course of the training. Participants not normally stationed at an Area Office where the training will be conducted and who must temporarily change residence to participate in this program, will receive per diem at the full rate allotted by the Area where the training will be conducted while enroute to and from the place of training. In addition, this rate will be continued for a period of two

weeks after the start of the program. During the remaining period of the training, such participants will receive per diem at a rate of one-half of the full Area rate. (Per diem rates are subject to change in compliance with current Departmental or Bureau applicable guidance.)

.14 Use of Program Graduates. Since this program strives to identify potential mamagers at an early stage in their career, and since a developmental period of 5 months is relatively short, it is felt it would be premature to assign program graduates to managerial functions at the completion of the program. Consequently, participants, upon program completion, will return to their regular duty assignment.

Participation in this program is viewed as the "first step" in the formal manager-executive development process. Participation in the Departmental Manager Development Program is viewed as the logical "second step" in this process. When eligible, graduates of this program should be urged to apply for the Departmental program. Local screening should be applied to assure that only the "cream" of Bureau Field Management Training Program graduates are recommended for selection for the Departmental program.

Participation in the Bureau Field Management Training Program is not a prerequisite for participation in the Departmental Manager Development Program, and non-participants should be afforded every opportunity to compete for selection.

Graduates of the Field Management Training Program who are not selected to participate in the Departmental Manager Development Program will no doubt advance, via the merit selection process, to the limits of their potential. Such advancement may well carry them to supervisory and managerial ranks. To assist in this process, Individual Development Plans should be prepared for such personnel and appropriate support should be provided to guide their continued growth.

Subchapter 5. Departmental Manager Development Program.

.1 Purpose. The Departmental Manager Development Program, as modified several times, has been in operation for many years and is hereby revised again. This revision results from (1) some changes being made in the program by the Department and (2) a need to make the program more supportive to the Bureau's Career Development System.

.2 Policy. It is the policy of the Bureau to identify employees with managerial potential and to provide a continuing system for accelerating the development of individuals so identified. This program is one part of this total system.

.3 Objectives. This program is designed to prepare employees with management potential and employees who have demonstrated the ability to perform as "middle managers" for assumption of greater responsibility.

The program is aimed at assisting the technical or professional in making the transition from specialist to multi-program manager.

Additionally, this program is designed to accelerate the managerial development of program participants.

.4 Annual Operation. The Bureau will participate in the Departmental Manager Development Program on a continuing basis each year. The program will be operated at the Central Office.

The number of employees who participate will be determined by the Bureau Career Development Committee (Bureau Executive Manpower Resources Board).

The program will begin each year in late August and continue until Mid-June of the following year.

Operation of the program will be coordinated by a BIA Employee Development Specialist and a designated member of the staff of the Director, Office of Organization and Personnel Management (Department of the Interior). The Bureau Career Development Committee will exercise general oversight over progress of BIA program participants. Each trainee will be assigned a counselor from the staff of the Central Office.

Participants may apply for competitive selection for participation in the Management Understudy Program. Additionally, qualifications of interested participants will be advertised to Bureau managers for their consideration in filling vacancies. Announcements of Bureau and Department-wide vacancies will be available to participants wishing to make individual application.

.5 Annual Program Announcement. The Director of Administration and Area Directors will announce this program annually to employees. The Bureau's annual program announcement will follow the Department's annual announcement. A resume of this issuance should be attached to announcements to promote employee understanding of the program.

.6 Eligibility Requirements. Employees nominated for the program should be high potential individuals who:

1. Are career-oriented employees and have at least three years high-quality service in the Department of the Interior, including a minimum of one year in the Bureau.

2. Have a Classification Act grade of GS-9 through GS-14 or equivalent grade level in the Wage Grade or other pay systems.

3. Are in good health, adequate to permit the assumption of an intensive schedule of daytime work and after-hours study.

4. Have outstanding character, ability to overcome managerial demands, analytical skills, initiative, originality, persistency, cooperativeness, self-directed, ability in oral and written expression, sound work habits, capacity and willingness to accept responsibility and work for the common good of the organization.

.7 Nominations. Executives, managers, and supervisors shall provide distribution of the annual announcement of this program to insure that every eligible employee is made aware of his opportunity for applying for the program. Departmental guidelines on women and minority group members should be taken into consideration.

All employees who meet the basic requirements as described may nominate themselves for this program or such employees, with the consent of the employee, may be nominated for this program by any Bureau supervisor. Nominations should follow the annual announcement of the program. Nominations should be made by letter and forwarded through channels.

Recognizing that there is a developing need for Indians who are qualified to assume managerial responsibilities, special efforts will be made to acquaint Indians with this program and to encourage them to compete for selection.

The following documents must accompany all letters of nomination to the Chief Personnel Officer, Attention: Training, for consideration by the BIA Career Development Committee:

A. A Form SF 171 completed by the applicant.

B. A typed statement of 500 to 1,000 words discussing applicant's career interest in Government and his career goals in terms of what managerial position he aspires to attain.

C. A statement from the Area Director describing why the employee is being nominated and stating what the nominee's potential is. This statement should also include tentative considerations being given to using this individual's talents in future years.

D. An individual development plan which should clearly define the nominee's needs based on past experience in relation to the most likely next position. This plan will serve as a guide in the development of the individual's assignments. It is recognized that this plan may change during participation in the program.

E. An official transcript or photostatic copy of college courses.

F. Recommendation from the applicant's immediate supervisor and Branch Chief.

G. Documentation of an interview by Area Career Development Committee and their recommendations.

In order for an employee to be considered for the program, by the Bureau Career Development Committee, all of the above items (A through G) must be received by the Bureau's deadline stated in the annual BIA announcement to permit review of all applications and timely recommendations to the Department.

.8 Additional Evaluation Techniques. Locally selected tests, if approved for use by the Civil Service Commission, may be used as one of a number of additional selection techniques. Such tests may not be used to determine whether an applicant is "in" or "out."

.9 Selection Process.

A. Area Offices. Each Area Career Development Committee will evaluate appropriate data specified above in items A through G to determine which candidates should receive further consideration.

The Area Career Development Committee will recommend to the Area Director candidates to be nominated to the Chief Personnel Officer for consideration as Bureau participants in the program.

Area Directors will select candidates and make nominations to the Chief Personnel Officer, Attention: Training, including all required support items.

B. Central Office and Administrative Services Center. The procedure to be followed relative to the processing of nominations received will be the same as described for the Areas, except an ad hoc committee will be appointed to carry out the role of the Area Career Development Committee and the recommendations will be forwarded to the Director, Office of Administration, who will make selections for nomination to the Bureau Career Development Committee.

The Bureau Career Development Committee will select the candidates to be recommended by the Bureau to the Department.

As soon as the Department responds to BIA nominations, candidates will be notified.

.10 Determining Training Needs. Training need determination will be a joint undertaking of the employee's station of assignment (Agency, Area Office or Central Office) and the Central Office program staff and the Department's Program Manager. The individual development plan (required of all participants under .7D (above) will serve as the initial frame of reference but may be modified if need is indicated during the program.

.11 Training Program Content.

A. Program Orientation. Bureau employees who are selected to participate in this program will start their training by attending a Bureau orientation of approximately 40 hours duration. The orientation will be conducted by an employee development specialist on the staff of the Chief Personnel Officer and will include introductions to top managers in the Central Office. The philosophy and operational guidelines of the program will be explained; career objectives of individual participants will be discussed; training needs of individuals will be reviewed; opportunity to take care of personal matters in connection with relocating in the Washington area will be provided through granting time away from the office. The Department will also provide an orientation to describe the Department and the program. Details will be provided by the Department.

B. Training Assignments. Trainees will, with general guidance from a Bureau employee development specialist and from the Departmental Program Manager, arrange a number of rotational on-the-job training assignments. These assignments may be of an observational or project or combination of observation and project type. In length, they may range from one week to several weeks. These assignments are perhaps the most important aspect of the program and will encompass more trainee time than any other developmental activity. They may be in the BIA, in any other bureau of the Department, at the Departmenal level, in another executive agency of Government, in an office of the Congress or perhaps, elsewhere.

C. Counseling. Counseling will be provided, as needed, on every aspect of the program and the participant's progress. Counseling will be given by the designated employee

development specialist on the Chief Personnel Officer's staff, the Department's Program Manager and by a special counselor assigned to the trainee within the Central Office. A special counselor will be assigned by the Bureau to each trainee.

D. Meetings with the Bureau Career Development Committee. The Bureau Career Development Committee will meet with participants of the program to exchange ideas, give advice, and determine the progress of the program.

E. Trainee Evaluation. An evaluation form will be provided to each assignment supervisor who will be asked to evaluate the trainee's performance in the assignment.

F. Short Training Programs and Academic Courses. As need and opportunity are indicated, program participants will be encouraged to take intensive specialized training programs such as those offered by the Civil Service Commission and General Services Administration, academic courses offered locally by area universities after-hours or on weekends and other special courses available through local sources.

G Departmental Activities. Since this program is both a Departmental and a Bureau program, the Department plans and directs certain activities within the program, such as counseling and orientation, referenced herein. There has been no attempt in this document to list or describe these as what the Department does is at its own discretion. In recent years these activities have included formally organized sessions on management theories, e.g., the Managerial Grid, Kepner-Tregoe's Decision Making, and seminars on the management of natural resources. These have sometimes been live-in sessions at out-of-town locations.

Program features planned and directed by the Department will be considered mandatory by BIA participants unless ruled otherwise by the Department.

.12 Option for Early Departure from the Program. The Department has initiated a provision for an option for early departure from the program. This option may be initiated by the Bureau, the Department or the participant.

.13 Dismissal of Unsatisfactory Program Participants. The Department has set forth a plan for removing anyone not performing satisfactorily in the program. In essence, it requires that a trainee whose performance is below what is expected be so advised. If such performance does not come up to expected standards, he (she) may be removed from the program.

14. Salaries, Travel Expenses and Per Diem.

A. Salaries. All participants will continue on the payroll at their duty station at their present grade and salary rates.

B. Travel Expenses and Per Diem. Travel and per diem for a round trip from the participant's duty station to Washington, D. C. will be paid for out of program funds available to the Central Office. During the period of training in Washington, D. C., either per diem or moving and storage expenses, whichever is determined, will be paid out of Central Office funds. Per diem and travel will be paid in accordance with rates established by the Department. During the program travel costs for participants to go to the field in connection with training assignments or special projects will be paid by the sponsoring office or division.

15. Annual Leave. Program participants can usually arrange a few days of annual leave during the Christmas-New Year's holiday period, if they choose to do so. However, finance regulations do not permit payment of per diem unless an employee works a minimum of four hours during a day for which per diem is claimed. Hence, for past participants in the program, the problem has been one of per diem rather than of approval for annual leave.

Also in connection with annual leave, the Department has advised that participation in the program does not constitute a basis for making application for restoration and carry-over of unused annual leave.

It is suggested, therefore, that candidates selected for the program who could be expected to have annual leave to use or lose during the leave year the program begins, be provided opportunity to use annual leave prior to the date the program begins in Washington.

.16 Use of Program Graduates. Since this program strives to identify and develop potential managers, this program is felt to provide an ideal background for applicants for the Management Understudy Program. Graduates of the Departmental Manager Development Program should be urged to apply for the Management Understudy Program.

For individuals who have completed the Field Management Training Program and the Departmental Manager Development Program, completion of the Management Understudy Program shall be considered the "third-step" in the manager-executive development process.

Participation in the Departmental Manager Development Program is not a prerequisite for participation in the Management Understudy Program and non-participants should be afforded every opportunity to compete for selection.

Graduates of the Departmental Manager Development Program who are not selected to participate in the Management Understudy Program will no doubt advance, via the merit selection process, to the limits of their potential. Such advancement may well carry them to supervisory and managerial ranks. To assist in this process, Individual Development Plans should be prepared for such personnel and appropriate support should be provided for their continued growth.

Subchapter 6. Career Development System Evaluation Guide

.1 Purpose. This guide has been prepared to assist supervisors and managers in evaluating Bureau training activities.

.2 Objectives. The Bureau is implementing a Bureau-wide Career Development System. One objective in preparing this guide is to provide directions for measuring, at localities and Bureau-wide, the effectiveness of the Career Development System. Additionally, an objective of this guide is to provide directions for evaluating individual courses and training provided for groups and individuals.

.3 Evaluation Techniques.

A. Bureau-wide Career Development System. The Bureau-wide Career Development System has been structured by developing a series of interrelated programs, through which employees may progress, on the basis of competitive selection, to the limit of their potential. To evaluate the total Career Development System, therefore, it is necessary to determine how well each program is serving to develop personnel and contribute to meeting the Bureau's staffing needs. These individual program findings, when considered collectively, provide a means of evaluating the total Career Development System.

.4 Evaluation Deadlines. Annual evaluations of each program covered in this guide should be submitted to Personnel Management, Attention: Employee Development by June 30 each year. In addition, reports should be submitted to this office on October 15, and March 15, to insure that programs are functioning effectively and are being monitored consistently.

Since each program must be examined separately, the questions noted below should be asked and answered during this process.

A. Orientation Training.

1. How many new employees entered on duty last year?

2. How many employees were moved to changed work circumstances during the past year?

3. How many employees, new or in changed work circumstances, received orientation training in keeping with the requirements of the Bureau-wide Orientation Program?

4. In view of the above and holding in mind the quality of orientation training provided, was this program operated effectively during the past year?

B. Upward Mobility Program.

1. During the past year, how many employees, GS-9 and below, were in your area of jurisdiction?

2. How many employees GS-9 and below, were contacted directly at their yearly evaluation during the past year, to acquaint them with the Upward Mobility Program?

3. When the Upward Mobility survey was conducted in your jurisdiction during the past year, how many positions were identified as Upward Mobility target positions?

4. How many employees, during the past year, applied for Upward Mobility training?

5. How many employees during the past year, were competitively selected to receive Upward Mobility training in your jurisdiction?

6. How many Upward Mobility Program participants were promoted during the past year?

7. What is the number of participants in Upward Mobility who received counseling?

8. How many IDP's were developed for participants of the Upward Mobility Program? (Please submit copies of POB's for Upward Mobility Program participants).

9. How many participants in the Upward Mobility Program were:

   (a) female

   (b) Indian

10. How many participants dropped out of the program - give reasons.

11. Please submit copy of skills utilization survey conducted.

12. Please submit any tools used to assess employee potential (assessment center, interview format, etc.)

13. Please submit copies of any literature reflecting publicity of the Upward Mobility Program to employees
    - submit copies of POB's for Upward Mobility positions
    - provide names of Upward Mobility Career Counselors.

14. How many supervisors of Upward Mobility participants received training in Upward Mobility during the past year?

    NOTE: Central Office will provide periodic field visits based on request from Areas or on need as determined by the Chief, Branch of Employee Development and the C.O. EEO Officer.

C. Cooperative Education Program.

1. Within your area of jurisdiction, how many Cooperative Education Agreements with colleges and universities were in effect last year?

2. How many students, during the past year, were employed within your area of jurisdiction under the authority of a Cooperative Education Agreement?

3. How many of these students graduated from college during the past year?

4. How many of the graduates are employed by the Bureau now?

5. How many students in the Cooperative Education Program will be employed by the Bureau within the next year?

6. Do you consider this program a valuable resource for Bureau recruitment?

D. Bridge to Professions Program.

1. During the past year, within your area of jurisdiction, how many employees were eligible to compete in this program?

2. How many of those eligible were counseled directly regarding this program?

3. How many of these employees applied to participate in this program?

4. How many of these applicants were competitively selected to participate in this program?

5. How many of these employees participated successfully? (Please indicate what criteria you have identified as "successful"?)

E. Field Management Training Program.

1. During the past year, within your area of jurisdiction, how many employees participated in this program?

2. How many of these employees completed the program this past year?

3. How many of these employees by the close of the training period, had moved to different positions?

4. How many of these employees were nominated for the Departmental Manager Development Program?

5. How many of these employees were selected to participate in the Departmental Manager Development Program?

6. Within your area of jurisdiction, how many graduates of this program now occupy managerial positions?

7. How many of these graduates completed the program within the past three years?

F. Supervisory Training Program.

1. During the past year, within your area of jurisdiction, how many employees were newly promoted or newly hired to supervisory positions?

2. How many of these supervisors have completed the supervisory training requirements, as to hours and subject coverage, required by the Civil Service Commission?

3. How many received this training "in-house"?

4. How many received the training conducted by the Department?

5. How many received this training from other sources?

6. Were there any topics not covered which you consider important? If so, please indicate them.

7. If you utilized more than one source of training, please evaluate each source in terms of strengths and weaknesses.

G. Departmental Manager Development Program.

1. During the past year, within your area of jurisdiction, how many employees applied to participate in this program?

2. How many of these applicants were:

   (a) Indian?

   (b) Female?

3. How many of these applicants were selected to participate in the Departmental Manager Development Program?

4. How many of those selected were:

   (a) Indian?

   (b) Female?

5. How many applicants were graduates of the Field Management Training Program?

6. How many program graduates were placed in the Management Understudy Program?

7. Within your area of jurisdiction during the past year how many graduates of the Departmental Manager Development Program were placed in:

   (a) Managerial positions?

   (b) A different or new position?

      (1) as a reassignment?

      (2) as a promotion?

         (specify position, grade, title, series, and location)

   (c) Returned to their same position before the DMDP?

8. Please attach any publicity made used to advertize this program in your Area of jurisdiction.

9. How many previously participated in the Upward Mobility Program?

H. Management Understudy Program.

1. During the past year, within your area of jurisdiction, was a survey conducted to identify managerial positions which are likely to become vacant in the coming year?

2. How many understudy positions for projected managerial vacancies were established? Please list series and grade for each projected vacancy along with projected vacancy date.

3. How many employees applied for these understudy positions?

4. How many of the understudy positions were filled competitively?

5. How many understudies were promoted to target positions?

Having answered the questions relative to each program, you are now in a position to form value judgments relative to each program and the total Career Development System. This is done by answering the questions "yes" or "no" listed below.

I. Career Development System Evaluation Summation.

1. Is Orientation training being conducted, effective?

2. Is the Upward Mobility Program serving to advance adequate numbers of lower graded employees?

3. Is the Cooperative Education Program used effectively to recruit well qualified, professional employees?

4. Is the Bridge to Professions Program serving to develop available resources for professional positions?

5. Does the Field Management Training Program serve to identify employees with managerial potential and promote their advancement to the managerial ranks?

6. Is Supervisory training conducted effectively?

7. Is the Departmental Manager Development Program providing a reserve of potential managers?

8. Is the Management Understudy Program serving to develop well qualified managers?

9. Within your area of jurisdiction, was the Bureau's Career Development System operated effectively during the past year? If not, in which programs were there deficiencies?

.5 Evaluation of Other Training.

1. On-The-Job Training. Bureau supervisors have been assigned the responsibility for conducting or, when appropriate, delegating the conduct of required on-the-job training. Since on-the-job training is undertaken, in almost all instances, to improve an employee's effectiveness in his present position, an evaluation of such training can be readily effected by a careful pre-training and post-training consideration of the employee's ability to perform assigned functions. The nature and extent of improved ability to perform, obviously, will indicate training required.

   As a general rule, ability to perform should be determined on-the-job in connection with regularly assigned work functions. There may be occasions, however, when the use of specifically designed performance tests in accordance with a pre-planned schedule will be deemed appropriate. In such instances, this approach should be utilized.

   In most instances, a formalized attempt to evaluate on-the-job training by the use of a questionnaire or evaluation form will not prove advantageous; however, when this approach is considered to be justified, its use is not precluded.

2. Formalized Bureau Job Training. The nature of job training required is sometimes such that the need for a formalized class approach is indicated for reasons of training effectiveness and efficiency. In such instances, the training is usually undertaken to improve each participant's effectiveness in his present job. While much formalized job training may relate to employees of only one section or branch, there may be many instances when attendance by individuals from several branches may be appropriate.

   Since most formalized Bureau job training is undertaken to improve each employee's effectiveness in his present position, an evaluation of this nature of training can also be effected by a careful pre-training and post-training

study of the employee's ability to perform assigned functions. Measurement of performance ability may be effected on the job or by use of specifically designed performance tests to be undertaken in accordance with a pre-planned schedule, as appropriate.

Formalized attempts to evaluate Bureau job training by use of a questionnaire or evaluation form may occasionally prove advantageous, if such evaluation devices are designed to indicate aspects of the instruction which promoted or failed to promote understanding and/or skill. A device which merely calls for a positive or negative reaction to the training will have little evaluation value.

C. Interagency and Non-Government Facility Training. Since the passage of the Government Employees Training Act in July, 1958, considerable use has been made of Interagency and Non-Government Facility Training to meet job related training needs.

Non-Government and Interagency training course participants must be relied upon to evaluate these courses in terms of their appropriateness for training for Bureau employees. It is suggested, therefore, that these employees should be asked to prepare an evaluation report for courses attended, immediately upon completion of the training in terms of the employee's present position and offer an opinion regarding the advisability of continued use of the course for training purposes.

A written evaluation of Non-Government Facility and Interagency training courses by participants is required and the OF 170 should be utilized. In all instances, however, when Non-Government Facility and Interagency training courses are utilized, a supervisor-employee discussion should be held to evaluate the training. Following this discussion, supervisory observation of the employee's ability to perform assigned functions which relate to the completed training should be undertaken as a additional means of evaluating the training course. Continued use of such courses, obviously, should be considered in terms of their

effectiveness, as demonstrated by performance following training.

D. Orientation Training. The Bureau prescribes a standard Bureau-wide procedure to be followed in the conduct of orientation training. This prescribed procedure establishes the required nature and scope of this training and specifies responsibility for the conduct of the various training phases.

Three approaches are recommended for the evaluation of orientation training at various Bureau locations. The first approach involves random sampling; the second approach involves data interpretation; and the third approach entails utilization of the Bureau's Placement Follow-up Program.

The random sampling approach can be utilized by the Area Branch of Personnel in conjunction with regular activities undertaken at various Area locations to evaluate the personnel management program. Application of this approach involves the random selection of a number of individuals who have been employed since the completion of the prior personnel management program evaluation to determine the adequacy of their understanding of various subjects upon which their orientation training arrangement was based. (All employees who are selected to participate in this evaluation process should be assured that this process is intended to evaluate the orientation training arrangement and is in no way intended to evaluate the employee.)

Questions to be asked these employees should be prepared locally in advance and should relate to those topics considered to be of critical importance or to topics where there is reason to believe a certain lack of understanding may be in evidence. This material does not prescribe the specific nature or form of questions to be asked, as it is believed local officials are more adequately prepared to develop questions appropriate to the current situation at various Bureau locations.

E. Supervisory Training. The Bureau operates a Bureau-wide supervisory training program on a continuing basis. There is a need, obviously, to evaluate this program to determine its present effectiveness and to provide a menas for planning future training.

This Program is based upon an arrangement whereby certain training guides for the annual program are prepared in the Central Office and other guides are prepared at the Area level. As a result, the annual content of the program varies at different Bureau locations. In view of this variance, this material does not prescribe a standardized format to be applied to evaluate individual supervisory training sessions and supervisory training phases. Instead, each Area Office Branch of Personnel should develop evaluation procedures annually that will be appropriate for Area-wide evaluation of individual supervisory training sessions and the annual training phase. A number of different techniques may be applied to accomplish this objective. For example, a prepared form which sets forth appropriately phrased questions for answer may be utilized; a written narrative reaction may be requested; or, in certain instances, an oral group response, to be recorded, may be encouraged. Regardless of the nature of the evaluation technique to be utilized, these efforts should avoid the invitation of responses which merely describe the training as "good", "effective", "ineffective", "enjoyable", etc., since these words are not adequately responsive for evaluation purposes. Instead, the evaluation technique should be designed to identify strengths and weaknesses of the training in terms of understanding and motivation as appropriate.

In the event deficiencies in the supervisory training process are determined, steps should be taken to ascertain whether such deficiencies are the result of inadequate presentation or course content. If the presentation is considered inadequate, steps should be taken to remedy the situation. If the content of the training is considered inadequate and the training material was developed locally, action should be taken to adjust the material, as necessary.

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The data interpretation approach, which can be applied by the Area Branch of Personnel and the Agency counterpart, involves a consideration of statistics which reflect, either positively or negatively, the effectiveness of conducted orientation training. For example, the presence or absence of an excessive number of grievances, regulation violations, or accidents may be considered in terms of orientation training effectiveness. In addition, presence or absence of excessive employee turnover or a positive or negative performance rating pattern may be considered as a reflection, to some extent, of orientation training effectiveness.

Officials who apply the date interpretation approach must, obviously, interpret collected data carefully, in terms of orientation training effectiveness, since many factors other than training may have a pronounced bearing upon statistical information.

The Bureau's Placement Follow-up Program serves to collect additional information relative to orientation training effectiveness. Area Branch of Personnel officials should study collected information to determine, to the extent possible, the effectiveness of the orientation training process.

In the event deficiencies in the orientation training process are determined, steps should be taken to ascertain whether such deficiencies are the result of inadequate training presentation or course content. If the presentation is considered inadequate, steps should be taken immediately to remedy the situation. If the content of the training is considered inadequate, action should be taken locally to adjust the training content, if such adjustment pertains to local matters, or, in the event the content deficiency relates to matters of Bureau-wide import, the Central Office should be so advised, through channels, so action can be taken to remedy this condition on a Bureau-wide basis.

If the content of training material developed by the Central Office is considered to be inadequate, the Central Office should be so advised and recommendations for improvement should be provided. Modification of the material on a Bureau-wide basis can then be effected at the Central Office level.

When evaluation of a training phase is undertaken by use of a locally developed technique(s), such evaluation should be coupled with a supervisory consideration of continuing or developing supervisory training needs. Such consideration can serve to provide insights regarding the nature of the supervisory program to be presented during the next training phase.

F. Area Formalized Management Training. Formalized management training (other than the Bureau's Field Management Training Program) which is developed and conducted at the Area level should be evaluated by the application of appropriate locally developed techniques. Such techniques should generally parallel those prescribed for evaluation of supervisory training. Findings gained from such evaluations should be applied to effect modifications as appropriate.

G. Executive Training. (See 44 BIAM 412, Executive Development.)

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APPENDIXES

NO.	Title
1	Executive Management Program Procedures (To be issued later)

Subchapter 1. General.

.1 Policy. The policy of the Bureau of Indian Affairs is to provide executive development to maintain and expand the effectiveness of executive leadership and management.

To implement this policy, the BIA will operate an Executive Management Program (EMP). The EMP is designed to: (1) identify and evaluate the most capable candidates for managerial/executive positions; (2) develop incumbent managers/executives in a planned and systematic manner and (3) place managerial/executive personnel effectively.

The EMP is compatible with Department of the Interior's policy and will be carried out according to Indian preference requirements as expressed in 44 BIAM 302.

.2 Executive Management Positions. In addition to SES positions (1.3 below), executive management positions included in this program are: Assistant Area Director, Deputy Area Director, Superintendent, Area Education Programs Administrator, Agency Superintendent for Education, Assistant Superintendent and Central Office Division Chiefs. Other positions may be added at the direction of Bureau management.

.3 The Senior Executive Service (SES). The Senior Executives Service and related systems are fully described in the 370 DM Chapter 920. Those aspects of the Bureau of Indian Affairs SES which are unique to the Bureau are described below:

Bureau policy provides for the competitive selection of employees with Indian Preference to the SES Candidate Development Program and hence, qualify for selection into the Senior Executive Service without further competition.

Only qualified Bureau personnel at the GS-14/15 or higher levels may be accepted into the SES Candidate Development Program.

Positions within the Bureau which are a part of the Senior Executive Service include: Central Office Directors, Area Directors, Central Office Assistant Director for Financial Management, and Deputy Director for Indian Education Programs.

.4 Tribal Consultation. In compliance with Bureau policy, Tribal Consultation will be followed in filling the key management positions of Area Directors, Superintendents and Agency Education Program Administrators.

.5 Definitions.

A. Executive Management Program (EMP). A managerial device providing flexibility and expediency in the placement of qualified individuals in key management positions throughout the Bureau.

B. Executive Management Pool. A recruitment source for executive management positions (GS-13 through 15) composed of potential managers and interested incumbent managers in the Management Development Program and incumbent managers enrolled in the Skills Bank.

C. Executive Management Committee (EMC). A committee with delegated authority to manage all BIA key management positions.

D. Management Development Program (MDP). A development program for potential managers and interested incumbent managers designed to prepare them for possible assignment to key vacant management positions.

E. Skills Bank. An inventory of incumbent managers and other employees (grades GS-12 through 15) who compete for placement in key positions shown in F., below.

F. Key Management Positions. The following positions at grade levels GS-13 through 15 are designated as key management positions for program purposes:

(1) Area Director
(2) Deputy or Assistant Area Director
(3) Superintendent
(4) Assistant Superintendent
(5) Central Office Assistant Director for Financial Management
(6) Central Office Directors
(7) Central Office Division Chiefs
(8) Deputy Director for Indian Education Programs
(9) Area Education Programs Administrator
(10) Agency Superintendent for Education

G. Key Management Official. Specifically defined for this program only, as those Bureau employees occupying above positions.

H. Mentor. A key management official who provides functional program knowledge, guidance, counseling and individual development advice to employees in the MDP.

.6 Responsibilities.

A. Deputy Assistant Secretary - Indian Affairs (Operations) will have responsibility for the overall operation of this program.

B. The Executive Management Committee (EMC) shall review operation of this program and direct changes in policy, concept and operating arrangement as necessary, to improve program productiveness.

C. Director, Office of Administration shall have direct responsibility for the Bureau-wide implementation and operation of this program.

D. Chief, Division of Personnel Management shall be responsible for the development of program guidelines and modification of these guidelines, as directed.

E. Area Directors are responsible for the operational segments of this program, within their area of jurisdiction, in keeping with the guidelines set forth herein.

F. Bureau Equal Employment Opportunity Officer shall evaluate this program in terms of compliance with Bureau Equal Employment Opportunity requirements.

G. Bureau Managers and Executives shall be responsible for compliance with training requirements prescribed herein and for assisting other managers and executives and identified potential managers in gaining meaningful training experiences.

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Subchapter 2. Recruitment.

.1 Sources of Key Managerial Candidates. When vacancies occur, management may fill a position with managers from the Executive Management Pool or from an open competitive announcement. Employees who are in the Pool may be selected to fill vacant management positions without further competition.

.2 Executive Management Pool. All candidates (both internal and external to the BIA) selected for the Management Development Program, and incumbent managers registered in a Bureau-wide skills file, shall make up a pool from which selections may be made to vacant key executive management positions.

A. The Bureau will initiate the MDP to make it possible for potential managers to be eligible for consideration for placement in key vacant management positions. Incumbent managers may also participate in the MDP. Enrollees may be placed in a vacant position only upon successful completion of training assignments and appropriate certification by Executive Management Committee.

Potential candidates will receive notification of periodic nationwide competition for the MDP. An eligible employee (grades GS-13 through 15) may submit his or her name for consideration. Supervisors may nominate promising employees for consideration. Interested outside candidates may apply or be nominated at the same time.

Those selected for entry into the MDP will receive preparation for key management positions within the Bureau to include the following: Deputy or Assistant Area Director, Superintendent, Assistant Superintendent, Area Education Program Administrator, Agency Superintendent for Education, Central Office Division Chiefs.

B. The Bureau will develop a skills bank in which incumbent managers and other employees, grades GS-12 through GS-15, will be registered.

.3 Knowledge, Skills and Ability Requirements for Management Positions. The Chief Personnel Officer shall maintain a current inventory of the knowledge, skills and ability requirements of each key managerial position within the Bureau. Reference is made to the managerial knowledges and abilities in 370 DM 412, Appendix 2.

When a vacancy is anticipated or occurs, a Bureau ranking panel will provide management with a list of employees who are eligible to fill the vacancy. This pool of incumbent and potential managers provides the human resources necessary to maintain an adequate supply of managers to operate Bureau programs.

.4 Incumbent Manager Orientation. When incumbent managers are transferred, any required orientation/training will be provided to insure a smooth transition into the new job.

.5 The Individual Development Plan (IDP). The IDP is a developmental guide for those individuals presently occupying management and executive positions and those selected for inclusion in the Executive Management Program. It is a tool for enhancing an individual's development and ultimately the management of the Bureau. During development of the IDP, individual strengths and weaknesses are identified and appropriate developmental strategies are agreed upon to be undertaken. IDPs shall be developed for lower-level management positions in the Executive Management Program and revised for higher levels of management as a manager progresses in his/her managerial career.

Subchapter 3. Operations.

.1 Purpose. The Executive Management Program is a system through which the placement of qualified individuals in management positions throughout the Bureau is implemented.

The system entails the compilation of information provided through a thorough review of positions and available talent by the Executive Management Committee and top management and the placement of the best talent into those available positions.

.2 The Executive Management Committee. The Executive Management Committee is under the general direction of the Deputy Assistant Secretary - Indian Affairs (Operations). Committee membership includes a representative from the Office of the Assistant Secretary - Indian Affairs, Director, Office of Equal Opportunity Programs, two Central Office Directors, the Director, Office of Indian Education Programs, the Chief, Division of Personnel Management (who also serves as Executive Manpower Management Officer for the Committee), and a rotating membership comprised of two Area Directors. The Chief, Branch of Employee Development serves as the Executive Secretary. 44 BIAM Rel. 79, 10-4-82

Within authority delegated by the Deputy Assistant Secretary - Indian Affairs (Operations), the EMC will manage all BIA key management positions and make recommendations concerning them. The recommendation process should include input from supervisors pertaining to employees and positions under the supervisor's jurisdiction.

Responsibilities of the Executive Management Committee include:

(1) Estimating the number of vacancies expected to occur in key management positions throughout the Bureau.

(2) Seeking to identify all qualified candidates for current and anticipated vacancies.

(3) Evaluating candidates in compliance with established criteria for competitive selection of candidates and recommending candidates for the Executive Management Pool.

(4) Recommending to the Deputy Assistant Secretary - Indian Affairs (Operations) the transfer of managers as vacancies and potential develop.

(5) Recommending promotion and advancement of managers.

(6) Developing managers and potential managers in keeping with organizational needs.

(7) Reviewing and evaluating Bureau policy for the Management Development Program.

(8) Assuring adequate funding for the Management Development Program.

(9) Monitoring development and pursuit of Individual Development Plans. (The program is IDP driven.)

(10) Providing advice and counsel to individual candidates through mentors.

(11) Assisting, as appropriate, in arranging/facilitating understudy and on-the-job training assignments.

(12) Reviewing and evaluating guidelines for developmental activities.

(13) Recommending appropriate placement, movement or other action as supported by a participant's developmental progress.

.3 Personnel Management Actions.

A. Recruitment and Selection Process. The Executive Management Committee shall:

(1) Periodically determine whether additional candidates should be added to the Executive Management Pool to meet vacancy requirements in the key management positions listed in 1.5F, above.

(2) Announce MDP opportunities, receive and review applications and submit recommendations to the Deputy Assistant Secretary - Indian Affairs (Operations).

(3) Consider the following in reviewing applications for the MDP:

a. Commitment to a career in the Federal Civil Service and identification with the Bureau as evidenced by the employee's statement.

b. Interest in career and self-development for management positions in the areas associated with the mission of the Bureau as evidenced by the employee's background, continuing education endeavors, and involvement with career related professional societies, associations and community activities whenever such activities are available.

c. Capability for succeeding in leadership positions as evidenced by the desire and ability to assume such roles, to achieve work objectives, to seek and accept responsibility in difficult working environ-

ments. (Example: Work experience which plainly shows an ability to lead work groups, to perform assignments under difficult situations and to accept responsibility for complex projects.)

d. Performance Appraisals.

B. Identification and Placement of Employees. As vacancies occur within the Bureau a list of applicants will be provided to management providing qualified individuals for possible selection. The competency level of each applicant will be matched with the competency requirements of the positions which are vacant. The applicant list will then be ranked in order of qualification for each career field. This is necessary for expediency in the filling of all vacancies at the management level.

Employees in the Executive Management Pool may be selected to fill vacancies (by promotion or reassignment), without further competition. However, they must have completed requirements toward satisfying competency levels for the vacant position or have scheduled developmental activities for satisfying competency requirements within six months of selection to a new position. The developmental activities will be recorded on the employee's IDP.

C. Staffing. The Deputy Assistant Secretary - Indian Affairs (Operation may upon the recommendation of the Executive Management Committee:

(1) Review the performance of any member of the EMP.

(2) Promote and transfer employees as vacancies and individual potential develop.

(3) Reassign employees to a vacant position for which he/she is qualified and for which the Bureau has a greater need.

(4) Transfer employees to another available position if poor health hinders or prohibits satisfactory performance in the employee's assigned position.

.4 Manager Mobility. To best serve tribal and Bureau needs, Bureau managers need to have a working knowledge of Area and Central Office philosophies and work conditions. To acquire both requires that managers be open to assignments at any BIA or other location for experience appropriate to personal developmental needs. In addition to incumbering positions at various locations, other types of assignments may include the following:

A. Task force and committee assignments. These may be ad hoc groups, formed for a limited time to deal with specific problems areas, continuing groups whose memebership change either on the basis of the organizations represented or long-standing groups with the same organizations and representatives.

B. Understudy and vacation replacement assignments. Understudy assignments may be for short, extended, or intermittent periods before appointment or concurrent with a regular assignment. Vacation replacement assignments may be given in addition to regular duties and rotated among subordinates.

C. Details. These are extended-period (but limited in time) assignments that may be used to give the individual special experiences, broaden perspectives, or to satisfy the requirements of a career pattern.

D. Interchange assignments. These include interchange with private industry, non-profit organizations, educational institutions, international organizations, and State and local governments.

E. Job Rotation Programs. They provide non-permanent reassignments among organizations and between occupations for developmental purposes. They result in movement from agency-to-agency, headquarters to field and between line and staff.

.5 Appraisal of Performance. In accordance with the BIA Performance Appraisal System the performance of an incumbent manager is evaluated against specific job elements and standards. If such performance is marginal or unsatisfactory, a decision is made by the Rating Official (i.e., immediate supervisor), concerning the appropriate action necessary to assist that manager in improving his/her performance to a satisfactory level. The supervisor will insure that the EMC is made aware of the decision as soon as it is made.

In addition, program participants will be evaluated by the EMC on their performance of assigned developmental activities. Participants who do not perform satisfactorily will, upon recommendation of the EMC, be removed from the program without stigma and returned to their former status.

.6 Program Evaluation. Each Area providing or arranging for training for newly appointed managers or managers assigned to different managerial positions will evaluate the effectiveness of those developmental efforts.

Evaluation information will be submitted annually for review. Such evaluations must be received in the Central Office prior to the end of the individual performance rating period.

.7 Executive Management Support Programs. The following programs are available to incumbent and potential executives and managers for the development of necessary management competencies.

A. Basic Courses. (OPM)

The Office of Personnel Management presently offers a number of executive and management development programs designed to provide present and potential managers the necessary tools to be effective on their job. Courses are offered at the following locations. (Additional information concerning curriculums may be obtained through Employee Development Officers.)

(1) Federal Executive Institute
Charlottesville, Virginia

(2) Washington Management Institute
Washington, D.C.

(3) Executive Seminar Centers:
Denver, Colorado
Oak Ridge, Tennessee
Kings Point, New York

B. Long-Term Programs.

Programs available to present Bureau managers include:

(1) Fellowship in Congressional Operations

(2) Education for Public Management Program

(3) Brookings Institution Seminars

(4) President's Executive Interchange Program

(5) Intergovernmental Affairs Program

C. Colleges and Universities.

The Department of the Interior list of recommended High Intensity Management Development Programs follows:

(1) University of Texas

(2) Carnegie-Mellon University

(3) Georgia State University

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(4) University of Houston

(5) University of Michigan

(6) University of Illinois

(7) Stanford University

(8) Columbia University

(9) Pennsylvania State University

(10) Northwestern University

(11) Dartmouth College

(12) University of Southern California

(13) Harvard University

(14) University of California - Berkeley

D. Department of the Interior's Feeder Groups.

(1) Feeder Group programs for persons at the GS-14/15 levels who have been selected as candidates for Senior Executive Service positions. This program, operated by the Department of the Interior, provides potential executives opportunities to develop their potential through various developmental assignments and courses.

(2) Executive and Managerial Development Program is a 10-month developmental experience for managers and potential managers competitively selected in grades GS-12 thru GS-14. The program begins with development of an IDP and is thereafter guided to completion by the IDP. This program, operated by the Department of the Interior, provides potential executives opportunities to develop their potential through various developmental assignments and courses.

.8 Major Developmental Components. Incumbent managers and potential managers selected for managerial vacancies will be afforded opportunities to develop the necessary knowledges, skills and abilities as outlined in the following developmental components. Components will be tailored to fulfill the needs of each individual assigned to a new position or for those individuals in the Management Development Program.

A. Initial Central Office Phase (Orientation) - One Week

During the first segment of the core developmental activities, the candidates meet at the Central Office to become familiar with the training plan and the schedule of activities to follow. They will hear and discuss with top Bureau officials their expectations of the candidates and finalize the IDP.

B. Executive/Managerial Problem Solving - Minimum of Two One-week Sessions

This segment of the core development activities has as its principal focus the duties, responsibilities and problem solving techniques of Area and Office Directors. It looks extensively at how an executive arrives at decisions and the kinds of tasks the executive deals with. One or two of the candidates are assigned to an Area or Office Director for one week near the beginning of the core development activities and one week near the end. Area and Office Directors share their full workdays with the candidates involving them in their activities as fully and openly as possible. They discuss the "why" and "how" of each action they deal with during the week and call attention to the knowledge of the law and regulations which they need to consider in making decisions. When the total group of candidates reassemble at a later date, the candidates share their most significant learnings and activities with other members of the group.

C. Field Functional Segment (Area Office, Agency, Tribal Office) - Time depending upon needs and resources

It is during this phase of development that the candidates receive on-the-job exposure to operations at the Agency, an Area Office and a Tribal Office.

Emphasis is placed on helping the candidates gain knowledge of the nature, planning, processing and control of how work is carried out in that particular field location.

D. Central Office Functional Segment - Time depending on needs

This segment helps the candidates learn about operations not readily apparent at field operating levels, such as policy, the planning process, relationships in the Central Office between program development and evaluation, and the philosophy of the Bureau and its impact on future program direction. Each Office Director and staff is afforded opportunities to discuss these matters with the candidates. The Deputy Assistant Secretary meets periodically with the group to discuss how various efforts and initiatives support current goals; factors which influence decisions; what the future holds and how the Bureau is preparing for it.

E. Specified General Topics - Time depending on needs

Short seminars are held in the Central Office on topics having direct application to Bureau managers and executives. Seminars on Tribal relations and regulations governing the operation of the Bureau, with case study discussions of executive and managerial level involvement in Tribal issues the Deputy Assistant Secretary and his staff must deal with, are typical of the topics covered in this segment. Bureau executives and specialists are the seminar leaders for these activities.

F. Individual Development Activities - Minimum of Three or Four Weeks

This time, interspersed throughout the program, is used by each candidate for developmental activities identified and agreed to by the candidate's Area Director or Deputy Assistant Secretary - Indian Affairs (Operations) or Office Director. Typically, candidates spend this time in major functional areas they are less familiar with, in learning about management activities in other agencies or in the private sector, in reading in the fields pertinent to Bureau work, and in attending outside seminars on subjects designed to enhance their effectiveness.

G. Final Central Office Phase - Minimum of Two Weeks

The objective of this segment is to broaden the candidate's view of the responsibilities of a Bureau manager or executive. Lecture-discussion sessions are held, led by distinguished persons in Government and the private sector. Illustrative topics would include: the Bureau of Indian Affairs as viewed by various Tribal groups; Bureau-Interior relationships; working relationships with the Congress and with State agencies; trends in the socio-economic area; executive responsibilities for Equal Employment Opportunity; contacts with elected officials and Tribal officials.

.9 References.

A. FPM 412, Executive Development, as supplemented by 370 DM 412.

B. FPM 410, Training, together with 370 DM 410 and 44 BIAM 410.

C. 44 BIAM Supplement 410, Career Development System Handbook.

D. 44 BIAM 430, Performance Appraisal.

E. 44 BIAM 335, Promotion and Internal Placement

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ILLUSTRATIONS

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1.	Performance Appraisal Form (Form BIA-4439)

APPENDICES

Appendix A BIA Employee Performance Appraisal Handbook

Subchapter 1. General

.1 Purpose. This chapter contains the Bureau Performance Appraisal System as required by P.L. 95-454, the Civil Service Reform Act of 1978 (CSRA); implementing instructions from the Office of Personnel Management (OPM); and policy requirements of the Department of the Interior.

.2 Coverage. This chapter applies to all employees of the Bureau except for Performance Management and Recognition System (PMRS) employees and those in positions excluded by 5 CFR 430.101 and 430.201 (e.g., SES members, Schedule C, Noncareer Executive Assignments, and employees working less than 120 days in a consecutive 12-month period).

.3 Policy. Each covered employee's performance of the duties of his/her positon shall be appraised at least annually against predetermined performance elements and standards consistent with those duties. In annual planning sessions, the employee shall assist the supervisor in identifying critical and required performance elements and in developing performance standards for each identified element. Performance elements and standards shall be communicated to the employee no later than 30 days after the beginning of each rating period. Periodic review and feedback sessions between supervisor and employee shall be held as often as needed, but at least once every six months for employees and once a quarter for probationary supervisors. The formal appraisal, including the summary performance rating, shall be communicated to the employee and used as a basis for other personnel actions. Completion of the foregoing requirements will be documented by appropriate entries on the Performance Appraisal Form (Form BIA-4439), Illustration 1.

.4 System Approval. Having met the guidelines for a Bureau performance appraisal system outlined in 370 DM 430, this issuance was approved by the Department of the Interior on December 29, 1982.

.5 Definitions.

A. Performance Appraisal. The formal and documented evaluation of an employee's performance of duty. It contains the performance elements and standards against which the employee is appraised, narrative statements of actual performance under each performance standard, and a summary rating of overall performance.

B. Performance Standard. A written standard which establishes the level of performance required of an employee and against which performance is measured. Standards may be expressed in two basic ways, or by a combination of both:

(1) Performance Requirements. Generally expressed in terms of quantity, quality, and similar evaluative criteria related to continuing and recurring job functions.

(2) Performance Objectives. Generally expressed in terms of expected results and deadlines related to the purpose of the employee's position.

C. Critical Element. A job component of such significance that performance below the minimum standard established by management results in denial of a within-grade increase for non-PMRS employees; and may be cause for reassignment, reduction in grade, or removal from Federal service. Such actions may be taken without regard to performance on other components of the job.

D. Required Element. An important job responsibility of less significance than a critical element but still appropriate for evaluating performance. Establishment of required elements is discretionary with the rating official.

E. Rating Official. The person who evaluates the performance of an employee and who assigns the summary performance rating . . . usually, the rated employee's immediate supervisor.

F. Reviewing Official. The person who reviews and approves or disapproves the performance appraisal . . . normally, the rating official's supervisor. Another person(s) may be designated to perform the review function when warranted by the large number of rating officials supervised by any one reviewing official. Such designee(s) may be a deputy or special assistant at a higher organizational echelon than the rating official.

G. Appraisal/Rating Period. The established period of time for which an employee's performance will be reviewed and evaluated. For the BIA, the appraisal period is July 1 of a given year through June 30 of the following year.

H. Opportunity to Demonstrate Acceptable Performance. A chance for the employee to demonstrate that he/she can meet established minimum performance standards for the critical elements of the job after being notified of deficiencies.

I. Reasonable Time. An amount of time commensurate with the duties and responsibilities of the employee's job which is sufficient to raise his/her performance up to minimum standards.

J. Summary Performance Rating. The overall and official performance rating for the period involved as derived from consideration of performance under each of the individual elements. The rating is made at one of five quality levels and serves as the basis for within-grade increases, awards, Reduction-in-Force credit, and the initiation of various personnel actions.

.6 Responsibilities.

A. The Deputy to the Assistant Secretary - Indian Affairs (Operations) is responsible for ensuring that the Bureau's performance appraisal system is developed, implemented, administered, and evaluated consistent with the CSRA, OPM regulations, and Departmental policy requirements.

B. All other Bureau line officials are responsible for implementing the Bureau's performance appraisal system within their jurisdiction in accordance with the provisions of this directive.

C. The Chief Personnel Officer is responsible for the overall staff direction of the performance appraisal system, and for ensuring that:

(1) An Orientation is provided to employees, as needed, regarding the objectives and provisions of the performance appraisal system.

(2) Necessary training is provided to managers and supervisors so that they can effectively carry out their responsibilities for communicating with employees, appraising their performance and relating the performance appraisal to other personnel actions.

(3) Providing advice and assistance to management, organization elements and employees in regard to system implementation and use.

D. Rating officials are responsible for:

(1) Assuring that position descriptions accurately reflect the duties and responsibilities assigned to all employees under their supervision.

(2) Determining and documenting in writing, with appropriate assistance from employees, the critical elements, required elements, and performance standards of positions under their supervision.

(3) Discussing the elements and standards with employees at the beginning of the appraisal period, and updating them whenever necessary to reflect any changes in position duties and responsibilities.

(4) Initiating and maintaining a Supplemental Employee Performance Folder (SEPF) on each employee rated in accordance with 2.2D below.

(5) Keeping employees advised during the appraisal period concerning their performance and, as a minimum, conducting one review and feedback session with each employee every six months during the appraisal period, and one session per quarter for each probationary supervisor.

(6) Appraising the employee's performance at the end of the appraisal period, or when the employee leaves a position, in accordance with previously established performance standards and assigning the summary performance rating.

(7) Completing interim appraisals for subordinates before leaving a supervisory position, as prescribed in Subchapter 2.1F. Interim appraisals do not require review by the reviewing official.

(8) Combining appraisals of employees who receive two or more ratings during the appraisal period to form the final appraisal of record for the period involved.

(9) Conducting a formal appraisal interview with each employee to discuss all aspects of the assigned appraisal rating.

(10) Providing the employee with a copy of the final appraisal after it has been reviewed by the reviewing official and forwarding the original to the servicing Personnel Office for maintenance and disposition.

(11) Recognizing and recommending an appropriate award for employees whose performance so warrants, and assisting employees in improving marginal or unacceptable performance.

(12) Initiating appropriate corrective action when unacceptable performance fails to improve to meet minimum standards.

(13) Meeting all performance appraisal obligations by required due dates.

E. Reviewing Officials (or designee(s)) are responsible for:

(1) Reviewing and indicating their approval or disapproval of the overall appraisal made at the end of the rating period.

(2) Meeting with the rating official to resolve any disagreement between them regarding the overall appraisal. If such differences cannot be resolved and the reviewing official changes the rating, he or she must justify the change in Section F of the Appraisal Form.

(3) Completing the review process by the established deadline.

(4) Ensuring that rating officials who leave their position complete required interim appraisals before departing.

(5) Monitoring the appraisal process within their area of jurisdiction and initiating appropriate remedial action, possibly including disciplinary action, when the rating official has failed to: develop performance elements and standards; make fair and objective appraisals, including interim appraisals; meet appraisal deadlines, or fulfill all other performance appraisal obligations. Such deficiencies will be noted by the reviewing official (or designee(s)) on any appraisal made of the rating official.

F. Employees are responsible for:

(1) Assisting the supervisor in developing the critical elements, required elements, and performance standards for their positions.

(2) Notifying their supervisors of any facts or circumstances which they believe should be taken into account when developing elements and standards or when appraising performance.

(3) Participating in appraisal discussions with their supervisors concerning performance and ways to improve that performance.

(4) Successfully performing the duties of their positions.

(5) Advising their supervisors of circumstances that may impact on or deter the employees from the proper performance of duties or the meeting of assigned deadlines.

Subchapter 2. Formal Appraisal.

.1 Eligibility for Performance Appraisal.

A. An employee must have been in a position and under the same supervisor for at least 90 days before being eligible for a summary performance rating. However, within 30 days after an employee's assignment or the beginning of an appraisal period, the rating official must have established the performance elements and standards, and communicated them to the employee.

B. The rating official for a performance appraisal is generally the last official to have supervised the employee for 90 days at the time the appraisal is due or when the employee leaves the position to which assigned.

C. For an employee on detail or temporary assignment of less than 90 days on the appraisal due date, the rating official will be the supervisor of the employee's regularly assigned position prior to the detail or temporary assignment, providing the requirements of 2.1A and B above are met.

D. An employee who is detailed or temporarily assigned to a different position for a period expected to exceed 120 days must be provided with the performance elements and standards of such position. Development and communication of those elements and standards are to follow the guidelines established by this directive. The employee's supervisor during the detail or temporary assignment must, upon its termination, give the employee a written performance appraisal. The SEPF may accompany the employee to the new position. (See 2.10 below if detail is to a position normally occupied by an SES member.)

E. An employee who leaves a position after having served 90 days under the same supervisor will be given a performance appraisal. The completed Appraisal Form will be forwarded by the supervisor to the servicing Personnel Office for maintenance and disposition.

F. Every supervisor who, for whatever reason, is leaving his/her position will conduct an interim performance appraisal prior to leaving for each employee supervised at least 90 days. In such cases, the completed Appraisal Form and supporting documentation will, after discussion with and acknowledgement by the employee in Section D of the Form, be filed in the SEPF. The SEPF will then be given to the reviewing official for safekeeping pending delivery to the employee's new rating official at the end of the rating period. (See Subchapter 3.2 for handling employee concerns related to an interim appraisal.)

G. When an employee receives more than one written appraisal in the same position and grade level during an appraisal period, including interim appraisals made by departing supervisors, the results of all such appraisals will be combined by the rating official of record on June 30 in arriving at the final performance rating for that period.

H. If an employee remains in the same position during an appraisal period but has not been supervised at least 90 days by any one supervisor, is reassigned or promoted during the last quarter of the rating period, or lacks officially established performance elements and standards, the rating period will be extended up to but not exceeding the 90 days minimum time period for a formal appraisal.

.2 Appraisal System Operation. Evaluating employee performance is a continuous process and an integral part of a sound day to day employee-supervisor relationship. It is a matter that requires constant communication and exchange of information concerning performance, overall objectives of the unit, and specific work products, conducted according to the following requirements and deadlines:

A. Frequency and Timing of Appraisals.

(1) Each eligible employee must receive a formal performance appraisal and rating at least once during the annual rating cycle of July 1 through the following June 30.

(2) Rating officials complete annual performance appraisals and conduct appraisal interviews with employees no later than July 31.

(3) The planning session for the next appraisal period must also be completed by July 31 to comply with Bureau policy on communicating elements and standards to employees within 30 days of the start of an appraisal period.

(4) Reviewing officials review appraisals by August 15, or 15 calendar days after receipt of an appraisal for review, whichever is earlier.

(5) In situations where an extension of the rating period was authorized under 2.1H above, both the rating and the reviewing officials will complete their appraisal responsibilities within a combined total of 15 calendar days following the end of the extension.

B. Establishing Performance Elements and Standards. Performance appraisals are based on the duties of employees' positions. In order that appraisals be fair and objective, and that maximum and realistic productivity be achieved within any position, the supervisor and the employee must:

(1) Cooperate in establishing the performance elements and standards.

(2) Reach an understanding as to the exact nature or definition of the elements and the manner in which the standards will be met.

(3) Keep in mind that:

(a) It is the supervisor's responsibility to decide the critical and required elements, and the performance standards to be established for the rating period involved.

(b) The employee may request a review by the reviewing official of a standard or critical element that the employee feels is unreasonable or unfair, as noted in Subchapter 3.4B.

C. Planning Session.

(1) The appraisal process begins with the conduct of a planning session by the supervisor with the employee in which the performance elements and standards for the position are established, documented in Section C of the Appraisal Form, and communicated to the employee.

(2) During the session, the supervisor and the employee also complete an Individual Development Plan (IDP) covering the job experiences and/or formal training required for the employee to achieve a specific level of performance. Formulated as a result of direct open discussion, the IDP is an understanding between the employee and the Bureau that every effort will be made to carry out the development described. (For instructions on completion of the IDP, see 44 BIAM Supplement 410, and memorandum from the Acting Deputy Assistant Secretary - Indian Affairs (Operations) dated January 11, 1982, subject: BIA Supervisory Training Plan, as appropriate.)

(3) The signatures of the rating official and the employee in Section A of the Appraisal Form jointly acknowledge that the session was held and that the session objectives were met. If the employee declines to sign, the supervisor will enter a notation to that effect in Section A, along with the reason given by the employee for not signing.

(4) Any subsequent changes in the elements or standards are noted on the Appraisal Form, and initialed and dated by both parties.

D. Supplemental Employee Performance Folder. For each employee rated, the supervisor prepares and maintains an SEPF for the filing of written comments and documents relating to the employee's performance during the rating period. Included are the supervisor's copy of the employee's performance elements and standards. The employee must be informed whenever an item is placed in the folder and be given an opportunity to comment thereon. The employee may contribute pertinent items for the SEPF and is authorized continuing access to its contents . . . which are later used by the supervisor to assist in and support preparation of the narrative performance appraisal made at the end of the rating period. The SEPF will:

(1) Also be used for the 3/2/1 per-year formal evaluations of contract Education employees required by 62 BIAM 11.7.1B.

(2) Upon request by a Performance Appraisal Complaint Review Board incident to an appeal under consideration, be submitted to that body for review.

E. Periodic Review and Feedback During the Appraisal Period.

(1) The purposes of review and feedback sessions during the appraisal period are to:

(a) Provide feedback to the employee concerning the overall assessment of his/her performance during the rating period.

(b) Review and update critical and required elements and performance standards in light of changing requirements of the employee's position.

(c) Identify areas of performance in need of improvement and the methods/training needed to facilitate that improvement.

(2) Review and feedback sessions will be conducted:

(a) As frequently as needed for revising elements and standards due to changed circumstances, and for discussing the employee's performance to date and any action(s) which may be appropriate (e.g., training, rewarding, counseling, etc.).

(b) Whenever in the supervisor's judgment the employee's performance is approaching an unacceptable Level 1 in one or more critical elements. (See also BIA-NFFE Negotiated Agreement, Article 23, Section 7b.)

(c) At least once every six months for employees, and at least quarterly for performance reviews of probationary supervisors.

(3) Each review and feedback session will be documented by required signatures in Section B of the Appraisal Form, and in the case of 2.2E(2)(b) above, a confirming memorandum given to the employee regarding the performance deficiency, the actions to be taken to meet minimum performance standards, and the specified reasonable period of time in which to demonstrate acceptable performance.

F. Appraisal Interview. The supervisor will conduct a formal appraisal interview with the employee at the end of the appraisal period to discuss the employee's level of performance, as rated and documented in writing by the supervisor for each critical and required performance element, and the summary performance rating assigned by the supervisor. Comments recorded on the Appraisal Form during the periodic review and feedback sessions conducted during the appraisal period as well as the material in the SEPF will be useful in making the narrative appraisals and ratings. Lastly, the appraisal interview will be used for conducting the initial planning session for the following appraisal period.

.3 Performance Elements and Standards.

A. General Provisions.

(1) Supervisors will identify critical and required performance elements and standards for all jobs no later than 30 days after the beginning of an appraisal period or the assignment of a new employee to a position.

(2) The employee will participate with his/her supervisor in the process of identifying elements and developing standards.

(3) Normally, no more than five or less than three critical elements may be established for a position, including any prescribed by the Deputy to the Assistant Secretary - Indian Affairs (Operations) as a common Bureauwide critical element which may apply to the position (see B below).

(4) Required elements may be established for a position at the discretion of the rating official.

(5) The established elements and standards must be consistent with the duties and responsibilities covered in the employee's position description, be based on job factors that can be demonstrated, be documented in Section C of the Appraisal Form and a copy furnished to the employee.

B. Common, Bureauwide Critical Elements and Performance Standards.

(1) The common, Bureauwide critical elements and performance standards established for certain BIA occupations/positions, will gradually be replaced by those being developed as part of the effort to improve the quality of performance elements and standards throughout the Bureau.

(2) As the prototypes are developed and issued, supervisors of employees in positions and grade levels covered should use the data as guidelines when developing critical elements and performance standards for an individual position. Working together, the supervisor and the employee must still identify, develop, and document any other critical elements and performance standards which apply to the employee's position and are in addition to the common Bureauwide elements and standards.

C. Critical Elements for Supervisors. To the extent appropriate, performance standards for supervisors should describe critical element(s) which address:

(1) The fulfillment of equal employment opportunity responsibilities within the parameters of Indian preference.

(2) The making of appropriate personnel decisions in accordance with merit principles, and

(3) The appraising of employees fairly and accurately in accordance with established performance standards.

.4 Performance Ratings. There are five levels of performance possibilities to categorize and rate: (1) the level of an employee's performance in each critical and required element, and (2) the employee's overall level of performance for all elements - the summary performance rating.

A. Individual Element Rating. Each employee's performance for each element must be converted to a rating level based on the extent to which established performance standards are met. The levels to be used correspond to those of the SES and the Performance Management and Recognition Systems and are described as follows:

(1) Level 5 - Outstanding. Performance is of rare, very high quality. As warranted, an Outstanding performer produces an exceptional quantity of work significantly ahead of established schedules or deadlines and with very little supervision.

(2) Level 4 - Exceeds Fully Successful. Performance is of unusually good or excellent quality. As warranted, the employee produces a very high quantity of work ahead of established schedules or deadlines and with less than normal supervision.

(3) Level 3 - Fully Successful. Performance is of good quality. The employee produces the expected quantity of work and meets deadlines or schedules for completion of work.

(4) Level 2 - Minimally Successful. Performance is not "Unacceptable", but needs improvement to achieve the "Fully Successful" level. Supervisory assistance is required at this level of performance. The assistance may include, but is not limited to, closer supervisory reviews, discussions, and correction of work products.

(5) Level 1 - Unacceptable. Performance fails to meet established performance standards in one or more critical elements of the employee's position. When performance is "Unacceptable", corrective action must be taken consistent with required procedures.

B. Summary Performance Rating. After the supervisor assigns a rating level to each critical and required element, the levels for all elements are averaged by the supervisor to arrive at the summary performance rating to be assigned the employee for the period involved. However, if a Level 1 has been assigned to any one critical element, a summary performance rating of Level 1 must be assigned. The procedure involved is shown on page 4 of the Appraisal Form.

C. Presumptive Rating of Level 3. The summary performance rating to be assigned an employee whenever a situation arises which might otherwise prevent the timely appraisal of the employee according to eligibility guidelines prescribed in 2.1 above. The sole and intended purpose of the presumptive rating is to assure that all employees receive a rating.

.5 Performance Rating Distributions. Preestablished distributions of summary performance ratings (such as a requirement to rate on a bell curve), that interfere with the appraisal of actual performance against standards will not be permitted.

.6 Effective Date of Appraisal Ratings. Appraisal ratings become official and effective on the date the reviewing official completes the review process and signs the Appraisal Form or 15 calendar days after the date the rating official rates the employee and signs the form, whichever date is earlier.

.7 Performance Appraisal Form (Form BIA-4439). The form, as shown in Illustration 1, for documenting appraisal operations under this system and for providing a record of actions taken in regard to an employee's performance during a given appraisal period. It must be used to document:

A. The initial planning session, including the written critical and required performance elements, performance standards, and the levels of performance (see Sections A and C).

B. Review and feedback sessions conducted during the appraisal period (see Section B).

C. Narrative appraisal of actual performance (see Section C).

D. Assignment of rating levels for each critical and required element and for the summary performance rating (see Section D).

E. Appraisal review by the reviewing official (see Section E).

F. Any remarks for the record made by the parties to the appraisal, particularly those made by the reviewing official in justification of a change to the summary performance rating assigned by the rating official (see Section F).

.8 Relating Performance Appraisal to Other Personnel Actions.

A. A major aspect of performance appraisal is its direct link to the initiation of other personnel actions appropriate to the level of performance. The link to incentive awards provides a means for recognizing and rewarding high quality performance. However, a high summary performance rating does not automatically entitle the employee to an award. The decision to recommend or not recommend an award is made by the supervisor.

B. Within the above guidelines, supervisors will consider timely followup action for rewarding an employee whose summary performance rating is above Level 3 or for helping an employee to improve his/her performance when the summary performance rating is below Level 3. The required and optional actions for each rating level are:

(1) Level 5 - Rating official must consider recommending the non-PMRS employee for an appropriate monetary award such as a quality step increase or special achievement award.

(2) Level 4 - Rating official must consider recommending the employee for an appropriate award.

(3) Level 3 - Rating official must consider what appropriate award or improvement action, if any, should be taken.

(4) Level 2 - Rating official must consider what appropriate improvement or remedial action should be taken (e.g., counseling, training, reassignment, withholding a within-grade increase, etc.).

(5) Level 1 in a critical element - Rating official must withhold any within-grade increase otherwise due for non-PMRS employees and must consider reassignment, demotion, or removal for all such employees.

.9 Reduction-In-Force.

A. Additional years of service credit will be given an employee for retention standing based upon the average of his or her last three appraisal ratings of record, as follows:

(1) Twenty additional years of service credit for a rating of Level 5 - Outstanding.

(2) Sixteen additional years of service credit for a rating of Level 4 - Exceeds Fully Successful.

(3) Twelve additional years of service credit for a rating of Level 3 - Fully Successful.

B. Interim appraisals do not qualify for additional credit, and no extra service credit will be given for appraisal ratings of Level 2 - Minimally Successful, and Level 1 - Unacceptable.

.10 Detail to Vacancy Normally Occupied by SES Member.

A. The intent of the SES system is to provide a "rank in the person" concept rather than a position designated as an SES billet. Incumbency of a position by a non-SES employee does not make the employee eligible for any of the emoluments of SES rank. Consequently, when a non-SES employee is detailed to a position normally occupied by an SES member, he/she will be rated under this appraisal system (i.e., 44 BIAM 430), rather than that for the SES.

B. The standards to be applied are those based on the actual duties to be performed in the position to which detailed, assuming the detail will exceed 120 days. The fact that the position has been or may in the future be held by an SES employee should not affect the summary appraisal eventually made of the non-SES employee's performance.

.11 Temporary Employees. Categories of temporary employees such as those under NTE appointments, reemployed annuitants, seasonal and excepted appointees, should be treated the same as other employees for performance appraisal if their service is expected to exceed 120 days in a consecutive 12 month period. Performance elements and standards will be established and communicated to such employees, and the standards used by supervisors to maintain satisfactory performance through such actions as review and feedback sessions, counseling, and interim appraisals.

.12 Long Term Trainees.

A. An employee on long term training or developmental assignment is not exempt from performance appraisal. The supervisor of the regularly assigned position determines the performance elements and standards and designates the appropriate rating official if other than him/herself, unless specified otherwise in a Departmental or BIA directive for a particular program. Since the employee will be appraised on the duties and responsibilities of the training or developmental assignment, the standards established may be geared to successful course completion, grade transcripts, narrative appraisal statements of temporary supervisors or program coordinators, etc. The latter officials might also be designated rating officials on an ad hoc basis.

B. In some cases, the length of the training or developmental assignment will be sufficiently brief to make the employee eligible for annual appraisal in the regularly assigned position. If a significant portion of the rating period was devoted to a training or developmental assignment, it should also be considered in the annual appraisal rating.

Subchapter 3. Administrative Process for Complaint Review.

.1 Employees may request a single, formal review of appraisal concerns resulting from the final summary performance rating, given at the end of the rating period, whenever those concerns cannot be resolved locally and informally.

.2 Employee appraisal concerns which arise during the rating period should be resolved through the review and feedback process, except for those related to an interim performance appraisal which may be informally resolved as follows:

A. During the appraisal interview conducted by the departing supervisor.

B. If not resolved during the appraisal interview, both parties document their position and case in Section F of the Appraisal Form. By so doing, the employee's unresolved concerns, and past attempts at resolution, are made a matter of record for consideration by the new supervisor when the latter completes the final appraisal of record at the end of the rating period.

C. If employee concerns over an interim appraisal are not resolved before or by the final appraisal, the employee may then request a single, formal review under one of the applicable review options discussed below . . . subject only to a prior attempt to locally and informally resolve any concerns surrounding the final performance rating itself.

.3 An employee may not challenge or appeal the substance of critical or required elements and performance standards as established by the rating official in accordance with 1.6D(2) and 2.2B above.

.4 Options and Limitations of Appeals Procedures.

A. Employees in exclusive bargaining units have appeal rights through the Negotiated Agreement between the BIA and the Council of Consolidated BIA Locals, NFFE, under Article 7, Section 5, Step 3 (Grievance Procedure). Such employees who have appraisal concerns consistent with 3.1 above, are referred to Article 23 (Performance Standard and Evaluation), of the Agreement.

B. Also under Article 23, Section 3 of the negotiated agreement, an employee may request review by the reviewing official of a standard or critical element that the employee feels is unreasonable or unfair,

within 10 work days after receipt. The decision of the reviewing official is final. The unreasonableness or unfairness criteria for review does not constitute a challenge or appeal of the substance of an element or standard . . . actions which are barred under 3.3 above.

C. An employee must choose which avenue of appeal to pursue, as he/she will not be permitted to use both the administrative process for complaint review and the negotiated grievance procedure.

D. Merit increase determinations are not reviewable; however, the basis for such a determination, i.e., the final rating level, is reviewable under the procedures established in this subchapter for the review and appeal of any performance appraisal.

E. Complaints of discrimination or reprisal related to a performance appraisal must be processed under the provisions of law and regulations published by the Equal Employment Opportunity Commission, the Office of Personnel Management, the Department of the Interior, the Bureau of Indian Affairs, or the negotiated grievance procedure, as applicable.

F. Complaints of prohibited personnel practices related to performance appraisal will be processed through the provisions of the Office of the Special Counsel, Merit Systems Protection Board (MSPB), or the negotiated grievance procedure, but not both.

G. The only appeals actions not covered by this subchapter are those based on unacceptable performance (5 U.S.C. 4302), which are appealed either to the MSPB (See FPM Subchapter 432) or through the negotiated grievance procedure, but not both.

.5 The Bureau's administrative process for complaint review for all employees is as follows:

A. Complaints by employees in Area Offices and in the Field, under the jurisdiction of Area Offices where the Area Director was neither the rating nor the reviewing official, will be resolved at the Area Director level having jurisdiction over the employee.

B. Complaints by employees in A, above, where the Area Director was either the rating or reviewing official, as well as complaints by employees under the jurisdiction of the Central Office where the Deputy to the Assistant Secretary - Indian Affairs (Operations) was neither the rating nor the reviewing official, will be resolved at the Deputy to the Assistant Secretary - Indian Affairs (Operations) level.

C. Complaints by employees where the Deputy to the Assistant Secretary - Indian Affairs (Operations) was either the rating or reviewing official will be resolved at the Assistant Secretary - Indian Affairs level.

D. Each Area Director, the Deputy to the Assistant Secretary - Indian Affairs (Operations), and the Assistant Secretary - Indian Affairs will appoint a five person Performance Appraisal Complaint Review Board (PACRB) to consider and make final decisions on those complaints received under A, B, and C, above. For each PACRB, three of the five members will constitute a quorum to consider and resolve any specific complaint received; and for any specific complaint, none of the three members may be a person who has been involved in the complaint submitted or be a person who occupies a position subordinate to any official who recommended, advised, is involved in, made a decision on, or was consulted about the matters of the complaint. The following provisions apply to any PACRB appointed under this section:

(1) Each PACRB will be appointed in writing by the responsible official and each member of the Board identified by title and position.

(2) The PACRB will review each complaint for procedural accuracy on the part of the employee and management, and the complaint decided on its merits.

(3) If the PACRB requests additional information from either employee or supervisor, the party responding will furnish the other party with a copy of the reply submitted to the Board.

(4) Unless otherwise determined by the PACRB, it will not permit employees, their representatives or management to make a personal presentation before the Board.

(5) The PACRB will neither investigate a complaint for an employee nor establish management's position concerning a performance appraisal rating. The PACRB's decision will be based on the record established by the employee, the supervisor, and the SEPF or other documentation acceptable to the Board.

(6) The PACRB acknowledges that employees are responsible for pointing out to their supervisors any problems they may be experiencing during the rating period. For record purposes, such difficulties should be immediately noted, filed in the SEPF and, if not previously resolved, discussed during the next review and feedback session.

E. Employees should submit to the appropriate PACRB any complaint they intend to make as promptly as possible following the action about which they are complaining but not later than 15 work days after receipt of the final summary performance rating by the employee. Official receipt of the rating is determined by the date on which a copy of the completed Appraisal Form is furnished to the employee by the supervisor after it has been reviewed by the reviewing official. The Board considering the complaint will issue its binding decision no later than 45 work days after receipt of the complaint by the official who established the Board. The following provisions apply for complaints submitted to a PACRB:

(1) They must be submitted in writing.

(2) The burden of proof rests with the employee filing the complaint and, therefore, the employee must furnish the Board with all the documentation he/she feels is sufficient to support the case.

(3) Before requesting a formal review by the PACRB, the employee should discuss his or her concern or dissatisfaction informally with the rating official. Such discussion should take place within five work days following receipt of the appraisal, and the discussion summarized by both parties in Section F of the Appraisal Form. If the situation cannot be resolved in this manner, the employee may then request a formal review by the PACRB.

Subchapter 4. Orientation, Training and System Evaluation.

.1 Orientation of Employees.

A. Employees new to the Bureau will be given an orientation on the performance appraisal system and furnished a copy of the "Employee Performance Appraisal Handbook" (Appendix A). Both requirements are to be met prior to the initial planning session that is conducted by the supervisor within 30 days after the employee's assignment.

B. Orientation on the objectives and provisions of the BIA appraisal system will be provided all other employees on an as needed basis.

.2 Training of Rating and Reviewing Officials.

A. Appropriate and necessary training will be provided to rating and reviewing officials concerning the Bureau's Performance Appraisal and Performance Management and Recognition Systems to enable them to effectively perform their responsibilities for:

(1) Conducting planning sessions.

(2) Establishing performance elements and standards.

(3) Conducting review and feedback sessions.

(4) Providing appraisal and merit pay counseling.

(5) Appraising performance.

(6) Conducting appraisal interviews.

(7) Reviewing appraisals.

(8) Communicating appraisal matters to employees.

(9) Relating performance appraisals to other personnel actions.

B. Above training may be conducted according to and in partial fulfillment of overall supervisory training requirements specified in Departmental policy for supervisory development, and the BIA Supervisory Training and Development Plan as follows:

(1) For Probationary Supervisors - At least 40 hours of training within six months following appointment, including training in performance appraisal, identification of critical elements, the setting of performance standards, and appraisal counseling techniques.

(2) For Non-Probationary Supervisors - At least six hours of annual training in personnel or administrative management topics which may include refresher training in performance appraisal.

.3 Training Options. The method for conducting the orientations and training discussed above may be selected from any one or combination of the following alternatives: formal classroom training, supervised readings from 44 BIAM 430 or the "BIA Employee Performance Appraisal Handbook", informal group meetings, conference calls, and the planning session held at the beginning of the appraisal period.

.4 System Evaluation.

A. Onsite activity reviews will be scheduled on a random basis, as funds permit, to check Bureau operation of the Performance Appraisal System.

B. Periodic reports will be initiated from the Central Office Division of Personnel Management to obtain data on system operations and to determine rating and reviewing officials' timely compliance with their performance appraisal obligations and responsibilities.

C. Performance appraisal will be an area of continuing emphasis in personnel management evaluations conducted by any organizational echelon of the Bureau.

Subchapter 5. Maintenance and Disposition of Records.

.1 Performance appraisal records will be maintained and disposed of in accordance with the following instructions:

A. For Completed Performance Appraisals.

(1) Maintain the original Appraisal Form, forwarded to the servicing Personnel Office by the supervisor, in a separate Employee Performance Envelope temporarily filed in the Official Personnel Folder (OPF). This is the record copy and no duplicate copy will be filed or retained elsewhere in the OPF.

(2) Transfer the Employee Performance Envelope to the gaining office whenever an employee is reassigned within the Bureau.

(3) Remove the Employee Performance Envelope from the OPF, and retain it in a secure location pending final disposition, whenever the OPF is transferred outside the Bureau or to records storage.

(4) Remove the Employee Performance Envelope from the OPF whenever the OPF is used or reviewed for other actions or data, and return it to the OPF upon completion of the action or review.

B. For Performance Related Documents. File in the Supplemental Employee Performance Folder maintained by the supervisor in accordance with Subchapter 2.2D. These documents encompass all forms, papers and documents used to support performance appraisals but which are not filed or forwarded with the completed appraisal.

C. Retention Schedules. Performance appraisals are not permanent records.

(1) Retain completed appraisals for three years, and performance related documents for one year from the date of the appraisal except as noted in (2) through (5), below.

(2) Appraisals of unacceptable performance which result in a demotion or removal, and related supporting documents, will be retained for three years after the demotion or removal action.

(3) Appraisals of unacceptable performance where a notice of proposed demotion or removal is issued but not effected, and related supporting documents must be destroyed no later than 30 days after the employee completes one year of acceptable performance from the date of the written advance notice of the proposed removal or reduction in grade.

(4) All performance documents will be destroyed one year after an employee leaves the Bureau (separation), or is appointed to a Senior Executive Service position.

(5) Appraisal documents needed in an ongoing administrative process for appeal or complaint review, negotiated grievance procedure, or other official proceeding, will be retained for as long as necessary beyond the above retention schedules.

D. Final Disposition. Final disposition of performance appraisal records will be made by shredding, burning, or similar method, or by offering them to the employee concerned.

E. Release of Performance Appraisal Information.

(1) Position Descriptions, job elements and performance standards may be declared public information except where the release of standards would inhibit law enforcement or the organization mission.

(2) Summary performance ratings and supporting documents are covered by the Privacy Act and, except when required for official purposes, will not be disclosed or released to other parties without the prior consent of the employee involved.

.2 Official performance appraisal records are to be made available for review by the employee to whom they pertain, his/her designated representative, and other officials who need the documents in the performance of their duties.

Bureau of Indian Affairs

Employee Performance Appraisal Handbook

44 BIAM 430 - Appendix A

Add. to FPM, Release 44-108, 6/2/86

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BUREAU OF INDIAN AFFAIRS

EMPLOYEE PERFORMANCE APPRAISAL HANDBOOK

(APPENDIX A - 44 BIAM 430)

FORWARD

This Handbook has been prepared to introduce you to the Bureau's Performance Appraisal System and to answer questions you may have concerning performance appraisal requirements and procedures. Detailed instructions on the system's operation are contained in subchapters 1 through 5 of the basic 44 BIAM 430.

Read the Handbook carefully and then keep it near your work site for continuing and ready reference as the need arises.

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INTRODUCTION

Public Law 95-454, the Civil Service Reform Act (CSRA) became law on October 12, 1978, and took effect January, 1979. With its passage, functions of the old Civil Service Commission (CSC) were divided and passed on to two new agencies as follows:

A. The Office of Personnel Management (OPM) which now provides leadership for managing the Federal work force, and

B. An independent Merit Systems Protection Board (MSPB) whose purpose is to resolve employee complaints and appeals.

In addition, a third new agency, the Federal Labor Relations Authority (FLRA) was established to administer the Federal Labor Relations Program.

Finally, the Equal Employment Opportunity Commission (EEOC) assumed the responsibilities previously held by the CSC incident to the Civil Rights Act and its impact on the federal government.

The CSRA is the most comprehensive revision of federal civil service legislation since the Civil Service Act of 1883. One of its key reforms was the requirement for agencies to develop and implement a new performance appraisal system by October 1, 1981. The Bureau complied with this reform one year ahead of schedule on October 1, 1980.

Through the CSRA, performance appraisal achieves a new importance as one of the fundamental cornerstones in the reform of government management. It also makes performance a critical factor in personnel actions such as promotion, demotion, bonuses, awards, pay, training, reassignment, retention and removal. Thus the Act touches the working lives and careers of federal employees from the time they begin their service to the time they leave.

WHY CIVIL SERVICE REFORM?

Reform was needed for a number of reasons.

Under the Performance Rating Act of 1950, performance ratings were originally intended to determine retention in the position, eligibility for pay increases and promotions, and for retention in reduction-in-force actions. Later, pertinent legislation and judical decisions narrowed the use of ratings only for determining wage-grade employees' eligibility for step increases, and for providing additional credit in a reduction-in-force. In many agencies performance ratings were assigned in a perfunctory manner and were not based on an overall comprehensive assessment of performance.

Another reason was related to the use of trait ratings such as resourcefulness, dependability, etc., in appraising performance. Trait ratings are not objective and when the same groups of traits are used for many jobs, they are often not job-related.

Third, performance was not linked to mission accomplishment---the primary reason we all have a job.

Fourth, there was insufficient motivation for improved performance. Standards were set so high that relatively few employees received an Outstanding performance rating. In addition, not all agencies made good use of incentive awards in recognizing performance.

Fifth, trait ratings did not fill the need for objective, job-related information useful as a basis for personnel actions. Similarly, the summary performance ratings did not supply usable information about performance.

Lastly, and according to managers, the system stymied their efforts to reward excellent employees or to remove those whose performance was unacceptable.

MEETING REFORM NEEDS

The need for reform was filled by the CSRA whose overall goal is improved performance by the federal workforce; i.e., increased productivity. To reach that goal, the CSRA uses performance appraisal in three ways:

A. It requires agencies to improve their performance appraisal systems.

B. It links performance with consequences.

C. It strengthens accountability of managers for their own performance.

Actions mandated by the CSRA for the above three factors are shown in Illustration 1. Take a moment to review those actions before continuing your reading of the handbook.

DEFINITIONS

Up to this point, we have summarized key aspects of the CSRA in the introduction, highlighted the needs for Civil Service Reform, and shown you how those needs were met.

What remains is to define key terms used in the CSRA and in the Bureau's Performance Appraisal System, so that we all have a common understanding of their intended meanings.

Performance Appraisal. The comparison of an employee's performance against written standards of performance to arrive at a summary rating of overall performance.

Critical Element. A component of an employee's job that is so important that performance below the minimum standard established by management requires remedial action (and denial of a within-grade increase in certain instances). It may be the basis for removal or reducing the grade level of that employee. Such action may be taken without regard to performance on other components of the job. An example of a critical element for a typist might be: "Typing correspondence and reports in final form from handwritten copy."

Required Element. Important job responsibilities deemed less significant than a critical element but still appropriate for measuring performance. Their establishment is discretionary with the rating official.

Performance Standard. A written standard for each required and critical element which establishes the level of performance required of an employee and the criteria against which performance is measured. Standards ususally include such criteria as quantity, quality, and timeliness. An example of a performance standard for a typist might be: "Type final copy with no more than 2 errors per page at the rate of 6 pages per hour."

Rating Official. The person who evaluates the performance of an employee and who assigns the summary performance rating. Normally, this person will be the rated employee's immediate supervisor.

Reviewing Official. The person who reviews and approves or disapproves the performance rating. Normally, this person will be the rating official's supervisor.

Summary Performance Rating. The official performance rating for an appraisal period as derived from the averaged ratings for all critical and required elements.

PERFORMANCE APPRAISAL UNDER CSRA

A credible performance appraisal system can make a difference in employee performance and productivity. As noted in Illustration 1, performance appraisal systems developed by agencies to comply with the CSRA must make it possible for the agencies to:

- Advise employees of the critical elements and performance standards of their jobs.

- Establish performance standards which will permit accurate evaluation of job-related criteria.

- Encourage employee participation in setting performance standards. (Note: This does not mean that employees set their own standards, only that they should assist the supervisor in developing the standards.)

- Assist employees to improve unacceptable performance.

- Reassign, demote or remove those employees whose performance continues to be unacceptable after having been given an opportunity to demonstrate that they can perform acceptably.

The requirement for a standards-based performance appraisal system is perhaps the most significant part of the Civil Service Reform Act. The new performance appraisal system resulting from the CSRA provides federal supervisors and managers with a tool for measuring performance that they never had before. It will permit them to recognize and reward good perfomance in a fair and equitable manner, and in a way that will support an objective comparison of actual performance against pre-determined and measurable performance standards.

Conversely, the new system will permit supervisors and managers to deal effectively with a long-standing criticism of federal employees, namely;

that it is almost impossible to take corrective action against the non-productive and the marginal employee. Under the new system, if an employee is not performing satisfactorily in even one critical element of his/her position, he or she may, after efforts to correct the unsatisfactory performance have failed, be demoted, reassigned or removed from the position.

REVIEW OF CSRA OBJECTIVE

With the necessary background now in place, let's take a look at the Bureau's new Performance Appraisal System and the planning which preceded its implementation.

As we do so, keep in mind that the CSRA's objective is to improve employee performance by use of a performance appraisal medium which: (1) requires the implementation of improved performance appraisal systems, (2) links performance with consequences, and (3) leads to strengthened accountability for managerial performance---their own and that of the organizational elements under their control.

BIA'S PERFORMANCE APPRAISAL PLAN

The Bureau's response to the CSRA mandate was developed by a special task force appointed by the then Commissioner of Indian Affairs and comprised of Bureau employees in a wide variety of occupations including professional, administrative, technical, and wage-grade positions. During a series of meetings held throughout 1979, the task force worked out a Performance Appraisal Plan within the parameters established by the CSRA, the Office of Personnel Management's implementing instructions, and the Department of the Interior's policy requirements.

The plan was sent out to all employees, unions, and tribal officials for review and comment. All of the many comments received were considered before finalizing the system regulation 44 BIAM 430, which was approved by the Department of the Interior on April 28, 1980.

The Bureau's release of 44 BIAM 430 and its companion publication the "Employee Performance Appraisal Handbook", triggered a major Bureau-wide training effort to inform all employees on the components, procedures and operation of our new appraisal system. The training was successfully completed by July 30, 1980, two months before the system's implementation on October 1, 1980.

New or revised performance appraisal instructions from OPM and the Department, appraisal provisions of the negotiated agreement between

the Bureau of Indian Affairs and the National Federation of Federal Employees, and the operational experience gained during the two years since its initial approval, necessitated changes in the system. The changes are documented in the basic regulation, have been incorporated in this Handbook and are now part of the system as explained below.

BIA'S PERFORMANCE APPRAISAL SYSTEM

The Bureau's Performance Appraisal System is designed around a yearly appraisal period beginning on July 1 and ending on the following June 30. The only exception was for the first appraisal period which began October 1, 1980, and ended June 30, 1981.

In general, an employee is eligible for a performance appraisal after serving in a position under the same supervisor for a minimum period of 90 days. The supervisor making the appraisal is usually the last official who supervised the employee for 90 days on the date the appraisal is due or when the employee leaves the position. When the supervisor departs before the end of the rating period, he/she must complete an interim appraisal for each employee supervised at least 90 days. At the end of the rating period, the interim appraisal is combined with the new supervisor's appraisal in determining the employee's official performance rating.

The six major aspects of the Bureau's Performance Appraisal System are:

A. Planning session(s) to develop elements and standards at the beginning of the appraisal period.

B. Periodic review and feedback during the appraisal period.

C. The Supplemental Employee Performance Folder (SEPF).

D. Appraisal interview and assigning of the summary performance rating.

E. The Performance Appraisal Form for documenting appraisal actions.

F. Relating performance appraisals to other personnel actions.

The following discussion covers these aspects in greater detail so that you will know what to expect from the system and, more importantly, so that you will be able to provide input to your supervisor in the development of critical and required job elements and performance standards for your position.

PLANNING SESSION

This is the first step in the performance appraisal process. The supervisor, also known as the rating official, identifies the critical and required elements of the position and establishes the performance standard for each element, with appropriate assistance from the employee during one or more planning session(s). These planning sessions take place within 30 days after the start of an appraisal period or the assignment of a new employee to a position.

When established, the elements and standards are documented in writing on a Performance Appraisal Form (Form BIA-4439), Illustration 2. The signatures of both the supervisor and the employee are required on the form to show that the planning session(s) was/were held and that the supervisor communicated the elements and standards to the employee. Any subsequent changes in the elements and/or standards are noted on the form and then initialed and dated by both parties. (Use of the form is more fully discussed on pages 10 and 11 below.)

During the planning session, the supervisor and the employee also complete an Individual Development Plan (IDP) covering the job experiences and/or formal training required for the employee to achieve a specific level of performance. Resulting from direct, open discussion between the supervisor and employee, the IDP is an understanding between the Bureau and the employee that every effort will be made to carry out the development described. Different IDP forms are used for supervisory personnel and for employees.

REVIEW AND FEEDBACK

Most of you are aware that one of the major causes of problems in most employee-supervisor relationships is COMMUNICATION---or the lack of it. One of the real fringe benefits of our appraisal system is that it virtually forces employees and supervisors to talk to each other, to communicate.

The system ensures that supervisors conduct review and feedback sessions with employees as frequently as needed for revising critical/required elements and/or performance standards due to changed circumstances impacting the employee's position; for general discussion of any or all aspects of an employee's performance; and to discuss possible actions stemming from the employee's performance, i.e., training, rewarding, counseling, etc. As a minimum, the sessions must be held every six months for employees and quarterly for the performance review of probationary supervisors.

Review and feedback sessions must also be held whenever, in the supervisor's judgment, the employee's performance is approaching an unacceptable level in one or more critical elements.

Each review and feedback session is documented on the Performance Appraisal Form and in cases where performance is unacceptable, a confirming memorandum is given to the employee regarding the deficiency, the actions to be taken to improve performance, and the stated reasonable period of time in which to demonstrate acceptable performance.

SUPPLEMENTAL EMPLOYEE PERFORMANCE FOLDER (SEPF)

A Supplemental Employee Performance Folder is prepared and personally maintained by the supervisor on each employee he/she rates. Its contents include the supervisor's copies of the employee's critical elements, required elements, performance standards, and the performance appraisal. Supervisors may use the SEPF for written descriptions of specific employee performance - both positive and negative - observed by the supervisor and related to the employee's critical and required performance elements.

Whenever the supervisor places such a description in the folder, the employee must be informed that the entry is being made and be given an opportunity to comment thereon. The employee may also contribute material for the folder, and all material in the folder is available for review by the employee. The folder contents are used by the supervisor to support the appraisal statments and ratings made at the end of the rating period for each critical and required performance element. Lastly, the SEPF will, upon request by a Performance Appraisal Complaint Review Board, incident to an appraisal appeal under consideration, be submitted to that Board for review.

APPRAISAL INTERVIEW AND SUMMARY PERFORMANCE RATING

The supervisor will conduct a formal appraisal interview with the employee at the end of the appraisal period to discuss the employee's level of performance as documented in writing and rated by the supervisor. Sections C and D of the Performance Appraisal Form are used for this purpose.

You will remember that the supervisor identified the critical and required elements and established the performance standard for each element during the planning session. At the appraisal interview the supervisor is required to compare the employee's actual performance in

each element against the performance standard for that element and, based on the comparison, assign a rating level for each of the elements. There are five rating levels as described below.

Level 5 - Overall, total performance is Outstanding - of rare, very high quality.

Level 4 - Overall, total performance exceeds Fully Successful.

Level 3 - Overall, total performance is Fully Successful - of good quality, expected quantity and meets deadlines.

Level 2 - Overall, total performance is not Unacceptable, but needs improvement to achieve the Fully Successful level.

Level 1 - Performance is Unacceptable - failed to meet established performance standards in one or more critical elements.

Comments recorded during the periodic review and feedback sessions conducted during the appraisal period as well as the material in the Supplemental Employee Performance Folder will be useful in making the narrative appraisals and in assigning the rating levels.

After assigning a rating level to each critical and required element, the supervisor totals the equivalent rating level points and divides by the total number of elements. The result represents, and is, the employee's summary performance rating for the appraisal period. Page 4 of Illustration 2 depicts the process involved.

A key exception to the above rating process is that if the supervisor assigns a Level 1 to any critical element, he/she must also assign a Level 1 as the summary performance rating for that appraisal period.

There is one other rating possibility of which you should be aware and that is the presumptive rating of Level 3. This rating is used to permit the rating of an employee who might otherwise not be rated because he/she did not serve under any one supervisor for at least 90 days, was reassigned or promoted during the last quarter of the rating period, or did not have officially established performance elements and standards during the rating period.

PERFORMANCE APPRAISAL FORM (FORM BIA-4439) ILLUSTRATION 2

Also referred to as the Appraisal Form, it is seven pages long with instructions for its completion included on pages 6 and 7. A summary of actions documented by the form is as follows:

Section A - Used by the supervisor and employee to document that the planning session(s) was/were held, and that critical/required elements and performance standards were established.

Also used to document the preparation of an Individual Development Plan for the employee.

Section B - Used by the supervisor and employee to record the conduct of review and feedback sessions.

Section C - One copy of Section C is used by the supervisor for each critical and required element established for the rating period. The performance standard for the element is then recorded (usually in a way that reflects the criteria the employee must meet in order to be rated at performance Level 3). Next, and in the boxes provided for that purpose, the supervisor enters the five levels of performance which individually state the criteria to be met in order to receive that particular rating. The five levels of performance are those shown on page 9, but for ease of handling they may be referred to as follows:

5 - Outstanding

4 - Exceeded Fully Successful

3 - Fully Successful

2 - Marginally Successful

1 - Unacceptable

At the end of the appraisal period, the supervisor fills in the Narrative Appraisal of Actual Performance in the box provided on the right side, using all relevant sources including contents of the SEPF, to support his/her evaluation

of the employee's actual performance against the established standard.

If additional space is needed for any of the entries, the supervisor attaches a plain sheet of paper to Section C.

Section D - Used by the supervisor to summarize the data from all copies of Section C relative to the identified critical and required elements and the rating assigned to each. The supervisor then computes the Summary Performance Rating, after which he/she acknowledges completion of the appraisal interview by completing, signing, and dating the lower left portion of Section D.

The lower right portion of Section D is reserved for signature and dating by the employee to acknowledge his/ her review of the appraisal and its discussion with the supervisor.

Section E - For use by the reviewing official to indicate concurrence or disagreement with the performance appraisal.

Section F - Used by the supervisor, the employee, and the reviewing official for any remarks they may have regarding the appraisal.

Must be used by the reviewing official to record the justification for any change made to the summary performance rating assigned the employee by the supervisor.

When all appraisal actions have been completed and documented on the form, including all required signatures, the supervisor furnishes a copy to the employee and forwards the original to the servicing Personnel Office.

RELATING PERFORMANCE APPRAISAL TO OTHER PERSONNEL ACTIONS

This is the last step in the appraisal process and the step that links performance with consequences---a stated CSRA objective for performance appraisal systems.

The linkage involved is established by relating the assigned level of performance to the personnel actions specified for each rating level as follows:

Level 5 - Rating Official must consider recommending the non-PMRS (Performance Management and Recognition System) employee for an appropriate monetary award such as a quality step increase or special achievement award.

Level 4 - Rating Official must consider recommending the employee for an appropriate award.

Level 3 - Rating Official must consider what appropriate award or improvement action, if any, should be taken.

Level 2 - Rating Official must consider what appropriate improvement or remedial action should be taken (e.g., counseling, training, reassignment, withholding a within-grade increase, etc.).

Level 1 in a critical element - Rating Official must withhold any within-grade increase otherwise due for non-PMRS employees and must consider reassignment, demotion, or removal for all employees so rated.

A significant connection between performance and consequences is seen in the impact an appraisal rating has in a reduction-in-force action. An employee with an average rating of Level 5 for the last three appraisals of record when a reduction-in-force notice is issued, receives 20 additional years of service credit for retention standing; for a Level 4, the employee gets 16 additional years of credit; and for a Level 3, 12 years. No extra service credit is awarded for appraisal ratings at Levels 2 or 1. Interim appraisals do not qualify for the credit.

TIMING AND SEQUENCE OF BIA PERFORMANCE APPRAISAL ACTIONS

Illustration 3, is a summary of the timing and sequence of actions for the BIA performance appraisal system showing the actions involved, who initiates them and the deadline for their completion.

APPRAISAL COMPLAINTS

One last fact of which you should be aware is that our performance appraisal system has a built-in administrative process for complaint review apart from the available negotiated grievance procedure. The process permits an employee to request a one-time formal review by an appointed Performance Appraisal Complaint Review Board of appraisal concerns which cannot be resolved informally.

If you have any concerns over an appraisal, first try to resolve them informally at the local level during the periodic review and feedback sessions with your supervisor. If such action fails, try again during the appraisal interview conducted at the end of the rating period or, in the case of interim appraisals, during the appraisal interview conducted by the departing supervisor.

Should your concerns remain unresolved, you may then request a formal review by a Performance Appraisal Complaint Review Board provided:

- The request stems from concerns related to the final summary performance rating which could not be resolved informally.
- You elect to follow the administrative process for complaint review rather then any available negotiated grievance procedure.
- You are not challenging or appealing the substance of performance elements and standards as established by your supervisor.
- You, if a PMRS employee, are appealing the final summary performance rating level, and not a merit increase determination. The latter is not a reviewable matter.

There are other appraisal related matters which may be appealed through separate channels; matters such as complaints of discrimination or reprisal and complaints involving prohibited personnel practices, which may arise during the appraisal process. See Subchapter 3.4E-G of the basic 44 BIAM 430, and consult with your supervisor for your appeal rights in such cases.

POINTS TO CONSIDER AND REMEMBER

A. Critical elements, required elements and performance standards for all jobs must be identified and established within 30 days of the start of an appraisal period or the assignment of a new employee to a position.

B. Normally, no more than 5 or less than 3 critical elements may be established for each position. Required elements are established at the discretion of the supervisor.

C. Performance standards must be established on the basis of job related factors that can be observed and documented.

D. Critical/Required elements and performance standards must be consistent with the duties and responsibilities covered in the employee's position description.

E. The employee should participate with the supervisor in identifying critical and required elements and in developing the performance standards.

F. Common, Bureauwide critical elements and performance standards will be identified, developed and issued for certain occupations or types of positions which have large numbers of employees in the Bureau. In such cases, the supervisor and employee must still identify, develop and document those critical elements and performance standards, if any, which pertain to the employee's position and are in addition to the common, Bureau-wide elements and standards.

G. Periodic review and feedback is required every six months for all employees except probationary supervisors whose performance is reviewed quarterly.

H. All appraisal actions are documented on the Bureau's Performance Appraisal Form (Form BIA-4439).

I. Performance appraisal ratings are related to the initiation of other personnel actions and may form the basis for awards; improvement or remedial actions such as counseling, training, reassignment, withholding of an otherwise due within-grade increase for non-PMRS employees; demotion or removal; and may result in additional service credit for retention standing in a reduction-in-force.

J. An administrative process for complaint review has been established to resolve employee appraisal concerns which cannot be resolved informally. The process permits a single, formal review by a Performance Appraisal Complaint Review Board based on the employee's decision to pursue the administrative process instead of any available negotiated grievance procedure.

TYING IT ALL TOGETHER

Remember your last performance appraisal? Did you understand the process? Did you feel you were underrated, but did not know how to demonstrate to your supervisor that your work warranted a higher rating?

We've been told that evaluations are important in improving work performance, but somehow it hasn't seemed to work that way. Both you and your supervisor are likely to feel uncomfortable and defensive during an appraisal interview and anxious to end it. Some feel appraisals are a useless and uncomfortable paper exercise . . . "Any quality of work seems to be OK to get by; appraisal time is hassle time." The discomfort is often caused by a lack of specific criteria (or standards), which initially establish performance expectations and which later can be used to measure actual performance. Establishing such standards requires considerable effort and time.

The Civil Service Reform Act requires our agency to develop objective, job-related, easily understood performance standards for your job, to measure your job performance against those standards, and to use that measurement as a factor in deciding whether to train, reward, reassign, demote, or remove you. The Reform Act encourages your participation in setting the standards for your job.

Job descriptions list duties and responsibilities (what is done); standards show the expected results (how well the job is done). A performance standard is a measure of output usually defined in terms of quality, quantity, timeliness, etc., depending on the specific job.

You should be given some kind of performance plan --- a formal statement of the functions of your job and the standards for five levels of performance, ranging from "Unacceptable" to "Outstanding." Some elements of your job will be identified as "critical." These critical elements are so central to the purpose of your job that if you fail to meet at least a minimum standard you may be reassigned, demoted, or removed. However, your supervisor will help you improve your performance, and such action will be taken only when you still fail to meet the minimum standard.

In a hypothetical example, standards for two critical elements might resemble the following:

Performance Elements	Unsatisfactory	Marginally Satisfactory	Fully Successful	Outstanding
Processes claims	Processes less than 75 claims per 8 hour day	Processes 75 claims per 8 hour day	Processes 80 claims per 8 hour day	Processes 90 or more claims per 8 hour day
Ensures accuracy	Less than 85% of claims are accurate as determined by review.	85% of claims are accurate as determined by review.	All 80 claims are accurate as determined by review.	All 90 or more claims are accurate as determined by review.

Your supervisor will make sure you understand your performance elements and standards. Your performance appraisal will be based on your accomplishments as measured against those standards. If your performance is less than fully successful, i.e., less than Level 3, you will know how much and in what areas you need to improve. If your performance is superior, it will be recognized. Performance based incentive awards such as cash awards, and quality step increases are appropriate mediums for such recognition.

WHAT IT ALL MEANS TO YOU

Applying all we have said in the handbook to you as an individual employee means that:

- Each year, you and your supervisor will conduct a face-to-face planning session to identify the critical and required performance elements of your job and to develop performance standards for each element.

- Each year, at the beginning of the appraisal period, your supervisor will inform you, in writing, of the performance elements and standards against which your actual performance will be rated.

- Each year, during the appraisal period, your supervisor will initiate periodic review and feedback sessions with you to inform you of how you are performing your job duties in relation to the performance standards for each critical and required element of your job. You can expect at least one of these sessions every six months --- or, quarterly, if you are a probationary supervisor.

- Each year, you will be appraised on your ability to perform the duties of your position as compared to established performance standards for those duties.

- All appraisal actions will be documented on a Performance Appraisal Form and a copy given to you for your personal file.

- A formal and objective administrative complaint review process is available for your use in the event you have any appraisal concerns which cannot be resolved informally.

FINAL THOUGHTS

Since passage of the CSRA there has been a great deal of activity and publicity designed to familiarize all federal employees with the Act's provisions and its impact on federal agencies. This handbook is one of those activities.

Valid performance appraisal keyed to individual job duties and responsibilities is an idea that is here to stay. For the BIA system to fulfill its purpose, we all have to adjust to its requirements; we all have to cooperate in making it work; and we all have to give the system the continuing support it needs and deserves. If we do, we can expect:

- Better job definition and understanding of the job by both supervisor and employee.

- On-going communication and dialogue on job expectations and performance.

- Improved employee performance.

- Better recognition of above average performance.

- Better ways to deal effectively with poor performance.

- A more efficient and productive Bureau.

* * *

CIVIL SERVICE REFORM ACT AND PERFORMANCE APPRAISAL

CSRA

↓

IMPROVED PERFORMANCE

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PERFORMANCE APPRAISAL

IMPROVE PERFORMANCE APPRAISAL SYSTEMS

1. PA SYSTEM(s) MUST BE ESTABLISHED.
2. OBJECTIVE JOB-RELATED PERFORMANCE. STANDARDS AND CRITICAL ELEMENTS MUST BE COMMUNICATED TO EMPLOYEES AT START OF EACH APPRAISAL PERIOD.
3. EMPLOYEES PERFORMANCE MUST BE APPRAISED PERIODICALLY AGAINST PREVIOUSLY COMMUNICATED STANDARDS.
4. UNACCEPTABLE PERFORMANCE IS DEFINED.
5. EMPLOYEES ARE TO BE ENCOURAGED TO PARTICIPATE IN ESTABLISHING PERFORMANCE STANDARDS.
6. REMOVALS OR DEMOTIONS FOR UNACCEPTABLE PERFORMANCE ARE TAKEN UNDER A NEW STREAMLINED PROCEDURE.

LINK PERFORMANCE TO CONSEQUENCES

FOR NON-SES

1. UNACCEPTABLE PERFORMANCE IS CAUSE FOR DEMOTION OR REMOVAL.
2. RESULTS OF APPRAISAL MUST BE USED AS A BASIS FOR TRAINING, REWARDING, REASSIGNING, PROMOTING, REDUCING IN GRADE, RETAINING IN RIF, AND REMOVING EMPLOYEES.

FOR SES

3. PERFORMANCE MUST BE CONSIDERED IN THE FOLLOWING DETERMINATIONS:
   a. SES ELIGIBILITY FOR RETENTION PAY, AND AWARDS
   b. SES AWARDING OF RANKS
4. PROBATIONARY PERIOD FOR FIRST POSITION.

STRENGTHEN ACCOUNTABILITY OF MANAGERS FOR PERFORMANCE

1. AGENCY MANAGERS HAVE A POSITIVE RESPONSIBILITY TO ASSIST EMPLOYEES IN IMPROVING UNACCEPTABLE PERFORMANCE.
2. GENERAL CRITERIA FOR SES PERFORMANCE APPRAISAL:
   a. IMPROVEMENTS IN EFFICIENCY PRODUCTIVITY AND QUALITY OF WORK OR SERVICE
   b. COST EFFICIENCY
   c. TIMELINESS OF PERFORMANCE
   d. EFFECTIVENESS, PRODUCTIVITY AND PERFORMANCE QUALITY OF SUBORDORINATE EMPLOYEES
   e. MEETING AFFIRMATIVE ACTION GOALS
3. MERIT INCREASE DETERMINATIONS MAY TAKE INTO ACCOUNT INDIVIDUAL PERFORMANCE AND ORGANIZATIONAL ACCOMPLISHMENTS.
4. MERIT INCREASE DETERMINATIONS SHALL BE BASED ON WORK RELATED FACTORS.

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

PERFORMANCE APPRAISAL FORM

Name _____ Rating Period:

Position _____ From _____ To _____

Organization/Unit _____

SECTION A - PLANNING SESSION

The planning session prescribed in 44 BIAM 430, 2.2C was held and the critical and required performance elements and standards of the employee's position upon which the summary performance rating will be based were prepared and documented in Section C with the assistance of the employee. A copy of the required Individual Development Plan is attached.

Rating Official	Date	Employee	Date

SECTION B - REVIEW AND FEEDBACK

A review and feedback session as prescribed in 44 BIAM 430, 2.2E was conducted on the dates indicated below.

Rating Official	Date	Employee	Date
Rating Official	Date	Employee	Date
Rating Official	Date	Employee	Date
Rating Official	Date	Employee	Date

SECTION C - PERFORMANCE ELEMENT, STANDARD & APPRAISAL

NAME: _____

From _____ TO _____

☐ Critical ☐ Required Element _____

Performance Standard _____

LEVELS OF PERFORMANCE	NARRATIVE APPRAISAL OF ACTUAL PERFORMANCE
5	Employee is rated at LEVEL _____ in accordance with the following justification:
4	
3	
2	
1	

SECTION D - RATING LEVELS AND SUMMARY PERFORMANCE RATING

NAME: _____

RATING LEVELS

5. Overall, total performance is Outstanding - of rare, very high quality. (5 Points)

4. Overall, total performance exceeds Fully Successful. (4 Points)

3. Overall, total performance is Fully Successful. (3 Points)

2. Overall, total performance is not Unacceptable, but needs improvement to achieve the Fully Successful level. (2 Points)

1. Performance is Unacceptable - failed to meet established performance standards in one or more critical elements. (1 Point)

ELEMENTS	RATING LEVEL ASSIGNED AND POINTS
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
TOTAL ELEMENTS:	TOTAL POINTS:
	*SUMMARY PERFORMANCE RATING LEVEL:

I have assigned a Summary Performance Rating of Level _____ to _____ for the period _____ to _____.

_____ Rating Official _____ Date

I have reviewed and discussed this appraisal with my supervisor. My signature does not necessarily mean that I concur in the evaluation and rating.

_____ Employee _____ Date

* Use the formula and procedure on the reverse of this sheet to determine the Summary Performance Rating Level. Remember, a rating of Level 1 on any one critical element results in a Summary Performance Rating of Level 1.

DETERMINING THE SUMMARY PERFORMANCE RATING LEVEL

Use the following formula and procedure:

$R = \frac{X}{Y}$

Where R = Range of rating level points
X = The sum of the rating level points assigned to each element
Y = The total number of critical and required elements

Rating Level Point Value:

Level 5 = 5 Level 4 = 4 Level 3 = 3 Level 2 = 2 Level 1 = 1

Example: Based on individual ratings for 8 elements, and assuming no critical element was rated at Level 1.

ELEMENT	RATING LEVEL ASSIGNED	RATING LEVEL POINTS
1	4	4
2	3	3
3	3	3
4	3	3
5	4	4
6	4	4
7	3	3
8	5	5
		29

$R = \frac{29}{8} = 3.62$ or 3.6

The 3.6 gives a Summary Performance Rating of Level 4 in accordance with the following established ranges for the indicated Rating Levels:

RATING LEVELS	RANGES
5	4.5 - 5.0
4	3.5 - 4.4
3	2.5 - 3.4
2	1.5 - 2.4
1	1.0 - 1.4

NAME: _____

SECTION E - APPRAISAL REVIEW BY REVIEWING OFFICIAL

I have reviewed this appraisal as prescribed by 44 BIAM 430,1.6E and:

☐ I concur.

☐ I am changing the rating to _____, based on the justification provided in Section F below.

_____
Reviewing Official

_____
Date

SECTION F - REMARKS (Attached plain sheet(s) of paper if more space is needed.)

Rating Official

Employee

Reviewing Official

INSTRUCTIONS FOR PERFORMANCE APPRAISAL FORM

SECTION A

Documents completion of planning session during which supervisor with assistance from employee:

- Decides on critical and required elements under which employee will be rated during the appraisal period.
- Develops the performance standard for each element along with the five levels of performance against which employee's actual performance will be compared.
- Documents each element, its standard and performance levels on a separate copy of Section C.
- Prepares employee's Individual Development Plan and attaches a copy to the Appraisal Form.
- Signs and dates Section A. Employee does the same. (If employee declines to sign, the supervisor so notes in Section A, and records the reason given by the employee for not signing.)

SECTION B

Documents conduct of the periodic review and feedback sessions (at least every six months for employees and quarterly for probationary supervisors), during which the supervisor and employee:

- Review the performance elements, standards and levels for currentness. Any changes made are documented in Section C.
- Review contents of the Supplemental Employee Performance Folder.
- Discuss employee performance to date including any areas in need of improvement, and decide on any appropriate action to be taken (e.g., training, counseling, rewarding). (See Note, below.)
- Sign and date Section B, to jointly confirm the completion of each review and feedback session.

NOTE: If supervisor believes employee's performance is approaching an unacceptable Level 1, in one or more critical elements, he/she must provide the employee with a confirming memorandum citing the deficiency; the action to be taken to meet minimum performance standards; and the reasonable period of time in which to demonstrate acceptable performance.

Section C

- Using a copy of Section C for each element, the supervisor enters the element, its standard and performance levels in the boxes provided for that purpose.

- Any change in an element, standard or level is documented by the supervisor on the applicable copy of Section C, followed by the initials of both supervisor and employee and the date such change was made.

- At the end of the rating period, the supervisor enters the narrative appraisal of employee's actual performance for each element and the rating level (5-1) assigned the employee for that element.

SECTION D

- Supervisor records the performance elements and assigned rating levels taken from all copies of Section C, and enters the Summary Performance Rating computed from the procedure shown on reverse side of Section D.

- Supervisor informs employee of the date, time and place of the appraisal interview for mutual discussion of the appraisal, individual element ratings, narrative appraisal statements and Summary Performance Rating.

- Completion of appraisal interview is acknowledged by supervisor completing, signing and dating lower left portion of Section D, and by employee signing and dating in lower right portion.

- Supervisor forwards the Appraisal Form to the Reviewing Official.

SECTION E

- Completed by Reviewing Official to document his/her concurrence or disagreement with the appraisal rating.

- Reviewing Official then signs and dates Section E, and returns the Appraisal Form to the supervisor.*

SECTION F

- Completed by any party to the appraisal for recording any remarks or concerns they may have regarding the appraisal. Must be completed by:

  - Supervisor and employee to document any unsuccessful informal attempts at resolving employee concerns over the appraisal or an interim rating.

  - Reviewing Official for recording the justification for any change made to employee's appraisal rating.

*Supervisor, upon receipt of the Appraisal Form from the reviewing official, checks to insure all appraisal actions have been completed, signed and dated, furnishes a copy of the completed form to the employee, and forwards the original to the servicing Personnel Office for filing and disposition.

BIA PERFORMANCE APPRAISAL SYSTEM

TIMING AND SEQUENCE OF ACTIONS

Appraisal periods begin on July 1 and end on June 30 of the following year.

July 1-31 Planning session held with employee during which supervisor:

- Identifies critical and required job elements.
- Establishes written performance standards at five levels for each identified element.
- Documents the elements and standards in Section C of the Performance Appraisal Form.
- Communicates the elements and standards to the employee.
- Prepares the employee's Individual Development Plan.
- Acknowledges completion of planning session by signing Section A of the Appraisal Form. Employee does likewise.
- Prepares the Supplemental Employee Performance Folder and files the Appraisal Form documenting the established performance elements and standards in the folder after giving a copy of the form to the employee.

Sept. 30
- Last day for supervisor to conduct the first quarterly review and feedback session for probationary supervisors. (Remember, however, that review and feedback sessions are held when and as often as needed.)

Dec. 31
- Last day for supervisor to conduct semi-annual review and feedback session for employees.
- Last day for supervisor to conduct the second quarterly review and feedback session for probationary supervisors.

Mar. 31
- Last day for supervisor to conduct the third quarterly review and feedback session for probationary supervisors.

June 30
- Last day for supervisor to conduct semi-annual review and feedback session for employees.
- Last day for supervisor to conduct final quarterly review and feedback session for probationary supervisors.
- Appraisal period ends.

July 1-31 Appraisal interview held with employee during which supervisor:

- Reviews employee performance in each element over the rating period.
- Completes narrative appraisal statements for each element using the SEPF contents as supporting documentation.
- Assigns a performance rating for each element.

- Averages the ratings for all elements and assigns the employee the resultant summary performance rating for the period involved.
- Discusses the rating, the rating level, and all other factors impacting the appraisal with the employee.
- Acknowledges the completion of the appraisal by signing Section D of the Appraisal Form. Employee does likewise.
- Forwards the completed Appraisal Form to the reviewing official.
- Begins planning for the next appraisal period.

Aug. 15 - Last day for reviewing official to review the performance appraisal, indicate his/her action, sign Section E of the Appraisal Form, and return it to the rating supervisor.

Sept. 5 - Last day for supervisor to furnish a copy of the completed Appraisal Form to the employee and forward the original to the servicing Personnel Office for filing, maintenance and disposition.

Sept. 30 - Last day for supervisor to relate the performance appraisal to other personnel actions and take the appropriate action warranted by the summary performance rating given to the employee.

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Subchapter 1. General Provisions.

1.1 Purpose. The purpose of this chapter is to describe the policies, procedures, and guidelines to be followed by the offices of the Bureau of Indian Affairs in utilizing the authorities delegated to them to administer and approve suggestions, inventions, monetary, and honorary awards for superior accomplishments, or for special acts or service in the public interest which are not recognized by performance based recognition. The Incentive Awards Program is designed to improve Government efficiency, economy, and effectiveness by motivating employees to increase productivity and creativity by rewarding their efforts beneficial to the Government.

1.2 Authorities. The Incentive Awards Program of the Bureau of Indian Affairs is conducted in accordance with standards and regulations published by the Office of Personnel Management (OPM) under Title 5, United States Code, Chapters 43, 45, and 54. The procedures in this Chapter reflect the Department of the Interior and Bureau of Indian Affairs guidelines contained in 340 DM 451, Incentive Awards; 44 BIAM 430, Performance Appraisal System; and 44 BIAM 540, Performance Management and Recognition System.

A. The Bureau of Indian Affairs is authorized to incur necessary expenses for the honorary recognition of employees who have contributed to the efficiency, economy, or effectiveness of Government operations by their suggestions, inventions, superior accomplishments or other personal efforts, or for special acts or services in the public interest which are not recognized by performance based recognition.

1.3 Coverage. The provisions of this directive are applicable to employees of the Bureau of Indian Affairs as defined in Section 2105 of Title 5, United States Code, including those covered by the Performance Management and Recognition System (PMRS) under Chapter 54 of Title 5, United States Code, and members of the Senior Executive Service (SES).

A. SES. Superior Accomplishment Awards for members of the SES will be approved by the Executive Resources Board (ERB). (370 DM 920.)

B. Presidential Appointees and Executive-Level Positions. It is recommended that Presidential appointees whose appointments require Senate confirmation and those in executive-level positions receive honorary recognition rather than monetary awards.

C. PMRS (GM). Performance awards for GM employees will be processed in accordance with 44 BIAM 540, Subchapter 9.

1.4 Policy. It is the policy of the Bureau of Indian Affairs to encourage employees to participate in improving efficiency and economy of Government operations and to submit ideas for improvement. Managers and supervisors are encouraged to give proper recognition to employees for contributions that are significant and beyond the scope of achievement normally expected as part of the job.

A. Supervisors and managers are encouraged to submit nominations for Departmental honor awards, such as Superior Service, Meritorious Service, and Distinguished Service Awards at the time an important contribution is made. Because of the Interior Incentive Award Committee's policy that nominations for honor awards will not be accepted six months after the employee has separated or retired from the Bureau, nominations based on a notable career should be submitted as early as possible prior to separation or retirement.

B. The Assistant Secretary - Indian Affairs may delegate authority and responsibility for approval of awards to the lowest level consistent with sound management, unless otherwise restricted by provisions of sub-chapters in this issuance.

C. Awards under this chapter are not mandatory nor are they an entitlement. The decision to grant or not to grant an award, or to adopt or not to adopt a suggestion, is a management prerogative and therefore not grievable. An award may be approved in an amount or type that differs from the original nomination, or it may be disapproved entirely. For these reasons, it is recommended the employee not be advised that an award nomination has been submitted on his or her behalf until final approval has been received.

D. The Bureau Incentive Awards Program permits recognition to employees who contribute to the Government through their superior efforts in extending equal opportunity to those seeking employment, or by assisting those already employed to achieve their highest potential. Recognition to deserving supervisors, employees, or groups is recommended when significant achievements in advancing equal opportunity are demonstrated.

E. The elements of the program which are deemed negotiable in accordance with 5 U.S.C. 7117 may be negotiated at the appropriate bargaining level through coordination with the Bureau's Labor Relations staff. The provisions of this chapter shall serve as guidance in negotiations with bargaining unit representatives.

F. Awards under this chapter may be granted alone or in addition to a performance award granted under 44 BIAM 430 or 44 BIAM 540, or a quality step increase granted under 44 BIAM 531. Awards under this chapter shall

not be a substitute for other personnel actions or a substitute for pay, or a substitute for any other form of monetary recognition. Performance awards for PMRS and non-PMRS employees are granted in accordance with the requirements contained in Chapters 44 BIAM 430 and 540 and are processed in accordance with guidelines in this chapter.

G. To be effective, presentation of awards should be made by top managers before employee assemblies or staff meetings whenever possible. In-house publications and bulletin boards may be utilized to publicize the achievements of award recipients.

H. Superior accomplishment awards and Departmental Honor awards must be supported by a written justification separate from the employee's rating of record or performance appraisal. Nominating procedures may be found in the subchapters relating to specific awards. A copy of the award shall be filed in the recipient's Official Personnel Folder.

I. In order to be recognized under this chapter, the contribution must have been made while the contributor was a Government employee.

J. Non-monetary awards may be granted to employees, private citizens, or organizations to recognize significant contributions beneficial to the Bureau. These may be in the form of a medal, plaque, certificate, or other item that can be worn or displayed. Information regarding Departmental Honor Awards are found in Subchapter 6.

K. Although reconsideration may be requested if an award is denied, failure to receive an award is not grievable and cannot be appealed.

L. Due consideration will be given to superior accomplishment awards when rating and ranking employees for promotion.

M. No more than one performance award, either for sustained superior performance or a quality step increase, may be granted within the same rating period on which the award is based. In addition, the employee must have been in the same position for not less than six months.

O. There is no limit to the number of superior accomplishment awards (non-recurring) an employee may receive in any given period, either as an individual or a member of a group, provided the contribution was not previously recognized. Receipt of a superior accomplishment award does not preclude the same employee(s) from receiving honorary recognition or a quality step increase when criteria for such recognition are met.

1.5 Definitions. The following terms are used in this chapter:

A. Award or Superior Accomplishment Award. A monetary or non-monetary award for a contribution resulting in tangible benefits or savings and/or intangible benefits to the Government.

B. Contribution. A suggestion, invention, meritorious action or other personal or group effort that contributes to the efficiency, economy, or other improvement of Government operations, or a special act or service in the public interest in connection with or related to official employment (5 U.S.C. 4503).

C. Presidential Awards. Awards granted by the President under Sections 4504 and 5407 of title 5, United States Code (5 CFR 451.203).

D. Non-Monetary Awards. Letters of commendation, appreciation or certificates granted to recognize employee contributions that do not meet the criteria for a cash award. Other non-monetary awards may include medals, plaques, citations, badges, or other similar items having an award or honor connotation which may be worn or displayed. Awards for private citizens, such as plaques, should not exceed $50 in value.

E. Tangible Benefits or Savings. Benefits or savings to the Government that can be measured in terms of dollars.

F. Intangible Benefits. Benefits to the Government that cannot be measured in terms of dollars.

G. Special Act or Service. A contribution or accomplishment in the public interest which is a non-recurring contribution either within or outside of job responsibilities, a scientific achievement, or an act of heroism.

H. Meritorious Action. An employee or group contribution which is highly exceptional and unusually outstanding and which is beyond or outside of normal job responsibilities and performance standards.

I. Performance Award. A performance-based cash payment under this chapter for a non-PMRS employee is based on the employee's rating of record. A performance award does not increase base pay.

J. Rating of Record. The summary rating assigned to the employee following the annual performance appraisal rating period, or at such other times for special circumstances (5 CFR 430.205).

K. Quality Step Increase (QSI). An additional within-grade increase granted to General Schedule employees to recognize outstanding performance through faster than normal step increases. A quality step increase shall not be required but may be granted only to an employee who receives a Level 5 summary performance rating, and who has not received a QSI within the preceding 52 calendar weeks.

L. PMRS Cash Incentive Award. A monetary award granted to a PMRS (GM) employee for a suggestion, invention, or superior accomplishment contributing to the improvement of Government operations, or for a special act or service in the public interest. A cash award may be granted only for accomplishments that are not part of the performance elements and will not be reflected in the employee's rating of record (5 U.S.C. 5403).

M. Suggestion Award. A monetary and/or honorary award granted to an employee, or group of employees, for an idea submitted in writing and adopted by management which is beneficial to the Government.

N. Invention Award. Monetary and/or honorary recognition granted to an employee, or a group of employees, for an invention that is of interest to the Government or to the public and for which a patent coverage is sought or granted.

O. Recommending Official. The nominee's supervisor, or the individual who is the employee's rating official for performance appraisal purposes.

P. Reviewing Official. The recommending official's supervisor.

Q. Status Quo Education Employee. A GS employee under the Office of Indian Education Programs who, on October 31, 1979, occupied an education position on either a competitive or excepted, non-temporary appointment (62 BIAM 11.1.3S or 62 BIAM 11.3.1).

R. Education Contract Employee. An Indian Education employee appointed under the provisions of Public Law 95-561, or amendments thereto.

S. Agency Superintendent for Education. The Bureau official in charge of education functions at the agency level to whom the school supervisors and other educators in the agency report. Employees in these positions report directly to the Assistant Directors, North and East Agencies, or South and West Agencies.

T. Area Education Programs Administrator. The Bureau official in charge of education functions in an area office and to whom the school

supervisors at off-reservation boarding schools report. Employees in these positions report directly to the Assistant Director, Areas and Post-Secondary Education.

1.6 Program Responsibility.

A. Secretary of the Interior. The Secretary of the Interior provides personal leadership to and is responsible for the overall direction of the Department's Incentive Awards Program. In addition to providing training for supervisors and managers on the effective use of incentive awards to improve individual and organizational performance, the Secretary:

(1) Reviews program results, assures awards are granted equitably on the basis of merit, and that when merited, action is taken to grant awards, and ensure information is made available concerning persons who have received awards and the reasons why each award is granted.

(2) Provides for the greatest motivational impact by allocating an adequate budget and support services to assure prompt action on all superior accomplishment award recommendations and effective promotion and publicity activities.

(3) Transmits to the Office of Personnel Management (OPM):

(a) Award recommendations over $10,000 for approval;

(b) Recommendations for Presidential Awards, including those for monetary recognition over $25,000;

(c) For review and approval, any changes which modify any element of the superior accomplishment awards component of the Performance Management Plan outlined in OPM's checklist required by 5 CFR 430.

(d) An annual report on program activities and expenditures for the past year and a statement of major program goals, objectives, and resources for the next fiscal year.

B. Assistant Secretary - Policy, Budget and Administration (PBA). Responsible for the direction and supervision of the Incentive Awards Program of the Department.

C. Office of Personnel (PPM). The Office of Personnel is responsible for:

(1) Stimulating Department-wide interest and participation in the program;

(2) Advising on the operation of the Incentive Awards Program throughout the Department;

(3) Reviewing for general adequacy and completeness all recommendations for lump-sum cash awards requiring approval by the Assistant Secretary - PBA or the Interior Incentive Awards Committee.

(4) Periodically evaluating the operation of bureau programs through on-site reviews at headquarters and in field areas. The reviews include advice on overall programs, discussions with supervisors at all levels regarding their responsibilities for the success of the program, and solicitation of comments and ideas that would result in improved program operations. Recommended changes arising from these evaluations are considered by the Interior Incentive Awards Committee for approval by the Assistant Secretary - PBA.

(5) Preparing analyses and summarizing proposed Presidential, Distinguished Service, Meritorious Service, Valor and other awards, for consideration by the Committee.

(6) Providing advisory and staff assistance to the Committee, bureaus, Office of the Solicitor, Office of the Inspector General, and the Office of the Secretary Incentive Awards Committee; and,

(7) Analyzing statistical reports of incentive awards activity to evaluate utilization of the program, identify trends, and pinpoint problem areas.

D. Interior Incentive Awards Committee. The committee serves as an advisory and/or approving body for the operation of the Department's Incentive Awards Program. It may determine exceptions to these instructions where unusual conditions warrant such action. The committee consists of the Assistant Secretary - PBA, who is the Chairman and who may appoint a Vice Chairman from among the members of the committee or his/her Deputy; the Director of Personnel, who is a permanent member; and at least four additional rotating members appointed by the Assistant Secretary - PBA. The Chairman may act for the full committee on Meritorious Service Award nominations and other cases when, in his/her judgment, review by the full committee is not warranted. The Vice-Chairman is authorized to call and preside at committee meetings. The committee is responsible for:

(1) Reviewing and recommending major changes in policy and program content;

(2) Acting as a review committee of nominations for non-Interior awards.

(3) Approving awards above $5,000 through $10,000 and submitting to the Secretary recommendations of awards requiring higher level approval. The Office of Personnel Management has final approval of all awards above $10,000 through $25,000. For contributions deserving recognition over $25,000, an additional award may be approved by the President upon the recommendation of the Secretary and the Director, Office of Personnel Management.

(4) Approving for signature of the Secretary all honor awards, except Superior Service, Exemplary Act, and bureau awards to private citizens, which are approved at bureau level. The Safety Council Award of Merit is approved by the Interior Safety and Health Council.

E. Assistant Secretary - Indian Affairs. As the head of the Bureau, the Assistant Secretary - Indian Affairs is responsible for the direction and supervision of the incentive awards program and seeks to gain maximum benefits for the Government through improved employee motivation and productivity. Ensures training and information is provided to employees on how they may earn awards and to supervisors and managers on the effective use of incentive awards to improve individual and organizational performance.

(1) Appoints an incentive awards committee and/or staff to assist in administering an effective incentive awards program.

(2) Allocates adequate budget and support services to assure prompt action on suggestions and superior accomplishment award recommendations, including effective promotion and publicity.

(3) Reviews program results, assures awards are merited and granted equitably and that prompt action is taken to grant awards. May withhold approval of any nomination which is believed to be less than fully deserved or for other valid reason.

(4) Approves cash awards up to $5,000 for adopted suggestions, performance awards, Superior Accomplishment awards, and quality step increases for all Central Office employees, and nominations submitted by Area Offices. Nominations of cash awards for members of the Senior Executive Service (SES) are recommended to the Executive Resources Board (370 DM 920.5).

(5) Approves Superior Service and Exemplary Act honor awards for Central Office employees and nominations referred from Area Offices; Indian Leadership Awards to non-Federally employed Indian people; and other Bureau honor awards.

(6) Refers the following to the Department of the Interior's Incentive Awards Committee:

(a) Recommendations for approval of monetary awards over $5,000;

(b) Recommendations for approval of honor awards for Distinguished Service, Meritorious Service, Valor, Conservation Service and Public Service Awards, and Unit Awards for Excellence of Service;

(c) For review an approval, major changes in policies and procedures proposed for the Bureau's incentive awards program;

(7) Redelegates approval authority to Area Directors to expedite processing of awards.

F. Area Directors. Responsible for the implementation and overall supervision of the incentive awards program under their jurisdiction. In addition to appointing committees and/or staff to assist them in administering the program, they review program operations periodically to assure nominations are submitted properly and awards are granted in an equitable and timely manner. Approval of a nomination may be denied if it is believed to less than fully deserved or for other valid reasons. The authority to approve awards at the Area level may be extended only to the official designated to act in the Area Director's absence. Except for employees under their immediate supervision and Indian education employees, Area Directors are authorized to:

(1) Approve cash awards up to $2,000 for adopted suggestions, performance awards, and Superior Accomplishment awards for Area Office employees and nominations submitted by agencies and field offices;

(2) Approve quality step increases for all eligible GS employees, including those referred from agencies and field offices.

(3) Approve Area-wide Departmental honor awards for Superior Service and Exemplary Act awards, and any other locally established honor awards;

(4) Recommend to the Assistant Secretary - Indian Affairs approval of nominations for employees under their immediate supervision; cash award nominations over $2,000; Departmental honor awards for Distinguished Service, Meritorious Service, Valor, Conservation Service and Public Service Awards, Unit Awards for Excellence of Service; and nominations for Bureau honor awards, such as the Indian Leadership Award.

(5) Redelegate to agency superintendents or equivalent field officials the authority to approve awards to expedite the awards process.

The Area Director has the discretionary authority to limit the agency superintendents' approval authority to less than the recommended cash award amount and the employee grade level for quality step increases.

G. Agency Superintendents. Within their respective areas of responsibility and in accordance with established procedures, agency superintendents or equivalent field officials may establish incentive awards committees to assist them in the conduct of their incentive awards programs. Committees may be appointed to carry out the functions of the program and to assure nominations are submitted in the proper format, meet established criteria, are acted upon in a reasonable length of time, and that recipients are appropriately recognized. These officials may deny approval of a nomination they believe to be less than fully deserved or for other valid reasons. In smaller agencies and field offices where it would not be practical to establish a full incentive awards committee, the officer in charge may appoint a staff person to coordinate award nominations and suggestions with the area incentive awards officer. The approving authority delegated to superintendents may be extended only to those individuals designated to act in an official capacity for them and may not be redelegated beyond this level. Except for employees under their direct supervision and Indian education employees, agency superintendents may:

(1) Approve cash awards up to $1,500 for adopted suggestions, performance awards, and Superior Accomplishment awards;

(2) Approve quality step increases for all eligible GS employees;

(3) Approve locally established honor awards, such as employee-of-the-month, etc.

(4) Recommend to the Area Director approval of nominations for employees under their direct supervision, cash award nominations over $1,500, and all Departmental honor awards, including the Superior Service and Exemplary Act Awards.

H. Deputy to the Assistant Secretary/Director - Indian Affairs (Indian Education Programs). Consistent with the authority to establish and direct an education personnel system under Public Law 95-561, the Deputy to the Assistant Secretary/Director - Indian Affairs may approve incentive awards for GS and GM education employees, wage grade, and contract employees. Nominations for education employees located in the Central Office and those under the immediate supervision of the Deputy to the Assistant Secretary/Director - Indian Affairs (Indian Education Programs) will be reviewed by the Indian Incentive Awards Committee and aproved by the Assistant Secretary - Indian Affairs. The Director's approval authority is identical to that extended to Area Directors,

including the authority to redelegate incentive awards responsibilities to the Assistant Directors, Presidents (Haskell, SIPI), Area Education Programs Administrators, and Agency Superintendents for Education.

I. Assistant Directors, Area Education Programs Administrators, Presidents, and Agency Superintendents for Education. These officials have the same responsibilities and authority to approve awards as those extended to agency superintendents as outlined in Section 1.6G of this Subchapter. All nominations for education employees will be reviewed by the local agency incentive awards committee and recommendations made to the appropriate approving official. Where there are no local agency incentive awards committees, the officer in charge may appoint a committee and staff personnel to assist with the incentive awards functions. The processing of awards (ordering checks, preparing certificates, etc.) will remain the responsibility of the area awards coordinator, who will maintain records and data for reports and ensure copies of awards are filed in the recipients' Official Personnel Folders.

The following examples illustrate the various levels of approval for Indian education employees:

(1) Nominee:	Dormitory Aid
Recommending Official:	Dormitory Manager
Reviewing Official:	Principal
Approving Official:	Agency Superintendent for Education or Area Education Programs Administrator
(2) Nominee:	Dormitory Manager
Recommending Official:	Principal
Review Official:	Agency Superintendent for Education or Area Education Programs Administrator
Approving Official:	Assistant Director (N & E Agencies, S & W Agencies, or Area and Post-Secondary Education)
(3) Nominee:	Principal
Recommending Official:	Agency Superintendent for Education or Area EPA
Reviewing Official:	Assistant Director (N & E Agencies, S & W Agencies, or Area and Post-Secondary Education)
Approving Official:	Deputy to the Assistant Secretary/ Director - Indian Affairs (Indian Education Programs)

(4) Nominee:	Agency Superintendent for Education or Area EPA
Recommending Official:	Assistant Director (N & E Agencies, S & W Agencies, or Area and Post-Secondary Education)
Reviewing Official:	Deputy to the Assistant Secretary/ Director - Indian Affairs (Indian Education Programs)
Approving Official:	Assistant Secretary - Indian Affairs

All nominations submitted for the approval of the Assistant Secretary - Indian Affairs will be reviewed and recommendations made by the Indian Incentive Awards Committee

J. Managers and Supervisors. These officials are responsible for promoting the incentive awards program within their operational units and for assuring the success of the program by their active support and involvement. The quality of work and productivity can be greatly improved by the effective use of awards as a tool for increasing efficiency to achieve the Bureau's objectives and mission. It is the responsibility of managers and supervisors to:

(1) Review their employees' performance periodically and consider recommending superior accomplishment or honor awards to deserving employees or groups and to apply criteria consistently and equitably when making recommendations.

(2) Assure that when rating and ranking employees for promotion, due weight is given to superior accomplishment awards.

(3) Encourage employees to exercise their responsibility for improving productivity, efficiency, and economy of government operations by assisting them to develop and submit suggestions.

(4) Promptly evaluate or refer for evaluation any suggestion or recommendation forwarded to them, and implement adopted suggestions that apply to their area of responsibility.

(5) Ensure funds are available to pay awards and that expenditure of such funds is justified.

(6) Maintain confidentiality of a nomination until it has been approved. A nomination should not be discussed with the employee as it may be approved in an amount or type of award that differs from the original nomination, or it may be disapproved entirely.

K. Incentive Awards Committees. Committees and/or staff are appointed at the Central Office, Area, and Agency levels to review, recommend and/or approve nominations and suggestions, and to assure awards are used effectively in motivating and recognizing employees for superior performance or outstanding service. Confidentiality of nominations is imperative and must not be discussed with others not involved in the decision process. The chairperson and members are appointed by the director at each level and should be selected from various occupational disciplines. Members serve on a rotating basis, generally for a two-year term staggered to provide continuity or at the discretion of the director. Committees are encouraged to meet as a group, maintain minutes of meetings, evaluate their program by periodically reviewing pertinent statistical reports, and recommend or approve changes in local policies and procedures within their delegated authority. Alternate members may be appointed and attend meetings but will vote only when serving in the absence of a regular member. A written charter should be developed to include the following responsibilities:

(1) Planning annual program activities, determining needs for special emphasis, and ensuring promotional activities.

(2) Systematically conducting a review and evaluation of their program as described in 44 BIAM 451, 1.10.

(3) Based on periodic analyses of their program, recommending or approving policy or procedural changes within delegated authority;

(4) Reviewing, recommending or approving superior accomplishment awards up to the amount delegated;

(5) Reviewing and recommending honor award nominations;

(6) Reviewing, recommending, or approving quality step increases, suggestions, inventions, and local Bureau awards.

(a) Indian Incentive Awards Committee (IIAC). The committee chairperson and members shall be appointed by and are responsible to the Assistant Secretary - Indian Affairs for the effective operation of the Bureau's Incentive Awards Program. The Committee is responsible for providing advice and guidance to Central Office management, Area and field offices on the appropriate use of awards. The members, serving alternating two-year terms, shall be representative of the major Directorates, including the Eastern Area Office. The committee will review, evaluate, and recommend for approval or disapproval the following:

(i) Performance awards and Superior Accomplishment awards up to $5,000 for individuals or groups for suggestions, inventions, or

special acts or service. Nominations of SES employees are referred to the Executive Resources Board (370 DM 920, 5.5B,c).

(ii) Quality step increases for all eligible GS employees.

(iii) Superior Service, Exemplary Act Awards, and other honorary Bureau awards, such as the Indian Leadership Award.

(iv) All nominations requiring Departmental approval for monetary awards over $5,000; honor awards for Distinguished Service, Meritorious Service, Valor Awards, Conservation Service, Public Service, Unit Awards for Excellence of Service; and other non-Federal awards sanctioned by the Department.

(v) Area nominations of employees requiring higher level approval, and appeals of nominations disapproved at the Area level.

(b) Area Incentive Awards Committees. The chairperson and members shall be appointed by and responsible to the Area Director for the successful operation of the area incentive awards program. The chairperson is responsible for conducting meetings in accordance with established guidelines and works closely with the area incentive awards coordinator in carrying out this function. The committee reviews and recommends to the Area Director approval of employee nominations and suggestions, including those submitted by agencies and field offices under the Area's jurisdiction. Nominations requiring Central Office approval will be reviewed by the area committee to ensure criteria are met and forwarded to the Indian Incentive Awards Committee or directly to the Deputy to the Assistant Secretary/ Director - Indian Affairs (Indian Education Programs) for review and approval. Cash awards over $2,000 and Departmental honor awards for Distinguished Service, Meritorious Service, Valor Awards, and Unit Awards for Excellence of Service will be reviewed by the committee to ensure criteria are met, signed by the committee chairperson and Area Director and forwarded to the Indian Incentive Awards Committee. The area incentive awards committees are responsible for reviewing, evaluating, and recommending for approval or disapproval the following:

(i) Performance awards and Superior Accomplishment awards up to $2,000 for individuals or groups for suggestions, inventions, and special acts or service;

(ii) Quality step increases for all eligible GS employees;

(iii) Departmental honor awards for Superior Service and Exemplary Act awards;

(iv) Other locally established honor awards, such as an employee-of-the-month, supervisor-of-the-year, etc., or other honorary awards sponsored by non-federal organizations.

(c) Agency or Field Incentive Awards Committees. Where incentive awards committees have been established, the superintendent or officer in charge shall be responsible for the operation of incentive awards programs under their jurisdictions and shall appoint committees and/or staff personnel to assist in administering their programs. The agency incentive awards committees will function in the same manner as the area incentive awards committees, having the responsibility for reviewing, evaluating, and recommending for approval all nominations, including those for Indian education employees. They must ensure the nominations are complete, meet established criteria, and that documentation fully supports the award. Cash awards over $1,500, all Departmental honor awards, and nominations of employees under the immediate supervision of the superintendent or field official will be forwarded to the area incentive awards committee for approval and processing. Nominations for Indian education employees that have been recommended for approval will be forwarded to the Office of Indian Education Programs for approval. The agency incentive awards committee will review, evaluate, and recommend to the superintendent or education official approval or disapproval of the following:

(i) Performance awards and Superior Accomplishment awards up to $1,500 for individuals or groups for suggestions, inventions, special acts or service in the public interest in connection with or related to official employment;

(ii) Quality step increases for all eligible GS employees;

(iii) Other locally established awards not requiring higher level approval; i.e., employee-of-the-month, suggester-of-the-year, etc.

(d) Central Ofice West Incentive Awards Subcommittee. The subcommittee, located in Albuquerque, has been established primarily to review award nominations and suggestions submitted by the Central Office West employees, including the Energy and Minerals Branch in Denver. The subcommittee has the same responsibilities and will follow the same procedures as other incentive award committees in reviewing, evaluating, and recommending for approval all nominations and suggestions received. Nominations recommended for approval will be forwarded to the Central Office Incentive Awards Coordinator for the concurrence and signature of the appropriate program manager. The Indian Incentive Awards Committee will recommend final action to the Assistant Secretary - Indian Affairs. Approved awards will be returned to the subcommittee for presentation to

recipients and/or arranging appropriate ceremonies. The subcommittee chairperson will forward the approved award to the Area Personnel Office for filing in the employee's Official Personnel Folder.

L. Incentive Awards Coordinators. Incentive awards coordinators and/or personnel staff members will be designated at the area and agency levels to assist management officials and committees in the operation of the incentive awards program. In addition to maintaining control of awards and suggestions files, they work closely with the committee chairpersons on developing internal policy and procedures relating to incentive awards. They are responsible for:

(1) Serving as the executive secretary to the incentive awards committee, maintaining minutes, and preparing correspondence subsequent to committee actions;

(2) Providing technical assistance and guidance to area and agency counterparts, as well as assisting supervisors and managers on preparing awards;

(3) Reviewing nominations to assure they meet applicable criteria contained in the guidance and instructions;

(4) Processing approved awards; i.e., ordering checks, preparing letters and certificates, assuring awards are presented in an appropriate and timely manner, and ensuring the award is filed in the recipient's Official Personnel Folder. Coordinates awards ceremonies.

(5) Preparing required reports, including publishing and distributing annually the number and types of awards approved within their area of responsibility.

(6) Periodically distributing information regarding incentive awards, including the requirements and procedures for preparing award nominations.

1.7 Eligibility. The following employees are eligible for consideration under the incentive awards system:

A. Employees other than SES and PMRS (GM). The Bureau of Indian Affairs may pay a cash award to and incur necessary expenses for the honorary recognition of an employee whose suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations; or performs a special act or service in the public interest connected with or related to official employment.

B. PMRS (GM) Employees. The payment of a cash award to and the incurring of necessary expenses for the recognition of employees under the Performance Management and Recognition System (PMRS) is provided for under 5 U.S.C. 5407. The contribution may be a suggestion, invention, superior accomplishment, special act or service or other personal effort which contributes to the efficiency, economy, or other improvement of Government operations and which will not be a factor recognized through merit increases or performance awards. Such awards are in addition to salary increases and performance awards that may be granted under PMRS. Further information can be found in 44 BIAM 540, Subchapter 10.

C. Career Senior Executive Service (SES) Members. Members of the Senior Executive Service (SES) may be considered for cash awards for a special act or service, suggestion, invention, other personal effort that contributes to the efficiency, economy, or other improvement of Government operations. Necessary expenses may be incurred by the Bureau to provide for the honorary recognition of SES employees. Awards in this category will be approved by the Executive Resources Board (ERB). (340 DM 920, 5.6)

D. Non-Career SES Members and General Schedule (GS) Executives. These employees may be granted awards for a special act or service (non-recurring) contributions, suggestions, inventions, superior accomplishments, or other personal efforts that contribute to the improvement of Government operations. It is recommended that Presidential appointees receive honorary rather than monetary awards. Awards to these employees are approved by the Executive Resources Board (ERB).

E. Former Employees. Awards may be granted under 5 U.S.C. 4505 to former employees and to the legal heirs or estates of employees, provided the contribution was made during their Government employment.

F. Private Citizens. An honorary award may be granted to a private citizen or organization for significant contributions that benefit the Government. The award of moderate value, generally not exceeding $50, may be in the form of a medal, certificate, plaque, or other item that can be worn or displayed.

(Additional information regarding employee eligibility can be found in Appendix B.)

1.8 Award Presentation and Publicity. To be effective, presentation of awards should be made by top managers before employee assemblies or staff meetings whenever possible. Incentive awards committees are encouraged to use in-house publications and bulletin boards to publicize the achievements of award recipients.

1.9 Administrative Review - Reconsideration. Although the decision to grant or not to grant an award, or to adopt or not to adopt a suggestion, is a management prerogative and is not grievable, the recommending or reviewing official may request reconsideration by the bureau or office committee or other authority that disapproved the recommendation for an award. The request should specify reasons and/or provide additional documentation on why the nomination should be reconsidered. Requests for reconsideration will not extend beyond the Office of the Assistant Secretary - Indian Affairs.

1.10 Program Evaluation. Incentive awards programs at all organizational levels shall be reviewed and evaluated at least annually and problems and/or accomplishments reported to the officer in charge. The review and evaluation may involve the use of questionnaires, supervisor-employee conferences, or other analytical techniques. The evaluation shall be integrated with the general Department personnel management evaluation program.

A. Required Analysis. Analysis of the following types are required as a basis for evaluation of the awards program:

(1) A statistical analysis of the distribution of monetary awards awards between employees under the wage system, GM, and General Schedule by grade levels.

(2) A subjective narrative evaluation of the effectiveness of the incentive awards program on the management and productivity of the operations of the Bureau or any segment thereof.

B. Forms. Form DI-406, Incentive Awards Program Evaluation, may be used to assist in evaluation and is available from standard supply sources (Exhibit 30).

1.11 Training. Training shall be given to ensure management, supervisors, reviewing officials, and committees have an adequate knowledge of the background, purpose, criteria, and procedures for granting awards.

1.12 Annual Report. Each area office is required to submit by October 15 to the Central Office a consolidated annual report of the activities of its area and agencies incentive awards program for the preceding fiscal year. The report shall be prepared on OPM Form 1465, Incentive Awards Program Annual Report, and signed by the Area Director. All elements of Part F shall be considered for the Bureau evaluation of the program. The Bureau's annual report, prepared by the incentive awards coordinator and signed by the Assistant Secretary - Indian Affairs, will be submitted to the Department's Office of Personnel by October 25. OPM Form 1465 is available through normal supply sources (Exhibit 31).

1.13 Recording and Documentation. Incentive awards coordinators will forward to the personnel office a copy of the approved award and/or an SF-52, Request for Personnel Action, for documenting employee cash awards. The DI-411 or SF-52 must bear the approving official's signature and the date the award was approved. Instructions for documenting awards are contained in FPM Letter 296-101 dated September 24, 1986 (Appendix F).

1.14 Types of Recognition. Managers and supervisors have a variety of awards for recognition of deserving and qualified employees.

A. Monetary Recognition.

(1) Superior Accomplishment Awards:

(a) Cash awards for suggestions;

(b) Cash awards for inventions (patent applications);

(c) Cash awards for special acts or services.

(2) Awards Based on Performance:

(a) Performance awards (see 44 BIAM 430 and 540);

(b) Quality step increases (see Subchapter 4);

(c) SES Ranks and bonuses (see 370 DM 920).

B. Honorary Recognition (Non-monetary awards; see Subchapter 6):

(1) Distinguished Service Award;

(2) Outstanding Service Award;

(3) Meritorious Service Award;

(4) Unit Award for Excellence of Service;

(5) Superior Service Award;

(6) Valor Award;

(7) Exemplary Act Award;

(8) Conservation Service Award (for private citizens);

(9) Public Service Award (for private citizens);

(10) Secretary's Annual Award for Paperwork Recognition;

(11) Annual Minority Business Enterprise Award;

(12) Safety Council Award of Merit;

(13) Equal Employment Opportunity Award;

(14) Length of Service Recognition;

(15) Outside Awards sponsored by non-Interior organizations;

(16) Bureau of Indian Affairs honor awards.

Subchapter 2. Superior Accomplishment Awards.

2.1 General. Superior Accomplishment Awards are monetary or non-monetary awards that may be granted to employees or groups in recognition of a non-recurring contribution resulting in tangible and/or intangible benefits to the Government. These awards may be in the form of a suggestion, invention, or a special act or service in the public interest connected with or related to official employment and contributes to the efficiency, economy, or other improvement of Government operations, or achieves a significant reduction in paperwork.

A. Approval of Superior Accomplishment Awards will be at a level higher than that of the recommending official.

B. Recognition granted through Superior Accomplishment Awards should be in direct proportion to the value of the contribution to the Government. To maximize benefits to the Government, referral of employee contributions to other agencies should be considered whenever appropriate.

C. Acceptance of a monetary award constitutes an agreement that the use by the Government of the idea, method, or device for which the award is paid does not form the basis of a further claim against the Government.

D. There is no limit to the number of non-recurring, special act or service awards an employee may receive in any given period, either as an individual or as a member of a group. Receipt of an award in this category does not preclude the same employee(s) receiving honorary recognition or a quality step increase based on an outstanding level of performance when criteria for such recognition are otherwise met.

E. A monetary Superior Accomplishment Award is in addition to regular pay and is subject to the withholding of income taxes. It is not subject to retirement deductions, nor will it affect the computation of salary differentials.

F. When a monetary Superior Accomplishment Award is approved for an employee of another agency or bureau, the benefiting agency shall arrange to transfer funds to the employing agency to cover the award. If the administrative costs of transferring funds exceed the amount of the award, the employing agency shall absorb the award costs. Arrangements should be coordinated between the awards administrators of both agencies to assure a smooth transfer of funds through payroll offices.

2.2 Special Act or Service Awards. Superior Accomplishment Awards may be granted to an employee or to a group of employees for a special act or

service when it is (1) a non-recurring contribution or accomplishment in the public interest within or outside job responsibilities; (2) a scientific achievement; or (3) an act of heroism. The granting of awards is a management prerogative and is not mandatory. This type of recognition is appropriate when employees or groups perform substantially beyond expectation on a specific assignment of a non-recurring nature. The following examples are typical, but not all inclusive, of performance that may be considered:

- Performance of a particular project or assignment that involved overcoming unusual difficulties;

- Performance of duties requiring a higher level of skill than required in the employee's regular work;

- Innovative efforts leading to improved methods, procedures, or projects resulting in substantial benefits or savings to the Government; or,

- Exemplary handling of an emergency situation.

A. Procedures for Nomination. The recommending official, usually the employee's immediate supervisor or the official most familiar with the nominee's achievement prepares and submits the following documentation through the Reviewing Official to the incentive awards coordinator:

(1) Form DI-411, Recommendation for Monetary Award (Exhibit 1), signed by the recommending official and the reviewing official. For special act or service awards based on tangible and/or intangible benefits, check the appropriate box on the form and show the dollar savings in the space provided. If tangible benefits are difficult to determine, consider intangible benefits and refer to Table 2 of Appendix C, Determining Awards Amounts, and state the extent of application and value of benefit. For example, if the value of the contribution fits into the category of moderate value with a broad application, the amount of the award could be between $500 - $1,000.

(2) Statement or justification detailing the contribution or achievement of the employee or group that is a one-time occurrence. The justification and/or additional supporting documents must clearly show how performance exceeded expectations.

(3) Most recent approved performance appraisal.

(4) Position description.

B. Time Limitation. Nominations for Superior Accomplishment awards should be submitted to the reviewing committees not later than six months after the date of the contribution being recognized, unless special justification is provided. Nominations requiring Central Office approval should be processed promptly to ensure the nomination is received withing the proper time frame.

C. Processing the Nomination. Incentive awards coordinators will process all nominations for monetary awards as follows:

(1) Receives and reviews all nominations, ensuring that it is complete, contains proper signatures, and meets the criteria for the award recommended. Nominations not meeting regulatory requirements will be returned to the recommending official for correction.

(2) Records, sets up an individual file, and assigns a number in accordance with a uniform docketing system that identifies the Bureau, organizational code, fiscal year, and case number. Dockets should be numbered beginning with 01 for each new fiscal year. For example: IND-K00-90-01.

IND - Bureau of Indian Affairs
K00 - Central Office
90 - Fiscal year
01 - Case file

(3) Sends the nomination to the incentive awards committee in accordance with local procedures, for review and recommendation. Nominations recommended for approval are signed by the awards committee chairperson and forwarded to the approving official for signature. Whenever the committee does not meet as a group, Form BIA-1100, Evaluation Sheet and Incentive Awards Proposal, may be used to route the nomination to the members (see Exhibit 2). Nominations requiring higher level approval will be sent to the Area or Central Office incentive awards coordinator for processing. Nominations not approved by either the award committee or the approving official will be returned to the recommending official with a written explanation of the reason for disapproval. Letters of commendation or appreciation should be considered for nominations not meeting specified criteria.

(4) Following final approval, completes the Cash Award Summary and transmits it with Form 7-2211 (Exhibit 3) to the following address:

Division of Payroll Operations
Code D-2641
7333 West Jefferson
Denver, Colorado 80235

The incentive award payment, which is subject to withholding tax deductions, will be included in the employee's regular salary check.

(5) Notifies the recommending official of the approved award, prepares or arranges for the preparation of an appropriate certificate (Exhibit 4), and forwards it, along with a congratulatory letter (optional) to the approving official or supervisor for signature. Agencies or Areas desiring a letter signed by the Assistant Secretary - Indian Affairs are requested to include a draft of the proposed letter with nominations submitted for Central Office approval.

(6) Sends a copy of the approved award, certificate, and letter to the employee's supervisor for presentation or, in accordance with local practice, may hold the award until an awards ceremony or convocation is arranged.

(7) Records disposition of the case in the log, indicating date closed, approved/disapproved, and files the individual folder until the end of the fiscal year or until the annual report is completed. Closed files should be maintained by fiscal year and held for the required retention period. Ensures that a copy of the award is sent to the personnel office for filing in the employee's Official Personnel Folder.

D. Other Agency Employees. To reward an employee from another bureau for a special act or service, the recommending official should notify the employing agency of his or her intention, prepare the nomination, and send it through the incentive awards coordinator to the employing agency. The employing agency will decide whether an award is appropriate.

E. Referral. If it is deemed that a special act or service by an employee from another bureau could have significant interdepartmental benefits, and the Bureau wishes to recognize the individual, the recommendation containing the full facts should be submitted to the Interior Incentive Awards Officer through the Central Office incentive awards coordinator.

F. Group Awards. A Superior Accomplishment Award is particularly appropriate to recognize the efforts of a group of employees for contributions or accomplishments that are of a non-recurring nature. The justification must include the specific contribution of each member of the group to the overall accomplishment. Each member, including supervisors, may share equally in the award, or in proportion to the individual's contribution. If the individual cash awards for a large group of employees would be too small to provide proper recognition, the Department's honor award, the Unit Award for Excellence of Service, should be considered. (See Subchapter 6.6.) Group awards are prepared following the same steps listed

in Subchapter 2.2A above, except the name of the group and the total amount of the award will be shown on Form DI-411. Attach to the justification a list of the names, grades, Social Security numbers, and the amounts recommended for each member of the group. Employee performance appraisals and position descriptions are not necessary. Guidance for preparing group awards can be found in Appendix G.

G. Amount of Awards. Award amounts should be in direct proportion to the benefits, either tangible, intangible, or combination of both, derived by the Government. The scales for tangible and intangible benefits in Appendix C are to be used in determining award amounts for Special Accomplishment awards. The amount for a group award should be based on the total contribution and divided equally or proportionately among the members. When individual amounts are too small to provide an adequate incentive and recognition, exceptions may be made by incentive awards committees for amounts not exceeding their authority, or the nomination may be forwarded to the Indian Incentive Awards Committee for approval. Nominations exceeding the Bureau's approving authority will be referred to the Interior Incentive Awards Committee.

H. Payment of Awards. Awards and other expenses for the recognition of employees shall be paid from funds or appropriations available to the Bureau organization primarily benefiting. Awards may be paid after the death or separation from Government service or the transfer of the employee concerned, provided the contribution was made during the employee's Government employment. In no instance shall the granting of a monetary award be construed as authority to incur a deficiency in appropriations.

(1) Transfer of Funds. When an award is approved for an employee of another bureau or agency, arrangements will be made to transfer funds to the employing agency. If the administrative costs of transferring funds would exceed the amount of the award, the award costs will be absorbed by the employing agency.

(2) Deductions. A cash award is in addition to regular pay and is subject to income tax and Medicare tax deductions. Cash awards are not subject to retirement deductions, nor do they affect the computation of salary differentials.

I. Non-Monetary Recognition. When contributions for a special act, service, or suggestion do not meet the award criteria, it is recommended certificates and/or letters of commendation or appreciation be used to recognize individuals or groups of employees for their efforts. The Bureau of Indian Affairs especially encourages the use of non-monetary awards of moderate value to private citizens for outstanding contributions

to the Bureau's mission (see Subchapter 1.7F). The following are suggested instances when it would be appropriate to use this form of recognition:

(1) The outstanding performance of a given assignment or detail that is within the employee's performance standards;

(2) A suggestion that has been adopted but the benefits do not justify a cash award; or the suggestion is within the employee's area of job responsibility;

(3) Exceptional participation in civic or professional activities related to official employment;

(4) Outstanding contributions by private citizens, such as providing assistance in emergency situations (fire, flood, accidents, etc.), saving of a life, or other significant contribution to Bureau operations.

J. Confidentiality of Award Nominations. Because an award may be approved in an amount or type that differs from the original nomination or may be disapproved entirely, recommending officials are cautioned not to discuss a proposed award with the employee until it has been approved. If the nominee has prior knowledge of the recommendation, the disapproval of the award could adversely affect the employee's approach to duty. Nominations should be considered privileged information and available only to those involved in the decision process. When the award is approved, a copy will be presented to the employee along with the certificate and/or letter, the original filed in the Official Personnel Folder, and a copy retained in the incentive awards file.

K. Ceremonies and Publicity. Areas and agencies are encouraged to hold ceremonies to present awards to employees. Comptroller General Decision, B-223319, July 21, 1986, authorizes agencies to use appropriated funds to provide refreshments for ceremonies held in connection with their incentive awards programs. Publicity should be provided so all employees are informed of the specific reasons for granting the awards.

L. Recording and Documentation. The incentive awards coordinators will forward a copy of the approved award to the personnel office for documenting on the SF-50 and for filing in the employee's Official Personnel Folder. (See Subchapter 1.13 and Appendix F.)

M. Administrative Review - Appeal. The granting of awards is a management decision and is not grievable. However, the recommending or reviewing official may request reconsideration by the incentive awards

committee or other authority which disapproved the nomination. The request is to be submitted within 30 days of the notification of disapproval and must specify the reasons and/or provide additional supporting documentation on why the nomination should be reconsidered.

2.3 The Suggestion Program. The suggestion system is directed toward encouraging and obtaining employee ideas that assist management in improving the efficiency, economy, and effectiveness of the Bureau's mission and programs. It affirms the importance of individual effort and recognizes those who exercise initiative and imagination by providing cash awards and recognition for ideas that offer savings in time or money or result in improved methods of operation, services, or safety.

A. Program Responsibility.

(1) Department-wide. The Assistant Secretary - Policy, Budget and administration (PBA) is responsible for the direction of the suggestion program. The Office of Personnel (PPM) administers the program.

(2) Bureau of Indian Affairs. The responsibility for the Bureau's suggestion program parallels the responsibilities of the Assistant Secretary - Indian Affairs, Area Directors, and Agency Superintendents as outlined in Subchapter 1.6E - I, and includes the continuing review and evaluation of the program to assure the most effective use of suggestions.

(3) Supervisors. Supervisors have the primary responsibility for the support and promotion of the suggestion program. This is met by encouraging their employees to become active participants in the Bureau's search for more efficient and effective ways to conduct its business and to assist employees in preparing suggestions. They are expected to act promptly and fairly on suggestions they evaluate and to expedite the implementation of an adopted suggestion when it is applicable to their area of responsibility.

(4) Evaluator. The evaluator, generally the manager or supervisor of the area in which the idea applies, reviews the suggestion to determine its potential use and value to the Bureau and recommends adoption or non-adoption.

(5) Employees. Each employee, regardless of grade, has the opportunity to contribute to efficiency, economy, and mission effectiveness by submitting suggestions for improvement and is eligible for an award if it is adopted.

B. Committee Responsibility. Suggestion program responsibility is assigned among committees as follows:

(1) Interior Incentive Awards Committee. Performs the following functions for the suggestion program:

(a) Advises in the operation of the suggestion program through the Department;

(b) Reviews the operation of the program and recommends action for improvement;

(c) Approves awards over $5,000 through $10,000 and submits recommendations to the Secretary on awards to be made by higher authority. The Office of Personnel Management (OPM) has final approving authority on all suggestions over $10,000 through $25,000.

(2) Incentive Awards Committees. The Bureau's incentive awards committees at all levels have the following responsibilities for the suggestion program:

(a) Planning annual program activities, determining needs for special emphasis, and giving guidance to promotional activity;

(b) Establishing bureau and local policies;

(c) Evaluating program annually, analyzing trends, reviewing grades and types of employees participating, and effectiveness of supervisory participation;

(d) Advising on difficult or controversial cases;

(e) Recommending delegations of authority be given to line managers to approve suggestion awards up to the following amounts;

(i) The Indian Incentive Awards Committee is responsible for awards up to $5,000;

(ii) The Area Incentive Awards Committees is responsible for awards up to $2,000;

(iii) The Agency Incentive Awards Committees is responsible for awards up to $1,500.

(f) Establishing an effective system for administering day-to-day suggestions activities. The system should provide for:

(i) Adequate staff services to provide advice, assistance, training, procedural guidance, maintenance of records, and submission of reports.

(ii) Processing through line channels. Recommendations should be taken by line officials through normal channels to speed processing time.

(g) The committee's responsibility need not include case-by-case decision making.

C. Incentive Awards Coordinators. Incentive awards coordinators at all levels are responsible for assisting management officials and committees in the operation of the suggestion program by establishing goals for processing suggestions and promoting the program to encourage submission of suggestions. They are responsible for:

(1) Receiving, dating, recording (docketing), establishing, and maintaining files on all suggestions received.

(2) Reviewing suggestions for validity and acknowledging receipt. When suggestions are not eligible for consideration, advises the suggester in writing why the suggestion could not be accepted.

(3) Preparing Form DI-399, Evaluation of Employee Suggestion (Exhibit 7), and referring eligible suggestions to the evaluator qualified to analyze the suggestion. If the suggestion is applicable to a broader area, copies should be forwarded for evaluation to other agencies within the area, to other area offices, and to the Central Office, if applicable.

(4) Following up periodically on evaluation reports (every 30 days). Keeps the employee advised as to the status of his or her suggestion. If the evaluator requests additional information, the coordinator will contact the suggester to obtain the information, or ask permission for the evaluator to contact him or her directly.

(5) Reviewing evaluation reports to assure suggestions receive a fair and complete evaluation. If it appears a suggestion was not fully or objectively evaluated, the incentive awards committee will be responsible for reviewing the suggestion and recommend adoption or non-adoption.

(6) Informing the suggester in writing the results of the evaluation. When a suggestion is not recommended for adoption, the notice to the suggester should be written in a tactful manner, explaining the reasons for non-adoption. It is important to handle this potentially disappointing situation with sensitivity. The employee should fully understand the reasons for not implementing his or her idea and be encouraged to continue to submit suggestions. Exhibit 9 contains examples of responses.

(7) Processing the award. Prepares the request for the cash award in accordance with established procedures. A letter and/or certificate signed by the approving official will be presented to the employee.

(8) Ensuring that a copy of the adopted suggestion and signed Waiver of Claim (Exhibit 10) are filed in the employee's Official Personnel Folder.

D. Evaluator. The suggestion is referred for evaluation to the manager or supervisor in whose area of responsibility the idea concerns or to the individual most familiar with the area that will be affected by the suggestion. The evaluator is responsible for promptly conducting a careful analysis of the suggestion in an unbiased, logical, fair, and consistent manner to determine its value and usefulness to the Bureau and/or other agencies. The report is prepared on Form DI-399, Evaluation of Employee Suggestion (Exhibit 7). The employee has taken the time and effort to prepare what is thought to be a good idea and is entitled to the courtesy of a thorough investigation and prompt response to his or her proposal. (See Exhibit 8 for guidelines.)

E. Eligibility. All employees, regardless of grade or position, may submit a suggestion. Supervisors and managers are eligible for awards only for suggestions relating to work outside their area of responsibility, as they are responsible for the efficient utilization of their employees and are expected to perform or carry out their operations as economically as possible.

F. Definitions.

(1) Suggestion. A timely, constructive idea that defines a problem relating to methods, procedures, equipment, safety, or energy and recommends a specific solution to achieve an improvement or savings in time or expense.

(2) Contribution. A general term for suggestions, inventions, superior accomplishments, or other personal effort that contributes to the efficiency, economy, or other improvement of Government operations.

(3) Duplicate suggestion. A suggestion that is basically the same as another suggestion received and processed within the preceding two-year period and which still has ownership rights.

(4) Ownership rights. The suggester retains the right to the idea and may be considered for an award if the suggestion is implemented within two years from the date of the non-adoption notice. This protects the initial suggester in case a duplicate suggestion is submitted within the two-year eligibility period.

(5) Adoption. A suggestion that has been evaluated and approved for implementation.

(6) Partial adoption. A suggestion that is given credit for contributing to a solution but only part of the idea is used or adopted.

(7) Non-adoption. A suggestion that has been evaluated and determined not feasible for adoption. The evaluator must specify why it could not be adopted.

(8) Evaluator. The individual assigned to review a suggestion to determine its potential use and value to the Bureau and recommends adoption or non-adoption.

(9) Tangible benefits. Suggestions that have actual, measureable dollar savings or specific monetary value such as increased productivity without a commensurate increase in staff or operation.

(10) Intangible benefits. Suggestions for which benefits cannot be computed or measured which improve science, safety, energy, natural resources, or service to the public and cannot be reduced to specific monetary terms.

(11) Initial award. The first cash award paid for an adopted suggestion based on first year net savings or benefits.

(12) Additional award. An award paid in addition to and after the initial or first award for a suggestion that has been adopted outside the area covered by the original award.

(13) Reconsideration. The right of a suggester to request evaluation of a suggestion that was previously evaluated but not adopted. The suggester must present additional information, evidence, or clarify significant issues or questions before reconsideration and another evaluation is made.

G. Operation. The operation of the suggestion program extends to each organizational level with the Bureau of Indian Affairs and revolves around employee ideas for improving Government operations.

(1) Eligible Suggestions. Ideas that directly contribute to economy or efficiency; directly increase effectiveness in carrying out Government operations; identify and offer specific solutions in areas where energy resources may be wasted; and ideas relating to environmental considerations in Departmental and Bureau programs are eligible for

consideration. If the implementation of a suggestion requires legislation, a statement of the need and use of the proposed legislation and the estimated costs and benefits must be provided. The originating office should be willing and prepared to support the proposal through testimony at legislative hearings when needed. Lack of novelty or originality does not necessarily make an idea ineligible for an award. Suggestions eligible for consideration may include, but are not limited to, the following:

(a) Increasing productivity by simplifying, combining, or eliminating procedures, work operations, methods, records, or paperwork;

(b) Improving procedures, systems, techniques, accuracy, quality, forms, or equipment;

(c) Conserving or better utilizing energy resources, staff, materials, time, or space;

(d) Achieving increased occupational health and safety; or,

(e) Reducing costs in any area, wherever practicable and feasible, without loss of quality or efficiency.

(2) Job-Related Ideas. Many employee suggestions are related to the employee's work. However, being related to the employee's job does not automatically mean the contribution is part of the employee's job responsibilities. "Job related" contributions are those which are related to the employee's work environment but not required in the usual duties or daily performance expectations of the position. A contribution can be considered to be within "job responsibilities" if it falls within expected job performance requirements. Consideration is to be given as to whether the contribution goes beyond what is normally expected of the employee. A special act or service award may be considered as more appropriate in some instances since a special act or service may fall within the employee's job responsibilities. However, job related contributions may be recognized under the suggestion program. Suggestion awards may be granted in instances where the idea is one which the employee does not have the authority to implement without higher level approval.

(3) Informal Ideas. An employee idea that is informally handled as an employee-management communication item and is accepted for use by the benefiting organization may be recommended for a special act or service award if management officials consider the benefits so significant that an award is warranted.

(4) Ineligible Suggestions. Ideas concerning employee benefits or services, working conditions, buildings and grounds, and housekeeping are ineligible and should be handled through the local administrative channels. The following types of suggestions are not eligible for consideration:

(a) Services and benefits to employees such as vending machines, cafeteria services, rest room facilities, parking facilities, or holidays;

(b) Working conditions such as air conditioning, decoration, furniture, or mirrors;

(c) Routine maintenance of buildings, grounds, and parking lots, such as repairing, cleaning, replacing, painting, or adjusting;

(d) Normal or routine safety practices, such as normal protective devices, removal of obstructions, or installation of warning, traffic, or other similar types of signs;

(e) A suggestion similar to one previously adopted, or similar to one currently under consideration;

(f) Personal gripes, grievances, or criticisms submitted without a proposed solution; and,

(g) Anonymous suggestions.

H. Basis for Awards. A monetary or non-monetary award will be based on tangible and/or intangible benefits to the Government.

(1) Tangible Benefits. A cash award may be made for an employee suggestion that results in tangible benefits which can be measured in terms of dollar savings. The amount of an award normally is based on a reasonable estimate of net monetary benefits for the first full year of operation following the adoption of the suggestion. The amount of the award is determined in accordance with the award scale for tangible benefits found in Appendix C.

(a) Deviation from Table. When there are substantial non-recurring costs in adopting a contribution which will be useful for a number of years, and the amount of the award on the basis of the net first year benefits would be inadequate, the award may be based on an average of the estimated net benefits over a period of years.

(b) Documentation. The awards file of an approved suggestion based on tangible benefits should contain data that supports actual measurable savings. For example, demonstrable benefits may be in terms of lower unit cost on the same measurable production, or lower unit cost on increased volume of production. However, reductions in unit cost are not considered benefits if they are the result of factors such as less complex work items being received, or cause of less effective operations, or poorer quality production or service.

(2) Intangible Benefits. A cash award may be made when an adopted suggestion does not lend itself to appraisal on the basis of monetary benefits, or results in combined monetary benefits and intangible benefits. Intangible benefits are those for which there are no measureable dollar savings but result in benefits through improvement in such areas as public or employee relations, working conditions, elimination of safety hazards, reductions in effort, or increased efficiency, all of which are difficult to evaluate in dollars. The amount of the award is determined on the basis of its value of benefits to Government operations after full consideration of such factors as extent and scope of application, significance of the contribution, and importance of programs affected. However, the minimum cash award of $25.00 is not granted unless the contribution is of comparable high standard, meeting the requirements of the intangible awards scale table. When the contribution does not quality for a minimum cash award, a letter of appreciation or a certificate is recommended.

I. Waiver of Claim. The acceptance by the employee of a cash award constitutes an agreement that the use by the Government of any idea, method, or device for which the award is made shall not form the basis of a further claim of any nature upon the Government by the employee, his/her heirs or assigns. When the employee has been advised that his or her suggestion has been adopted, the employee will sign the waiver and return it to the awards coordinator who will ensure the original is filed with the approved suggestion in the employee's OPF and a copy with the case file in the awards office. (See Exhibit 10.)

J. Docketing Suggestions. Each eligible suggestion should be docketed on Form DI-400, Incentive Awards Docket (Exhibit 6) and described briefly. Each committee shall install a uniform docketing system to identify the organizational code, fiscal year, and case number. Dockets should be numbered beginning with 01 for each new fiscal year. For example: IND-650-90-S01.

IND - Bureau of Indian Affairs
650 - Central Office
90 - Fiscal year
S01 - Suggestion number

K. Reconsideration. Within 60 days following the formal notice of disapproval, the suggester, supervisor, or manager may appeal the decision of the evaluator. The appeal must be submitted in writing, setting forth the reasons for requesting reconsideration. Generally, the review of the appellant's statement and the case file should be made at the level responsible for the disapproval. Cases that cannot be resolved at the agency or area levels may be submitted to the Central Office Indian Incentive Awards Committee for a final determination.

L. Withdrawal. A request, in writing, to withdraw a suggestion may be made at any time.

M. Payment of Award. The area, agency, or office initiating the contribution is responsible for payment of the award. Awards may be paid after the death or separation of the employee, provided the suggestion was made while the employee was in the Government service. Withholding of income taxes will be deducted from awards. In no instance shall the granting of a cash award be construed as authority to incur a deficiency in an appropriation.

N. Additional Awards. Original awards may not always represent a fair amount to the contributor especially if the benefits are of a continuing nature. Additional awards provide a way to correct such inequities and their use should be encouraged, particularly for adoptions outside the area covered by the original award. However, the total award should not exceed the award warranted based on the total amount of benefits. Such awards must be fully documented and justified.

O. Group Award. A cash award may be made to a group in equal shares or in proportion to each employee's contribution. The total amount of the award generally should be the amount that would have been authorized for one person. Exceptions in unusual cases may be made by incentive awards committees to approve a larger amount not exceeding their authority when when individual shares of a group award would be too small to provide adequate recognition.

P. Presentation. Suggestion awards should be presented to employees at awards convocations or other special assemblies. Supervisors and managers are encouraged to publicize awards in local area publications.

Q. Legal Aspects. An employee who submits a written suggestion under this system has the right to receive a prompt, objective, and fair evaluation of the idea and to be considered for an award if it is adopted either through written notification or practical application. The suggester retains the right to be considered for an award for two years after the date

of the written notification of non-adoption. If the suggester wishes to resubmit the suggestion with new information to support its benefits, this may be done, thus extending the award entitlement period.

R. Submission and Processing of Suggestions.

(1) Suggestions should be typed or neatly written on the Bureau's suggestion form, BIA-1101 (Exhibit 5), or the Department's suggestion form, DI-398, and forwarded through supervisory channels or directly to the local incentive awards coordinator. Employees are encouraged to submit suggestions through their supervisors, particularly if the contribution involves operations under the supervisor's direction. A suggestion should define a problem, state the solution in detail, and indicate the expected benefits.

(2) The incentive awards coordinator will review the suggestion for completeness and, if it is eligible for consideration, will docket the suggestion, numbering it in accordance with Section 2.3J above. The bottom part of the suggestion form may be used to acknowledge receipt of the suggestion, which should be completed within three days of submission. Ineligible suggestions will be returned to the initiator with an explanation why the idea could not be accepted.

(3) Form DI-399, Evaluation of Employee Suggestion (Exhibit 7), is prepared by the awards coordinator, attached to the suggestion, and referred for evaluation to the manager or supervisor in whose area of responsibility the idea concerns. If the suggestion is recommended for adoption, the evaluator completes the DI-399 and returns the case file to the incentive awards coordinator for processing. If the suggestion is not recommended for adoption, the evaluator will provide the reasons for disapproval and return the suggestion to the initiator through the incentive awards coordinator. The suggester should be given a clear reason in writing why his or her suggestion was not adopted.

(4) When a suggestion has been approved for adoption, the awards coordinator will prepare a request for an incentive awards check (Form 5-3304) following usual procedures used in ordering awards checks through the Division of Payroll Operations (Exhibit 3). It is recommended a letter and/or certificate be prepared for the approving official's signature. A copy of the suggestion and certificate is then forwarded to the supervisor for presentation to the employee.

(5) The incentive awards coordinator will maintain complete files on all suggestions and ensure a copy of the adopted suggestion and signed Waiver of Claim are filed in the employee's Official Personnel Folder.

(6) Suggestions potentially useful to other areas or for Bureauwide use will be sent to the Central Office incentive awards coordinator for distribution as appropriate. Suggestions applicable to other agencies will be sent to the Interior Incentive Awards Officer through the Central Office incentive awards coordinator.

(7) Timely follow-up and control of all suggestions is imperative.

S. Time Limitations. A suggestion must be submitted in writing within six months after it has been placed in operation in order to be eligible for award consideration. If possible, a suggestion should be adopted or not adopted within one year after it is received for processing. Every effort must be made to follow-up on suggestions forwarded for evaluation. To speed up processing time, time limits for evaluation are set as follows:

(1) 30 days or less for cases of nominal value; cases that can be implemented within the same organizational segment in which they originated.

(2) 60 days for higher value cases; cases that must be sent to the next higher organizational level for consideration or implementaion.

(3) 90 days for cases sent to other area offices for evaluation, and cases sent to the Central Office for consideration or implementation.

(4) 120 days for cases sent to the Department for consideration and implementation and/or referral to other Government agencies.

T. Referral of Suggestions. Before referring suggestions to the next higher organizational level for evaluation, the originating office should include a copy of their internal evaluation and recommendations for local use, along with two copies of the suggestion, including Form DI-399, Evaluation of Employee Suggestion, and Form DI-400, Incentive Awards Docket. A referral should be made when:

(1) A suggestion has been adopted and there is reason to believe it has potential use in other agencies, areas, or bureaus;

(2) The originating office recommends adoption by another area or bureau;

(3) The suggestion is to be considered outside the Department. These suggestions will be referred to the Central Office Incentive Awards Coordinator for transmittal to the Interior Incentive Awards Officer.

The processing required on an inter-departmental award is the same as that required for a similar Departmental award. If more than one agency is involved, the suggestion will be sent to the Office of Personnel Management for coordinator of the review.

U. Reports. Reports will be made in accordance with 44 BIAM 451, 1.13.

2.4 Inventions. The Department encourages the use of monetary award authorities to fully recognize and reward employees for their inventions. Such awards and attendant recognition encourage the efforts of individuals and groups engaged in research and development and other scientific and technical work within the Federal Government. It also rewards those whose inventions benefit the Government and/or the public. A monetary award should be considered if the invention either (1) contributes to the efficiency, economy, or other improvement in Government operations, or (2) is in the public interest and is associated with the employee's official employment. Even though the invention might be considered to be within an employee's official duties, it is emphasized that the employee inventor should be considered for a cash award and honorary recognition under the awards program. Such recognition may be in the form of the awards discussed below.

A. Initial Invention Award. When an invention has been submitted to the Office of the Solicitor and an application for a patent has been filed, the employee will be granted an initial award of $300. If there are co-inventors, each employee should receive a $300 award.

B. Patent Award. A Patent Award of $500 will be granted to the employee when notification has been received from the U. S. Patent and Trademark Office that a patent has been issued (or notice of allowability in those instances where issuance of a patent is deferred because of national security restrictions). If there are co-inventors, each employee should receive $500.

C. Additional Awards. If the calculation or estimate of benefits to the Government does not fairly reflect the later year(s) benefits, consideration should be given to either an averaging of actual benefits during several years of use of the invention by the Government, or using a more representative year; i.e., the benefits in the second or third year following use of the invention. Monetary recognition in addition to the Initial Invention Award and the Patent Award should be granted for inventions owned by the Government whenever:

1. Such inventions provide benefit to the Government as evidenced by Government use; and/or

2. Such inventions provide the Government with a license (additional awards are granted only to the extent that the invention has benefited the Government); and/or

3. Such inventions benefit the public as evidenced by the number of patent licenses granted, reports on commercialization from patent

licensees, and other information pertaining to the commercial use of the inventions.

D. Processing of Patents. The rights of the inventor and the Government to an invention made by a Federal employee are protected by filing a patent application with the U. S. Patent and Trademark Office of the Department of Commerce. To ensure the rights of the inventor and the Government will not be endangered through premature disclosure, it is important that no referral or processing through regular incentive awards channels occur until after the patent application has been filed by the Office of the Solicitor. If it appears the Government may benefit from an invention, assistance should be given to the employee to permit timely preparation and filing of a patent application. The Central Office incentive awards coordinator is responsible for submitting the report of the invention to the Office of the Solicitor.

When notification has been received that a patent application has been filed or that a patent (or notice of allowabililty) has been issued, the incentive awards coordinator will inform the supervisor or Area Director that a check for the Initial Invention Award or Patent Award be requested and appropriate recognition of the employee be arranged.

Patent statutes require that a patent application be filed within one year after (1) the invention is described in a printed publication, (2) the invention is in actual use (other than experimental), or (3) the invention has been sold or offered for sale. Failure to file the application within one year under any of the above conditions will preclude issuance of a valid patent, resulting in loss to the inventor and the Government. Further information regarding inventions and patents can be found in the Departmental Manual Chapter 453.

Subchapter 3. Performance Awards.

3.1 General. Performance awards, formerly categorized as sustained performance awards under Chapter 451, Incentive Awards, have been placed under Chapter 430, Performance Appraisal System. These awards apply only to employees defined under 5 U.S.C. 2105 and, like quality step increases, will be administered as part of the Incentive Awards program. The performance awards program is established under Title 5, U. S. Code, Chapters 43 and 45. (Superior Accomplishment Awards, i.e., special acts or service, suggestions, and inventions, are discussed in Subchapter 2.) A performance award is a cash payment to an employee based on that employee's assigned performance rating. It is not an increase in base pay but is paid as a lump-sum payment to recognize and reward non-PMRS employees. Performance awards for PMRS employees are defined in 44 BIAM 540, and information on SES bonuses can be found in 370 DM 920, 5.5.

3.2 Purpose. The purpose of performance awards is to motivate employees by recognizing and rewarding those who attain high levels of performance. Only one performance award, either a cash award or a quality step increase, may be granted to an employee based on the same rating period.

3.3 Guidelines for General Application. A performance award is based on the employee's rating of record for the current appraisal period, and who has been in his or her current job for not less than six months.

A. Performance awards are not mandatory but may be granted to those receiving no lower than a Level 4 (Exceeds Fully Successful) rating of record. The amount of the award will be determined in accordance with the following:

Scale	Rating	Overall Performance	Amount
Up to 5% of base salary	Level 5	Outstanding	3% - 5%
	Level 4	Exceeds Fully Successful	1% - 3%

B. Performance awards are initiated by the supervisor on Form DI-411, Recommendation for Monetary Award, and signed by the Reviewing Official. Authority for approving performance awards is the same as that delegated by the Assistant Secretary - Indian Affairs to the Superintendents, Assistant Directors for Education, and Area Directors. Performance awards exceeding $2,000 will be submitted for the approval of the Assistant Secretary - Indian Affairs. Performance awards exceeding $5,000 will be forwarded to the Interior Incentive Awards Committee for review and approval.

3.4 Basic Data Required. Nominations for performance awards will include the following:

A. Form DI-411, Recommendation for Monetary Award (Exhibit 1) signed by the recommending official and the reviewing official. Check the block for Performance Award and complete the information required.

B. Current, approved performance appraisal must clearly describe how the employee's performance of critical elements exceeds the acceptable level of performance (fully satisfactory), resulting in a Level 4 or Level 5 rating.

C. Justification that describes how the employee's performance of regularly assigned duties and responsibilities exceeded normal requirements. Performance of duties not covered in the elements and standards may be included to support the nomination. Non-recurring assignments outside the employee's normal responsibilities, such as details, special projects, etc., are classified as special acts or service and are considered under Subchapter 2, Superior Accomplishment Awards.

D. Position Description.

3.5 Processing the Nomination. Performance awards will be processed in accordance with the steps outlined for Superior Accomplishment awards in Subchapter 2, 2C.

3.6 Time Limitation. Nominations for performance awards should be submitted to the local incentive awards committee within six months after the completion of the most recent performance appraisal period, or by December 31. The DI-411, Recommendation for Monetary Award, must contain the recommending and reviewing officials' signatures and dated not later than by December 31, unless justification is provided, explaining why the nomination could not be submitted before the end of the year. Nominations requiring Central Office approval should be forwarded promptly to ensure the nomination is received within the proper time frames.

3.7 Recording and Documentation. The approved DI-411 and supporting justification, including a copy of the certificate and letter, will be be forwarded to the servicing personnel office for documentation on the SF-50, Notification of Personnel Action, and for filing in the employee's Official Personnel Folder (see Subchapter 1.13 and Appendix F).

Subchapter 4. Quality Step Increase (QSI).

4.1 General. Although a quality step increase is a pay action provided for in FPM 531, this form of recognition is administered as part of the Incentive Awards Program to reward General Schedule employees for sustained high quality performance on a continuing basis.

4.2 Purpose. Quality step increases provide a means of recognizing and rewarding the outstanding performance of GS employees by granting faster than normal step increases. A QSI immediately raises the employee's basic pay and has continuing benefits, such as increasing life insurance coverage and favorably affecting promotions and retirement computations. Employees not eligible for quality step increases include members of the Senior Executive Service, GM employees, Wage Grade, and education contract employees. Only one quality step increase may be granted within a 52-week period.

4.3 Guidelines for General Application. A quality step increase provides faster than normal advancement through the GS pay rate range because of the employee's continuing high quality performance. Because it is a change in basic pay, it not only provides a salary increase, it also provides an increase in salary-related benefits. Recommending officials must certify the employee will remain in the same or similar position for at least sixty day and performance is expected to continue at the same high level in the future.

A. Level of Performance Required. A Level 5, or outstanding, performance rating as defined in 44 BIAM 430 is required. A quality step increase is not mandatory and may be granted at the discretion of the supervisor.

B. Restrictions on Granting Quality Step Increases. A quality step increase may not be granted to an employee who has received a QSI within the preceding 52 consecutive calendar weeks. In addition, an employee may not receive a quality step increase and a performance award based on the same rating period.

C. Time Limitation. Nominations for quality step increases should be submitted to the local incentive awards committee not later than six months after the end of the most recent performance appraisal period, unless special justification is provided. Nominations requiring Central Office approval should be reviewed and forwarded promptly to ensure the nomination is received within proper time frames.

D. Effect on Within-Grade Increase (WIG). Quality step increases are in addition to regular within-grade increases and are not considered equivalent increases in compensation. This means that an employee who received a

quality step increase does not thereby start a new waiting period to meet the time requirements for a regulation within-grade increase. It should be noted, however, that if a QSI places an employee in the fourth or seventh step of the pay range, the waiting period for a within-grade increase is extended by 52 weeks under the graduated waiting period schedule. (See Exhibit 11.)

4.4 Program Responsibilities.

A. Department. The Director of Personnel is responsible for the direction and supervision of the Department's quality step increase program.

B. Bureau. The Assistant Secretary - Indian Affairs is responsible for the conduct of the quality step increase program and has delegated the authority to grant quality step increases to the lowest level of management practicable. This responsibility includes the continuing review and evaluation of quality increase activities to assure their effective accomplishment; an annual notice to employees of the number of quality step increases granted in the bureau by grade level; appropriate information to all employees on quality step increases; and annual reporting requirements to the Department. Statistical data on quality step increases will be included on the annual incentive awards report.

4.5 Criteria. A quality step increase in appropriate when:

A. The employee's current performance appraisal has resulted in a Level 5 (outstanding) summary performance rating, or rating of record.

B. Performance has exceeded the average or typical work to such an extent that the employee merits faster than usual pay advancement.

C. Performance has been sustained at an outstanding level for not less than six months and gives promise of continuing at the same high level in the future.

D. The employee is expected to remain in the same or similar position, at the same grade level, for at least 60 days from the effective date of the quality step increase.

4.6 Inappropriate Use. Because a quality step increase is a continuing benefit, the recommending and reviewing officials should consider carefully the continuing cost to the Government. Although otherwise merited, a QSI is not appropriate under the following conditions when it cannot be determined that the high level performance will continue in the future:

A. The employee is expected to retire within one year and would benefit only for a limited time;

B. The employee is at the top of the grade scale;

C. The employee is due to receive or has recently received a promotion based on the same period that the quality step increase would recognize;

D. The employee has not been in the same position continuously for at least six months;

E. The employee is changing jobs;

F. The employee has been detailed to a position other than the one in which the performance rating was given;

G. The employee has received a quality step increase within the preceding 52 weeks;

H. The employee is not covered under the General Schedule and, therefore, is not eligible for a quality step increase.

4.7 Basic Data Required. A nomination for a quality step increase must include the following:

A. Form DI-411, Recommendation for Monetary Award;

B. Justification that describes how the employee's performance can be characterized as exceeding that ordinarily found in the type of position concerned. Other job related information not covered in the employee's performance standards may be included to support the nomination.

C. Current, approved performance appraisal that describes the employee's actual performance of all job elements resulting in the assignment of a Level 5 summary performance rating, or rating of record.

D. Position description.

E. Statement signed by the supervisor certifying the employee is expected to remain in the same or similar position, at the same grade level, for at least 60 days and that performance is expected to continue at the same high level in the future.

4.8 Processing the Nomination. Nominations for a quality step increase will be processed in accordance with the steps outlined for monetary awards

in Subchapter 2, 2C, except that the approved Form DI-411 will be forwarded immediately to the servicing personnel office for processing.

4.9 Effective Date. The quality step increase shall be effective on the first day of the pay period following the date of the approving official's signature.

4.10 Evidence of Award. Each recipient receives a certificate and/or letter signed by the approving official or the employee's supervisor. The approved Form DI-411, certificate and/or letter will be filed in the employee's Official Personnel Folder.

Subchapter 5. Presidential Awards.

5.1. Eligibility. This subchapter applies to all employees as defined in Section 2105 of Title 5, United States Code, including employees covered by the Performance Management and Recognition System (PMRS) under Chapter 54 of Title 5, U.S.C., and employees in the Senior Executive Service (SES). See Appendix D for the nomination formats for Presidential recognition.

5.2 General. The President may pay a cash award to and incur necessary expenses for the honorary recognition of an employee who:

A. Contributes to the efficiency, economy, or other improvement of Government operations by his or her suggestion, invention, or other personal effort;

B. Achieves a significant reduction in paperwork;

C. Performs an exceptionally meritorious special act or service in the public interest in connection with or related to official employment.

5.3 Payment of Presidential Awards. Agencies primarily benefiting from the employee's contribution will pay for Presidential Awards which may be in addition to Superior Accomplishment Awards paid by the Bureau.

5.4 SES Ranks. In accordance with 5 U.S.C. 4503, the President may award the rank of Meritorious Executive or Distinguished Executive upon recommendation by the Office of Personnel Management to career employees of the Senior Executive Service. Meritorious rank is for sustained accomplishment; Distinguished rank is for sustained extraordinary accomplishment. Detailed instructions regarding ranks may be found in 370 DM 920.

5.5 Other Awards. The President also may grant the following awards which are administered by the Office of Personnel Management:

A. The President's Award for Distinguished Federal Civilian Service. This is the highest honorary award the Federal Government can grant to a career employee in recognition of exceptional achievements that are of unusual benefit to the Nation. The award can be granted at any time by the President to recognize individuals whose outstanding achievements have a current impact on improved Government operations or the public interest, and exemplify to an exceptional degree, imagination, courage, and superior ability in carrying out the mission of the Government. The award consists of a gold medal, a citation signed by the President, and a lapel rosette.

(1) Eligibility. Heads of departments and agencies may nominate career employees of their own agency, or employees of other agencies when they have knowledge of their exceptional achievements. Consideration for these awards may be extended to employees at all grade levels. Individuals appointed by the President or non-career members of the Senior Executive Service may be nominated only if their work in the Government might be considered to be within the Federal career service.

(2) Criteria. The importance of the achievement to the Government or to the public interest shall be so outstanding that the employee is deserving of greater public recognition than that which can be granted by the head of the agency in which he or she is employed. These achievements shall exemplify one or more of the following:

(a) Imagination in developing creative solutions to problems in Government;

(b) Courage in persevering against great odds and difficulties;

(c) High ability in accomplishing extraordinary scientific or technological achievement; in providing outstanding leadership in planning, organizing, or directing a major program of unusual importance and complexity; in performing an extraordinary act of credit to the Government and to the country; or,

(d) Long and distinguished career service.

(3) Selection. The Director of the Office of Personnel Management requests nominations each year and advises the President in selecting persons to receive this award. Recipients of the award are selected by the President.

B. Presidential Quality and Management Improvement Awards. These awards are presented annually by the President to a limited number of individuals, small working groups, or teams whose achievements during the fiscal year resulted in substantial tangible benefits to the Government. Nominations will be reviewed by the Office of Inspector General to verify benefits. Nominees for this award must have received a Presidential Letter of Commendation. The following factors will be considered:

1) Reduction of operating costs; 2) better use of staff or material resources; 3) elimination of fraud, waste, or abuse; 4) reduced budget requests (from previous levels); 5) widespread or Government-wide application; 6) degree of simplification, improved performance, or creativity involved; and 7) increased output, especially to the public.

See Appendix D for OPM Form 1588 (1-90) nomination form. Nominations will be transmitted by a memorandum signed the Bureau Deputy or Area Director through the Assistant Secretary - Indian Affairs to Interior's Director of Personnel. Nominations must include a citation describing the contribution and its benefits to the Government. Nominations to the Department will be submitted in priority order. An original and four copies should be sent to the Central Office Incentive Awards Coordinator for transmittal to the Department.

C. Presidential Letters of Commendation. Presidential letters are granted on a continuing basis and nominations may be submitted at any time. Employees who have been recognized through honorary or monetary awards for suggestions, inventions, or special achievements beyond job requirements are eligible for consideration of Presidential Letters of Commendation. Such contributions must have resulted in either: 1) tangible benefits to to the Government of $250,000 or more; or 2) a significant improvement in the quality of Government services or products which, even though they cannot be measured in dollar terms, have corresponding value. Individuals, small working groups, teams, or task forces may be nominated for this honor. Nominations (see Appendix D for OPM Form 1588) should be submitted along with a memorandum signed by the Bureau Deputy or Area Director through the Assistant Secretary - Indian Affairs to the Department's Director of Personnel. Send an original and four copies of each nomination to the Central Office incentive awards coordinator for transmittal to the Department.

Subchapter 6. Honor Awards.

6.1 Guides for General Application of Honor Awards. Honor awards are granted to recognize distinguished achievements and significant contributions that have benefited the Government in areas such as equal employment opportunity, energy conservation, scientific research, and improved communications with the public. Although honor awards are not intended to serve as a substitute for a deserved monetary award, the granting of an honor award does not preclude consideration of a cash award. Honor awards are designed to select and bestow singular honor as an official recognition of achievement and as an incentive to further accomplishments and should not be used or considered as retirement testimonials.

A. Eligibility. Bureau employees at all grade levels may be nominated for an honor award in accordance with the criteria established for each category of award. Employees may receive only one honorary award in each category. Consultants are not eligible for honor awards.

B. Time Limitation. Honor awards may be submitted at any time during an employee's career; however, the Interior Incentive Awards Committee will not consider nominations submitted six months after the date of retirement or separation of the nominee, or six months after the special act or service was performed. This requirement may be waived in unusual cases if a justification is provided that fully explains why the time limit could not be met. An indication should be made that the presentation of an award at such a late date would not be an embarrassment to the nominee, the Bureau, or the Department.

C. Honor Award Convocations. The Department of the Interior holds annual honor award convocations to honor employees receiving Distinguished Service and Valor Awards, as well as other awards as determined by the Secretary.

(1) The Bureau (employing office) is authorized to pay the necessary travel expenses of an employee or former employee and spouse to receive an honor award at the Department's annual honor awards convocation. Allowable costs include up to three days per diem and round-trip transportation to Washington, D. C. For posthumous awards, the authority covers the expenses of the surviving spouse, relative, or person designated to accept the award.

(2) The Department's Office of Personnel will make arrangements for the convocation.

D. Publicity. The Office of the Secretary is responsible for the publicity regarding the Presidential, Distinguished Service, Valor Awards,

Conservation Service, and Public Service Awards. The Bureau's initiating offices are responsible for publicizing all other types of awards.

E. Recording and Documentation. A copy of the approved honor award shall be filed on the permanent side of the employee's Official Personnel Folder.

F. Nomination Forms.

(1) DI-401, Award for Valor Nomination;

(2) DI-402, Honor Award Nomination and Career History, for

(a) Distinguished Service Award;

(b) Meritorious Service Award;

(c) Superior Service Award;

(3) DI-405, Unit Award for Excellence of Service.

(4) Memorandum format for:

(a) Exemplary Act Award;

(b) Outstanding Service Award;

(c) Conservation Service Award;

(d) Public Service Award.

6.2 Distinguished Service Award. The highest honor award that may be granted to an employee of the Department of the Interior for distinguished service.

A. Criteria for the Distinguished Service Award:

(1) The Distinguished Service Award may be granted for an outstanding contribution to science, outstanding skill or ability in the performance of duty, an eminent career in the Department, an outstanding record in administration, an outstanding contribution to equal opportunity in Government, an outstanding contribution to energy conservation, or other exceptional contribution to the public service.

(2) The nominee must have previously received the Meritorious Service Award. Only in a very rare instance will an exception to this

policy be considered, and then only if the sponsor of the nomination provides a fully justified request for a waiver.

(3) Nominations should be submitted in a timely manner and must be received within six months from the date of retirement or separation of the nominee unless special justification is provided.

(4) Length of service is not a primary factor in granting a Distinguished Service Award.

(5) An employee may receive only one Distinguished Service Award during his or her career.

B. Nomination Procedure. The nomination for the Distinguished Service Award should be prepared by the employee most familiar with the nominee's contributions and submitted through the normal supervisory channels of the nominee's organization to the local incentive awards committee. The following documentation is required:

(1) Honor Award Nomination and Career History, DI-402 (Exhibit 12).

(a) List only the dates of the nominee's total service in each Government agency (Interior, Agriculture, etc.), including military service. Significant positions held by the nominee at various areas and agencies within the Bureau may be listed in the justification under Career Resume.

(b) The nominee's personnel file shall be reviewed and a statement certifying that this review has been completed shall accompany the nomination or may be typed on the DI-402 form: "The Official Personnel Folder has been reviewed and contains no derogatory information." Any derogatory information found shall be furnished with the nomination for review.

(c) In the lower part of the Government Service listing block, indicate the date the nominee received the Meritorious Service Award.

(2) Justification. The justification, not exceeding three typed pages, should reflect recent accomplishments based on contributions made while the nominee was employed by the Department. Significant contributions made to other Government agencies may be cited. Emphasis shall be on the quality of the employee's performance and what was done to warrant Departmental recognition. Examples of specific accomplishments are necessary and should be described in enough detail to provide a clear understanding of the contribution. (See Exhibit 13 for format.)

(3) Citation. The citation, which is a summary of the nominee's accomplishments, is submitted in draft form, single-spaced, and must not

exceed one page. It should include specific contributions referred to in the justification and not only a listing of the nominee's career history. After the citation has been approved by the Department, the Incentive Awards Coordinator will prepare the final citation on Secretarial letterhead. As shown in Exhibit 14, the heading is capitalized, double-spaced, and centered on the page. The body of the citation consists of two paragraphs as follows:

(a) The first paragraph of the first sentence always begins: "In recognition of. . ."

(b) The final sentence of the second paragraph for the DSA will read: "For. . ., John Smith is granted the highest honor of the Department of the Interior, the Distinguished Service Award."

(c) The signature block is six spaces below the body of the citation and begins to the right of the center of the page.

(d) The citation must fit on one page with heading and signature block.

(4) Brief. A statement of at least 25-30 words, double-spaced on plain bond paper, which will be used to announce the award at the honor awards convocation. (Exhibit 15.)

C. Processing the Nomination. The nomination will be reviewed by the incentive awards committee and forwarded to the Area Director for approval or disapproval. If approved, the original and six copies of the nomination are forwarded to the Incentive Awards Coordinator, Division of Personnel Management, Mail Stop 320 SIB. The Indian Incentive Awards Committee will review the nomination to ensure it is sufficiently documented and, if recommended for approval, it will be signed by the Assistant Secretary - Indian Affairs. The original and eight copies are sent to the Interior Incentive Awards Committee with a transmittal memorandum signed by the Assistant Secretary Indian Affairs, recommending approval. Nominations not approved at any level will be returned to the recommending official with a written explanation as to why it was not approved.

D. Evidence of Award. Recipients of the Distinguished Service Award receive an engraved gold medal, a gold lapel emblem, a certificate, and a letter-sized citation signed by the Secretary of the Interior.

E. Presentation. The Distinguished Service Award is presented by the Secretary at the annual Departmental Honor Awards Convocation in Washington, D. C.

6.3 Outstanding Service Award (OSA). This award may be granted to non-career employees for outstanding performance in a policy or personal staff relationship with the Secretary or the various Secretarial offices. The award gives the Secretary a means for recognizing outstanding personal and policy service to his or her administration.

A. Nomination. Nominations may be initiated by an Assistant Secretary, the Solicitor, the Under Secretary, the Inspector General, or the Secretary.

(1) Basic Data Required. The nomination is based on personal and policy contributions, rather than upon the length of professional performance implied in the Distinguished Service and Meritorious Service Awards. The award nomination is by memorandum to the Secretary, indicating the employee's contributions to the Department.

(2) Processing the Nomination. The Secretary's decision to grant the award will be implemented by the Interior Incentive Awards Committee and will not be processed through the incentive awards system.

B. Evidence of Award. The recipient of the Outstanding Service Award will receive an engraved gold medal, a gold lapel emblem, a certificate, and a letter-sized citation signed by the Secretary of the Interior.

6.4 Meritorious Service Award (MSA). The Meritorious Service Award is the second highest honor award granted by the Department of the Interior.

A. Criteria for the Meritorious Service Award:

(1) The Meritorious Service Award may be granted for an important contribution to science or management; a notable career; superior service in administration or in the execution of duties; initiative in devising new and improved work methods and procedures; superior achievement in improving the safety or health of workers or employee morale; superior accomplishments in fostering the objectives of equal employment in the Government; or important contributions to energy conservation.

(2) Nominations should be submitted at the time an important contribution is made. If the nomination is based on a notable career, it must be received by the Indian Incentive Awards Committee within six months of the employee's retirement or separation from the Government. Nominations received after this time will not be considered by the Department unless a fully justified request for a waiver is provided. The Meritorious Service Award should not be viewed as a retirement gift or farewell testimonial.

(3) Length of service is not a factor in granting an MSA.

(4) An employee may receive only one MSA during his or her career.

B. Nomination Procedure. The nomination for a Meritorious Service Award may be initiated by any employee familiar with the nominee's contributions; however, the formal nomination and supporting documents should be prepared and submitted through the normal supervisory channels of the nominee's organization.

(1) Honor Award Nomination and Career History, DI-402 (Exhibit 12).

(a) List the dates of the nominee's total service in each Government agency (Interior, Agriculture, etc.), including military service. Various positions held by the nominee in different areas or agencies may be listed in the justification under Career Resume.

(b) The nominee's personnel file shall be reviewed and a signed statement certifying this review has been completed shall accompany the nomination or may be typed on the DI-402 form at the lower part of the Government Service listing block: "The Official Personnel Folder has been reviewed and contains no derogatory information." Any adverse information found will be furnished with the nomination for review.

(2) Justification. The justification should be concise and not exceed three single-spaced, typewritten pages. Although the justification is based on the nominee's contributions made while employed by the Department, major contributions to other Government agencies may be cited. Emphasis shall be on the quality of the employee's performance and achievements that deserve Departmental recognition. Examples of specific accomplishments must be described in enough detail to provide a clear understanding of the nominee's contributions and achievements. The format for preparing the justification can be found in Exhibit 13.

(3) Citation. The citation, not exceeding one page, must clearly reflect current and specific contributions described in the justification. Since citations are usually read aloud, a chronology of the nominee's career history or listings of accomplishments would not be appropriate. The citation is prepared in draft form and single-spaced. Following Departmental approval, the final citation is prepared by the Incentive Awards Coordinator. The heading is capitalized, double-spaced, and centered on the page (see Exhibit 16). The body of the citation has only two paragraphs as follows:

(a) The first paragraph of the first sentence always begins: "In recognition of. . . "

(b) The final sentence of the second paragraph will read: "For . . ., Mary Smith is granted the Meritorious Service Award of the Department of the Interior."

(c) The signature block is six spaces below the body of the citation and begins to the right of the center of the page.

(d) The citation must fit on one page with heading and signature block.

C. Processing the Nomination. The area incentive awards committee will review the nomination and recommend approval or disapproval to the Area Director. If approved, the original and six copies of the nomination are forwarded to the Incentive Awards Coordinator, Division of Personnel Management, Mail Stop 320 SIB. The Indian Incentive Awards Committee will review the nomination to ensure that it is sufficiently documented and, if recommended for approval, it is signed by the Assistant Secretary - Indian Affairs. The original and three copies of the nomination are submitted through the Assistant Secretary - Indian Affairs to the Interior Incentive Awards Committee for final action. Nominations not approved at any level will be returned to the recommending official along with a written explanation as to why it was not approved.

D. Evidence of Award. The recipient of the Meritorious Service Award receives an engraved silver medal, a silver lapel emblem, a certificate, and a letter-size citation signed by the Secretary (Exhibits 16 and 17).

E. Presentation. The presentation should be made by a ranking official at an appropriate ceremony at the local level.

6.5 Superior Service Award (SSA). The Superior Service Award may be granted at any time during an employee's career for significant acts or service, or achievements that materially aid or affect the successful accomplishment of the Bureau's mission. The Superior Service Award, which may be granted only once during the employee's Departmental career, may be considered a stepping stone to the Meritorious Service Award. The Assistant Secretary - Indian Affairs will approve Superior Service Awards for Central Office employees and Area Directors. The Area Directors are authorized to approve the SSA for employees within their jurisdiction, except those under their immediate supervision.

A. Criteria. The nomination is based on the employee's contributions while employed by the Department and may include one or more of the following:

(1) Accomplishment of a particularly difficult or important mission or assignment in a manner that reflects credit on the individual or the Bureau of Indian Affairs;

(2) Development of a new procedure or process that results in substantially increased productivity, efficiency, or economy of operation for which the employee has not otherwise been rewarded;

(3) Innovations of significance that furthers Bureau programs; and,

(4) Any other aspect of superior performance related to assigned duties and is deemed deserving of special recognition.

B. Nomination Procedure. Nominations are be submitted to the local incentive awards committee with final approval at the Area or Central Office levels. The following documentation is required for the Superior Service Award:

(1) Honor Award Nomination and Career History, DI-402 (Exhibit 12).

(2) Justification that clearly and specifically describes the employee's contributions. A career narrative is not appropriate.

(3) A citation or letter reflecting the achievement that warrants the Superior Service Award.

C. Evidence of Award. The recipient receives a bronze lapel emblem, a certificate, and a citation or letter signed by the approving official (Exhibit 18).

D. Presentation. Presentation is made by a management official at the Bureau, Area, or Agency level at an appropriate ceremony.

6.6 Unit Award for Excellence of Service (Unit Award). This Departmental honor award may be granted to a group of employees, working as a unit, that has performed a service so far above and beyond normal expectations that it is considered to be superior. Eligibility is determined by a comparison of actual performance of the group with the normal requirements of group operations. It is recommended the nomination be submitted within six months of the service being recognized.

A. Nomination Procedure. The recommending official or the supervisor most knowledgeable of the group's accomplishments prepares and submits the following:

(1) Unit Award for Excellence of Service, Form DI-405 (Exhibit 19).

(2) Justification. The justification must clearly describe the accomplishments and contributions of the group and be specific as to the period covered by the performance being cited, ordinarily not exceeding a two-year period.

(3) List of Participants. A list attached to the justification showing the names, titles, grades, organizations, and locations of the members.

(4) Citation. A draft citation, not exceeding one page, that summarizes the achievements and contributions of the group. Do not name any specific individual in the citation but refer to the group as a whole. The final citation will be prepared by the Central Office Incentive Awards Coordinator in the format required for honor awards. (See Exhibit 20.)

B. Processing the Nomination. The nomination is submitted to the appropriate local incentive awards committees, following the steps outlined for processing honor awards.

C. Evidence of Award. The group will receive an honor award certificate and a letter-size citation signed by the Secretary of the Interior. A copy of the citation and, in most instances, a smaller individual certificate will be presented to each member (Exhibits 21 and 22).

D. Presentation. The Unit Award for Excellence of Service should be presented by a ranking official at an appropriate ceremony at the local level.

6.7 Valor Award. The Valor Award may be granted to any Departmental employee, regardless of grade level, who demonstrates unusual courage involving a high degree of personal risk in the face of danger. There is no requirement that the act be related to official duties or that the site of the incident be the official duty station. The award is based on the nature of the act and is given individually. Valor Awards are approved by the Interior Incentive Awards Committee and are presented by the Secretary at the annual Departmental honor awards convocation.

A. Nomination and Processing Procedures. A nomination for the Valor Award may be made by any individual, public or private; however, the formal nomination and supporting documents are prepared and submitted through the normal supervisory channels to the local incentive awards committee. The same general procedures for processing honor awards are followed in preparing Valor Award nominations. The following documents are required.

(1) Award for Valor Nomination, DI-401 (Exhibit 23).

(2) Justification. The justification, which clearly describes the heroic act, may be typed on the DI-401 form. Newspaper articles or other supporting documents may be included.

(3) Citation. A draft citation, not exceeding one page, will summarize the act and reflect formal reference to the nominee; i.e., Mr. Jones, Ms. Smith, not John or Mary. (See Exhibit 24.)

(4) Brief. A statement of at least 25-30 words, double-spaced, on plain bond paper which will be used to announce the award.

B. Evidence of Award. Each recipient of the Valor Award receives a gold engraved medal and a letter-size citation signed by the Secretary.

C. Presentation. Presentation is made at the annual honor awards convocation in Washington, D. C.

D. Carnegie Award Consideration. After a Valor Award has been approved by the Secretary, the Indian Incentive Awards Committee will submit the nomination to the Carnegie Hero Fund Commission, 1932 Oliver Building, Pittsburgh, Pennsylvania 15222. Pertinent facts relating to the award are found in Exhibit 25.

6.8 Exemplary Act Award. The Exemplary Act Award may be used to honor any employee whose prompt decision or action significantly contributed toward saving a life or lending physical assistance to another person in an emergency or critical situation which did not necessarily involve personal risk to the employee. There is no requirement that the act be related to official duties or that the site of the incident be the official duty station. The award is based on the nature of the act and is given individually. The Exemplary Act Award also may be granted to non-Federally employed persons whose heroic efforts warrant recognition. Area Directors are authorized to approve and present Exemplary Act Awards.

A. Nomination and Processing Procedures. A nomination for the Exemplary Act Award may be made by any individual or group of individuals, public or private, who have knowledge of the incident. However the formal nomination and supporting documents shall be prepared and submitted through supervisory channels to the appropriate incentive awards committee for final approval by the Area Director or the Assistant Secretary - Indian Affairs. The following documents are required:

(1) A memorandum of the nomination that relates all facts of the incident. Supporting documents, such as newspaper articles, may be included.

(2) A citation or letter that outlines the incident.

B. Evidence of Award. The recipient receives a certificate and a letter or citation signed by the approving official (Exhibit 26).

C. Presentation. The award is presented at the local level by a management official.

6.9 Conservation Service Award. The Conservation Service Award may be granted to private individuals or groups that have performed outstanding and direct service of national significance to the Department in the field of conservation. The service must be of the type or quality that would serve as the basis for a Distinguished Service Award, the Department's highest honor award. For the purpose of this award, the term "conservation" encompasses all of the program activities of the Department.

A. Nomination and Processing Procedures. The memorandum of nomination, prepared by the benefiting office, should be specific in relating all of the facts pertinent to the outstanding contributions of the individual or group. The nomination, along with a one-page citation, is submitted to the area incentive awards committee and, if approved, the original and six copies are forwarded to the Central Office for review by the Indian Incentive Awards Committee. Nominations recommended for approval are signed by the Assistant Secretary - Indian Affairs and the original and eight copies are submitted to the Interior Incentive Awards Committee.

B. Evidence of Award. The recipient receives a citation (Exhibit 27) and a certificate signed by the Secretary of the Interior.

C. Presentation. The presentation is made by the Secretary at the annual honor awards convocation.

6.10 Public Service Award. This award is granted to private individuals or groups which have indirectly contributed to the effectiveness of the Department's mission. It is designed to recognize the efforts of citizens who have made somewhat more modest contributions to the Department's functions or operations than that required for a Conservation Service Award.

A. Nomination and Processing Procedures. Nominations for the Public Service Award will be in accordance with the procedures outlined for the Conservation Service Award.

B. Evidence of Award. The recipient receives a citation (Exhibit 28) and a certificate signed by the Secretary, which is prepared by the Office of Personnel.

C. Presentation. The presentation is made at the annual honor awards convocation unless otherwise specified.

6.11 William T. Pecora Award. The National Aeronautics and Space Administration and the Department of the Interior jointly have established an award to honor the memory of Dr. William T. Pecora. The award is presented annually in recognition of outstanding contributions of individuals or groups toward the understanding of the earth by means of remote sensing.

A. Nomination. Nominations may be made by an individual, scientific organization, professional society, or industrial organization involved in remote sensing operations.

B. Time Limitation. The National Aeronautics and Space Administration and the Department jointly will announce and solicit nominations for this award.

C. Criteria. The award will recognize contributions of those in the scientific and technical community as well as those involved in the practical application of remote sensing. Consideration will be given to single or sustained contributions of major importance to the art or science of the understanding of the earth through observations made from space.

D. Evidence of Award. The award consists of three forms of recognition. Each recipient will: 1) receive a citation jointly signed by the Administrator and the Secretary; 2) receive a plaque to be presented to the awardee by the Administrator and the Secretary or their delegated representative; and 3) have his or her name inscribed and appropriately displayed as a "William T. Pecora Fellow."

E. Presentation. Presentation is made at a ceremony determined by the Administrator and the Secretary.

6.12 Safety Council Award of Merit. This award is given by the Interior Safety and Health Council when an individual, group, bureau or office organizational unit has performed an outstanding service for or made a contribution of unusual value to the Department's safety and environmental health program. This award is given only when no other type of Department award is appropriate to recognize the accomplishment.

A. Nomination. Nominations may be made by anyone. However, the formal nomination and supporting documents will be prepared and submitted through supervisory channels to the Bureau's Safety Manager. Only employees, groups of employees, and organizational units of the Department are considered for this award.

(1) Basic Data Required. The nominations should be based on the performance of an outstanding service or for contributions of unusual value

to the Bureau's safety and environmental health program by an individual, group, or office organizational unit. The nomination of an individual will be based solely on the contributions made as an employee of the Department.

(2) Time Limitation. The Council will not consider individual nominations received more than six months after the date of retirement or separation of an employee unless special justification is provided.

B. Preparation of Nomination. A memorandum of nomination citing all facts of the nominee's contribution will be prepared and forwarded through normal supervisory channels to the local safety officer or to the Chief, Division of Safety Management, Field Safety Office, P. O. Box 2186, Albuquerque, New Mexico 87103.

C. Processing Procedures. There are two levels of review and approval required for Safety Council Award of Merit nominations.

(1) Bureau or Office. The initial review and action is taken by the local safety officer and/or the Bureau's Safety Manager and, if recommended for approval, will be transmitted to the Department Safety Manager through the Assistant Secretary - Indian Affairs.

(2) Office of the Secretary. The Department Safety Manager will present the nomination to the Interior Council for action.

(a) If the nomination is approved by the Council, it will be returned to the appropriate office for presentation at a ceremony.

(b) If the nomination is not approved, the Bureau will be advised and a written explanation provided to the recommending official.

D. Evidence of Award. The recipient of the Safety Council Award of Merit receives a certificate, bearing the Department's seal, signed by the Assistant Secretary - Policy, Budget, and Administration (PBA) and the Chairman of the Council. In addition, a letter citing the outstanding service or unusual contribution is signed by the Assistant Secretary - PBA and presented to the recipient.

E. Presentation. Presentation is made at the Bureau, Area, or Agency level.

6.13 Career Service Awards. Certificates and lapel emblems are awarded for 10, 20, 30, 40, and 50 years of Government service. Certificates only are available also for 5, 15, 25, 35, and 45 years. Names of employees eligible for length-of-service awards are provided to the incentive awards coordinators on a quarterly basis. The employee's service computation

date is used for determining eligibility. The awards coordinators are responsible for ensuring the awards are presented to the employees and/or arranging presentation ceremonies. Certificates and Departmental Buffalo emblems are ordered through the Bureau Incentive Awards Coordinator annually. If standard Government service emblems are preferred, they are available through GSA supply sources.

6.14 Equal Employment Opportunity Award. The Department has provided recognition of superior accomplishment in fostering the objectives of equal employment opportunity within the framework of the Meritorious and Distinguished Service Awards criteria. The Office of Equal Opportunity may establish an award to honor those who have achieved outstanding results through effective leadership, skill, innovation, and perseverance in extending equal employment opportunities to men and women seeking employment with or who are already employed within the Bureau. See your local equal opportunity office for additional information.

6.15 Other Awards. Other Bureau honor awards may be established to recognize employees in specific fields, such as law enforcement or education. Proposed awards should be coordinated with incentive awards personnel to review criteria and to assure all aspects of the award are considered. Proposed awards should be submitted to the Indian Incentive Awards Committee prior to implemention for review and consideration as a possible Bureauwide award.

6.16 Outside Awards. Each year, outside organizations solicit nominations from Federal agencies to recognize exceptional achievements of Federal employees in a number of different areas. Appendix E outlines the brief criteria of awards that are available. More detailed information regarding eligibility requirements, criteria, and submission dates are provided as each award is announced throughout the year.

6.17 Forms. Award for Valor, Form DI-402; Honor Award Nomination and Personal History Record, Form DI-402; and Unit Award for Excellence of Service, Form DI-405, are available from standard supply sources.

Subchapter 8. Productivity Awards

8.1 Purpose. To provide guidance and define responsibilities for the establishment of Productivity Awards Plans.

8.2 Policy. Managers at any level may establish and pursue awards programs consistent with Bureau directives for improving performance, cost effectiveness, and for increasing productivity. Productivity Awards Plans for measured increases in productivity and in work output directly attributable to employee efforts (rather than technological changes) may be established as part of the Incentive Awards Programs. Officials assigned the responsibility for Performance Awards Plans must assure that such plans include valid systems of measurement, meaningful criteria and realistic, quantifiable objectives, both for individual or group achievement.

8.3 General Guidance.

A. Applicability. Productivity Awards Plans are particularly appropriate to job situations where:

(1) the work can be measured objectively;

(2) valid performance standards can be developed;

(3) performance is tied directly to a specific individual or group;

(4) work is recurring in nature; and

(5) the pace of work is controlled by the individual.

B. Staff Expertise. Productivity Awards Plans should be developed under the guidance of individuals trained in the analysis and interpretation of productivity data. Where such expertise does not exist in-house, appropriate staff members may be trained or outside professional help utilized so that productivity can be measured accurately and realistic standards established. When developing the plan, employee input should be solicited concerning productivity measurements and standards, amounts and types of awards, and frequency of payment or recognition to enhance support of the local program. Labor unions, where officially recognized as representatives of the affected employees, should be consulted and their input solicited.

C. Types and Amounts of Awards. Motivation to increase productivity should be most pronounced when individuals believe that such improvement will be in their own best interest as well as that of the organization. Recognition can take many forms, including money, honorary awards, special privileges, etc. Whatever the form, the recognition must be significant enough to be motivating to the employee. When cash awards are prescribed, they should be a share of the savings generated when measured output exceeds established performance norms or standards. The amount of shared savings should not constitute a fiscal burden on the organization, but should be of sufficient value to motivate personnel to exceed the standard norm of productivity. The maximum sharing rate will be no more than 20 per cent of the tangible savings. The minimum collar amount of an individual award and the frequency of payment should be determined in the plan so as not to create an unreasonable or costly administrative burden, while at the same time maintaining credibility of the plan as a motivating factor for its participants.

8.4 Approval Authority. Approving officials of Productivity Awards Plans under the Bureau's Incentive Awards Program will assure the plans are in writing, that records are maintained on costs and benefits, both tangible and intangible, and that provision is made for periodic evaluation of the overall effectiveness of the plans. A copy of each approved plan will be furnished to the Department's Director of Personnel for information purposes.

Subchapter 9. Indian Leadership Award. This award may be granted to private Indian individuals or groups who have made significant contributions or have performed outstanding service leading to the advancement of Indian people, programs, or to the development of Indian resources. The Indian Leadership Award is approved by the Assistant Secretary - Indian Affairs.

9.1 Purpose. The purpose of the award is to recognize Indian people who have by their example provided outstanding leadership in pioneering or in initiating new approaches to the development or management of tribal assets and/or who have distinguished themselves in the community or state in an outstanding manner.

9.2 Eligibility. The nominee may be a private Indian citizen, an elected or appointed tribal official, an Indian employee of a state or local government, or an Indian official of any organization providing assistance or leadership to the Indian people. Groups may include tribal councils, Indian organizations, or Indian school boards. Recipients of the Indian Leadership Award may also be nominated for the Department's Public Service or Conservation Service Awards.

9.3 Time Limitations. Often the benefits of leadership may not be recognized for several years; therefore, no time limits have been set for submitting nominations. However, it is recommended that consideration be given to nominating an outstanding tribal leader, employee, or group at the time an important contribution is made.

9.4 Criteria. The nominee must have demonstrated an exceptional ability and outstanding success in motivating and/or providing guidance to the Indian people toward the achievement of their goals. The actions warranting the award may be the result of a lifetime of effort or may be the result of one or two actions significantly beneficial to the Indian people. The following are examples of performance that may be considered:

A. Contributions to the planning and development of the community to improve and strengthen the economy; education and planning assistance to create job opportunities; or resourcefulness in improving housing;

B. Original developments or major improvements in methods, organization procedures or products resulting in substantial benefits to the tribe;

C. Dedication to the preservation and management of tribal land, forests, soil and water conservation, or other resources;

D. Achievements in educational programs beneficial to Indian students;

E. Leadership in improving communications and enhancing public relations through radio, television, newspapers, and other publications.

9.5 Nomination Procedures. A nomination may be submitted at any time by any individual or orgranization familiar with the nominee's achievements or contributions to the Indian people. The nomination is reviewed by the local incentive awards committees for the approval of the Assistant Secretary - Indian Affairs. The original and six copies of the nomination, consisting of a justification in memorandum format; a biographical resume; and a draft citation will be forwarded to the Indian Incentive Awards Committee for approval. The Central Office incentive awards coordinator is responsible for preparing the certificate and citation for the signature of the Assistant Secretary - Indian Affairs. The nomination will be evaluated on the basis of the narrative. The following questions may assist in stimulating ideas for developing a nomination:

A. What was done that deserves recognition?

B. What made the accomplishment unique? Was it exceptionally creative or innovative? Was it a model for others?

C. What was the impact of the contribution and what effect will it have on the Indian people, the community, environment, or economy?

D. Did the contribution result in increased program effectiveness, better quality or service to the tribe? What obstacles were overcome?

E. What special qualities or capabilities make the nominee outstanding? What specific performance substantially exceeded expectations?

F. Has the nominee received special recognition or awards from other organizations?

9.6 Evidence of Award. The recipient or group receives a letter-size citation and a 11 x 14 certificate signed by the Assistant Secretary - Indian Affairs (Exhibit 29).

9.7 Presentation. The award is presented at an appropriate ceremony at the Bureau or area office level.

APPENDIX A

CRITERIA FOR VARIOUS TYPES OF RECOGNITION

Type	Who May Receive	Nature of Contribution	Requirements Which Must Be Met	Description
HONOR				
(Federal, Department, Agency or Bureau)	An individual or group, a former employee, or the estate of a deceased employee, provided the contribution was made while the person was a Government employee.	A suggestion, invention, special achievement, or other personal effort that contributed to efficiency, economy, or improved Government operations; or for clearly significant achievements in fostering equal employment opportunity, energy conservation, scientific research, improved communications with the public, public service, etc.	As contained in appropriate announcement inviting nominations or in Department and Agency regulations.	Usually take the form of a medal, plaque or certificate
SUPERIOR ACCOMPLISHMENT				
For special act or service.	An individual or group, a former employee, or the estate of a deceased employee, provided the special act or service took place while the person was a Government employee. Includes SES, non-SES, and PMRS employees.	Performance which has exceeded job requirements as a one-time occurrence. For example, a particular project or assignment which involved overcoming unusual difficulties, performance of assigned duties with special effort or innovation that resulted in significant economies or other highly desirable benefits, creative efforts that made important contributions to science or research or exemplary or courageous handling of an emergency situation related to official employment.	Provided the contribution has been described in writing and submitted within locally specified time limits. Must be in the public interest and connected with or related to official employment. For PMRS employees, cash awards may be granted only for accomplishments that will not be reflected in summary appraisal ratings and will not be a factor recognized through merit increases or performance awards.	Cash award from $25 to $35,000. The amount is in proportion to the benefits realized by the Government. When the award is for a group, all members should share in the recognition. The amount may be shared equally or the total may be divided in proportion to the individual contributions to the group effort. However, the total amount may not exceed the amount authorized for that type of contribution if it were being awarded to an individual. An exception may be made by an agency authorized official if individual amounts would be too small to be motivating. An honor award may be granted in addition to, or instead of, a cash award, if it better serves the purpose of matching the award to both the contribution and the employee.

Type	Who May Receive	Nature of Contribution	Requirements Which Must Be Met	Description
SUGGESTION	An individual or group, a former employee or the estate of a deceased employee, provided the contribution was made while the person was Government employee.	An adopted suggestion, whether adopted as submitted or in part, that directly contributes to economy, efficiency, or directly increases the effectivenss of Government operations.	Provided the suggestion: - Is outside the suggester's job responsibilities or, if within them, is so superior that it warrants special recognition. - Has been submitted in writing either before adoption or within any locally specified time thereafter. - Does not concern employee services or benefits, working conditions, or housekeeping (except for suggestions concerning improved use or conservation of energy resources which result in tangible benefits).	Cash award from $25 to $35,000. The amount is in proportion to the benefits realized by the Government. An honor award may be granted in addition to, or instead of, a cash award, if it better serves the purpose of matching recognition to both the contribution and the employee.

Type	Who May Receive	Nature of Contribution	Requirements Which Must Be Met	Description
QUALITY STEP INCREASE	An individual employee paid under the General Schedule (does not include PMRS (CM) or Senior Executive Service (SES) personnel).	Sustained high quality performance at an outstanding level for a period of time sufficient to conclude that such level is characteristic of the employee's performance and is expected to continue in the future.	Provided: - The recommendation is supported by the employee's most recent performance appraisal. - Overall performance must have resulted in an outstanding (Level 5) level of competence and performance of all critical elements must have been at least full satisfactory. - Performance must have been sustained at this level for a sufficient time that it is considered characteristic of the individual's performance and is, therefore, expected to continue in the future. - At the time the quality step increase will become effective, the employee must be expected to remain for at least 60 days in the same position, or in a similar position at the same grade level. - The employee has not received a quality step increase during the past 52 weeks. - The employee is not at the top rate for the grade on the pay schedule. - The contribution has been described in writing and submitted within locally specified time limit (a current performance appraisal may be used, if it contains the required information.).	An additional within-grade increase which indefinitely raises the employee's rate of basic pay. An honor or cash award may be granted in addition to a quality step increase.

Type	Who May Recei	f Contribution	Requirements Which Must Be Met	Description
SUGGESTION	An individual or a former employe the estate of a deceased employe vided the contril was made while t person was Govern employee.	d suggestion, dopted as submit- part, that di- ntributes to efficiency, or increases the nss of Govern- ations.	Provided the suggestion: - Is outside the sugges- ter's job responsibilities or, if within them, is so superior that it warrants special recognition. - Has been submitted in writing either before adoption or within any locally specified time thereafter. - Does not concern employee services or benefits, work- ing conditions, or house- keeping (except for sugges- tions concerning improved use or conservation of	Cash award from $25 to $35,000. The amount is in proportion to the benefits realized by the Government. An honor award may be granted in addition to, or instead of, a cash award, if it better serves the purpose of matching recognition to both the contribution and the employee.

APPENDIX B. EMPLOYEE ELIGIBILITY

To be eligible for incentive awards, persons must meet the definition of employee contained in 5 U.S.C. 2105.

Category of Employee	Superior Accomplishment Award (Non-Recurring)	Quality Step Increase	Suggestion Award	Career Service Emblem	Presidential Recognition (Other Than SES Ranks)
Active Duty Military Personnel	No	No	Yes, through separate legislation	No	Letters and PMIA[A] only
CETA	No	No	No	No	No
Consultants	Yes, if meet the definition	No	Yes, if meet the definition	No	Letters and PMIA only
Contract	Yes, if meet the definition	No	Yes, if meet the definition	No[1]	Letters and PMIA only, if meet the definition
Detailees	Yes	Yes	Yes	Yes	Yes
Excepted Service	Yes	Yes	Yes	Yes	Yes
Career SES	Yes	No	Yes	Yes	Yes
Non-Career SES	Yes	No	Yes	No	Yes
General Schedule	Yes	Yes	Yes	Yes	Yes
PMRS (GM-13 thru GM-15)[2]	Yes	No	Yes	Yes	Yes
Intermittent	Yes	Yes[3]	Yes	Yes	Yes
IPA Assignments:					
Federal Employees	No[4]	No	No[4]	Yes	No[4]
Non-Federal Employees	No[5]	No	No[5]	No	No
Part-time Permanent	Yes	Yes	Yes	Yes	Yes
Private Citizens	Honorary only	No	Honorary only	No	No
Re-employed Annuitants	Yes, if meet the definition	No[6]	Yes, if meet the definition	Yes	Yes
Retirees	Honorary only[7]	No	Honorary only[7]	No	No[7]
Stay-in-School	Yes	No	Yes	No	Letters and PMIA only
Summer Employees	Yes	No	Yes	No	Letters and PMIA only
TAPERs	Yes	Yes	Yes	Yes	Yes
Temporary	Yes	No	Yes	Yes	Letters and PMIA only
WG, WB, WS	Yes	No	Yes	Yes	Yes

[1] For Indian Education employees under P.L. 95-561, year-long, school-year, part-time, employees temporarily advanced, and continuing employees on short-term contract for workshop or summer employment.

[2] Through separate legislation (5 U.S.C. 5403 - GM 13-15)

[3] Unless appointment is limited (e.g., NTE 1 year).

[4] Yes, if contribution substantially benefits the Government.

[A] Presidential Management Improvement Awards

[5] Yes, if the individual is serving under a temporary appointment in the Federal Government.

[6] Normally re-employed on a temporary basis. However, QSI's may be granted to those serving unlimited appointments under OPM exception.

[7] If the contribution was made while the person was employed by the Government, a Presidential or cash award may be granted if otherwise merited.

DETERMINING AWARD AMOUNTS

C-1. GENERAL

The following award scales shall be used by supervisors and managers in making decisions on employee contributions (a suggestion, invention, special act or service) that benefit the Government. Deviations from these scales must be approved at the Central Office level.

C-2. FOR SUGGESTIONS, INVENTIONS, AND SPECIAL ACTS OR SERVICE

Table (a)

CONTRIBUTIONS WITH TANGIBLE BENEFITS

Estimated First-Year Benefits to Government	
Up to $10,000	10% of benefits
$10,001 - $100,000	$1,000 for the first $10,000 plus 3% of benefits over $10,000
$100,001 or more	$3,700 for the first $100,000 plus .5% of benefits over $100,000

Table (b) Quick Guide for Calculating Awards Based on Tangible Benefits

Benefits	Award	Benefits	Award	Benefits	Award	Benefits	Award	Benefits	Award
Up to $10,000	10%	50,000	2,200	90,000	3,400	170,000	4,050	1,800,000	12,200
11,000	1,030	51,000	2,230	91,000	3,430	175,000	4,075	1,900,000	12,700
12,000	1,060	52,000	2,260	92,000	3,460	180,000	4,100	2,000,000	13,200
13,000	1,090	53,000	2,290	93,000	3,490	185,000	4,125	2,100,000	13,700
14,000	1,120	54,000	2,320	94,000	3,520	190,000	4,150	2,200,000	14,200
15,000	1,150	55,000	2,350	95,000	3,550	195,000	4,175	2,300,000	14,700
16,000	1,180	56,000	2,380	96,000	3,580	200,000	4,200	2,400,000	15,200
17,000	1,210	57,000	2,410	97,000	3,610	225,000	4,325	2,500,000	15,700
18,000	1,240	58,000	2,440	98,000	3,640	250,000	4,450	2,600,000	16,200
19,000	1,270	59,000	2,470	99,000	3,670	275,000	4,575	2,700,000	16,700
20,000	1,300	60,000	2,500	100,000	3,700	300,000	4,700	2,800,000	17,200
21,000	1,330	61,000	2,530	101,000	3,705	325,000	4;825	2,900,000	17,700
22,000	1,360	62,000	2,560	102,000	3,710	350,000	4,950	3,000,000	18,200
23,000	1,390	63,000	2,590	103,000	3,715	375,000	5,075	3,100,000	18,700
24,000	1,420	64,000	2,620	104,000	3,720	400,000	5,200	3,200,000	19,200
25,000	1,450	65,000	2,650	105,000	3,725	425,000	5,325	3,300,000	19,700
26,000	1,480	66,000	2,680	106,000	3,730	450,000	5,450	3,400,000	20,200
27,000	1,510	67,000	2,710	107,000	3,735	475,000	5,575	3,500,000	20,700
28,000	1,540	68,000	2,740	108,000	3,740	500,000	5,700	3,600,000	21,200
29,000	1,570	69,000	2,770	109,000	3,745	550,000	5,950	3,7000,000	21,700
30,000	1,600	70,000	2,800	110,000	3,750	600,000	6,200	3,800,000	22,200
31,000	1,630	71,000	2,830	111,000	3,755	650,000	6,450	3,900,000	22,700
32,000	1,660	72,000	2,860	112,000	3,760	700,000	6,700	4,000,000	23,200
33,000	1,690	73,000	2,890	113,000	3,765	750,000	6,950	4,100,000	23,700
34,000	1,720	74,000	2,920	114,000	3,770	800,000	7,200	4,200,000	24,200
35,000	1,750	75,000	2,950	115,000	3,775	850,000	7,450	4,300,000	24,700
36,000	1,780	76,000	2,980	116,000	3,780	900,000	7,700	4,360,000	25,000**
37,000	1,810	77,000	3,010	117,000	3,785	950,000	7,950		
38,000	1,840	78,000	3,040	118,000	3,790	1,000,000	8,200		
39,000	1,870	79,000	3,070	119,000	3,795	1,050,000	8,450		
40,000	1,900	80,000	3,100	120,000	3,800	1,100,000	8,700		
41,000	1,930	81,000	3,130	125,000	3,825	1,150,000	8,950		
42,000	1,960	82,000	3,160	130,000	3,850	1,200,000	9,200		
43,000	1,990	83,000	3,190	135,000	3,875	1,250,000	9,450		
44,000	2,020	84,000	3,220	140,000	3,900	1,300,000	9,700		
45,000	2,050	85,000	3,250	145,000	3,925	1,350,000	9,950		
46,000	2,080	86,000	3,280	150,000	3,950	1,400,000	10,200*		
47,000	2,110	87,000	3,310	155,000	3,975	1,500,000	10,700		
48,000	2,140	88,000	3,340	160,000	4,000	1,600,000	11,200		
49,000	2,170	89,000	3,370	165,000	4,025	1,700,000	11,700		

* Awards over $10,000 require the approval of the Office of Personnel Management.

** Maximum award authorized by the Office of Personnel Management. A presidential Award of up to $10,000 may be paid in addition to the $25,000.

EXTENT OF APPLICATION

VALUE OF BENEFIT	LIMITED AFFECTS FUNCTIONS, MISSIONS OR PERSONNEL OF ONE OFFICE, FACILITY INSTALLATION, REGIONAL AREA, OR AN ORGANIZATIONAL ELEMENT OF HEADQUARTERS. AFFECTS A SMALL AREA OF SCIENCE/TECHNOLOGY.	BROAD AFFECTS FUNCTIONS, MISSIONS OR PERSONNEL OF AN ENTIRE REGIONAL AREA, COMMAND OR DEPARTMENTAL BUREAU. AFFECTS A BROAD AREA OF SCIENCE/TECHNOLOGY	GENERAL AFFECTS FUNCTIONS, MISSIONS OR PERSONNEL OF SEVERAL REGIONAL AREAS OR COMMANDS, OR AN ENTIRE DEPARTMENT OR AGENCY.	GOVERNMENT-WIDE/NATIONAL AFFECTS FUNCTIONS, MISSIONS OR PERSONNEL OF MORE THAN ONE DEPARTMENT/AGENCY, OF IS IN THE PUBLIC INTEREST THROUGHOUT THE NATION OR BEYOND.
MODERATE CHANGE OR MODIFICATION TO AN OPERATING PRINCIPLE OR PROCEDURE WITH LIMITED IMPACT OR USE. WOULD REPRESENT COMPLETION OF AN ASSIGNMENT OR PROJECT IN A HIGHLY SUCCESSFUL MANNER.	$50 - 100	$100 - 500	$200 - 1,000	$300 - 2,500
HIGH VALUE COMPLETE REVISION OF A BASIC PRINCIPLE OR PROCEDURE: A HIGHLY SIGNIFICANT IMPROVEMENT TO THE VALUE OF A PRODUCT OR SERVICE. WOULD REPRESENT EXCEEDING FULLY SUCCESSFUL ON THAT PROJECT/ASSIGNMENT.	$100 - 500	$500 - 1,000	$1,000 - 3,000	$3,000 - 5,000
EXCEPTIONAL VALUE INITIATION OF A NEW PRINCIPLE OR MAJOR PROCEDURE: A SUPERIOR IMPROVEMENT TO THE QUALITY OF A CRITICAL PRODUCT, ACTIVITY, PROGRAM OR SERVICE TO THE PUBLIC. WOULD REPRESENT OUTSTANDING WORK ON A PROJECT/ASSIGNMENT.	$500 - 1,000	$1,000 - 3,000	$3,000 - 5,000	$5,000 - 10,000

PRESIDENTIAL RECOGNITION - Nomination Formats

D-1. THE PRESIDENT'S AWARD FOR DISTINGUISHED FEDERAL CIVILIAN SERVICE

a. The original and three copies of each nomination are required for submission to the Department. Nominations are approved by the Office of Personnel Management.

b. Each nomination must be typed, single-spaced, on standard sized paper.

c. Each nomination must contain the following information in the order listed:

(1) First page--a brief biographical sketch, in itemized format, containing date and place of birth; significant education background; significant employment record; a specific statement of type of appointment status; current grade level; etc.

(2) Second page--a proposed citation for the signature of the President. The proposed citation must contain from 50-60 words in two-paragraph form, and highlight the significance of the individual's achievement.

(3) Additional pages containing not more than 2,500 words with topical headings as follows:

(a) Summary of Achievement--not more than one page.

(b) Additional Details--in non-technical language, illustrating how the nominee was personally responsible for the achievement. Include:

- The specific benefits in improving Government operations or serving the public interest. Describe separately the tangible and intangible benefits.

- Examples of personal qualities of the nominee which make his or her achievement possible, if thse have not been covered already under previous headings.

(4) A statement describing any significant awards received by the nominee which support the nomination.

d. If desired, supporting or technical material may be submitted to supplement the nomination. There is no limitation on the amount of such material that may be submitted. However, supporting material should be submitted separated in bound form.

NOTE: The Bureau is in no way restrained from making awards to employees who are being nominated for the President's Award. No information is to be released on the nomination until the President has made the awards or publicly announced the recipients.

Nomination For

☐ **Presidential Letter of Commendation**

☐ **Presidential Quality and Management Improvement Award**

Nomination Deadline for the Presidential Quality and Management Improvement Award is September 30

Nominees for the Presidential Quality and Management Improvement Award must have received a Presidential Letter of Commendation *(indicate date of Presidential letter below)*. Attach a two paragraph citation describing the contribution and its benefits to the Government.

U.S. Office of Personnel Management
OPM Form 1588 (1-90)

Date of Presidential Letter of Commendation *(if applicable)*

*Name *(indicate whether Mr., Mrs., or Ms.)*	Title or Rank
	Grade
Organization	Mailing Address

Type of Recognition Granted by Agency

Amount of Award Granted *(if applicable)*	Tangible Benefits *(or Intangible Benefits to be described under Description of Achievement in terms of the extent of application and value of the benefits of the contribution)*. $

Description of Achievement. Nominations should cover, as applicable, the following factors to be used in screening 1. the amount and nature of tangible benefits as evidenced by reduced operating cost, better use of staff or other resources, or reduced budget costs *(from previous levels)*; 2. the nature of intangible benefits to the Government as evidenced by the extent of application of the contribution within Government and the value of its benefits; 3. the degree of creativity demonstrated, obstacles overcome, or complexity of issues involved; and 4. the value of the contribution in terms of improved services to the public. *Continue on a separate sheet, if necessary.*

Name of Official to Contact for Further Information	Official's Telephone Number *(include Area Code)*

Nomination Approval

Signature of Department or Agency Head *(or other authorized official if the nomination is for a Presidential Letter of Commendation)*	Date

*If the nomination is for a group, provide the name of the individual who led the group effort. In addition, on a separate sheet, briefly describe the contributions of each member of the group.

REPRODUCE LOCALLY

*U.S.GOVERNMENT PRINTING OFFICE:1990-260-371:00074

U.S. DEPARTMENT OF THE INTERIOR

OUTSIDE AWARDS PLANNING GUIDE

MAJOR AWARDS SPONSORED BY NON-FEDERAL ORGANIZATIONS

AWARD	SPONSOR	PURPOSE	CRITERIA	RECOGNITION	DUE TO DEPT
ASSOCIATION OF GOVERNMENT ACCOUNTANTS DISTINGUISHED LEADERSHIP AWARD.	Federal Government Accountants Association of Washington	Recognize Federal employees who have demonstrated outstanding leadership and contributions to financial management	Outstanding leadership over period of years demonstrating significant contribution to the profession and on the job.	Plaque and formal citation	March
JUSTICE TOM C. CLARK AWARD	District of Columbia Chapter of the Federal Bar Association	Recognize career lawyers performing outstanding work for Government; encourage high standards of performance by career lawyers	General or specific accomplishments benefiting Government or legal profession which constitutes a contribution to development of public law. Employee must have 5 years of service.	Framed Certificate	February
COMMON CAUSE PUBLIC SERVICE ACHIEVEMENT AWARD	Common Cause	Recognize individuals contributing to public interest in areas of Government performance and integrity	Individual must demonstrate outstanding contributions to public interest in areas of government performance and integrity by demonstrating imagination, initiative and perserverence.	Certificate	November
CONGRESSIONAL AWARD FOR EXEMPLARY SERVICE TO THE PUBLIC	Congressmen Elliott H. Levitas & Benjamin A. Gilman	Recognize and publicize exemplary and courteous service to the public; encourage responsive attitude toward the public among Government personnel	Nominee must demonstrate degree of courtesy in dealing with the public that exceeds normal expectations; must be in connection with Federal program or functions.	Certificate and U.S. Flag flown over the Capital	May
EXCALIBUR AWARD	Congressman Michael D. Barnes	Recognize outstanding contributions by Federal civilian and military personnel; publicize achievements and enhance public appreciation of Government employees	Unusual efforts or leadership in solving problems; outstanding scientific technical or administrative achievement, superior service to the public.	Citation and U.S. Flag flown over the Capitol	Nominations may be submitted anytime.
FEDERAL ENGINEER OF THE YEAR AWARD	National Society of Professional Engineers	Honor outstanding engineers in the Federal Government	Based on educational and collegiate achievement; professional and technical society activities; engineering achievements; civic and humanitarian activities; honors and awards received.	Plaque to each agency designating awardee as Engineer of the year from that agency	December (only one nominee from each bureau employing 250 engineers)
FEDERAL ENVIRONMENTAL ENGINEER AWARD	Conference of Federal Environmental Engineers	Recognize exemplary work and accomplishments by environmental engineers in Federal service	Environmental engineer must accomplish tangible, substantial and significant record of achievement or sustained leadership of outstanding caliber		July

AWARD	SPONSOR	PURPOSE	CRITERIA	RECOGNITION	DUE TO DEPT
ARTHUR S. FLEMMING AWARD	The Downtown Jaycees of Washington, D.C.	Recognize outstanding workers in Federal Government; attract outstanding persons to Government; encourage high standards of performance; enhance appreciation of our form of Government	Administrative nominees must demonstrate exceptional ability in administration in any field; Scientific nominees must demonstrate exceptional ability and performance in their field; participate in community activities.	Engraved Plaque	December
JOHN E. FOGARTY AWARD	President's Committee on Employment of the Handicapped	Honor employee for contributing to hiring disabled people in agency in which employed	Contribute to employment of disabled in his or her agency by finding them suitable jobs	Plaque	October
GEICO PUBLIC SERVICE AWARD	The Government Employees Insurance Company (GEICO)	Recognize four Federal employees and one retiree for special achievements and contributions in the public good	Contributions to public good in one of four areas: Fire Prevention/Safety; Traffic Safety/Accident Prevention; Physical Rehabilitation; and Alcoholism.	Plaque and Cash Award of $2,500	August
HORACE HART AWARD	Horace Hart	Encourage interest in the field of printing and publishing	Notable contributions in field of printing and publishing, improved design and appearance of Federal publications; distinguished public servie over a long period.	Framed Scroll	November
INTERAGENCY COMMITTEE ON AUTOMATIC DATA PROCESSING AWARDS	Interagency Committee on Automatic Data Processing	Recognize significant contributions in the information resource management field in 3 categories: Executive Excellence, Technical Excellence or Management/Administrative Excellence	Demonstrate specific accomplishments as senior manager in information technology; improved government service; innovative and cost effective contribution; advancements in the field.		March
ROGER W. JONES AWARD	The American University, College of Public and International Affairs, School of Government and Public Administration	Recognize two career executives who have demonstrated outstanding leadership	Superior leadership resulting in outstanding organizational achievement; fostering development of managers and executives for career service.	Bronze Plaque and Citation	December
WILLIAM A. JUMP AWARD	U.S. Department of Agriculture	Recognize outstanding service in administration and notable contributions to efficiency and quality of public service	Must be career employee and not reached 37th birthday; performance in line or staff position demonstrating unusual competence in public administration; creativity and resourcefulness, integrity, dedication.	A gold Key and Certificate of Merit	January

AWARD	SPONSOR	PURPOSE	CRITERIA	RECOGNITION	DUE TO DEPT
NATIONAL MEDAL OF SCIENCE	President's Committee on the National Medal of Science	Award those deserving of special recognition for contributions to knowledge in physical, biological, mathematical or engineering sciences	Demonstrate total impact of work on present state of physical, biological, mathematical engineering or social and behavioral sciences; service in advancement of science.		September
NATIONAL PUBLIC SERVICE AWARD	American Society for Public Administration, the National Academy of Public Administration	Recognize public servants whose careers demonstrate high standard of excellence, dedication and accomplishment. Five awards are presented annually	Career contributions over sustained period to significant programs or projects within area of responsibility which benefit the general public. Focus on current service		December
OUTSTANDING HANDICAPPED FEDERAL EMPLOYEE OF THE YEAR AWARD	U.S. Office of Personnel Management	Recognize versatility, value and wide range of Federal jobs performed by persons with physical disabilities	Exceptional job performance in spite of severly limiting disabling factors-physical or mental, and community involvement. Ten nominees selected per year.	Plaque bearing the Presidential seal	May
WILLIAM T. PECORA AWARD	National Aeronautics and Space Administration and the Department of the Interior	Recognize outstanding contributions toward understanding the earth by means of remote sensing	Sustained or single contributions of major importance to the art of science of understanding of the earth through observations made from space.	Plaque and Citation	July
PRESIDENTIAL DESIGN AWARD	Federal Design Improvement Project, Design Arts Program of the National Endowment for the Arts	Recognize Federal design accomplishments and honor those making outstanding contributions to Federal design	Achievements in Architecture, Engineering Design, Graphics Design, Interior Design, Landscape Architecture, Product/Industrial Design, Urban Design and Planning.	Certificate	June
DONALD L. SCANTLEBURY AWARD	General Accounting Office, Department of the Treasury, Office of Management and Budget and Office of Personnel Management	Recognize senior financial management executives principally responsible for significant economics, efficiencies, and improvements in Federal, state or local government	Sustained, high quality leadership in financial management over the years.	Engraved Plaque	December

AWARD	SPONSOR	PURPOSE	CRITERIA	RECOGNITION	DUE TO DEPT
WARNER W. STOCKBERGER ACHIEVEMENT AWARD	International Personnel Management Association Awards Committee	Recognize person in public or private life who has made outstanding contribution to public personnel management	Outstanding contributions to personnel management such as skillful application of principals, leadership in developing creative responses to new and unusual challenges, distinguished teaching, authorship, research.	Plaque	May
TRAINING OFFICERS CONFERENCE DISTINGUISHED SERVICE AWARDS	Training Officers Conference	Recongize those making significant contributions to the fields of training and human resource development. Award will be given in six categories	Accomplishments in Needs Assessment, Training Design Management of the Training Function, Career Development, Evaluation, Research.		April
ALAN T. WATERMAN AWARD	National Science Foundation	Recognize an outstanding scientist in the forefront of science	Candidate must be 35 years or younger or not more than 5 years beyond receipt of Ph.D. Must demonstrate outstanding capability and exceptional promise in scientific or engineering research.	A medal and a grant of up to $30,000 per year for up to 3 years for scientific study or research	November
YOUNGER FEDERAL LAWYER AWARD	Federal Bar Association	Encourage younger Federal lawyers to attain high standards of professional achievements	Demonstrate outstanding legal ability and performance over a sustained period or a specific accomplishment. Significant accomplishment to the legal profession and or community.	Plaque	May

*This guide is provided for planning purposes only. Individual Personnel Management Bulletins will call for nominations and announce actual deadlines. For further information, consult Appendix 3, 370 DM 451, or your Bureau Incentive Awards Coordinator or the Interior Awards Officer.

Attachment 2 to FPM Ltr. 296-101

SUBCHAPTER 29. AWARDS

(NOA's 875, 876, 877, 878, 885, and 889)

Contents

S29-1. Coverage

S29-2. Use of SF 52

S29-3. Instructions

Table 29 Awards

For Related Information on	See
Incentive Awards	FPM Ch 451
Performance Management and Recognition System (PMRS)	5 U.S.C., Ch. 54 5 CFR 540

S29-1. Coverage. This subchapter covers cash awards that do not affect an employee's rate of basic pay:

875/Suggestion Award
876/Invention Award
877/Special Act or Service Award
878/SES Rank Award
885/Performance Award
889/PMRS Performance Award

S29-2. Use of SF 52. Although the SF 52 is required for many actions, its use for award actions is optional. The SF 50 may be prepared from either an SF 52 or from an agency form on which the award has been approved. Whichever form is used to prepare the SF 50 must bear the approving official's pen and ink signature and the date on which the award was approved.

S29-3. Instructions. a. Compare data on the SF 52 or agency award form with the last action in the employee's Official Personnel Folder/Merged Records Personnel Folder (OPF/MRPF) to be sure it is correct.

b. Use Table 29 to select the Nature of Action and Legal Authority and enter them in blocks 18A-D of the SF 52/50.

c. Enter in block 37 any remarks required by your agency's instructions or that are necessary to explain the action.

d. When an SF 52 is used, follow the instructions in subchapter 3. For the SF 50, follow the instructions in subchapter 4 and your agency's instructions (for signature/authentication of the SF 50).

e. Check FPM supplement 293-31 to determine which of the documents submitted with the action should be filed in the Employee Performance Folder (EPF) and which should be filed in the employee's OPF/MRPF. Follow your agency's instructions to dispose of those not filed in one of the folders.

f. Distribute SF 50 copies as follows:

- Employee copy--send to employee in accordance with your agency's instructions.
- Payroll copy--send to your payroll office along with payroll copy of any other forms related to the action.
- OPF copy--file on right-hand side of the employee's OPF/MRPF. (Note: Make sure that all entries on the SF 50 copy that is placed in the employee's OPF/MRPF are readable.)
- Chronological Journal copy--file as discussed in FPM Supplement 293-31.

TABLE 29. AWARDS (See Note)

	IF AWARD IS	AND	THEN NOAC IS	NOA IS	AUTH CODE IS	AND AUTHORITY IS
1	A cash award based on employee's performance rating of record	Employee is under the PMRS (i.e., the GM or an equivalent pay plan)	889	PMRS Performance Award	V6K	5 U.S.C. 5406
2		Employee is not under the PMRS (or an equivalent pay plan)	885	Performance Award	V6G	5 U.S.C. 4506
3	A cash award for an adopted suggestion by an employee who is under the PMRS (i.e., the GM or an equivalent pay plan)	It is awarded by the employing agency	875	Suggestion Award	V7N	5 U.S.C. 5407(a)
4		It is awarded by the President			V7P	5 U.S.C. 5407(b)
5	A cash award for an adopted suggestion by an employee who is not under the PMRS (i.e., not under the GM or an equivalent pay plan)	It is awarded by the employing agency			V3G	5 U.S.C. 4503
6		It is awarded by the President			V4G	5 U.S.C. 4504
7	A cash award for an invention by an employee who is under the PMRS (i.e., the GM or an equivalent pay plan)	It is awarded by the employing agency	876	Invention Award	V7N	5 U.S.C. 5407(a)
8		It is awarded by the President			V7P	5 U.S.C. 5407(h)

Attachment 2 to FPM Ltr. 296-101

	IF AWARD IS	AND	THEN NOAC IS	NOA IS	AUTH CODE IS	AND AUTHORITY IS
9	A cash award for an invention by an employee who is not under the PMRS (i.e., not under the GM or an equivalent pay plan)	It is awarded by the agency	876	Invention Award	V3G	5 U.S.C. 4503
10		It is awarded by the President			V4G	5 U.S.C. 4505
11	A cash award for a special act or service by an employee who is under the PMRS (i.e., the GM or an equivalent pay plan)	It is awarded by the employing agency	877	Special Act or Service Award	V7N	5 U.S.C. 5407(a)
12		It is awarded by the President			V7P	5 U.S.C. 5407(b)
13	A cash award for a special act or service by an employee who is not under the PMRS (i.e., not under the GM or an equivalent pay plan)	It is awarded by the employing agency			V3G	5 U.S.C. 4503
14		It is awarded by the President			V4G	5 U.S.C. 4504
15	SES Rank Award for Meritorious Executive		878	SES Rank Award	V7G	5 U.S.C. 4507(e)(1)
16	SES Rank Award for Distinguished Executive				VGB	5 U.S.C. 4507(e)(2)

NOTE: Enter amount of award in block 32 of SF 52/50 and leave blocks 30, 31, and 33 blank.

*U.S. GOVERNMENT PRINTING OFFICE:1986-490-877:25482

GROUP AWARDS

Significance of Group Accomplishment.

Evaluate in terms of normal performance standards, then determine in what manner and to what extent the group performance exceeds the normal standards. Consider the quality and quantity of the work. Consider the performance of groups doing similar work. In what respect is the work superior?

Consider special conditions. Groups may be eligible for awards based on the superior manner in which they handle such matters as sharply increased workloads, meeting tight deadlines on high priority projects, cost reductions, working with insufficient or inexperienced staff, operating under difficult or hazardous conditions, etc.

In determining the type of award that will provide equitable recognition and the maximum in incentive for all employees concerned, there are three principal factors to consider:

1. The most important is the work interdependence of the employees in the group. Can the group do a superior job in terms of its prime purpose without superior performance on the part of all employees in the group, or, in other words, does each individual's performance depend upon the performance of the other employees? Examples of such situations are repetitive operations based on a smooth flow of work which requires that each employee do a superior job before the group can perform in a superior manner.

2. Group awards may be appropriate when it is extremely difficult to determine exactly the extent of each individual's contribution to a group achievement, but the achievement of the group is clearly superior. However, it should be apparent that each employee in the group performed in such a manner as to contribute to the group achievement.

3. Group awards may be used to provide incentive where there are two or more groups involved in similar operations. The granting of an award to a group that has made an outstanding contribution will serve to encourage that group to continue high performance as well as to encourage other groups to improve their performance.

There are no numerical limitations to the size of the group considered for an award; however, problems of equity increase with the number of employees. Extra caution is advised in considering group awards for over 20 employees in a unit, or for a group consisting of two or more units performing different functions. It should be possible to show that every unit and employee in the group has made a positive contribution to the achievement.

When the accomplishment covers a wide range of activities, consideration should be given to analyzing it in terms of the units and the employees primarily responsible. Possibly these employees could be given a more equitable consideration under individual and/or unit awards, and there would be less chance of granting undeserved recognition.

Cash or Honorary Awards.

Both monetary and honorary awards are important in the recognition of group achievements. They may be used either independently of or supplemental to one another, but they should not be used in lieu of one another.

The top level honorary awards, such as the Department's Unit Award for Excellence of Service, are generally the highest type of recognition. They are useful in recognizing achievements of an organization consisting of several groups and would be appropriate when a multi-group organization is being recognized for the superior manner in which it carries out its primary function. It may be desirable to grant recognition which will give all the employees a feeling of pride in the accomplishment even though not all employees may have performed in a superior manner. Group honorary awards recognize the achievement which is the end product of the efforts of all employees. Group honorary awards may be supplemented by individual or unit monetary awards when certain employees or units make such outstanding contributions to the group effort that additional recognition is desirable.

Cash awards are particularly appropriate when the tangible or intangible benefits can be readily evaluated and when the value of individual contributions to the group effort be ascertained. When individual contributions vary significantly, the cash awards should reflect this variation. This will help to ensure adequate recognition for the employees primarily responsible for the group achievement and avoid granting undeserved recognition to other employees. Cash awards of similar amounts generally should not be made to all members of a group unless all have made substantially equal contributions to the group achievement.

FORM DI-411
(Rev. 10-89)

UNITED STATES DEPARTMENT OF THE INTERIOR

RECOMMENDATION FOR MONETARY AWARD

TK No._____

DOCKET NUMBER _____

APPROPRIATION NUMBER _____

Name of Employee (or Group)	Bureau
Social Security Number	Organization Unit
Date and Type of Award Granted within Past 52 Weeks	
Present Position Title, Series, Grade and Salary *(or Hourly Rate)* ☐ Supervisory ☐ Non-Supervisory	Position Title, Series, Grade and Salary *(or Hourly Rate)* during period of recommendation if other than present position ☐ Supervisory ☐ Non-Supervisory

TYPE OF AWARD RECOMMENDED

☐ **PERFORMANCE AWARD**

Amount of Award $ _____ % of Base Pay _____

Current Performance Rating : Level _____ Rating Period: _____

☐ **QUALITY STEP INCREASE**

Current Performance Rating : Level _____ Rating Period: _____

Effective Date: *(Personnel Office Use Only)*_____

☐ **SPECIAL ACT OR SERVICE AWARD FOR AN INDIVIDUAL**

☐ *** SPECIAL ACT OR SERVICE AWARD FOR A GROUP**

Period of Service for which nomination is based _____

Amount of Award $ _____

Tangible Benefits $ _____

Intangible Benefits: Value: _____

Application: _____

* List on a separate sheet the following information regarding the individuals involved in the group nomination: Name, Position Title, Series, Grade, Salary (or Hourly Rate), Social Security Number, Amount of Award Recommended for each individual.

SUPPORTING JUSTIFICATION

Attach justification as required. See the reverse for general information.

SIGNATURES AS APPROPRIATE

Recommending Official	Date	Regional or Area Director	Date
Reviewing Official	Date	Chairman, Bureau or Office Committee	Date
Chairperson, Regional or Area Committee	Date	Head, Bureau or Office (or Approving Official)	Date
Chairperson, Interior Incentive Awards Committee			Date

GENERAL INSTRUCTIONS

Performance Awards:

For non-PMRS employees, a one-time cash award based on a percentage of base pay may be granted to employees who receive a rating of record of exceeds fully successful or above,i.e., Level 4 or 5. See 370 DM 430 and bureau procedures for specific guidance.

Employees under the Performance Management and Recognition System are paid performance awards under that system. See 370 DM 540, annual policy issuances, and bureau procedures for specific guidance.

Quality Step Increases:

For General Schedule employees, a quality step increase may be granted for employees who receive an outstanding (Level 5) rating of record. Only one quality step increase may be granted within a 52-week period. See 370 DM 531 and bureau procedures for specific guidance.

Special Act or Service Award for an Individual:

This is a cash award granted for a non-recurring special act or service. The award is based on tangible and/or intangible benefits. See 370 DM 451 and bureau procedures for specific guidance.

Special Act or Service Award for a Group:

This is a cash award which is divided among members of a group granted for a non-recurring special act or service . Justification should describe the overall mission accomplishment of the group as well as the contributions of each individual toward the overall mission accomplishment. The total award is based on tangible and/or intangible benefits derived from the group accomplishment. Individual awards may be divided equally or in proportion to individual contribution to the group effort. See 370 DM 451 and bureau procedures for specific guidance.

U. S. DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

May 1967

EVALUATION SHEET
INCENTIVE AWARDS PROPOSAL

PROPOSAL: (State Briefly)

CASE NO.

INSTRUCTIONS: Please complete promptly: Draw a line through your name: initial and date, and forward to next reviewer. Number your comments to agree with your routing number. Notify Incentive Awards Committee Chairman or secretary if change in routing is desired.

NO.	ROUTE TO	INITIAL AND DATE	NO.	ROUTE TO	INITIAL AND DATE
1			4		
2			5		
3			6		

EVALUATION OR COMMENTS OF REVIEWERS

If more space is required, continue on plain paper. If desired, a memorandum may be attached. When applicable, include annual savings and indicate method used to arrive at saving.

INCENTIVE AWARDS COMMITTEE ACTION: (Summarize)

CHAIRMAN

MEMBER

MEMBER

MEMBER

RECOMMENDED ☐
NOT RECOMMENDED ☐

AREA DIRECTOR OR SUPERINTENDENT

CASH AWARD SUMMARY

DATE:

EMPLOYEE NAME _____

SSN _____

DEPARTMENT IN BUREAU 06 SUBBUREAU _____ BLOCK _____

PAY PERIOD TO BE PROCESSED THROUGH PAY/PERS SYSTEM _____

	AMOUNT	COST ACCOUNT
H.C. 30A CASH AWARD		
H.C. 66A (PAYMENT OUTSIDE PAY/PERS SYSTEM)		

AUTHORIZED BY:

DATE:

PHONE NUMBER:

Form 7-2211 Bureau of Reclamation

TRANSMITTAL TO DIVISION OF PAYROLL OPERATIONS

TO: BRANCH/SECTION DATE _____

FROM: NAME _____ PHONE NUMBER _____
(person)
BUREAU _____ BLOCK _____

SUBBUREAU _____ ORGANIZATIONAL CODE _____

COST STRUCTURE TO BE CHARGED _____

EMPLOYEE'S NAME _____ SSN _____

PROCESS ANALYZE THE FOLLOWING:
(Check Appropriate Line)

_____Request for audit. (Circle appropriate type and attach explanation)

Pay Annual Leave Sick Leave LWOP Restored Leave

Military Leave Home Leave Shore Leave Other

_____Problem with payroll deduction. (Attach explanation*)

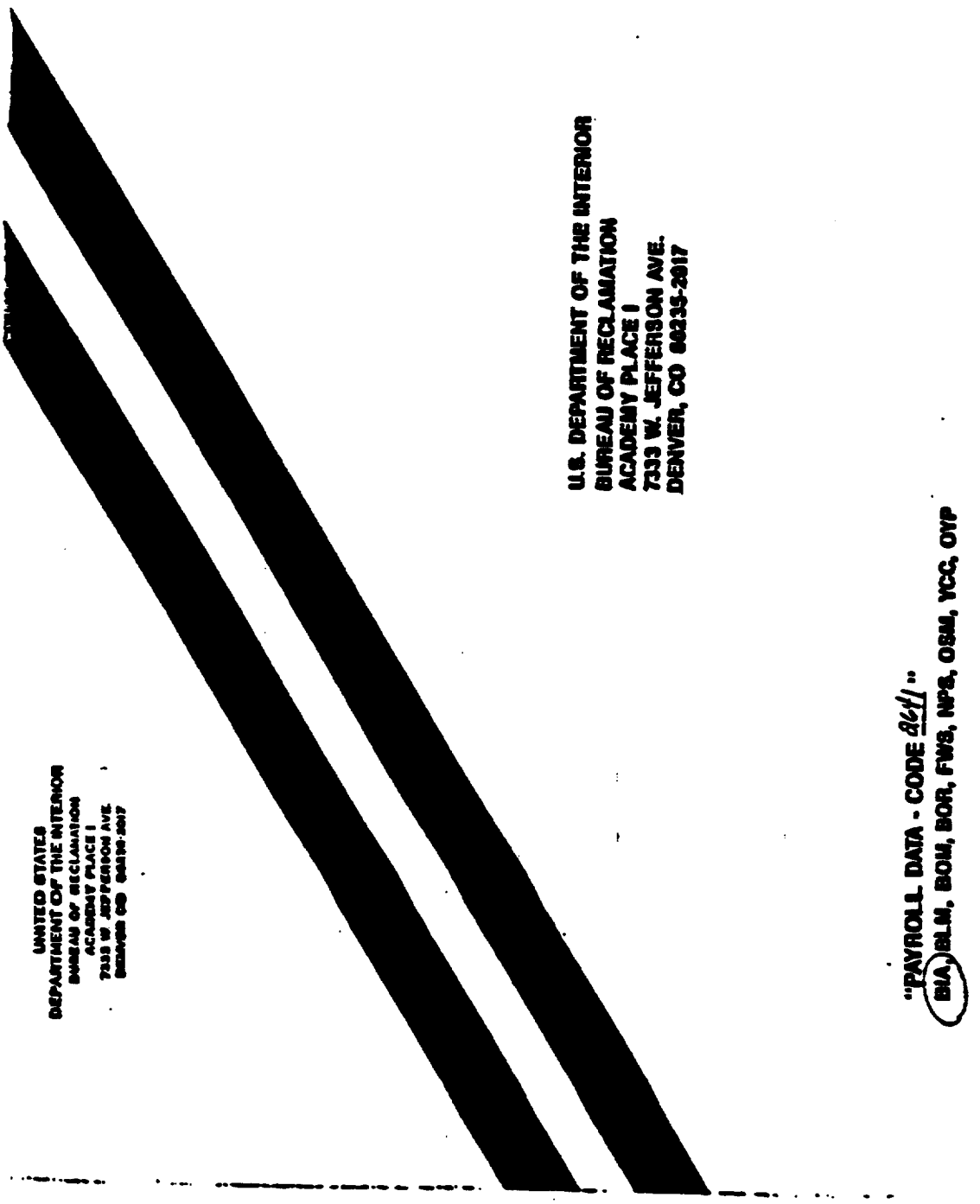
_____W-2 problem or request for duplication. (Attach explanation*)

_____Other (Explain briefly in "Remarks" and attach documentation*)

REMARKS:

REPLY FROM DPO/ACTION TAKEN:

*Include appropriate pay periods.


U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ACADEMY PLACE I
7333 W. JEFFERSON AVE.
DENVER, CO 80235-2017
"PAYROLL DATA - CODE 461"
BIA, BLM, BOM, BOR, FWS, NPS, OSM, YCC, OVP
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ACADEMY PLACE I
7333 W JEFFERSON AVE
DENVER CO 80235-2017

United States Department of the Interior
Bureau of Indian Affairs

CERTIFICATE OF SPECIAL ACHIEVEMENT

awarded to

In recognition of service performed in a manner exceeding the requirements of the position.

Granted this day of ,19

_____

DEPARTMENT OF INTERIOR — Bureau of Indian Affairs

This is my suggestion

OLD METHOD:

I SUGGEST:

Use plain bond paper for a continuation sheet.

Attach helpful drawings or sketches.

Name (please print)

Position title

Grade WB Supv. Non-supv.

Area or Office Telephone

Signature Date

Advantages are:

- ☐ Estimated 1st year savings $_____
- ☐ Prevent waste
- ☐ Improve methods
- ☐ Save time, labor
- ☐ Prevent accidents
- ☐ Or will_____

(For Committee use)

Docket No._____

Date received_____

Date acknowledged

BIA-1121 Jan. 1967

SUGGESTION ACKNOWLEDGMENT

SUGGESTER:

Give brief description of suggestion _____

Please type or print your name and the address where this acknowledgment is to be sent.

_____

_____

_____

Suggestion Number	Date Registered

Thank you for submitting your suggestion. It will be given careful consideration and you will be advised of the action taken.

If you wish to inquire about the status of this suggestion at any time, please refer to the above number.

Your interest in presenting an idea for the benefit of the Government is appreciated.

For the Incentive Awards Committee

Improve working conditions!
Devise new methods!
Eliminate waste!
Accomplish better results!
Save manpower and money!

There's always a better way!

HOW TO SELL YOUR SUGGESTION

A well-organized, clear and complete presentation of your idea and its expected benefits is the best insurance for getting the idea accepted.

IN WRITING UP YOUR SUGGESTION

FIRST - Identify the problem. This section should state just what is now being done, to give the reader an understanding of the current practices and to give him the background of the problem.

NEXT - Explain your proposed solution. Be as explicit and complete as possible. You should point out how the new practice differs and how it will achieve the benefits you expect from your proposal.

THEN - Point out the expected benefits from your proposal. Here is where you back your claims with facts. List the most important benefits first.

BENEFITS THAT CAN BE MEASURED

Be sure to identify any savings in time, labor, equipment, materials, space, etc. If possible, turn the savings into a dollar amount.

BENEFITS THAT CAN'T BE MEASURED

Describe specifically any benefits that can't be expressed in terms of dollars. Such benefits might include better service, improved quality, safer working conditions, etc. Be sure to point out who will benefit and how.

REMEMBER

You can't force acceptance of your idea - - - You've got to sell it. To sell your suggestion you've got to convince the reader that your suggestion is a worthwhile improvement!

Form DI-400
(Rev. Oct 1963)

UNITED STATES
DEPARTMENT OF THE INTERIOR
INCENTIVE AWARDS DOCKET

BUREAU OR OFFICE

NAME(S)	HDQTRS LOCATION	DOCKET NO.
POSITION TITLE	GRADE OR SALARY	☐ SUGGESTION ☐ INVENTION

☐ WAGE BOARD ☐ SUPERVISORY ☐ NON-SUPERVISORY	☐ DEPT'L ☐ FIELD	DATE REC'D	CLASSIFICATION
REFERRED TO	DATE	RETURNED	DESCRIPTION OF CONTRIBUTION

AMT AWARD	REJECT	SUPPL AWARD	ACTION DATE
FIRST-YEAR BENEFITS			
INTANGIBLE CLASS			

REASON FOR NON-ADOPTION

GPO 916-250

DEPARTMENT OF THE INTERIOR

EVALUATION OF EMPLOYEE SUGGESTION

	REPLY REQUESTED NO LATER THAN
TO:	Suggestion Number
RETURN TO:	Date referred

Evaluators Please Note

The attached suggestion is an indication of the employee's interest in improving operations. Please evaluate the proposal carefully, complete the evaluation information on the reverse of this form, and return it promptly, together with this form to the office indicated above.

In evaluating the suggestion, please give clear and specific reasons to support your conclusions. Briefly describe the actions needed to put the proposal into effect or show how it can be improved. You may also supply facts which the suggester does not possess. Remember that a suggestion must be accepted for adoption, at least in part, by the benefiting organizational unit before it is eligible for an award.

If you conclude that the suggestion is not suitable for adoption, please phrase the rejection in tactful, courteous language. In many instances a copy of your evaluation will be sent to the suggester with the notification of non-adoption. The fact that an idea is neither new or original is not an adequate basis for rejection. The key consideration is whether or not this particular suggestion will improve operations, conditions, etc.

Please give this suggestion your prompt and fair evaluation. One of the fastest ways to discourage such contributions from employees is to put off your review . This bogs down all action on the suggestion.

Your cooperation will be appreciated.

DI-399
(November 1969)

1. RECOMMENDATION:

a. ☐ Complete Adoption. (Attach implementing instructions.) ☐ Partial Adoption. (Explain in comments.) ☐ Amount of award recommended $ _____

b. This office has:
☐ Authority to implement the idea.
☐ No authority to implement. Send to:

c. Intangible benefits are:
☐ Moderate ☐ Local
☐ Substantial ☐ Regional
☐ High ☐ Bureauwide
☐ Exceptional ☐ Departmentwide or Governmentwide

d. ☐ TANGIBLE BENEFITS Use actual figures or best estimate (indicate which).

ITEM	LABOR		MATERIAL		
	MAN-HOURS PER_____	DOLLARS PER_____	UNITS PER_____	COST PER UNIT	TOTAL MATERIAL COST
FORMER METHOD		$		$	
SUGGESTER'S METHOD		$		$	
SAVINGS		$		$	
TOTAL LABOR AND MATERIAL SAVINGS PER YEAR					$

e. ☐ Rejection. (In comments, give detailed reasons.) ☐ Suggestion in effect-not based on this proposal. No award merited.

2. COMMENTS

3. Evaluated by: (Signature) | Date
Title

4. Concurrence: (Signature of evaluator's superior, if required.) | Date
Title

5. Signature of official authorized to adopt | Title | Date

GUIDELINES FOR SUGGESTION EVALUATION

1. Does the problem or condition claimed by the suggestion actually exist?

2. What caused the situation to exist? Is there a problem?

3. Will the idea as suggested solve the problem or situation, or will additional development of the idea be required? What actions are being taken or are under consideration regarding the situation?

4. Who else may need to be involved in the evaluation or the decision to implement or not implement?

5. What are the advantages or disadvantages of the suggestion? What alternate solution might be more effective?

6. Is more information needed from the suggester, or is more time needed to evaluate the idea?

7. In what other Bureau offices/area/agencies, if any, should the suggestion be implemented? Can the improvement be made elsewhere; i.e., other Federal agencies? How and to what extent will the Government benefit?

8. If you recommended the suggestion be adopted, state why.

9. If not adopted, give reason why not. Be tactful in explaining why the suggestion cannot be adopted. Would you as an employee be satisfied with the evaluation? Avoid negative phrases such as:

   - It's not good enough
   - We've been doing it this way for a long time and it works
   - Why hasn't someone else suggested it before if it's such a good idea?
   - The boss won't go for it
   - We've never done it that way before
   - Who else has suggested it?

10. In evaluating suggestions, keep the following rules in mind:

    - If the idea cannot be adopted, explain specifically and in detail so the suggester will understand that the idea has received careful consideration and he or she will be satisfied with the reasons given.
    - If the suggestion contains even a particle of an idea that is feasible, get together with the employee to re-phrase and re-work it.

- If the idea is practical and can be adopted, take action immediately to put it into effect, or if it requires higher authority approval, indicate in writing your opinion in order that management will realize the benefits to be derived from acceptance.

- Complete evaluation forms immediately. The suggester is entitled to the courtesy of a prompt reply. If the adoption of a suggestion requires an extension of time before implementing, indicate the reason for the delay so that suggester can be notified.

- If there are dollar savings involved, be explicit in your estimate by explaining the computation so those reviewing the evaluation will understand the basis for the amount of savings claimed.

- Above all, be fair to the suggester. Don't approach the suggestion with preconceived ideas; don't have the attitude that suggested changes are a criticism of your methods as a supervisor. Be open-minded—it will be a reflection of your fairness and integrity.

SUGGESTED OPENING PARAGRAPHS FOR LETTERS OF NON-ADOPTION

Your suggestion No._____ has been found to be a duplication of a previous received suggestion which. . .

Your suggestion to. . . has been carefully reviewed.

We have carefully reviewed your suggestion No._____. In this suggestion, you proposed. . .

We have checked your suggestion to. . . and find that. . .

Your suggestion No._____ has been carefully considered and has been given individual attention by those best qualified to determine its merits. Your suggestion proposes that. . .

Your suggestion to. . . has been investigated and we find this cannot be done because. . .

Your suggestion to. . . has been reviewed by. . . and they do not think it would be advisable to do this.

Your suggestion. . . is a good idea, but we find that. . .

SUGGESTED CLOSING PARAGRAPHS FOR LETTERS OF NON-ADOPTION

It is with regret that an award has not been considered for the reasons listed above. You are to be commended for your initiative and efforts in bringing to our attention ideas that might improve our operations.

Despite the fact that it is not possible to adopt your idea, we very much appreciate the interest you have shown in trying to improve the Bureau's operations. We encourage you to keep up the good work and to continue to let us have the benefit of your experience.

Although positive action on your suggestion is not anticipated, we want to thank you for taking the time to submit it. Your ideas will always be welcome.

We would personally like to thank you for taking the time to bring this matter to our attention. We certainly hope that you will continue to forward any ideas relevant to any phase of our operations that you feel would increase efficiency. Your participation in the suggestion program is appreciated.

It is most reassuring to see our employees concerned with (safety problems) (maintenance problems) (operational problems) and the resultant costs that are generated. We would like to encourage you to continue to look for areas of improvement in any of our operations and to do so by discussing them with your supervisor and/or submitting them through the suggestion program. We shall look forward to hearing from you again in the near future.

We sincerely hope you will continue to be on the alert for other ideas that you can submit which will give us the advantage of your constructive thinking. We look forward to hearing from you again.

We want to extend to you our appreciation for the consideration you have shown by submitting this suggestion, and we hope that your most recent participation in our suggestion program will be the beginning of many productive and inspiring ideas.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Washington, D. C. 20245

WAIVER OF CLAIM

Suggestion Number_____

Submitted by_____ _____

I accept this cash award and I understand that its acceptance by me constitutes an agreement that the use of the suggestion by the United States Government for which the award is made shall not form the basis of a further claim of any nature upon the United States by me, my heirs, or assigns.

_____
(Name)

_____
(Date)

Quality Increases -- Affect on Within-grade Increase

On two separate occasions, GAO reports (completed in 1973 and 1979) have expressed concern about widespread misunderstanding among Federal supervisors about the use of quality increases. New FPM Chapter 531 guidance is being prepared by OPM's Compensation Group that should help alleviate this. However, in response to agency requests, the Incentive Awards Branch developed the following material for use as a handout in training first-line supervisors. It is published here, for use as you see fit, until such time as the above guidance is published.

The quality increase normally does not affect the waiting period for the employee's next within-grade increase. For example:

	Step in GS Pay Range
Employee attained step	1 ... Jan '79
Quality increase processed to	2 ... Jul '79
Employee eligible for WIG to	3 ... Jan '80

- or -

Employee attained step	5 ... Jan '79
Quality increase processed to	6 ... May '80
Employee eligible for WIG to	7 ... Jan '81

When the quality increase will place the employee into a step in the pay range at which the waiting period becomes longer (i.e. at step 4 the waiting period becomes 104 weeks, and at step 7 the waiting period becomes 156 weeks), obviously, the waiting period for the next within-grade increase becomes longer. But the time the employee had already served in the previous pay step (before the quality increase is effective) will count toward the total waiting period for the next within-grade increase. For example:

	Step in GS Pay Range
Employee attained step	3 ... Jan '79
Quality increase processed to	4*... Jul '79
Employee eligible for WIG to	5 ... Jan '81

- or -

Employee attained step	6 ... Jan '79
Quality increase processed to	7**.. May '80
Employee eligible for WIG to	8 ... Jan '82

If the employee is eligible for a within-grade increase that will place him or her in step 4 or 7 of the pay range, and a quality increase is being considered, the waiting period for the next within-grade increase can be affected adversely if the quality increase is processed before the within-grade increase. For example:

Processing WIG before QI

	Step in GS Pay Range
Employee attained step	3 ... Jan '79
WIG processed to	4*... Jan '80
QI processed to	5 ... Feb '80
Employee eligible for WIG to	6 ... Jan '82

Employee attained step	6 ... Jan '79
WIG processed to	7**.. Jan '81
QI processed to	8 ... Feb '81
Employee eligible for WIG to	9 ... Jan '84

- or -

Processing QI before WIG

	Step in GS Pay Range
Employee attained step	3 ... Jan '79
QI processed to	4*... Dec '79
WIG processed to	5 ... Jan '81
Employee eligible for WIG to	6 ... Jan '83

Employee attained step	6 ... Jan '79
QI processed to	7**.. Dec '80
WIG processed to	8 ... Jan '82
Employee eligible for WIG to	9 ... Jan '85

*Begin 104-week waiting period
**Begin 156-week waiting period

Form DI-402
(Revised Oct. 1970)

UNITED STATES
DEPARTMENT OF THE INTERIOR

HONOR AWARD NOMINATION AND PERSONNEL HISTORY RECORD

Bureau or Office

TYPE OF AWARD

- ☐ Superior
- ☐ Meritorious
- ☐ Distinguished

Name	Title of Position	Grade
Organization Unit	Location *(City & State)*	
Age years months	Total Department Service years months	Total Government Service *(Include Military)* years months
Date Entered Government Service	Agency of First Government Employment	
If connected with retirement, date of retirement	Reason for Retirement: ☐ Age ☐ Disability ☐ Optional ☐ Death	

GOVERNMENT SERVICE *(Include Military. Indicate any breaks in service.)*

AGENCY	FROM	TO

There is no derogatory information in nominee's Official Personnel Folder.

(Sign and date)

Home Address of Nominee	Name/Address Next of Kin, if posthumous
	Relationship

Attach justification and draft of citation to conform with criteria.

RECOMMENDED

Originator	Date	Chairman, Bureau Committee	Date
Chairman, Region or Area Committee	Date	Head, Bureau or Office	Date
Regional or Area Director	Date	Chairman, Interior Incentive Awards Committee	Date

GPO 678-247 18691

CHECKLIST FOR HONOR AWARD JUSTIFICATION

1. How did his or her work exceed job requirements?

2. What has he or she done that deserves recognition? What makes it unique?

3. What new techniques were developed that made existing methods obsolete? How do they compare with previous methods? Any savings? How much? Money savings in manpower, time, etc. - what?

4. Was he or she creative or innovative? In what way?

5. How were his or her achievements valuable to administration?

6. Any achievements on an national or international scope? What?

7. Did he or she do anything to improve public relations? (With whom and what?)

8. Did he or she take part in any important surveys or experiments? What was the purpose? Did he or she make significant contributions? What? What were the results?

9. Any significant contribution to the Safety Program? Equal Opportunity Program? Incentive Awards Program? (What?)

10. Member of what prestigious groups or societies?

11. What is personal and/or professional standing with associates and others? Has he or she been granted recognition by outside organizations?

12. What honors has he or she brought to the Department and Bureau from any source?

13. What publications, including handbooks, has he or she originated?

14. How many quality step increases, superior performance awards, etc., have been awarded to the nominee?

15. Any other unusual and/or significant contributions not covered above?

FORMAT FOR HONOR AWARD JUSTIFICATIONS (DSA, MSA, SSA)

Prepare on plain bond paper, using appropriate heading in capital letters:

JUSTIFICATION FOR DISTINGUISHED SERVICE AWARD

John H. Doe

The justification should be typed, single-spaced, not to exceed three pages (two pages preferred), and reflect formal reference to the nominee; i.e., Mr. Jones, Dr. Doe, Mrs. Smith; not Bob, Jim or Jane.

A. Content.

1. Must clearly show specific accomplishments in enough detail to provide a layman with an understanding of the contribution.

2. Must reflect recent accomplishments.

3. Must be based on contributions made while the nominee was employed by the Department of the Interior (except in cases of citizen award nominations).

4. Should be reflective of what was done to warrant Departmental recognition.

5. Examples of actual accomplishments are necessary.

6. If a nomination for a DSA or MSA is submitted more than six months after the nominee's retirement or separation, a separate statement of convincing reasons must be submitted. An indication should be made that the presentation of the award at such a late date would not be an embarrassment to the nominee, the Bureau, or to the Department.

7. There is no need to include copies of letters of commendation or publications with nominations for the DSA, MSA, and SSA.

8. Headings may be used, if desired. It would be especially appropriate to use headings to denote career summary and principle achievements. The following headings are suggested:

a. Career Summary. A brief description of significant positions held. Do not repeat if outlined on the DI-402 form. Education background may be included.

b. Principle Achievements or Major Accomplishments. Specific contributions must be shown in enough detail to reflect how the nominee warrants the honor award.

c. Honors and Awards. List only highly significant honors and awards received from the Department, Bureau, or influential organizations. On nominations for the Distinguished Service Award, list the date the Meritorious Service Award was granted.

d. Publications. Only significant publications should be listed, including the date authored or co-authored, scope of coverage, nature of the publication (if not clear by the title), and the date published may be specified. Do not attach copies.

e. Professional Affiliations. Items under this category are usually indicative of the nominee's leadership in his or her field.

f. Public Relations. Generally, this item is significant if it affects the Bureau or the Department.

g. International Cooperation. Significant contributions in this category may be listed; however, it is not necessary to list attendance at international meetings.

THE SECRETARY OF THE INTERIOR
WASHINGTON

CITATION

FOR DISTINGUISHED SERVICE

DONALD J. MORROW

In recognition of his outstanding contributions to the Department of the Interior through the creative production and use of film and photography.

Donald Morrow has combined sound administrative abilities with the talents of a gifted photographer and filmmaker to provide extraordinary services for the Bureau of Indian Affairs and the Department of the Interior. For the past 35 years, he has dedicated his career to reproducing a broad spectrum of films, both instructional and informational, for not only the Bureau and the Department but for other agencies and tribal organizations as well. His motion pictures illustrating effective educational programs showing how safety problems occur, or graphically informing people about new programs affecting them, have received national and international acclaim and winning many honors. Many of his award-winning films have been shown on national public television and around the world through the United States Information Agency. His films covered activities of the Bureau of Reclamation and other bureaus of the Department as well as the Bureau of Indian Affairs. From 1950 through the early 1970's Mr. Morrow traveled extensively taking still photographs of events, activities, and conditions, documenting programs of the Bureau on almost all the reservations and in Alaska. These photographs have appeared in numerous magazines, newspapers, books, and other publications. Many of his photographs, along with his motion pictures, are now housed at the National Archives as part of our Nation's history. In addition to his work producing films and photography, Mr. Morrow established, organized, and directed an extensive film library, gathering films about Indian people, their history, culture, and way of life for distribution to public and Bureau schools. This service over the years has benefited hundreds of thousands of children and provided a rich resource for the schools. For his exceptional achievements and outstanding service to the Indian people through creative photography, Donald J. Morrow is granted the highest honor of the Department of the Interior, the Distinguished Service Award.

Donald Paul Hodel
Secretary of the Interior

BRIEF

FOR DISTINGUISHED SERVICE

DONALD J. MORROW

FOR EXCEPTIONAL CONTRIBUTIONS TO THE DEPARTMENT OF THE INTERIOR THROUGH CREATIVE PHOTOGRAPH AND FOR OUTSTANDING SERVICE TO THE INDIAN PEOPLE IN PRESERVING ON FILM THEIR HISTORY, CULTURE, AND WAY OF LIFE.

THE SECRETARY OF THE INTERIOR

WASHINGTON

CITATION

FOR MERITORIOUS SERVICE

EUGENE F. SUAREZ, SR.

In recognition of outstanding service to the Indian people in the field of law enforcement with the Bureau of Indian Affairs.

Throughout his career, Eugene F. Suarez, Sr., played a dominant role in the development, advancement, and improvement of law enforcement services. Instrumental in setting the new direction for Federal Indian policy toward self-determination in the right of Indian people to direct their own programs, he welcomed and encouraged tribal input and participation in all phases of the law enforcement programs. As the Bureau's chief law enforcement officer for the past 13 years, Mr. Suarez demonstrated exceptional leadership and effectiveness in coordinating and guiding the efforts of field operations nationally, which at times included periods of civil disorder and unrest on some Indian reservations. He recognized the importance of a well trained, professional staff and actively sought and was successful in gaining the admission of officers to the Federal Bureau of Investigation National Academy in Quantico, Virginia, and to the Federal Law Enforcement Training Center in Glynco, Georgia. Since 1970, over 40 Indian criminal investigators have graduated from the FBI Academy. Under his direction, the training programs offered by the Bureau's Law Enforcement Training Branch now fully meet state qualifications and certification requirements recognized by most State Police Officer Standardized Training Commissions. In addition to these major accomplishments, Mr. Suarez developed the BIA Law Enforcement Manual, establishing broad policy and guidelines for nationwide use and provided the leadership in implementing the first fully automated criminal justice data system. The new standardized reporting format which replaced more than 100 different report forms is the basis for a direct on-line automated computer reporting and management system for reservation law enforcement programs. His exceptional resourcefulness, initiative, and managerial skills have enabled him to fulfill many diverse and difficult responsibilities. For his outstanding contributions and dedication to the public service, Eugene F. Suarez, Sr., is granted the Meritorious Service Award of the Department of the Interior.

/s/ William Clark

MAR 9 [illegible]

William Clark

United States Department of the Interior

Honor Award

Eugene F. Suarez, Sr.

is hereby awarded this certificate of honor for

Meritorious Service

Given under my hand and seal this ninth day of March 1984

William Clark

Secretary of the Interior

UNITED STATES
DEPARTMENT OF THE INTERIOR

Honor Award

is hereby awarded this certificate of honor for SUPERIOR SERVICE.

Given under my hand and seal this _____ *day of* _____ *19* _____

Form DI-405
(Rev. Oct. 1961)

UNITED STATES
DEPARTMENT OF THE INTERIOR

Bureau or Office

UNIT AWARD FOR EXCELLENCE OF SERVICE NOMINATION

Organization Unit	Location

Description of Achievement and period covered. * *(continue on separate sheet, if necessary)*

RECOMMENDED			
Originator	Date	Chairman, Bureau Committee	Date
Chairman, Regional or Area Committee	Date	Head, Bureau or Office	Date
Regional or Area Director	Date	Chairman, Interior Incentive Awards Committee	Date

* *Attach Draft of Citation*

THE SECRETARY OF THE INTERIOR
WASHINGTON

UNIT CITATION

FOR EXCELLENCE OF SERVICE

SAN JUAN BASIN REGIONAL URANIUM STUDY TASK FORCE

In recognition of superior performance and outstanding accomplishments by members of the task force in preparing the San Juan Basin Regional Uranium Study.

This 600-page Study contains the most comprehensive store of knowledge on the regional development of uranium and the impacts that can be expected from such development in northwest New Mexico. It has become a major planning tool and information source for Federal agencies, Indian tribes, State and local governments and private groups with program interests in northwest New Mexico and the Four Corners area. Additionally, the data and analysis have been found applicable to related work by decision makers and investigators throughout the United States and a number of foreign countries. The excellence of the information and findings contained in this Study are the result of the superb, innovative research and analysis conducted by the task force members. Few coordinated records or usable scholarship relating to uranium or energy development existed for the San Juan Basin. The team's dedication to producing a new, original, and useful base of information is the major reason the Study is so valuable. To provide an intellectually superior product, the team employed many advanced techniques, such as the latest in computer technology and advanced systems analysis. As a result, the Study has become a basic source document from which future research can build. By limiting the resources employed to just those dictated by the need for excellence, the task force produced the work well within the allocated funds. This was possible only because of the competence, enthusiasm, cooperation and high morale of the team. Their eager and dedicated allegiance to the effort was quite remarkable in view of the varied backgrounds and wide spectrum of organizations and disciplines from which they came. In recognition of this highly significant achievement, the San Juan Basin Regional Uranium Study Task Force is granted the Unit Award for Excellence of Service of the Department of the Interior.

(Sgd) James G. Watt

FEB 19 1982

SECRETARY

United States Department of the Interior

Unit Award

Branch of Minerals Staff
Osage Agency

is hereby awarded this certificate of honor for

Excellence of Service

Given under my hand and seal this twelfth day of September, 1984

William Clark
Secretary of the Interior

United States Department of the Interior
Unit Award Certificate

presented to

Margaret Knight

in recognition of Excellence of Service
performed in connection with the Unit Award
granted to

SAN JUAN BASIN REGIONAL URANIUM STUDY TASK FORCE
BUREAU OF INDIAN AFFAIRS

James G. Watt
Secretary of the Interior

Form [illegible]
(Nov. Oct. 1981)

UNITED STATES
DEPARTMENT OF THE INTERIOR

AWARD FOR VALOR NOMINATION

Bureau or Office	

Name	Title of Position	Age
Organization Unit and Location	Home Address	

Total Department Service	Other employees nominated re this incident *
Total Government Service	
Date of Incident	

Description of Incident *(continue on separate sheet, if necessary)*

RECOMMENDED

Originator	Date	Chairman, Bureau Committee	Date
Chairman, Region or Area Committee	Date	Head, Bureau or Office	Date
Regional or Area Director	Date	Chairman, Interior Incentive Awards Committee	Date

* *Submit copy of this form for each other individual, omitting description of incident if wording is same*

GPO 872-878

THE SECRETARY OF THE INTERIOR
WASHINGTON

CITATION

FOR VALOR

JENNY LAKE RESCUE TEAM

In recognition of courageous action resulting in the rescue of climbers from Grand Teton National Park on September 13, 1985.

A powerful storm on Grand Teton caused the deaths of three climbers, but two other mountaineers survived after being rescued by Grand Teton National Park Rangers. Two separate climbing parties, a party of three and a party of two, were ascending the Exum Ridge route of the 13,770-foot mountain when rapidly deteriorating weather overtook them. Caught above the Friction Pitch section of the ridge, the two parties united in an effort to escape the storm. The five climbers were unable to find their way off the mountain, the effects of frostbite and hypothermia rapidly taking their toll. Meanwhile, Rangers at the Jenny Lake Ranger Station were becoming increasingly concerned that a climbing party was overdue in returning according to its climbing permit. Rangers Jackson and Woodmencey, the first of two teams sent to search for the party, faced a seven mile trek, breaking track through drifts of new snow 2 to 3 feet deep. An attempt to use a helicopter in the search proved futile; the 60 mph winds prevented the helicopter, under full power, from moving forward. Making camp at the Lower Saddle on the mountain, these two climbed higher hoping to find the missing climbers, searching until darkness forced them to retreat. Rangers Jackson and Woodmencey were joined later by Rangers Larson and Harrington who were to assist in the search. All four faced extremely poor conditions with wind gusts to 90 mph, blowing snow, poor visibility and single digit temperatures. Despite these conditions, the four climbed technical rock terrain which was made even more difficult and hazardous by the snow, ice and verglass covering the rock. A faint glow of a single headlamp noticed by Ranger Woodmencey eventually led to the successful rescue of two of the five lost climbers. Facing extreme weather conditions and carrying enormous loads of rescue gear, all four Rangers proceeded with a delicate and dangerous climb up toward where the light was spotted. The rescue team spent the rest of the night trying to feed and rewarm the two seriously hypothermic and incoherent climbers. At first light, the team began the long slow evacuation of these two to the Lower Saddle where they were flown by helicopter to a hospital in Jackson, Wyoming. For their courageous actions and the great personal risks they took, Randy R. Harrington, Leo L. Larson, James T. Woodmencey and Reynold G. Jackson of the Jenny Lake Rescue Team are granted the Valor Award of the Department of the Interior.

Donald Paul Hodel
Secretary of the Interior

PURPOSE AND SCOPE OF THE CARNEGIE HERO FUND

Andrew Carnegie, industrial leader and philanthropist, established the Carnegie Hero Fund in 1904 for the purpose of recognizing acts of heroism by awarding medals which often are accompanied by pecuniary awards.

Bronze medals are awarded honoring acts in which conclusive evidence may be obtained showing that the person performing the act voluntarily risked his or her life to an extraordinary degree in saving, or attempting to save, another person, or sacrificed himself or herself in an heroic manner for the benefit of others.

Mr. Carnegie's primary purpose in creating the Fund was to make provisions to give pecuniary assistance to persons disabled in heroic efforts to save human life or to dependents of persons who lost their lives in this manner. In such cases, monthly allowances often are granted. Monetary grants for educational expenses and for other worthy purposes also may be made to heroes and heroines and as the Carnegie Hero Fund Commission thinks advisable.

Acts of rescue can be reported directly by writing to the Carnegie Hero Fund, 606 Oliver Building, Pittsburgh, Pennsylvania 15222. Preliminary investigation by correspondence is made to determine whether reported cases merit field investigation; and if so, to facilitate the work of the Fund's field representative in their investigation. Detailed reports of the field investigations are the basis of all awards made by the Commission, which is comprised of 21 individuals representing various business and civic interests.

Four times a year the Commission meets in Pittsburgh to take final action in award cases. The awards are promptly announced by the media and summaries of the heroic acts recognized are published annually in a booklet which is sent to public libraries. Copies of the booklet also can be obtained from the Pittsburgh office.

The Commission considers acts performed in the United States and Canada, or the waters thereof, by persons the nature of whose duties in following their regular vocations does not require them to perform such acts. Only rescues brought to the attention of the Commission within three years of the date of the act are eligible for consideration. Acts in which the rescuer is related to the rescued by close family ties, or those performed while the rescuer is in the Armed Service, do not come within the scope of the Fund.

As of December 31, 1980, the Commission had awarded 6,498 medals accompanied by more than $13,900,000 on monetary grants to heroes and their dependents. A relief bust of Mr. Carnegie is on front side of the medal, and the reverse side is inscribed with the name of the rescuer and a brief description of his or her act. The medal measures three inches in diameter.

United States Department of the Interior

Exemplary Act Award

Is hereby awarded this certificate in appreciation
and recognition for an Exemplary Act.
Presented this____day of_____19__.

_____

THE SECRETARY OF THE INTERIOR
WASHINGTON

CITATION

FOR CONSERVATION SERVICE

MARTHA HAYNE TALBOT

In recognition of her significant contribution in co-founding the Student Conservation Association.

In 1955, Martha Hayne Talbot learned that Elizabeth Cushman Titus, a fellow student at Vassar College, had just written her senior thesis on the idea that volunteer students could help the understaffed national parks. Their professor, A. Scott Warthin, suggested the two young women join forces to make the idea a reality. Armed with the thesis and letters of introduction, they visited the superintendents and staffs of several national parks to learn if the idea was acceptable and practical. The women believed there were many persons willing to work as volunteers in return for educational benefits of on-the-ground experience in natural resource management. After their first report and proof that such field experience could merit academic credit, the park officials agreed to give the idea a trial in Olympic and Grand Teton National Parks. With the help and support of the then National Parks Association and guidance of The Conservation Foundation, the women began recruiting students and persuading conservation-minded foundations and citizens groups to help defray the costs of the Program. They developed application and evaluation forms and wrote reports after each stage of development for distribution to the Park Service and sponsors. The National Parks Association, allowed them to use their office equipment at night because there was no space during the day. In 1957 the first participants - 54 of them from age 16 to 48 years of age - were selected to be part of the original pilot projects. In 1964 the Student Conservation Association was established to administer the Program along the basic lines worked out by its two co-founders. In the first three decades, over 12,000 men and women from 50 states and 20 foreign countries served as volunteers in the Program, contributing work valued at approximately $22 million. In addition to the National Park Service, host agencies now include the Bureau of Land Management, U.S. Fish and Wildlife Service and the USDA Forest Service as well as state and local land use agencies. Over the years, in spite of her other activities, Mrs. Talbot has kept her interest in and support of the Program - always as a volunteer. One of her particular concerns has been to assure that the participants receive the maximum conservation education benefits from the Program. Today, Mrs. Talbot serves as an Honorary Director of the Student Conservation Association that operates the Program. For advancing conservation of the Nation's natural resources and conservation education, through her indispensable role in the creation of the Student Conservation Program, Martha Hayne Talbot is granted the Conservation Service Award of the Department of the Interior.

Donald Paul Hodel
Secretary of the Interior

THE SECRETARY OF THE INTERIOR
WASHINGTON

CITATION

FOR PUBLIC SERVICE

CHEROKEE HISTORICAL ASSOCIATION

In recognition of its activities that have perpetuated the history and culture of the Cherokee Indians of North Carolina, strengthened the economy of the Cherokee Indian Reservation and all of western North Carolina, and promoted an appreciation for the natural resource treasures of the Great Smoky Mountains.

The Cherokee Historical Association was established in the late 1940's for the purpose of preserving and promoting the history and traditions of the Cherokee Indians and the pioneer settlers of western North Carolina through the production of an outdoor drama, "Unto These Hills." From its first performance in 1950, and continuing annually through 1982, some four million people have now had the opportunity to experience the stirring story of how a simple tribesman gave his life so that a remnant group of Cherokee Indians could remain in their beloved homeland of the Great Smoky Mountains. The work of the Association has led to the acquisition of the largest collection of Cherokee artifacts and the construction in 1976 of a modern museum facility to house and display them. In addition to these efforts, the Association has contributed substantially to the entire life and economy of the Cherokee Reservation in terms of wages, contracts to tribal organizations, taxes to the tribal government, and scholarship grants and loans to encourage higher education. All of its activities have been conducted in a manner that has endeavored to develop and promote harmony and appreciation for the Great Smoky Mountains setting in which they are located. In 1981, the Cherokee Arboretum and Nature Trail was designated a National Recreational Trail by the Secretary of the Interior. In carrying out its wide range of beneficial activities, the Cherokee Historical Association has pulled from a dark chapter in American history, worthwhile lessons in understanding and cooperation to bring about its unique accomplishments in local and regional community enterprise. For its role in preserving the culture of the Cherokee Indians, improving the economy of western North Carolina, and promoting an appreciation for the natural resources of the Great Smoky Mountains, the Cherokee Historical Association is granted the Public Service Award of the Department of the Interior.

(Sgd) James G. Watt

SECRETARY

SEP 20 1983

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

INDIAN LEADERSHIP AWARD

In recognition of outstanding leadership in programs which promote the advancement of Indian people and for significant contributions to the development of Indian resources.

is hereby awarded this certificate

Given under my hand and seal this____ day of_____ 19___

_____

Form DI-406
(August 1960)

UNITED STATES DEPARTMENT OF THE INTERIOR

(Bureau or Office – Print Only)

INCENTIVE AWARDS PROGRAM EVALUATION

Date

1. Name & Location of Organization:

2. Name & Title of Analyst:

3. No. of employees:
4. No. of contributions received:
5. No. of contributions approved:
6. No. of contributions pending:
7. No. of awards approved for sustained superior performance:
8. No. of awards approved for special acts or services:

9. Period of appraisal:

10. Period covered by Statistics in items 3 – 8:

11.

OFFICIALS INTERVIEWED	NAME	TITLE	ORGANIZATION UNIT
Committee Chairman			
Committee Secretary			
Head of Bureau or Office			
(Or his representative)			
Other Officials			

12. Evaluation of Specific Program Elements:
(Instructions to analyst: Specific observations on program elements should be entered in space provided at end of report)

PROGRAM ELEMENTS	MERITS SPECIAL MENTION	ADEQUATE	NEEDS STRENGTHENING
A. Is the Incentive Awards Program suited to the organization and its employees?			
B. Is the Incentive Awards program coordinated with the total management program (work simplification, supervisory training, etc.)?			
C. Interest by top management			
D. Interest and support by middle management and supervisors			
E. Recognition of supervisors who encourage participation			
F. Acknowledgment of receipt of employee contribution			
G. Detailed reasons for rejection of employee contribution			
H. Prompt evaluation of employee contribution			
I. Impartial evaluation of employee contribution			
J. Notification to employee on committee actions and decisions			
K. Prompt recognition of employee for approved contributions			
L. Uniform application of award scales and award criteria			

PROGRAM ELEMENTS	MERITS SPECIAL MENTION	ADEQUATE	NEEDS STRENGTHENING
M. Documentation in support of action taken on each employee's contribution			
N. Contributions and awards as factors in promotions *(both employee's and supervisor's)*			
O. Procedure for referral within the employing bureau of the employee's contribution			
P. Procedure for referral of employee's contribution to the Interior Incentive Awards Committee			
Q. Procedure for referral of employee's contribution to the Department Branch of Incentive Awards for further referral to other Executive agencies			
R. Effectiveness of continuing promotional publicity of program			
S. Follow-up procedure to assure that adoptions are actually implemented			
T. Quality of records maintained			
U. Training of supervisors as to their incentive awards responsibilities			
V. What atmosphere has been created to encourage employee participation			
W. Which particular groups of employees *(i.e. administrative, technical, wage rate, scientific, engineering, etc.)* need participation encouragement			
X. What is the reason for their nonparticipation			
Y. What is, or will be, done to encourage participation from such groups			

ITEM	EVALUATION COMMENT *(This space for detailed answers to questions. Indicate item number to which answer applies.)*

General Comments:

OPM Form 1465
(5/81)
Supersedes SF 69
FPM Supp. 451-1
(5 CFR 451.205 and 540.109)

U.S. Office of Personnel Management

INCENTIVE AWARDS PROGRAM ANNUAL REPORT

Interagency Control No. 1059-OPM-AN

Name of Reporting Agency

Fiscal Year

Name of Individual Completing Report

Telephone Number *(Including Area Code)*

Part A – Performance Recognition

1. Monetary Recognition for Individuals	a. Special Achievement Award								b. Quality Step Increase		c. Population
	(1) Sustained Superior Performance				(2) Special Act or Service						
Group/Pay Plan	Number Granted	Amount Paid in Awards	Tangible Benefits	Number With Tang. Benefits	Number Granted	Amount Paid in Awards	Tangible Benefits	Number With Tang. Benefits	Number Granted	No. of Eligible Employees	No. of Employees in Agency
GS 1-6 or Equivalent											
GS 7-12 or Equivalent											
GS 13-15 or Equivalent											
GS 16 & Above or Equiv.											
TOTAL GS & EQUIV.											
Merit Pay - GM 13											
Merit Pay - GM 14											
Merit Pay - GM 15											
Wage Grade											
Wage Leader											
Wage Supervisor											
TOTAL WAGE GRADES											
TOTAL ALL PAY PLANS											

Part A – Performance Recognition – Continued

2. Monetary Recognition For Groups

a. No. of group awards granted	
b. No. of persons involved	
c. Amount paid in awards	
d. Tangible benefits	
e. No. of awards based on tangible benefits	

3. Honorary Recognition

a. No. of awards granted	
b. No. of employees involved	
c. Tangible benefits	
d. No. of awards based on tangible benefits	
e. Amount paid in awards	

4. Non-Monetary Recognition

a. No. of awards granted	
b. No. of employees involved	
c. Tangible benefits	
d. No. of awards with tangible benefits	

For OPM Use Only

Part B – Suggestions

1. Processing

a. No. on hand at beginning of FY	
b. No. of suggestions received	
c. TOTAL (a + b)	
d. No. adopted during FY	
e. No. disapproved during FY	
f. No. pending at end of FY	
g. TOTAL (d + e + f)	

2. Monetary Recognition

a. No. of awards granted	
b. No. of employees involved	
c. Amount paid in awards	
d. Tangible benefits	
e. No. with tangible benefits	

3. Non-Monetary Recognition

a. No. of awards granted	
b. No. of employees involved	
c. Tangible benefits	
d. No. with tangible benefits	

Part C – Inventions

a. No. of disclosure awards	
b. Amount paid in awards	
c. No. of patent awards	
d. Amount paid in patent awards	
e. Tangible benefits	
f. No. with tangible benefits	

Part D – Interdepartmental Referral of Contributions

1. No. of suggestions referred	
a. No. adopted	
b. Amount paid in awards	
c. Tangible benefits	
2. No. of Spec. Acts/Serv. referred	
a. No. approved	
b. Amount paid in awards	
c. Tangible benefits	

Parts E and F Continued On Reverse

For OPM Use Only

Name (Typed) and Signature of Agency Head

Title

Date Signed

Part E – Special Uses of Awards Authorities

INSTRUCTIONS: Some agencies have developed special incentive plans to further their goals and objectives; for example: productivity-based reward systems, foreign language and recruitment incentives, etc. Complete items 1-9 of this Part for each such system in operation within your agency (at headquarters, regional, or field office level). This part may be reproduced for each system being reported. Provide a copy of the plan which authorizes this system of recognition (unless previously provided).

1. Date System was Established	2. Number & Type of Employees Covered By System	3. Frequency of Awards	4. Number of Employees Who Received Awards During FY
5. Total Number of Awards Granted During the FY *(Some employees receive a number of awards under the system during the year—count each award granted as a separate award).*	6. Amount Paid in Awards During the FY	7. Average Award Paid	8. Tangible Benefits of Contribution
	9. Name & Phone Number (FTS or Commercial) of Person to Contact for Further Information on the Awards System.		

Part F – Narrative Evaluation of Incentive Awards Program

PROVIDES STATEMENT(S) ADDRESSING EACH OF THE FOLLOWING ITEMS IN THE SPACE BELOW OR ON ADDITIONAL PIECE OF PAPER, AS SPACE REQUIRES.

1. Any significant problems during the fiscal year in program administration and actions taken to correct the problem(s).
2. Goals, objectives, and resources for next fiscal year to increase program effectiveness.
3. Effective techniques used in administration of the program.
4. Use of awards to support specific agency goals and objectives.
5. Full documentation of individual awards of $1,500 or more and group awards of $3,000 or more. (Include "action" photographs if available.)
6. Proposals for consideration by OPM regarding changes in incentive awards program policy, regulations, guidance or training materials.
7. Please provide samples of new forms, certificates, pamphlets, training materials, etc., so that we may share them with other awards administrators.

Instructions for Completing OPM Form 1465

Incentive Awards Program Annual Report

This report (both statistical and narrative portions) is required to be completed by all Departments and Agencies in the Executive Branch which administer incentive awards programs under the authority of Title 5, United States Code, Chapters 45 and 54

Part 451 of the Code of Federal Regulations (5 CFR 451 205) requires that the head of the agency transmit this report to the Office of Personnel Management (Incentive Awards Branch) by November 15 annually A signature block for the agency head's signature appears on the form, eliminating the need for a separate transmittal

Following are detailed instructions for completion of OPM Form 1465

General Instructions

1 Round all figures to nearest dollar.
2 In addition to awards based solely on tangible benefits, awards based on both tangible and intangible benefits should be included in "Number of Awards Based on Tangible Benefits" in the appropriate Part
3 Do not count Supplemental Awards as additional awards cases Report only the additional amount paid under "Amount Paid in Awards" in the appropriate Part
4 Do not include in honor and non-monetary awards sections, awards granted to private citizens/organizations.

Part A — Performance Recognition

1 Monetary Recognition for Individuals (Excluding SES)
   a Special Achievement Awards
      (1) Sustained Superior Performance Report by grade group/pay plan, the number of awards to individuals for superior performance, the total amount paid in awards, tangible benefits (if any) associated with these contributions, and the number of contributions for which tangible benefits were cited
      (2) Special Act or Service (Same as (1) above)
   b Quality Step Increase
      Report the number of Quality Step Increases granted by grade group and the number of eligible employees. If number of eligible employees is not available, include total number of General Schedule employees.
   c Population
      Ideally, agencies should use monthly/quarterly employment figures throughout the year in order to obtain an average number of employees in the agency at the end of the year If this cannot be done, use employment figures at the end of the reporting period
   Monetary Recognition for Groups
   a Report total number of group awards granted to employees
   b Report total number of persons involved in these awards
   c Report total amount paid in awards for group contributions
   d Report all tangible benefits resulting from group contributions
   e Report number of awards which were based totally or in part on tangible benefits
2 Honorary Recognition
   This section covers all high level honor awards (plaques, medals, certificates, etc) granted by agencies in recognition of significant employee achievements
   a Report total number of awards granted (group honor awards count as one award)
   b Report total number of persons involved in these awards
   c Report all tangible benefits resulting from employee contributions being recognized through honor awards
   d Report total number of honor awards in which documentation cited tangible benefits
   e Report total amount paid in awards/honoraria for honor awards
4 Non Monetary Recognition (Performance)
   This section covers all recognition granted for performance-type contributions in the form of letters of commendation, certificates of appreciation, or other tokens for contributions which did not meet minimum requirements for monetary recognition or which were determined to be within the employee's job responsibility
   a Report the total number of non-monetary awards granted (a group award counts as one award)
   b Report the total number of persons involved in these awards
   c Report tangible benefits resulting from these contributions, if any
   d Report the total number of non-monetary awards in which documentation cited tangible benefits.

Part B — Suggestions

1 Processing
   a Enter number of suggestions on hand at beginning of fiscal year
   b Enter total number of eligible suggestions received during the fiscal year In addition to new suggestions received, count suggestions submitted for reconsideration and duplicate suggestions as suggestions received
   c Enter total of a and b
   d Enter total number of suggestions adopted during the fiscal year which were recognized
   e Enter total number of suggestions which were disapproved following evaluation. Do not count suggestions which were determined to be ineligible for consideration at time of submission
   f Enter total number of suggestions pending action (adoption or non-adoption) at the end of the fiscal year
   g Enter total of d, e, and f
2 Monetary Recognition (Suggestions)
   a Report number of monetary awards granted for adopted suggestions (group awards count as one award)
   b Report total number of employees involved in these awards
   c Report total amount paid in awards for adopted suggestions
   d Report all tangible benefits as a result of adopted suggestions
   e Report number of monetary awards based on tangible benefits
3 Non Monetary Recognition (Suggestions)
   (See what constitutes non-monetary recognition in A4 above)
   a Report number of non-monetary awards granted (group awards count as one award)
   b Report total number of employees involved in these awards
   c Report tangible benefits resulting from these contributions, if any
   d Report all non-monetary awards in which documentation cited tangible benefits

Part C — Inventions

   a Number of Disclosure Awards – Report total number of awards granted upon disclosure by the employee of an invention
   b Amount Paid in Awards – Report total amount paid in awards upon disclosure of inventions
   c Number of Patent Awards – Report number of awards granted to employees following issuance of a patent or notice of allowability in those instances where issuance of a patent has been deferred because of national security restrictions
   d Amount Paid in Patent Awards – Report total amount paid in awards following issuance of a patent
   e Measurable Benefits – Report all dollar benefits to the Government resulting from inventions
   f Number of Awards Based on Benefits – Record the number of awards granted to employees following issuance of a patent which were based on dollar benefits to the Government.

Part D — Interdepartmental Referral of Contributions
(To be completed by department/agency headquarters)

1 Number of Suggestions Referred – Report all suggestions referred outside of the department or agency for consideration by another department or agency or Government-wide
   a Number Adopted – Report all suggestions adopted by another department or agency or Government-wide
   b Amount Paid in Awards – Report all awards paid by other departments and agencies for a suggestion (include awards which because of their small amount were absorbed by your agency)
   c Measurable Benefits – Report all dollar savings to the Government resulting from adoption by other departments or agencies or Government-wide
2 a-c Referral of Special Act Service Contributions (See D 1a-c above)

The following Parts should be attached to OPM Form 1465.

Part E — Special Uses of Awards Authorities

Statistical and narrative information on special systems of recognition (see reverse side of OPM Form 1465)

Part F — Narrative Evaluation of the Program

Narrative information on the operation of agency incentive awards programs during the fiscal year (see reverse side of OPM Form 1465)

TABLE OF CONTENTS

Subchapter 1. General (To be issued later. Use 44 IAm 510 until superseded).

Subchapter 2. Reporting and Procedural Requirements (To be issued later. Use 44 IAM 510 until superseded).

SUBCHAPTER 1. General

.1 Purpose
.2 Objectives
.3 Responsibilities

SUBCHAPTER 2. Reporting and Procedural Requirements

.1 General
.2 Specific Reporting and Procedural Requirements
A. Position Authorization
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SUBCHAPTER 1. General

.1 Purpose: This manual outlines a position management program for the Bureau of Indian Affairs. The establishment of this program is responsive to the directives contained in:

A. Section 1319(d) of the Supplemental Appropriation Act of 1952 (Whitten Amendment);

B. Bureau of the Budget Circular A-64 (Revised), Position Management Systems and Employment Ceilings, June 28, 1965;

C. Federal Personnel Manual, Chapter 312, Position Control March 6, 1964; and

D. Departmental Manual 300, Chapter 1, Position Management System, February 2, 1965.

.2 Objectives: The overall objective of this program is to provide all levels of Bureau management with a system for establishing and maintaining economical, efficient, and effective position structure throughout the Bureau. The sound application of this system throughout the Bureau should achieve the following specific objectives:

A. All positions should be established in a manner which will form the soundest and most economical organizational and position structure for the efficient accomplishment of the Bureau's mission.

B. Bureau management should achieve the optimum utilization of manpower resources by considering proper skills utilization, employee motivation and development, increased employee productivity, and meaningful proportions of supervisory and managerial employees to the total work force.

C. The Bureau should realize an optimum balance of fiscal expenditure and mission accomplishment by eliminating excessive positions, clearly delineating the duties and responsibilities in existing positions to avoid overlap and duplication, and assuring the proper kind and number of positions are assigned to achieve designated functions.

.3 Responsibilities: All managerial, supervisory and staff employees in the Bureau share in achieving the program objectives indicated in .2 above. These objectives can be best achieved when all levels of management work together collectively to form a cohesive management approach to positive position management. Specific program responsibilities are:

A. The Commissioner of the Bureau through his delegated representative, the Assistant Commissioner for Administration, is responsible for:

(1) establishing and maintaining a position management program to promote full effective manpower utilization and higher rates of productivity free from accidents and injuries, as a means for meeting the Bureau program and administrative objectives with maximum efficiency and economy.

(2) providing Bureau management with program policy guidance and direction, including methods, techniques and procedures that will assure the optimum in position management effectiveness.

(3) conducting continual program evaluations of Bureau operation to assure sound and accurate program accomplishments and to effect corrective action as warranted.

(4) providing periodic program analyses and required reports to the Department.

B. Managers reporting to the Commissioner or an Assistant Commissioner are responsible for:

(1) implementing and maintaining the Bureau's position management program outlined in this manual for their respective management jurisdictions.

(2) assuring that all line managers, supervisors and staff officials are made aware of the objectives and requirements of the Bureau's position management program and adhere to its policy and procedural requirements.

(3) assuring that the Bureau's position management program is an integral part of top level management decision making with a cohesive input of both line and staff view point.

C. Each line manager in the Bureau is responsible for:

(1) applying the procedural and program guidance in this manual to assure the development and continuing operation of position management within his organization.

(2) coordinating with personnel, budget, manpower, program coordination, management analysis, safety and other administrative staff to assure the maximum position management effectiveness in his organization.

(3) assuring that position management is an integral and continual part of his administrative management planning processes.

SUBCHAPTER 2. Reporting and Procedural Requirements

.1 General: Section 1310(d) of the Supplemental Appropriation Act of 1952, BOB Circular A-64 (Revised) and Departmental Manual 300 have established specific reporting and procedural requirements which the Bureau must comply with in administering its position management program. This Subchapter of the manual provides instructions and assigns responsibilities to Bureau officials in complying with these laws and directives.

These instructions cover vacancy control, position authorization, manpower analyses, organizational planning, program evaluations, and annual Whitten Amendment Reviews. These areas are those designated by higher authority for specific reporting and procedural requirements. They are not separate, distinct and unrelated functional areas. Several of them overlap or follow in sequential order. Consideration in one area may have a direct relationship to considerations in others. Therefore managers should view them collectively as integrated, continuing aspects of the Bureau's total position management program.

.2 Specific Reporting and Procedural Requirements: The following reporting and procedural requirements will be effective on the date of the issuance of this manual. Responsible officials will take immediate action to assure that these requirements are complied with:

A. Position Authorization: To assure sound position management in existing and proposed work organization and staffing arrangements the following position authorization and control procedure is established.

(1) Each year at the time House allowances are received by the Central Office a new distribution of full-time permanent positions is prepared at the appropriation level. Each area is then required to distribute these positions by activities within the appropriations and to submit to the Central Office Authorized Position Lists reflecting the position distribution. Each manager reporting to the Commissioner or an Assistant Commissioner is responsible and will assure that the position management guidance in the Supplemental Guide to this 44 IAM is used to determine the specific types and kinds of positions, e.g. supervisory, staff assistant, technician, trainees, etc., to be authorized for each activity.

(2) Each manager reporting to the Commissioner or an Assistant Commissioner will include two additional copies of their Authorized Position Lists to be routed to the Division of Personnel Management along with those copies submitted to the Division of Budget in the Central Office.

(3) The Chief Personnel Officer in the Division of Personnel Management is responsible for conducting an overall Bureauwide review of all Authorized Position Lists to assure that the type and kind of positions adhere to sound position management concepts and approaches and to make pertinent recommendations to originating officials and to the Department when appropriate.

(4) After coordinating with the Bureau's Budget Officer, the Chief Personnel Officer will return the Authorized Position List to the originating officials with any recommendations for further position considerations. The Authorized Position List will then be used as a planning document for recruitment and other personnel actions for the projected fiscal year. Normal personnel management rules, regulations, and procedures will be used in effecting such actions.

The Authorized Position Lists become the organization's position management plan for the projected fiscal year. Position action taken during the course of the fiscal year should be consistent with the plan. Management should make every effort to end the fiscal year within the position structure indicated on the plan.

The position titles, pay categories, series and grades in the Authorized Position List reflect optimum position patterns. They do not in any way constitute classification decisions. Official classification decisions for positions indicated in the List will be made by position classifiers with classification authority. Normal processing procedures for classifying individual positions will be adhered to.

The optimum position patterns in the Authorized Position Lists are subject to normal administrative constraints such as fund availability; employment and manpower ceiling, etc.

Since major changes may be required in an organization's position structure during the course of a fiscal year, changes must be made in the organization's Authorized Position List. Managers will update the Authorized Position Lists when major changes occur such as organizational and functional realignments or changes; significant changes in manpower ceilings are issued; the organization's mission is altered or changed; or comparable changes occur. In addition to the updated copies of Authorized Position Lists submitted to the Division of Budget two copies will be included for routing to the Chief Personnel Officer.

D. Vacancy Control: Recent Congressional and Bureau of the Budget controls on manpower ceilings have placed still greater responsibility on Bureau managers to assure that all positions in the Bureau are needed and are utilized for the execution of essential functions. In order to assure that this goal is achieved in the Bureau, the following vacancy control procedure is established:

(1) As an existing position becomes vacant the supervisor or manager responsible for initiating a personnel action, SF-52, for filling the vacant position must complete the following processes:

(a) determine if adequate funds and manpower ceiling are available to continue the position.

(b) determine that it is not possible or feasible to abolish or absorb the position after considering the following guidelines:

(1) The position should be abolished if it is above the journeyman (or full operating level) and a journeyman (or full-grade employee) can perform it if its senior level tasks are absorbed by the superior or other senior position(s).

(2) The position should be abolished if its duties can be adequately and effectively absorbed in the duties of other positions.

(3) The position should be abolished if a reduction has occurred in the workload of the organization in an amount approximately equal to the workload of one position.

(4) The position should be abolished if the position had been established originally for a specific project or workload that has been completed.

(c) Assure that an "incumbency only" grade, based on the impact of the previous incumbent, is not being proposed for the vacant position.

(d) Assure that the position management guidance in the Supplemental Guide to this 44 IAM has been considered in the design of the position and its relationship to other positions in the organization.

(2) After completing these four processes, managers will sign the following statement in the "Remarks" section of the SF-52.

"Adequate funds and manpower ceiling are available to support this position request, the action is consistent with the organization's Authorized Position List, the position cannot be abolished or absorbed, the proposed grade is not an "incumbency only" grade, and its design is consistent with the position management guidance in the Supplemental Guide to 44 IAM 510.

This vacancy control procedure is the means whereby position actions in the organization's Authorized Position List are made effective.

C. Annual Whitten Amendment Review: Section 1310(d) of the Supplemental Appropriation Action of 1952, commonly known as the Whitten Amendment, requires that each department and agency shall from time to time, but at least annually:

(1) review all positions which since September 1, 1959 have been created or placed in a higher grade;

(2) abolish all such positions which are found to be unnecessary; and,

(3) make appropriate adjustments in the classification grades of those positions which are found to be necessary.

Not later than July 31 of each year each department and agency must submit to Congress a report, as of June 30, of the actions taken under this Act. In order for the Bureau to meet its annual report deadline to the Department, the following procedure will be followed:

(1) Each manager reporting to the Commissioner or an Assistant Commissioner shall be responsible for assuring that an annual review is conducted of all positions within his jurisdiction to determine:

(a) if current positions are needed and designed in such a way that the skills, knowledges, duties, and responsibilities assigned are achieving the most effective, efficient and economical position structure for the accomplishment of program objectives; and,

(b) whether position descriptions are current, accurate, and properly classified in accordance with U. S. Civil Service Commission position classification standards.

(2) All Bureau supervisors shall certify in writing that they have conducted such a review of all positions in their organization. Illustration 1 indicates the form to be used in indicating the supervisor's certification. Position descriptions found to be inaccurate are to be redescribed by the supervisor and submitted through channels to the responsible Personnel Officer.

(3) Action shall be taken by June 30 to abolish all positions no longer needed and to properly classify all redescribed position descriptions.

(4) Each manager reporting to the Commissioner or an Assistant Commissioner shall certify in writing that an annual Whitten Amendment review has been conducted for all positions in his jurisdiction and submit his written certification to the Commissioner, Attention: Chief Personnel Officer by July 10.

(5) The Chief Personnel Officer is responsible for assuring that all the requirements of the Whitten Amendment are adhered to.

D. Organizational Planning: An important element in the Bureau's position management program is the development and maintenance of an organization structure designed to promote the effective accomplishment of program objectives. Without an effectively planned organizational structure within which to plan sound position management, most effort in designing and establishing sound position structure is in vain. Therefore managers should considered such things as:

(1) Organization of work involved in individual positions into a smooth functioning whole.

(2) Adequacy and currency of methods and procedures.

(3) Ways to level out peak and valley workloads.

(4) Layout, workflow and equipment utilization.

(5) Use of automatic equipment.

(6) Productivity improvements.

(7) Work distribution.

With due consideration given these and other organizational planning factors, managers should arrive at a more sound and stronger organizational structure on which to build sound position structure. Bureauwide responsibility for assuring sound organizational planning is assigned to the Chief of the Management Research Staff in the Central Office.

E. Manpower Planning: Developing and maintaining sound position structure throughout the Bureau is one of the first vital steps in achieving the Bureau mission. This step gets the job established, but it's sound manpower planning which gets the man in the job and helps assure that the job is accomplished. Therefore position management and manpower planning are homogeneous parts of the Bureau's total human resources management system.

A future manual release will describe in detail the Bureau's manpower planning program.

F. Position Management Program Evaluation: In order to continually appraise the effectiveness of the Bureau's position management program; to improve its techniques, methods and procedures; and to meet the periodic reporting requirements of higher authorities, the following program evaluation procedures are established.

(1) The Chief Personnel Officer is responsible for conducting periodic program evaluations of Bureau operations to assure proper implementation and maintenance of the Bureau's position management program and assuring that corrective actions are taken. He is also responsible for appraising the overall effectiveness and efficiency of program methods, technique and procedures and developing new or modifying existing policies to assure the maximum in program effectiveness.

(2) Managers and supervisors throughout the Bureau are responsible for continually appraising the effectiveness of the position management program in their respective organizations and taking corrective actions as deemed proper within their authority.

(3) Whenever possible and feasible, budget reviews, organization and management studies, personnel program evaluation, internal audits and other internal reviews and appraisals shall include an evaluation of the effectiveness of the position management program for the organization under study. The results of such reviews with recommended courses of actions, should be forwarded to the Chief Personnel Officer for appropriate action.

CERTIFICATE OF
FY ____ WRITTEN ASSIGNMENT REVIEW

Organizational unit _____

I have reviewed the descriptions of, and the necessity for, all positions within my jurisdiction, and I certify as follows:

1. All positions are found to be essential and accurately described, except as listed under items (a) and (b) below.

   (a) List positions by position number, title, series, and grade immediately below which are inaccurately described and for which current descriptions of duties will be forwarded to the Personnel Office on or before June 30, ____, for classification action.

Position No.	Title	Series and Grade

   (b) List the positions immediately below by position number, title, series, and grade which are no longer needed and which are to be abolished on or before June 30, ____.

Position No.	Title	Series and Grade

Signature _____

Title _____

Date _____

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Subchapter 1. General Provisions.

.1 Policy. To obtain the most effective and economical administration, it is the policy of the Bureau of Indian Affairs to uphold the classification principles, to foster the preparation and promulgation of adequate standards for all positions in the Bureau, and to maintain consistency of classifications in accordance with these standards.

.2 Definitions.

A. Departmental Service: All positions having duties pertaining to Bureau-wide functions. Those positions may be in or outside Washington, D. C.

B. Field Service: Positions in those organizational units of agencies which have responsibility for the administration of functions within a restricted area. These organizational units are usually located within the area which they serve. This area is usually, but not necessarily, outside Washington, D. C.

C. Identical Additional Positions: An additional position which has duties and responsibilities identical in all respects with those of an existing position previously finally classified, is in the same schedule, grade, and class, and is under the same supervisory position in the organization concerned. Identical additional positions may be created only in those instances where the same type duties and responsibilities may be performed by more than one individual without affecting the base position. Generally, positions such as Area Director, Superintendent, Branch Chief, Secretary, and other positions wherein responsibility is placed for directing a field installation or program, or for performance of all of a particular segment of work are not subject to this procedure. Exceptions may be made, however, when necessary to appoint an individual to carry out the duties of such positions during absences of incumbents due to military furlough, leave without pay, extended illness, etc.

D. Standard Position Descriptions: Position descriptions covering a group of positions which are so nearly identical as to duties, responsibilities, and type of supervision as to permit standardization of description.

E. Reclassification: Classification of an existing position to a different grade as a result of changes in the duties and responsibilities assigned thereto.

F. Supervision:

(1) Immediate Supervision indicates the greatest amount of supervision and control from above, the least personal independence of action, and the least breadth of matters upon which the employee makes his own decisions. The employee's assignments, objectives and sequence of detailed steps in his work are prescribed for him. He is given no assignments requiring the exercise of independent judgment except that gained by experience in a well-recognized standard, or conventional routine. The supervisor has not only the responsibility for assignments, flow of work, production, discipline, and other management functions, but also the responsibility for proper instructions as to objectives, plans, policies, procedures, and office methods, including specific responsibility for matters which are out of the ordinary or unusual when compared to the mine-run of work.

(2) Administrative Supervision - Supervision of the employee's time, general procedures, and conduct in relation to the rules, regulations and broad plans of the organization. Such supervision implies technical responsibility on the part of the one supervised and emphasizes the independence of the worker on technical matters.

(3) General Supervision - Indicates the least amount of supervision and control from above and the greatest personal independence of action. Under this type of supervision, assignments and objectives are prescribed but the method employed is seldom supervised, reviewed or controlled while the work is in progress. As problems arise, the incumbent is expected to keep his supervisor informed and to recognize when he is in need of guidance and help from his supervisor.

(4) General Direction - Indicates an extremely general and somewhat remote control that manifests itself expressly only on detached occasions. Active control is manifested only where matters of broad policy and coordination, long-time planning, expenditures of funds, etc., are involved. Actual contact between the employee and his supervisor, personally or through memoranda, is rather limited in point of frequency and matters covered, when compared to the whole scope of the employee's tasks, including details. The employee has practically complete freedom from supervision or oversight on working methods even when unusual problems are involved.

(5) Review - Because of the frequency with which a review function alone is erroneously considered to be "supervisory," it may be well to draw this distinction between them: Both supervisory review and non-supervisory review may involve power to reject, revise, and modify the product. Supervisory review, however, also includes the authority to plan, assign, and reassign work and to instruct those whose work is reviewed; it also includes an operation or management responsibility for the work of those supervised. The passing of correspondence or reports over a desk for examination and mere review, or for analysis and record, or analysis and further correspondence does not create for the reviewing desk a responsibility properly characterized as "supervisory."

(6) Technical Supervision - Presupposes supervision of the employee's activities, and a more or less close check up of his methods. It may include as well a verification of his findings and a testing of the validity of his conclusions within his field of work - a technical review with authority to change. It pertains to a direct control on the technical aspects, i.e., the "how" of the job - methods of work, sequence of steps, and substantive features.

(7) Technical Guidance - Describes the assistance and advice given by a staff official to an employee in connection with the technical aspects of a job or operation. Technical guidance implies a staff relationship between the positions concerned; whereas, technical supervision implies a line relationship with line authority. Each staff officer has a predominate responsibility for technical advice and assistance to insure that his functional specialties are carried out at subordinate administrative offices. This responsibility is accompanied by the authority to observe, appraise, interpret and advise. It does not include any authority to order and direct any official of a lower organizational level.

.3 Responsibility of the Bureau.

A. General. The Bureau is responsible, jointly with the Civil Service Commission and the Secretary of the Interior, for the administration of the Classification Act, as amended, and the regulations issued pursuant thereto by the President, the Civil Service Commission, and the Secretary of the Interior.

B. The Commissioner of Indian Affairs. The Commissioner of Indian Affairs, within delegation of authority, is responsible for the administration of the Classification Act within the Bureau:

(1) The Assistant Commissioner (Administration), and under his direction the Chief, Branch of Personnel, are authorized to exercise all of the authority delegated to the Commissioner with respect to position classification matters. The Chief, Branch of Personnel, is responsible for developing Bureau policies, standards, and procedures, for recommending to the Office of the Secretary, classification of key positions falling under the designations listed in 370 DM 311, and for final classification of all positions falling within ~~Central~~ BIAM Office appointing authority. (See 44 ~~IAM~~ 230.)

C. Area Directors. Area Directors, within delegation of authority, are responsible for the administration of the Classification Act within their respective Areas:

(1) Assistant Area Directors responsible for administrative functions or Area Administrative Officers, and under their direction Area Personnel Officers, are authorized to exercise all of the authority delegated to the Area Director with respect to classification activities. The Area Personnel Officers are responsible for developing and recommending Area policies, standards, and procedures, and for final classification of all positions within the Areas except those key Area positions which are listed in 44 ~~IAM~~ BIAM 230.

(2) Position descriptions forwarded by Area Directors to the Central Office for classification purposes fall in two categories as follows:

(a) Those covering positions within Central Office classification authority and,

(b) those falling within Area Office classification authority on which an advisory classification is requested.

New or revised descriptions for positions covered under (a) are to be accompanied by a position evaluation report setting forth, on the basis of comparison with applicable position-classification standards, the reasons for the title, series, and grade recommended. Position descriptions falling under (b) shall be accompanied by a position

evaluation report as to the appropriate grade level; if such a submission stems from differences of opinion between operating officials and classification technicians the opinions of both shall be furnished with the position description.

Subchapter 2. Coverage of the Classification Act.

.1 General Rule. All positions in the Bureau which are paid from Federal funds are subject to the requirements of the Classification Act of 1949, as amended, unless expressly exempted by Statute, appropriation language, or Executive Order.

A. Positions Paid from Tribal Funds.

(1) Positions paid from Funds Disbursed Through Treasury Disbursing Offices. Tribal Funds and Indian Moneys, Proceeds of Labor, funds held by the United States in trust for various Indian tribes and disbursed through disbursing offices of the Treasury Department are considered to be Federal funds and all positions financed from such funds are considered to be Government positions and are subject to the requirements of the Classification Act of 1949, as amended, unless specific exempting language appears in the Act appropriating or otherwise authorizing the expenditure of such funds.

(2) Positions Paid from Funds within Local Control of Tribal Councils. Funds carried in Deposit Funds accounts in the name of a tribe, its governing body, or in the name of a tribal association or enterprise do not require authorizing Congressional legislation for their use and are not considered to be Federal funds. Positions financed from such funds are not considered to be Government positions nor are the incumbents of such positions considered to be Federal Employees. Compensation for such employments is fixed by the employing body.

B. Occupational Exemptions.

(1) Trades, Crafts, Skilled, Semi-skilled and Unskilled Laborers. Section 202(7) of the Classification Act exempts from the requirements of that Act "employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement."

(2) Other Exemptions. In addition to trades and crafts and skilled, semiskilled, and unskilled laborer employments outlined in Subsection B (1) above, the following exceptions from the requirements of the Classification Act occur with some frequency in the Bureau.

(a) Firefighters (exempt under Section 202 (28) of the Act), whose duties are principally in fire pre-suppression are properly classified to the IGS Service (see 44 BIAM 534) and are not subject to the provisions of the Classification Act. Fire-fighters who are employed in an emergency to combat fires as they occur in the local area will be paid hourly rates of pay established through wage board procedure. (See 44 IAM 532.)

(b) Magistrate and Chief Magistrate of Indian courts employed on an intermittent basis and do not serve a regularly pre-determined tour of duty are exempt under Section 202 (30). Appointments cannot exceed 230 days in any twelve consecutive months. Rates of pay for these positions will be determined by the Central Office.

(c) Appeals Officers in the Indian courts, who are professional attorneys employed on an intermittent basis and do not serve a regularly pre-determined tour of duty are exempt under Section 202 (3). Appointments cannot exceed 230 days in any twelve consecutive months. Rates of pay for these positions will be determined by the Central Office.

(d) Vessel employees are exempt under Section 202 (8) of the Act. See 44 BIAM 532 for instructions regarding establishment of working conditions and rates of pay.

(e) Employees whose compensation is fixed under a cooperative agreement between the United States and (i) a State, Territory, or possession of the United States, or political subdivision thereof, or (ii) a person or organization outside of the service of the Federal Government, if the fixing of the pay for their positions are a part of the agreement, are exempt under Section 202 (24) of the Act. However, if the cooperator merely agrees to share in the cost of a certain program or project, and the Bureau fixes the

pay of employees engaged in work on that project, then the positions of these employees are subject to classification under the Act, unless such positions are exempt under other provisions of the Act.

(f) Experts and consultants when employed temporarily or intermittently in accordance with Section 15 of Public Law 600, 79th Congress, approved August 2, 1946, are exempt under Section 202 (27) of the Act.

(g) Blister Rust Workers are exempt under Section 202 (28) of the Act. (See 44 IAM 532.)

(h) Positions encumbered by aliens or persons not citizens of the United States who occupy positions outside of the several States and the District of Columbia, are exempt under Section 202 (11) of the Act. Such positions shall be administratively classified in the IGS Service. (See 44 IAM 534.) Since the exemption of such positions from the Act lies entirely with the noncitizenship of the incumbent, and for simplicity in handling, the following procedure is approved for use in Alaska: At the time of appointment of a noncitizen a notation should be made on a slip of paper to the effect that the position is encumbered by a noncitizen and is thereby exempt from the Act and administratively classified in the IGS Service during his incumbency. This slip of paper should be stapled to the position description. The copy of the description given to the employee should bear a similar notation.

(i) Student Laborers are exempt under Section 202 (28) of the Act. (See 44 IAM 532.)

.2 Authority to Determine Coverage. Whenever an Area Office has reasonable doubt whether a position is exempt from the Classification Act, it shall refer the case to the Central Office Branch of Personnel for review.

Subchapter 3. Position Classification Standards

.1 Position-Classification Standards. The Civil Service Commission prepares and publishes standards for placing positions in their appropriate classes and grades. Such standards must be adhered to in classifying individual positions.

.2 Interpretation of Position-Classification Standards. Position-Classification Standards are descriptive and explanatory of positions as they exist in the Federal service. They indicate the kinds of positions which are classified to the various classes on the basis of duties and responsibilities. Each position-classification standard must be read and construed as a whole. No undue emphasis should be given to the presence or absence of any phrase, clause, or adjective. The typical work examples found in a position-classification standard do not constitute the whole standard. In relation to the entire standard, they are only illustrative of the distinctions drawn in the statement of characteristics of the class. They are not intended to be either complete or exclusive. The fact that the actual tasks performed in some single position are not listed in the examples which may illustrate a class of positions described in a position-classification standard does not mean that the position is necessarily excluded from that class, provided that the tasks constituting the main work or employment are covered under the characteristics of the class. Similarly, any single example of work is not to be construed as determining whether a position should be included within the class, when taken without relation to all other parts of the standard. Each position-classification standard must be construed in relationship to other standards statements. Particular attention should be given to the standards applicable to other classes in the same series. If there is doubt as to the proper class of a position, a comparative study should always be made of the position-classification standards for related classes.

.3 Application of Position-Classification Standards. Each office exercising classification authority shall, upon receipt of standards which cover positions in their respective organizations, review the approved descriptions for all such positions to insure that they are accurate and current; and the present classifications of such positions to ascertain their conformity or lack of conformity to the new standards. Corrective action should be taken on positions found to be erroneously classified either as to titles, series, or grade.

.4 Uses of Position-Classification Standards. Position-Classification Standards have a definite function to serve in classifying positions in their grades and classes. In this respect they--

A. Aid in understanding why certain kinds of positions are classified to particular classes and grades, by showing the work factors with respect to kind and level of work which cause positions to fall in one class rather than another.

B. Help to secure uniformity and coordination in classifying positions, by providing an established standard for common reference and use in the classification of positions in different organizations, locations, or agencies.

C. Help to expedite the process of classifying positions in grades and classes by furnishing a convenient ready reference for comparing the work factors of a particular position with those of another position and with those stated in the standards.

Their use, however, goes beyond the procedures of position classification. For example:

(1) Position-classification standards facilitate and clarify recruiting and placement processes, because they serve as a guide to officers in evaluating the qualifications of a candidate against the approved classification standards in relation to the duties to be performed. (The qualifications statements appearing in the position-classification standards are general statements only and cannot be used as the officially approved qualifications standards.)

(2) Position-classification standards aid administrators and supervisors in general management, because they make available, in concise written form, information helpful to administrators in organizing or reorganizing, in delegating authority and responsibility, or in changing flow of work; and in checking on the assignments of duties and responsibilities to members of their staff.

(3) Such standards material may also be used by employees, not only in satisfying themselves about the classification of their positions, but also in finding out the characteristics of other classes open for possible promotion or transfer.

(4) Position-classification standards are aids for performance rating purposes in the development of performance standards. Supervisors and administrators will find them helpful in

determining performance requirements of various types of positions. Employees may find them of value in reaching a better understanding of the ratings. Reviewers will use them in reviewing the merits of appealed ratings. Thus, their use as aids to the performance rating process, itself an essential to good supervision and management, is another evidence of the contribution which position-classification standards make to more effective administration.

Subchapter 4. Use of position description in Classification

.1 General. The fundamental unit from which all organization is built is the position. Any composite structure is an aggregate of positions. The analysis of any organization into its divisions and subdivisions eventually leads to the irreducible unit, the position. Position classification is an integral component of establishing or changing an organizational unit. Position classification becomes mandatory when there is new work to be performed, when new or additional duties are assigned to existing positions, or when the duties of positions have otherwise materially changed. (See FPM 312.)

.2 Organization Analysis.

A. Organization Review. It is highly important to review the organization in which the position proposed for establishment will exist or the position proposed for reclassification is already operating. This analysis is essential if an intelligent recommendation is to be presented. Functional statements and lines of organization, as established and approved, shall be followed in the preparation of position descriptions.

B. Overlapping Assignments. A review shall be made of the descriptions for all positions in the same organizational unit or concerned with the same or related functions outside the immediate unit to assure that the duties or responsibilities to be assigned to the position are not already included in the description for some other position. If this situation is discovered, and it is not an identical-additional position, steps shall be taken immediately to prepare a new description of duties reflecting the current work assignment of the other position. Sometimes it will be necessary to redescribe several positions to eliminate overlapping assignments.

C. Line of Supervision. In establishing a new position, or redescribing an existing position, care shall be taken to determine that the position is properly placed organizationally in terms of the line of supervision. There must always be a clear and logical relationship between the position being described and the supervisor's position. Where a position has been previously established in the organization with definite responsibility for directing or supervising specific activities or operations, positions proposed later for establishment which are concerned with performance of the same activities or operations, must be shown under the supervision of the previously established position.

D. Effective Organization of Work Assignments. While position classification and organization analysis are two separate functions of management, the former cannot be entirely separated from the latter. The function of classifying positions is made materially easier if preceded by sound organization analysis and planning. Over-all organization planning on a Bureau-wide basis is a function of the Central Office. Organization planning at operating levels is the function of line officers at those levels operating within over-all plans which have been established by the Central Office. Officials in the Central Office and in Area Offices who are concerned with position classification shall assist operating officials in organization planning and the development of effective work assignments as necessary. Positions should not be classified prior to organizational approval.

.3 Preparation of the Position Description.

A. General Rule. A position description does not control the duties to be assigned a particular position. Rather, the description indicates the duties assigned a position by competent administrative authority. The character and responsibility of work assigned an employee controls the grade of his position. The principle involved in the classification scheme is equal compensation for equal work, the distinction between grades being based upon differences in the importance, difficulty, responsibility, and complexity of the work performed.

The assignment of materially new or added duties requires a new Position Description, which is then classified to the appropriate series and grade. Normally the grade of a position is changed only by virtue of a material change in the duties and responsibilities thereof or in the standards covering the duties and responsibilities of the position. Efficiency, loyalty, and similar personal traits are rewarded by performance ratings, incentive awards, and promotion to higher grade positions. These factors are not for consideration in connection with the classification of a position. The Classification Act, as amended, requires the classification of positions, as distinguished from the incumbents of positions. However, the ability and performance of an incumbent may have such an impact on the job that the duties and responsibilities change to such an extent that they should be recognized in the classification of the position. In effect then the impact of the man-on-the-job makes the position materially different than it was; this effect must be evident in the job sheet itself.

B. Optional Form 8. The official form prescribed for use in the preparation of descriptions of positions. This form should be prepared by the supervisor in conjunction with the incumbent of the position being described, if occupied. If the position description is prepared by a person other than the supervisor, the information therefor shall be obtained through close collaboration with the supervisor and the employee. The function of the position must be kept clearly in mind so as to establish the part the position will play in meeting the objectives of the Bureau. The description must show the principal duties to be performed, the degree of responsibility to be placed in the position, and the complete organizational location of the position.

C. Completion of Items on Optional Form 8. In completing the various items on Optional Form 8, refer to Illustrations 1 through 3, at the end of this chapter. Special attention is called to the following items:

(1) Item 2. Give city and state where employee is physically located. (This very frequently is not the same as the field jurisdiction's headquarters location.)

(2) Item 3 (a). Fill in only if this form redescribes or represents a change in the duties of an existing position. Do not fill in if duties of position cannot be directly identified with an existing position. Identify the existing position by number, title, schedule, series, grade, and date of last classification.

Item 3 (b). Fill in only if the position is "new" (none of the duties having been included in any previous description), or if it is being submitted in connection with a "survey," "reorganization," or other reason not covered by Item 3 (a).

It is pointed out that Items 3 (a) and 3 (b) are for position classification purposes only and are not to be used to show the fact that the position is being established in lieu of another budget-wise. If a position replaces another budget-wise, but the duties and responsibilities of the two are not related, a statement to that effect should be made on Standard Form 52 or other document recommending the classification action.

(3) Item 8. Position titles shall conform to the full title contained in the position classification standards, if published. When new standards are published, action shall be taken to reflect revised titles. In the absence of such standards, they shall conform as nearly as practicable to the series titles contained in the Civil Service Commission's Handbook of Occupational Groups and Series of Classes.

(4) Item 11a-e. Complete and accurate organizational designations should be filled in, in every instance. Location of a position within the organizational structure is an important factor in determining proper assignment of duties, as well as the relationship between the duties of the subject position and others within that same organizational location.

(5) Items 12-15. Appropriate signatures shall be obtained on Optional Form 8. The signature of the incumbent, when the position is occupied, indicates that he had read the description and he is, therefore, aware of the duties and responsibilities of the position. The signature of the immediate supervisor serves as his certification that the description is accurate. Determination as to appropriate officials authorized to sign in Item 14 is at the discretion of the Area Director when the position is within his classification authority. Generally, the Area Classification Officer will sign in Item 15.

(6) Item 16. A position description is adequate if it states the principal duties, responsibilities, and supervisory relationships of a position sufficiently clearly and definitely to provide information necessary for its proper classification when:

Considered by one familiar with the occupational fields involved and the application of pertinent classification standards, and

Supplemented by otherwise readily available and current information on the organization functions, programs, and procedures concerned.

Bureau Position Description Format

A. Supervision and Guidance Received

B. Representative Duties

C. Supervision Exercised

Under A. Supervision and Guidance Received, a statement is to appear which portrays the title of the immediate supervisor of the employee, the supervisory restrictions, instruction and guidance under which the employee operates, the kinds of problems or other matters he refers to his supervisor, and the purpose and extent of the review of his work. It should also show any significant types of actions or decisions for which the incumbent is responsible which are not subject to these supervisory controls. Further, the statement should include the guides employed or referred to in the conduct of the employee's work, such as regulations, established procedures, or practices, manuals, and standards, and the purpose and extent of review made of accomplished work by the supervisor.

Under B. Representative Duties, the duties of the position should be described as briefly as possible, but in sufficient detail to give a clear understanding of the work involved. The order in which the duties are discussed may very well vary since some positions are more easily described by giving tasks in the order of their importance; some by following the sequence in which the work is performed; and others by grouping duties according to function; i.e., clerical, filing, typing, etc., or program planning, liaison activities, coordinating and/or administrative functions, etc. Percentages of time devoted to particular duties should be given if required by the nature of the duties performed.

Under C. Supervision Exercised, if an employee supervises others, the description of his position should identify the organizational units and/or positions under his supervision, the kind and level of work, and the approximate size of staff supervised, and describe the scope and degree of his supervisory responsibilities. The supervisory functions are adequately covered if the supervisory statement makes plain the matters for which the supervisor is responsible, such as planning, assigning, and reviewing work; instructing and advising; keeping up work production; or such administrative matters as

selecting, promoting, and separating employees; approving leave; serving as rating or reviewing officer for performance ratings; adjusting complaints; insuring adherence to safety regulations; encouraging participation in the incentive awards program, etc. This statement should also include, where appropriate, any indirect or functional responsibility vested in a position relating to counterpart positions at a lower or subordinate organizational level.

There may be instances, however, whereby additional headings of "Introduction" and/or "Other" will be in order. This may be necessary in those instances where information on organization, functions, programs, and procedures, is not readily available. Another instance might be where it is considered necessary to describe additional facts regarding the position which cannot be appropriately or clearly expressed under the above Bureau-prescribed primary headings. Such additions could be placed under a heading of "Other." Such an item might include information relative to unusual working conditions, physical effort, special abilities or skills required, statistical data, licenses required, etc.

D. Number of Copies Required. Sufficient copies of Optional Form 8 shall be prepared for all position descriptions so that as a minimum there will be one copy each as follows:

(1) Employee Copy. Each new employee, upon entrance on duty, shall be given a copy of his position description. Whenever an employee is reassigned, promoted, or in any other way has a change in position description, he shall be furnished a copy of his new Position Description.

(2) Official Personnel Folder Copy. In all instances, a copy of the position description shall be placed in the official personnel folder of each employee, regardless of type of action.

(3) Supervisory Copy. A copy of the approved description of each newly-classified position shall be furnished the first-line supervisor under whom the incumbent of the position is assigned to work. The first-line supervisor shall be required to keep all copies of approved position descriptions furnished him in a folder or loose-leaf

binder where they will be available at all times. It shall be his responsibility to review these descriptions frequently and to report any permanent material change in the duties or responsibility to the official in charge of personnel operations. These reports should be submitted through his supervisor, if any.

Upon entrance on duty of a new appointee, the supervisor shall review with the appointee the approved description for the position involved, commenting upon the duties and responsibilities, the place of the position within the organization, its relationship to other positions, etc., and answer such questions as the appointee may present.

(4) Such other additional copies shall be prepared as follows:

	AO Org. File	AO Code File	Agcy.or Local Fac. Org. File	CO Org. File	CO Code File	Ofc. of Secretary
CO Pos. GS-14 & above				1	1	1
Key Pos.within CO Class Authority	1	1	1 1/	1	1	1 2/
AO,Agcy.& Local Facility Pos. within AO Class Authority	1	1	1 1/			
AO,Agcy.& Local Facility Pos. within AO Class Authority for program heads GS-9 & above				1 3/		

1/ When appropriate

2/ GS-14 and above only

3/ Central Office copies to be forwarded at time position is classified.

.4 Vice or Identical Additional Actions. A new Position Description, Optional Form 8, is not required for vice or IA actions. In the interest of keeping position descriptions current and accurate, vice or identical additional action should not be applied to any position where the description is more than two years old unless there is assurance that no change in duties and responsibilities has occurred. Vice action shall not be taken on a position which has been vacant for one year or more without a certification to the effect that the duties have not changed since the original classification.

.5 Identical Additional Positions. Identical additional positions, when established on a permanent basis, shall be given a separate number. The number of the identical additional position may be inserted in Item 4 of the Optional Form 8, covering the base position, or a dummy Optional Form 8 may be inserted in the organizational file, with such identifying information as will properly identify the position. In addition, the statement shall be made in Item 16 "Position established (date) identical additional to Pos. No.___." Positions established identical additional for purpose of military furlough of the incumbent of the base position will be identified by adding a letter "A" as a suffix to the authorized position number. Identical additional positions established on a temporary basis (for less than one year) will be identified by adding the letter "B" as a suffix to the authorized position number of the base position.

.6 Position Classification Amendment Form ID-1-625.

A. Purpose. Provides a procedure whereby position descriptions may be kept current in lesser, but nonetheless important details, obviating the need for preparing new position descriptions when only minor changes are involved.

B. Use. This form may be used to modify existing position descriptions to reflect the assignment of minor additional duties or responsibilities, the removal of minor duties or responsibilities; a change in title and/or series designation resulting from the publication of new or revised position classification standards; changes in organizational designation; and other changes of a related nature in instances where such changes do not affect the grade of the position or qualifications required of the incumbent. This form shall not be used for effecting grade changes. Competent classification authority should determine the applicability of this form to a given position. Its use shall be limited to not more than two amendments to the basic Position Description, Optional Form 8.

C. Completion of Items on ID-1-625. Items 1 through 5, and Item 7 shall be completed by the immediate supervisor of the affected position or by higher authority within the same organizational unit. Items 1 through 4 shall be completed so as to be identical with the corresponding items of the position description being amended. All changes are to be reflected in Item 7. Item 6 shall be signed by the appropriate Classification Officer.

D. Number of Copies Required. Distribution of completed Position Classification Amendments shall be the same as for Position Descriptions. (See .3D above.)

.7 Position Numbers. Position numbers serve to identify the fund from which a position is paid and to identify individually each position within an organizational unit. Assignment of position numbers is the responsibility of the Branch of Budget.

.8 Standard Position Descriptions.

A. Purpose. Standard Position Descriptions have been prepared for certain positions within the Bureau in order to describe the concept of the Bureau of the kinds of work and the responsibilities which are carried in certain identical positions except as to headquarters.

B. Conformance of Duties of Position to Standard Position Description. For such positions as Standard Position Descriptions have been prepared, only those duties and responsibilities as are given in the duties statements shall be assigned.

Any additional assignment of duties or responsibilities to a position makes the Standard Position Description inapplicable, and an individual description shall be prepared. The signature of the supervisor of the position for which a Standard Position is used shall certify that those and only those duties are to be a part of regular assignment.

C. Reproduction of Standard Position Descriptions. Area Offices are authorized to reproduce on Ditto Master Sets the Standard Position Descriptions which they need; however, they must reproduce them exactly from originals prepared in the Central Office. Items number 12 and 13 shall be signed by the employee and supervisor in each instance where a Standard Position Description is used.

D. Completion of Items. The various other items which require completion (i.e., Items 3(a), 3(b), etc.,) shall be completed in the same manner as described for Optional Form 8, in .3C above.

.9 Keeping Classification Current.

A. Responsibility. All officials concerned with the direction of programs or services or with the management of employees shall keep in mind their responsibility to the Federal Government and the taxpayers to assure that positions under their control are properly described and classified so that the Federal Government is not paying more in salary than the services being rendered are worth; and their responsibility to their employees that the employees' assignments are accurately described and classified so that they are being properly compensated for the work they are performing.

B. Classification Surveys. The official responsible for personnel operations shall arrange with the heads of the various activities to make complete classification reviews of their respective organizations at regular intervals to insure that work assignments are currently described and properly classified. These reviews should be made, if possible, at intervals not in excess of three years. In addition, such surveys are required (1) whenever any material revision in the activity has been effected. (2) at the conclusion of reduction in force; (3) prior to proposed expansions, if possible; otherwise immediately after the expansion has been completed and resulting new positions and changes in assignments have been crystallized.

.10 Periodic Review of Descriptions of all Positions. The descriptions of all positions, whether filled or vacant, shall be reviewed at least once a year to ascertain whether any material changes have occurred which call for redescriptions and possible changes in classifications. Such annual review of filled positions shall be conducted in conjunction with the Performance Rating Program. At the time that the supervisor discusses the performance rating with the employee, the position description shall be reviewed by them and certified to being either accurate or inaccurate. (See 44 IAM 430.) It is the responsibility of the supervisor to prepare and submit for classification a new position description immediately for any position, whether filled or vacant, for which the position description is found to be not current and accurate.

.11 Classification Action Required as a Result of Details. Details are intended only for meeting temporary needs of the Bureau's work program when necessary services cannot be obtained by other desirable or practicable means. Administrative details of employees to duties or positions that have not been classified should be terminated as promptly as possible. Since extended details to such duties and positions conflict with the principles of position classification, they should be kept to the shortest practicable time, and shall not extend, under any circumstances, beyond 6 months unless an extension of the detail beyond the 6 month period has been approved by the appropriate U. S. Civil Service Commission Office (Central or Regional). Normally classification action should be effected prior to the expiration of the 6 months' period if it appears that the employee concerned will perform on a continuing basis the duties to which he has been detailed. The action should be initiated sufficiently in advance of the expiration date to permit proper description and classification of the new position. Under normal conditions classification action should be initiated after the detail has continued for a period of 3 months.

.12 Position Classification Records.

A. General. FPM Supplement 293-31, prescribes the position classification records and files which shall be maintained in every organization in the Federal Government. Within the Bureau the following files shall be maintained:

(1) Position Description File. The Position Description File is composed of the following groups of copies of Optional Form 8, Position Description:

(a) Active Position File. This file contains one copy only of the position description for each classified position. The personnel office shall maintain these descriptions organizationally, and file them within the organizational level by grade, from the highest to the lowest. Separate position descriptions for identical-additional positions are not required by FPM Supplement 293-31, however, for ease in reference, a dummy sheet may be prepared as described in .5 above.

(b) Cancelled Position File. This file shall contain one copy only of the description for each position cancelled. The cancelled descriptions shall be maintained by classification series, and filed within each series by grade, from highest to lowest. A notation shall be placed upon each description as to the date of its abolishment.

(c) Schematic Code File. Although Civil Service Commission regulations do not require the maintenance of a schematic code file of position descriptions, past experience has shown such a file to be of great value to the personnel office. Consequently, a schematic code file shall be maintained at the Area Office, as well as at the Central Office level for use by position classifiers and other officials. The position descriptions shall be filed in descending order of grades within each series code.

(2) Commission Publications. All offices having appointing authority (and supervisors) who have occasion to prepare position descriptions or to recommend appropriate classifications of positions shall maintain in their files or have ready access to "The Handbook of Occupational Groups and Series of Classes Established Under the Federal Position Classification Plan" and the Commission's position-classification standards. While the larger field offices shall maintain complete files of the position-classification standards, smaller offices need not do so since the variety of positions occurring in their organizations is rather limited. Smaller offices, however, shall review carefully the lists of position-classification standards circulated periodically by the respective Civil Service Regional Offices and arrange for the purchase of any position-classification standards covering positions in their respective organizations.

Subchapter 5. Assignment of Positions to Classes and Grades.

.1 Classification of Supervisory Positions. In applying position-classification standards covering supervisory positions, undue emphasis must not be laid upon the number of persons supervised. That is but one of many factors which enter into the classification of a supervisory position. More important factors than mere number of employees supervised are the following:

A. The difficulty, complexity, and variety of the work and organizations supervised. The grade levels and class allocations of the positions supervised, and the organizational structure are indicative of the weight of these factors.

B. The nature and extent of the supervision exercised as indicated by the kind and number of supervisory actions taken, such as:

(1) Planning, organizing, coordinating, and controlling the work of other employees.

(2) Developing and establishing the flow of work in the unit.

(3) Directing and recommending disposition of personnel matters, such as staffing problems, placement problems, grievance problems, performance evaluation, etc.

(4) Securing of administrative services for the unit, including recommendations regarding printing, duplicating, communications, space problems, office equipment needs, etc.

(5) Developing and establishing new or revised methods.

(6) Training and instructing employees on the job in work methods, techniques, and subject matter.

(7) Coordinating and correlating the work of the unit or units.

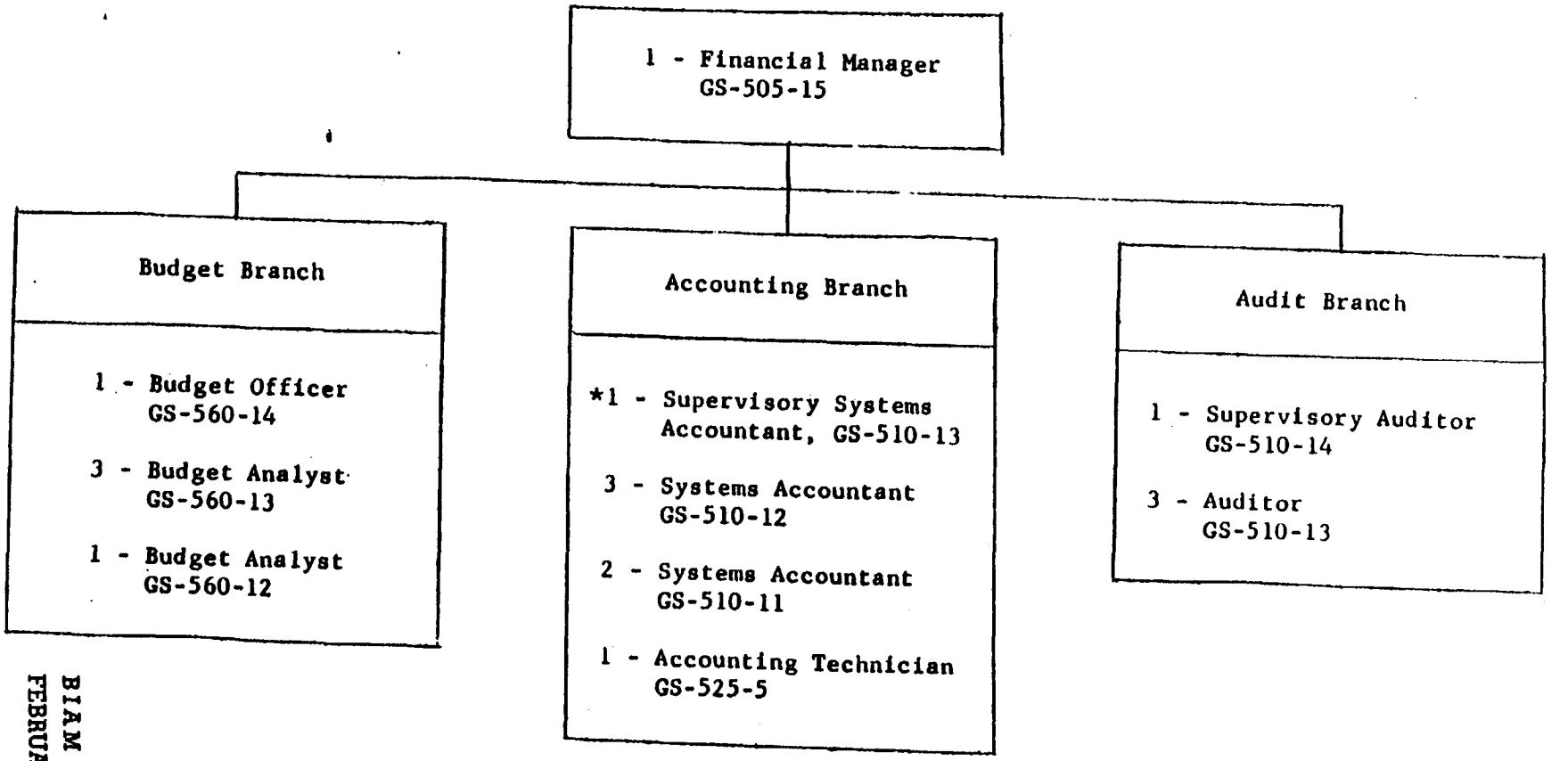
(8) Laying out production schedules; developing plans to increase production through study of production problems and ways and means of solving them; studying achievements of unit for improvement of quality and production.

C. The degree of finality contained in the recommendations of, or the actions taken, opinions rendered, or work processed by, the supervisor, as indicated by such criteria as the place of the supervisor's position in the organizational structure or written authorizations to act.

D. In other words, in order to properly classify supervisory positions, a number of factors, as indicated above, must be taken into consideration—this determination is never based on the single factor of number of persons supervised. Another point to be kept in mind in dealing with supervisory positions is that grade-controlling factors are not infrequently provided by duties and responsibilities which are essentially nonsupervisory in character.

.2 Administrative Allocations. "Administrative allocations" of position classifications (n.b., the position has been classified by an official who has delegated classification authority but who is above the management level of the personnel officer) are suggestive of suspect position management/classification and poor personnel management. Any administrative allocation shall be sent to the Chief, Division of Personnel Management for final classification action.

Division of Financial Management



*Classification proposed: Supervisory Systems Accountant, GS-510-14

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Subchapter 6. General Schedule Classification Appeals

6.1 Introduction. This subchapter establishes Bureau of Indian Affairs procedures for processing employee classification appeals under the General Schedule in accordance with the provisions of FPM 511, Subchapter 6.

6.2 Notification of Employee Appeal Rights. Generally, an employee may appeal the classification of his or her current position at any time. However, when a Bureau classification decision changes a position to a lower grade or rate of basic pay, the affected employee must be promptly notified in writing of the decision and right of appeal, as well as the date upon which the action is to take effect, which must be no longer than four (4) pay periods from the date of the classification decision. The written notice must make it clear that the employee may file only one appeal within the Department, either at the Bureau level, if the position was not classified by Central Office, or Departmental level, and subsequently to the Office of Personnel Management (OPM). This provision includes reclassification actions when the employee is entitled to retained grade and pay under the provisions of FPM 536, Grade and Pay Retention.

The notice must also inform the employee of: the option of filing an appeal directly with OPM; time limits in which the right to retroactive adjustments may be established or preserved if warranted (see FPM Letter 511-9, 6-8c); and any other appeal channels that may be available, e.g., an employee who is not entitled to retained grade or pay under the provisions of FPM 536 may appeal a downgrading or loss of pay under the provisions of FPM Supplement 752-1, Adverse Actions by Agencies.

6.3 What May be Appealed.

A. Employee Appeal.

(1) A General Schedule (GS/GM) employee may appeal to the Bureau, Department, or OPM for a determination on: the correct series or grade of the official position; or whether the position is appropriately included in or excluded from the General Schedule.

(2) Employee job grading appeals within the Federal Wage System are processed in accordance with the procedures set forth in FPM Supplement 532-1, Subchapter S-7, 370 DM 532-1, S-7, Job-Grading Appeal Procedures for Federal Wage System Employees; and 44 BIAM 532-1, S-7, Job Grading Appeals.

B. Agency Appeal. The Assistant Secretary - Indian Affairs may appeal (to OPM) the classification of a position whose classification has been certified by OPM under 5 U.S.C. 5103 or 5110. Agency appeals should be filed with the OPM Classification Appeals Office within 45 calendar days of the date of the certificate. Bureau servicing personnel offices can provide assistance in preparing an agency appeal.

6.4 Employee Representatives.

A. Selection. An employee may choose anyone as a personal representative in a classification appeal except a supervisor (line or staff), or an official who has classification authority over the position. The deciding official must be notified in writing by the appellant of the selection of a representative.

B. Duties. A representative's duties will consist of providing information significant to the classification of the appealed position, as needed or requested by the deciding official, and relaying instructions to the appellant. A representative may not, however, be present during any fact-finding session, i.e., onsite audit or supervisory interview.

6.5 Classification Appeal Options.

A. Filing Options.

(1) An employee may file an appeal with the Bureau or directly with the Department if the classification decision is made at a servicing personnel office. If the decision is made within the Position Management and Classification Branch of Central Office, the appeal should be directed to the Department for review at a level above that which made the original allocation. When an employee receives an appeal decision from either the Bureau or Department, the right of appeal within Interior is exhausted. If dissatisfied with the Bureau or Departmental decision, the employee may file a subsequent appeal to OPM. This option affords the maximum number of reviews.

(2) An employee may file an appeal with OPM through either the Bureau or the Department. The administrative level to which the employee appeals has 60 calendar days in which to provide the employee with a written appellate decision. If the decision is favorable and the Bureau or Department has the authority to classify the position, the necessary personnel action may be taken and the appeal closed. If the decision is unfavorable, the Bureau or Department must forward the appeal along with the written decision to OPM for adjudication.

(3) An employee may file an appeal directly with the appropriate Regional Office of OPM, as listed in FPM 511, Appendix B. If the employee appeals directly to OPM, he/she may not later appeal to the Bureau or the Department since OPM decisions are final.

B. Employee Appeal of OPM Certificate. In accordance with FPM 511-6.7b, an employee may appeal a nonappellate decision made by an OPM Regional Office, which has been certified to the agency (e.g., via PME review), by submitting the appeal to the OPM Classification Appeals Office.

C. Department or Bureau Option. An employee's appeal, though addressed to the Bureau or Department, may be forwarded by the concerned administrative level to the appropriate OPM Regional Office without issuing a final decision.

If this option is elected, the appeal must be forwarded to OPM within 30 calendar days of its receipt. The Bureau or Department will notify the employee, in writing, of its intended OPM submission action, and will obtain the employee's concurrence. If the employee does not concur with the action, the Bureau or Department will cancel the appeal.

6.6 Mandatory Referrals. Employee appeals must be forwarded to OPM within 60 calendar days of receipt when: the appeal was addressed to OPM through the Bureau or Department and the decision is unfavorable to the employee; or the Bureau or Department is not authorized to act on the request, e.g., when the classification of the position has been certified by OPM.

6.7 Retroactive Benefits Provisions.

A. Classification Error. A Bureau, Department, or OPM appeal decision may be implemented retroactively if it reverses an original classification decision which changed the appealed position to a lower grade or resulted in a loss of pay. The appeal decision must find that the original classification decision which resulted in the downgrading or pay loss was based on classification error.

B. Timely Filing. Under the above circumstances, the employee is eligible for retroactive benefits if a timely appeal is filed at the Bureau/Department level or with OPM, i.e., no later than 15 calendar days after the effective date of the official personnel action. If the employee appealed initially to the Bureau or Department and has received a decision with which he/she disagrees, a subsequent appeal with OPM must be filed no later than 15 calendar days after the Bureau/Departmental decision is received. OPM may extend this time limit under certain circumstances specified in FPM 511, Subchapter 6-8d.

C. Applicability. Only in the cases of employees who are ineligible for retained grade and pay will recomputation of lost compensation be made. Employees entitled to retained grade and pay generally would not be eligible for retroactive compensation, however, personnel records would be recreated to reflect corrective actions.

6.8 Cancellation of Appeals. The Bureau or Department will cancel an appeal when requested by the employee in writing or when it is learned that the employee is no longer officially assigned to the appealed position. An appeal will not be cancelled if: the employee is no longer assigned to the appealed position, but there is the possibility of retroactive benefits because of reasons covered by the above or the appellant is on detail or temporarily promoted to another position (unless cancellation is specifically requested by the appellant).

6.9 Reconsideration of a Bureau Decision. The Bureau will reopen and reconsider an appeal decision only if information is presented, in writing, which establishes a reasonable doubt as to the technical accuracy of the decision.

6.10 Content and Filing of Appeals.

A. Letter of Appeal. Employee appeals must be in writing, and whenever possible, the employee and supervisor should agree on the duties, responsibilities, and knowledges and skills outlined in the official position description. If possible, disagreements over duties and responsibilities should be resolved before the appeal is filed. Whether submitted to the Bureau, the Department, or OPM, the employee's letter of appeal should include:

(1) The employee's name, mailing address, and office telephone number;

(2) Employing department or bureau, and the location of the official headquarters;

(3) Exact location of the employee's position within the Bureau (Division, Branch, Section, etc.);

(4) Employee's current title, series, and grade;

(5) Requested title, series, grade or other classification action desired;

(6) A copy of the official position description, along with a signed statement that the employee agrees with the official description. If agreement has not been reached that the position description is accurate, the employee may provide his or her own description of work performed;

(7) Reasons why the employee believes the position is erroneously classified, referring to standards which support that point of view; and

(8) Name, address, and business telephone number of the representative, if one has been selected.

B. Filing.

(1) Appeals to the Bureau should be addressed to Chief, Division of Personnel Management, Bureau of Indian Affairs, 320-SIB, 1951 Constitution Avenue N.W., Washington, D.C. 20245.

(2) Appeals to the Department should be addressed to Director, Office of Personnel, Department of the Interior, Room 5230, 18th and C Streets N.W., Washington, D.C. 20240.

(3) Appeals to the Office of Personnel Management should be addressed to the appropriate Regional Director. Addresses and areas of jurisdiction are listed in FPM 511, Appendix B.

6.11 Appeal Decision. A Bureau appeal decision will be provided directly to the appellant, in writing, with a copy to the representative, if one has been selected.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

March 25, 1983

RECEIVED
BUREAU OF INDIAN AFFAIRS
PERSONNEL SERVICES
APR 3 1 15 PM

PERSONNEL MANAGEMENT LETTER No. 83-3 (511)

Subject: Evaluation Statements in Support of Position Classification Decisions

The purpose of this PML is to reinforce the importance of properly documenting classification rationale and to provide two additional situations where evaluation statements are required. Personnel Management Letter No. 81-18 (511) dated April 23, 1981, establishes Departmental policy regarding the preparation of evaluation statements in support of classification determinations. That PML lists minimal requirements for evaluation statement content and specifies those situations where evaluation statements must be prepared. This issuance will serve as an addendum to PML No. 81-18 (511).

The evaluation statement is a signed and dated statement of technical accountability, as well as a supportive record of the classifier's thought processes in assigning the official title, series and grade to a position. It is also a document of archival interest in that it provides essential institutional memory relative to the position and environment involved at the time the position was established or reclassified. Departmental policy regarding the content of evaluation statements is being inconsistently and insufficiently adhered to, and, therefore, unnecessary delays occur in the processing of those positions which require prior classification approval of the Department. Further, this lack of compliance with established policy is causing increasing problems in the conduct of Departmental and OPM Personnel Management Evaluations.

The need for preparation of evaluation statements is the same for positions classified in the FES format as for those classified according to narrative classification standards. We are also experiencing a disturbing increase in the number of evaluation statements which contain only a listing of factor level descriptions (FLDs) and point values. Without additional narrative, the basic FES evaluation statement format provides too little information for the reviewer to make a determination which effectively addresses the classification rationale or propriety of decision. We are finding that positions are being evaluated with direct reference to the Primary Standard. The Primary Standard remains the ultimate standard for assuring consistent alignment among the various occupational standards. Alone, it is not intended to be used as the basis for determining the classification of any position.

INQUIRIES: Bernice T. Struhs, Chief, Division of Position Classification and Management Room 5021, Extension 343-4231

Received
Bureau of Indian Affairs
Personnel Management
MAR 31 1983
Central Office

In addition to those situations listed in PML No. 81-18 (511) which require development of evaluation rationale, two further items are to be included. They are:

1. Use of the interdisciplinary concept in the classification of professional positions.

2. Positions evaluated on the basis of the General Grade Evaluation Guide for Non-supervisory Clerical Positions, but classified to the Miscellaneous Clerk and Assistant Series, GS-303.

Although this subject will be incorporated in the revision of 370 DM 511 which is now being written, this interim information is considered essential at this time.

Director of Personnel

Subchapter 7. Effective Dates of Position Classification Actions or Decisions.

.1 Effective Date of Bureau Classification Actions. The effective date of classification action taken within this Bureau shall be no earlier than the date of the approval of such classification, or a subsequent date specifically stated. Classification actions shall not be made effective retroactively, except as provided in the case of certain appeals. (See FPM 511 and 370 DM 511,6.5A.)

Optional Form 8
959
CIVIL SERVICE COMMISSION
Chapter P2, Federal Personnel Manual
103

POSITION DESCRIPTION

1. Check one: Dept'l ☐ Field ☒
2. Official headquarters: Browning, Montana
3. Reason for submission:
(a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (service, series, grade), and position number
See 44 IAM 511,4.3C(2)
(b) Other (specify)
See 44 IAM 511,4.3C(2)
4. Agency position No.
5. C. S. C. certification No.
6. Date of certification
7. Date received from C. S. C.

8. CLASSIFICATION ACTION

ALLOCATION BY	CLASS TITLE OF POSITION	CLASS Service	CLASS Series	CLASS Grade	INITIALS	DATE
a. Civil Service Commission						
b. Department, agency, or establishment						
c. Bureau	To be completed by Area Office Classification Authority					
d. Field office	To be completed by Agency Office or Area Branch Head					
e. Recommended by initiating office	To be completed by initiating office if different than 8d.					

9. Organizational title of position (*if any*)
Fill in as appropriate

10. Name of employee (*If vacancy, specify V-1, 2, 3, or 4*)

11. Department, agency, or establishment
Department of the Interior

a. First subdivision
Bureau of Indian Affairs

b. Second subdivision
Billings Area

c. Third subdivision
Blackfeet Agency

d. Fourth subdivision
Fill in as appropriate

e. Fifth subdivision

12. This is a complete and accurate description of the duties and responsibilities of my position
Shall be signed by the incumbent of the position whenever practicable.
(Signature of employee) (Date)

13. This is a complete and accurate description of the duties and responsibilities of this position
Shall be signed by the immediate supervisor.
(Signature of immediate supervisor) (Date)
Title:

14. Certification by head of bureau, division, field office, or designated representative
(Signature) (Date)
Title: See 44 IAM 511,4.3C(5)

15. Certification by department, agency, or establishment
(Signature) (Date)
Title: See 44 IAM 511,4.3C(5)

16. Description of duties and responsibilities

See 44 IAM 511,4.3C(6)

This example covers all positions within Area Office Classification Authority.

Release No. 44-103
October 16, 1964

Optional Form 8
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S. CIVIL SERVICE COMMISSION
apter P2, Federal Personnel Manual
08-103

POSITION DESCRIPTION

1. Check one: Dept'l ☐ Field ☒

2. Official headquarters: Billings, Montana

3. Reason for submission:
(a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (service, series, grade), and position number
See 44 IAM 511,4.3C(2)
(b) Other (specify)
See 44 IAM 511,4.3C(2)

4. Agency position No.

5. C. S. C. certification No.

6. Date of certification

7. Date received from C. S. C.

8. CLASSIFICATION ACTION

ALLOCATION BY	CLASS TITLE OF POSITION	CLASS Service	CLASS Series	CLASS Grade	INITIALS	DATE
a. Civil Service Commission						
b. Department, agency, or establishment						
c. Bureau	To be completed by Central Office Classification Authority					
d. Field office	To be completed by Area Office Classification Authority					
e. Recommended by initiating office	To be completed by initiating office					

9. Organizational title of position (*if any*)
Fill in as appropriate

10. Name of employee (*If vacancy, specify V-1, 2, 3, or 4*)

11. Department, agency, or establishment
Department of the Interior

a. First subdivision
Bureau of Indian Affairs

Second subdivision
illings Area Office

c. Third subdivision
Division of Economic Development

d. Fourth subdivision
Fill in as appropriate

e. Fifth subdivision
Fill in as appropriate

This is a complete and accurate description of the duties and responsibilities of my position
Shall be signed by the incumbent of the position whenever practicable.
(Signature of employee) (Date)

13. This is a complete and accurate description of the duties and responsibilities of this position
Shall be signed by immediate supervisor.
(Signature of immediate supervisor) (Date)
Title:

14. Certification by head of bureau, division, field office, or designated representative
(Signature) (Date)
Title: See 44 IAM 511,4.3C(5)

15. Certification by department, agency, or establishment
(Signature) (Date)
Title: Chief Classification Officer

16. Description of duties and responsibilities

See 44 IAM 511,4.3C(6)

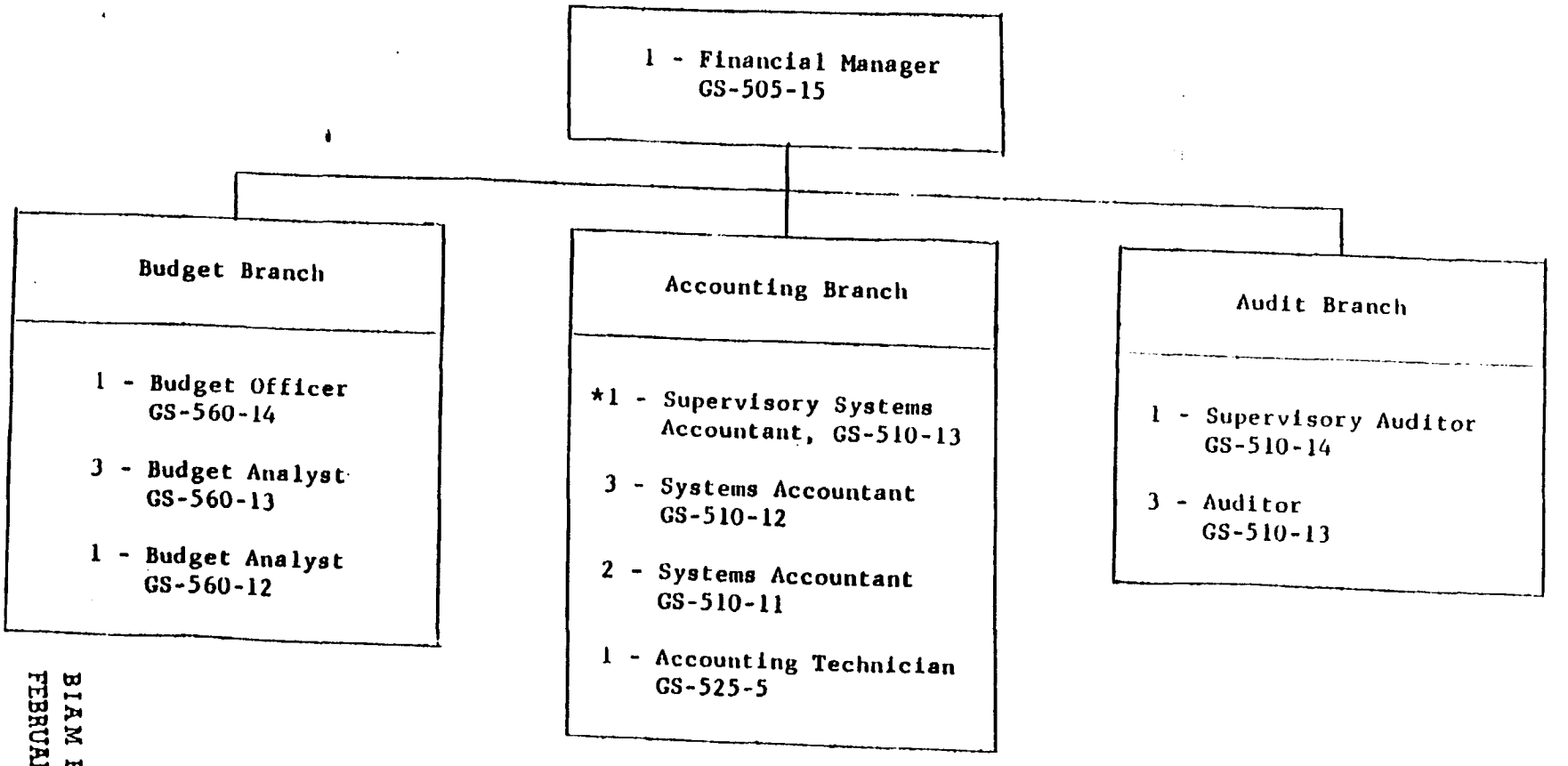
This example covers all field positions within Central Office Classification Authority.

Release No. 44-103
October 16, 1964

If more space is required, use the other side and additional pages size 8 x 10½

GPO : 1960—O-540820

Division of Financial Management



*Classification proposed: Supervisory Systems Accountant, GS-510-14

Optional Form 8
July 1959
U. S. CIVIL SERVICE COMMISSION
Chapter P2, Federal Personnel Manual
4008-103

POSITION DESCRIPTION

1. Check one: Dept'l ☐ Field ☒

2. Official headquarters: Billings, Montana

3. Reason for submission:
(a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (service, series, grade), and position number
See 44 IAM 511,4.3C(2)
(b) Other (specify)
See 44 IAM 511,4.3C(2)

4. Agency position No.

5. C. S. C. certification No.

6. Date of certification

7. Date received from C. S. C.

8. CLASSIFICATION ACTION

ALLOCATION BY	CLASS TITLE OF POSITION	CLASS Service	CLASS Series	CLASS Grade	INITIALS	DATE
a. Civil Service Commission						
b. Department, agency, or establishment	To be completed by the Secretary's Office					
c. Bureau	To be completed by Central Office Classification Authority					
d. Field office	To be completed by Area Office Classification Authority					
e. Recommended by initiating office						

9. Organizational title of position (*if any*)
Fill in as appropriate

10. Name of employee (*If vacancy, specify V-1, 2, 3, or 4*)

11. Department, agency, or establishment
Department of the Interior

a. First subdivision
Bureau of Indian Affairs

b. Second subdivision
Billings Area Office

c. Third subdivision

d. Fourth subdivision

e. Fifth subdivision

12. This is a complete and accurate description of the duties and responsibilities of my position

(Signature of employee) (Date)

13. This is a complete and accurate description of the duties and responsibilities of this position

(Signature of immediate supervisor) (Date)

Title: Area Director

14. Certification by head of bureau, division, field office, or designated representative

(Signature) (Date)

Title: Commissioner of Indian Affairs

15. Certification by department, agency, or establishment

(Signature) (Date)

Title: Chief Classification Officer

16. Description of duties and responsibilities

See 44 IAM 511,4.3C(6)

This example covers all field positions above Central Office Classification Authority.

Release No. 44-103
October 16, 1964

If more space is required, use the other side and additional pages size 8 x 10½

GPO : 1960—O-540620
53989

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Subchapter 1. Basic Policies and Principles (No BIAM issuance planned)

Subchapter 2. Annual Reports on Pay Comparability (No BIAM issuance planned)

Subchapter 3. Special Rates for Recruitment and Retention (To be issued later. Use 44 IAM 530,3 until superseded)

SUBCHAPTER 3. Special Rates for Recruitment and Retention

.1 Requests for special rates. Requests for special rates shall be submitted, with complete justification, to the Central Office Attention: Chief, Branch of Personnel for consideration and approval. If approved, the request shall then be prepared for the signature of the Director of Personnel and submitted to the Central Office of the Civil Service Commission.

TABLE OF CONTENTS

Subchapter 1. Introduction to Pay Under the General Schedule (No BIAM issuance planned)

Subchapter 2. Determining Rate of Basic Pay

Subchapter 3. Pay Adjustments to Supervisors (To be issued later; use 44 BIAM 531,3 until superseded) See 44-110, 5/25/65

Subchapter 4. Within-Grade Increases

Subchapter 2. Determining Rate of Basic Pay

.1 Purpose. To establish Bureau of Indian Affairs policy, procedures and responsibility for setting rates of pay in connection with appointments, promotions, reassignments and changes to lower grade.

.2 Responsibilities.

A. The Division of Personnel Management is responsible for:

(1) Applying mandatory-type rates.

(2) Determining when optional pay-fixing provisions exist, coordinating same with proper officials, and resolving disagreements relating to use of optional procedures.

B. Operating officials and supervisors are responsible for careful and discreet consideration and use of optional pay fixing rules.

.3 Policies.

A. Preservation of Existing Rate of Pay. The existing rate of pay will be preserved to the maximum extent possible in situations where an employee is:

(1) Changed to another position without advancement in grade unless the change is the result of the employee's request, failure to satisfactorily perform assigned duties, or disqualification.

(2) Exercising reemployment rights (returning from an overseas assignment or Tribal Government).

(3) Exercising restoration rights (returning from military service).

B. Preservation of Highest Previous Rate. When an employee receives an appointment to a position by any means other than new appointment, the current equivalent of the highest previous rate of pay received under an appointment not limited to 90 days or less, or received for a continuous period of 90 days under one or more appointments, may be preserved to the maximum extent possible. When the highest previous rate of pay falls between two rates of the new grade, the higher rate will be given.

.4 Operating Procedures.

A. New Appointments. New (initial) appointments will be made at the first step of the grade, except where increased rates are specifically authorized for selected hard-to-fill positions. A "new appointment" means the first appointment, regardless of tenure, as an employee of the Federal Government or the government of the District of Columbia. Any appointment after the initial appointment is not "new." (FPM 531)

B. Transfers. Pay of employees transferred in from other federal agencies will be fixed to preserve the existing rate of pay to the maximum extent possible.

C. Reinstatements. The rate of pay for reinstatement eligibles will be fixed in accordance with the highest previous rate rule unless optional pay-fixing provisions preclude preservation of a former rate.

D. Promotions.

(1) For promotions within the same pay method category, pay will be fixed at the lowest scheduled step of the new grade which exceeds the existing rate by at least one step for Wage Grade or two steps for General Schedule positions, except when the highest previous rate rule is applicable.

(2) When an employee is promoted from General Schedule to Wage Grade, pay will be fixed at the lowest scheduled step of the new grade which exceeds the existing rate by at least one step, except when the highest previous rate rule is applicable.

(3) When an employee is promoted from Wage Grade to General Schedule, pay will be fixed in accordance with the highest previous rate rule. If the promotion does not provide for an equivalent increase, time spent in the previous position will be credited toward the next step increase in the position to which promoted.

(4) Employees returning to their former position from temporary promotion will be paid at the grade and step held prior to temporary promotion. Time spent on temporary promotion will, however, count toward waiting periods for the next step increase.

(5) Pay of an employee who accepts a promotion and subsequently requests return to his former grade prior to completion of a 90-day period will be fixed at the rate earned prior to the promotion. No salary adjustments will be made to preserve the higher rate.

E. Reassignments.

(1) Normally, the rate of pay remains unchanged upon reassignment.

(2) When reassigned from one pay method category to another (i.e. from General Schedule to Wage Grade or vice versa) salary will be fixed at the lowest step of the new grade which preserves the last earned rate of pay to the maximum extent possible, except as shown in paragraph 4E(3) below.

(3) When reassigned from one pay method category to another as the result of an employee's request, failure to satisfactorily perform assigned duties, or disqualification, salary will be fixed at the step of the new grade which does not exceed present salary.

(4) Wage grade employees reassigning/transferring from another geographical area at the same grade level, will have their pay fixed at the same step, so long as the former rate is not exceeded.

F. Voluntary Change to Lower Grade. Employees requesting change to lower grade due to personal consideration will have their pay rate fixed in the lower grade at that step which most nearly matches, but does not exceed, the rate earned immediately prior to demotion.

G. Salary Retention Upon Change to Lower Grade.

(1) Except as noted below, employees who are changed to lower grade are entitled to retain current pay rate* following the 2-year grade retention period (see FPM 536 for details of grade retention), providing they meet all of the following conditions:

(a) Are serving under employment other than on a temporary or term basis on effective date of demotion.

(b) Have served in the same grade or grades higher than the grade to which demoted for 52 consecutive weeks or more prior to demotion.

*[Plus 50% of each increase in the maximum rate of basic pay (Step 10 for General Schedule, Step 5 for Wage Grade) of the position held immediately after the change to lower grade until such time as: (a) the employee has a break in service of one workday or more; (b) the employee becomes entitled to a rate of basic pay equal to or higher than the rate to which he/she is entitled under pay retention; (c) the employee declines a reasonable offer of a position with a rate of basic pay equal to or higher than the retained pay rate.]

FPM Addition 44- 71, 4/24/81

(2) Salary retention is not authorized for change to lower grade caused by:

(a) Inadequate performance.

(b) Actions initiated by employee due to personal considerations.

(c) Termination of unlimited promotion of less than 90 days.

(d) Termination of temporary limited promotion.

(e) Disqualification for the position held.

(3) Title VIII of the Civil Service Reform Act repealed sections 5337 and 5345 of Title 5 United States Code. However, an employee receiving a retained rate or saved pay under one of these sections (FPM 531, subchapter 5 for GS) is entitled to continue to receive that retained pay or saved pay unless he or she was reduced in grade during the retroactive period of Title VIII (see FPM Bulletin 536.1, p. 2).

BIAM REISSUE
FEBRUARY 1984

INT 2853-81

Subchapter 3. Pay Adjustments for Supervisors.

.1 Delegation of Authority. Area Directors and the Chief, Branch of Plant Design and Construction are authorized to approve pay adjustments under these regulations. This authority may be redelegated to Assistant Area Directors responsible for administrative functions and Personnel Officers.

.2 Procedures. Proposals for the adjustment in pay of Classification Act supervisors of wage board employees should be recommended on SF-52's, with sufficient data set forth thereon to show basis for the recommendation. The position descriptions for the Classification Act supervisors must show clearly the type of supervision exercised over wage board employees, in order that determination may be made as to whether such supervision meets the criteria set forth in the Commission's regulations. If approved, the pay adjustment should be effected by SF-1126, Payroll Change Slip, a copy of which shall be filed on the right hand side of the official personnel folder.

Release No. 44-110
May 25, 1965

Subchapter 4. Within-grade increases

1. Acceptable level of competence

A. General procedure. The Indian Affairs Data Center will automatically provide the appropriate servicing personnel office with a call-up listing and level of competence certificate form for each Classification Act employee eligible for a within-grade increase. The personnel office will receive these forms from 12 to 14 weeks prior to the pay period in which the projected within-grade increase falls due. Follow-up with appropriate supervisors should then be made sufficiently in advance for the supervisor to consider the employee's competence, and to permit the required 60-day notice to the employee in the event the employee's work is determined not to be of an acceptable level of competence.

B. Responsibilities

(1) Supervisors. The immediate supervisor responsible as rating official for performance evaluation will also certify his subordinates' level of competence. When the preliminary evaluation leads to a conclusion that the employee's work competence is not of an acceptable level, the supervisor who makes the determination shall provide the following information to the employee in writing at least 60 days before the within-grade increase is due:

(a) An explanation of each aspect of performance in which the employee's work falls below an acceptable level; how this renders his performance on the job as a whole below an acceptable level; what improvement is required in each of these aspects to bring his performance up to an acceptable level; and, a statement that he has until (7 days before increase due date) to make such improvement otherwise his within-grade increase will be denied.

(b) No later than the date of the completion of the waiting period, the supervisor must either certify that the employee's work is at an acceptable level of competence or notify the employee in writing that it is not.

Written notice to the employee informing him that his within-grade increase is being denied shall also include, as a minimum, advice regarding his right to seek reconsideration by addressing written request to a reviewing official

not later than 15 calendar days following his receipt of the notice; the title and/or name of the **reviewing** official to whom he should direct his request, and of his right to have a representative of his own choosing in presenting his request contesting, personally or in writing, the basis for the negative determination.

(2) If a negative determination is made without informing the employee at least 60 days in advance of the end of the waiting period concerning those factors raising a question of his work being at an acceptable level of competence, another determination shall be made no later than 60 days after the end of the waiting period covering the employee's performance during that 60-day period subsequent to the end of the regular waiting period.

C. Reviewing officials. The second level supervisor above the supervisor issuing the nonacceptable level of competence certification shall be designated as the official responsible for reviewing requests for reconsideration of negative determinations.

The Assistant Secretary for Public Land Management or his designated representative will serve as the reviewing official for all negative certification reconsiderations that are initiated by the Commissioner or the Associate Commissioners.

Employees at each organizational level shall be advised through postings on bulletin boards or other practical means of the appropriate reviewing official with whom they may file reconsideration requests.

(1) The reviewing official shall carefully consider the reasons for the negative determination as related to the assigned work requirements, together with any personal or written comments of the employees or his chosen representative contesting the decision. He must notify the employee of his decision within 20 calendar days of the employee's formal request for reconsideration. This notification must be in writing whether the negative decision is upheld or reversed. If the reviewing official sustains the negative decision he shall include in his written advice to the employee the employee's right to appeal the decision to the Civil Service Commission within 15 calendar days of receipt of such notification. A copy of this notification shall be forwarded to the personnel office for the employee's OPF, and a copy shall be furnished to the employee's immediate supervisor.

D. Subsequent determinations. The supervisor may submit a positive certification at any time that he believes the employee's work performance has reached an acceptable level of competence. However, mandatory redeterminations by the evaluating supervisor are required as follows:

(1) First redetermination. A redetermination will be made by the supervisor not later than 26 calendar weeks from the date the employee initially met the time in grade requirements for a within-grade salary increase which was denied. The supervisor will then review the employee's work performance to determine the possibility of a positive certification. If work competence is still not of an acceptable level, the supervisor may wish to consider reassignment or other personnel action, in which event he should discuss the matter with the servicing Personnel Officer BEFORE issuing the negative redetermination decision. The servicing personnel office shall establish appropriate call-up records to assure that this first step redetermination is made and reported when due. If the redetermination results in a positive certification, the employee's within-grade increase shall become effective at the beginning of the first pay period following this determination. This begins a new waiting period.

(2) Second redetermination. If the employee is retained in the same position and the first 26 calendar weeks redetermination is still negative, another redetermination will be required 52 calendar weeks from the date that the negative certification was originally effective.

E. Guideline. The regulations governing determination of acceptable level of competence limits consideration to the adequacy of an employee's performance on the job to which he is assigned, therefore allegedly questionable conduct which pertains to other than that related to an employee's competence in performance of his assigned work, requires separate consideration and action in accordance with regulations prescribed in FPM 752 and Department and Bureau manual supplements thereto.

Acceptable level of competence is not necessarily judged solely by quantity and quality of work, but reflects total performance in the job, including consideration of deficiencies in personal relationship and attitude toward coworkers and superiors, and ability to work for group results. It is recognized that in some positions only the quantity and quality of work will be the paramount consideration. However, if a person cannot work harmoniously with fellow employees when the job so requires, a finding that an employee's work is not of an acceptable level of competence is justified.

.2 Quality within-grade increases. See 33 BIAM 2 for criteria and procedures for granting quality increases.

JUSTIFICATION FOR CRITICAL POSITION

I. Title of Position:

II. Appointment Authority for the Position (For SES positions, appointment authority for the incumbent):

III. Pay Plan and Grade Level:

IV. Occupational Series of Position:

V. Geographic Location of the Position:

VI. Current Salary of Position or Incumbent:

VII. Position Filled by (Name of incumbent; if position is unfilled, enter "Vacant"):

VIII. Length of Time Incumbent Has Been in Position (If position is vacant, enter how long it has been vacant):

IX. Length of Time for Which Critical Position Pay os Requested.

X. Evaluation of Need to Designate the Position as Critical (Cite the source of any data provided in the evaluation):

(a) Provide an assessment of:

(i) Kinds of work required by the position and the context within which it operates;

(ii) Range of positions and qualification requirements that characterize the occupational field, including those that require extremely high levels of expertise;

(iii) Rate of pay reasonably and generally available in the public and private sectors for such positions;

(iv) Availability of individuals who possess the qualifications to do the work.

(b) Document, with appropriate supporting data, the Bureau's experience and, as appropriate, the experience of other organizations, in efforts to recruit or retain exceptionally well qualified persons for the position or for a position sufficiently like it with respect to occupational field, qualifications required, and other pertinent factors, to provide a reliable comparison.

(c) Provide an assessment of why the Bureau could not, through diligent and comprehensive recruitment efforts and without using critical position pay, fill the position within a reasonable period with an individual who could perform the duties and responsibilities in a manner sufficient to ensure successful performance of the agency mission. This assessment will include a justification as to why the bureau could not, as an effective alternative to critical position pay, use:

(1) other personnel systems and pay authorities at the Bureau's disposal;

(2) other incentives, such as recruitment bonuses, to fill the position with an individual from outside the Federal Government and promotion/reassignment to fill the position from within the Federal Government;

(3) a retention allowance if the position is currently occupied.

(d) Explain why the position should be granted critical position pay within its organizational context (i.e., relative to other positions in the organization) and, when applicable, how it compares with other critical positions in the agency. Include an explanation of how the Bureau will deal with the problems of perceived inequities among Bureau personnel (e.g.,

situations in which the personnel receiving critical position pay would be paid more than their supervisors and other employees in positions of higher duties and responsibilities).

(e) Document the effect on the accomplishment of important Bureau missions if the position is not designated as a critical position.

(f) Include such other information as the Bureau may deem appropriate to demonstrate that critical position pay is needed to recruit or train an employee for the position.

NOTE: Include a copy of position description and qualification standard for the position (not required for Executive Schedule positions).

1. Basic Authorities

.1 Policy
.2 Pay Fixing Authority

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.2 Construction Schedules
.3 Negotiated Agreements

3. Organizational and Functional Responsibilities

.1 Organizational Responsibilities
.2 Bureau Wage Boards

4. Wage Schedules

.1 Regular Wage Schedules
.2 Davis-Bacon Rates
.3 Pay Plan for Emergency Firefighters

5. Prevailing Rate Determination

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.2 Changes in Wage or Survey Areas

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.3 Titling and Grading of Supervisory Positions Excluded from the Federal Wage System
.4 Establishment of New Occupations
.5 Job Grading Standards

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.3 Job Grading Appeal Procedures
.4 Notice of Appeal Rights
.5 Contents of Appeal
.6 Time Limit for Filing Appeal
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.10 Notification of Appeal Decision
.11 Information to be Provided by Servicing Personnel Office

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.3 Environmental Differentials
.4 Preservation of Highest Previous Rate

9. Grade and Pay Retention Under the Federal Wage System

.1 Purpose
.2 Grade Retention
.3 Pay Retention

Subchapter 1. Basic Authorities

1.1 Policy. It is the policy of the Bureau of Indian Affairs to pay prevailing rate employees in accordance with wage schedules developed by designated lead agencies on a locality basis. Pay will be adjusted promptly when changes are made by the lead agencies in accordance with local prevailing rates.

1.2 Pay Fixing Authority. The Division of Personnel Management will issue wage schedules in accordance with Section 5343 of Title 5, U.S.C. to Area Offices for Federal Wage System (FWS) wage areas as the wage schedules are received from the lead agency. Areas shall use these rates in fixing the pay of eligible employees.

Subchapter 2. Scope of System

2.1 Special Schedules. There are many special schedules now in use on which determinations have not been made to either continue to pay the employees special schedule rates or to bring them under the regular wage schedules of the wage system. These schedules described in FPM Supplement 532-1, Appendix V, have been adjusted under policies and practices of the establishing agency. As an interim measure they are continued as special schedules under the Federal Wage System until they have been reviewed and decisions have been made on the recommendations of the Federal Prevailing Rate Advisory Committee. Special schedules used by the Bureau are Construction Schedules, Appendix V-H, and Special Supervisory Schedules, Appendix V-I.

2.2 Construction Schedules. The Department of the Interior with the issuance of Personnel Management Letter No. 69-1 (532)(711), on January 7, 1969, established the policy to pay temporary Federal construction workers in accordance with prevailing area wage rates for employees of private construction contractors as reflected in Davis-Bacon determinations. When the Federal Wage System (FWS) was established in 1972, these employees were set aside in one of the special schedule sections (FPM Supplement 532-1, Appendix V, Section H). The intent of this action was to continue the past practice of paying the construction workers according to Davis-Bacon rates until a decision could be made about placing these employees under the regular FWS or another pay system. This decision will require a comprehensive study of this occupational category by the Office of Personnel Management's (OPM) Office of Pay and Benefits Policy.

Until such a study is completed and a policy decision is issued by OPM, it remains the policy of the Department and the Bureau to pay temporary construction workers in accordance with Davis-Bacon determinations as published in the Federal Register.

2.3 Negotiated Agreements. Local units which have historically negotiated prevailing rates of pay and other employment benefits since prior to the passage of Pub. L. 92-392 will not be precluded from continuing to do so by this subchapter.

Subchapter 3. Organizational and Functional Responsibilities

3.1 Organizational Responsibilities. The Division of Personnel Management under the Office of Administration is responsible for administering the Bureau's wage administration program within the regulations and guidelines established by the Office of Personnel Management, and the Department of the Interior.

Area Personnel Offices and the Branch of Personnel Services are responsible for administering the wage administration program within their organizations.

3.2 Bureau Wage Boards. Most wage positions in the Bureau are subject to wage rates established under the Federal Wage System (FWS) or to rates negotiated under formal labor agreements. For those positions whose wage rates are determined under neither of these systems (e.g. special schedule positions) wage boards may be established to recommend appropriate wage rates. Area Directors, or their designees, may establish wage boards and designate wage board members to conduct wage board operations. These operations essentially consist of conducting locality wage surveys, determining the prevailing rates paid to various classes of employees in the localities, and recommending wage rates to appropriate approving authorities.

Subchapter 4. Wage Schedules

4.1 Regular Wage Schedules.

A. Wage schedules compiled by lead agencies will be issued to Area Offices by the Division of Personnel Management as an attachment to a Federal Wage System Memorandum. Normally, wage schedules will be received on a timely basis and can be processed in the pay period in which they are due. When this does not occur, pay for eligible employees will be made on a retroactive basis.

B. Each wage area has been assigned a three-digit code. This code number will appear on each wage schedule. A list of coded wage areas is contained in FPM Supplement 532-1, Appendix D.

4.2 Davis - Bacon Rates. These rates are established by the U.S. Department of Labor as the basis of pay for construction work. They are based on prevailing rates for comparable construction work in the local area as determined under the Davis - Bacon Act of 1931. Davis - Bacon rates applicable to Bureau construction projects are published in the Federal Register.

4.3 Pay Plan for Emergency Firefighters. Firefighters employed during emergencies to fight forest fires and other fires on or near lands administered by the Bureau are paid according to a pay plan for emergency firefighters. Rates for these positions are determined pursuant to a formal agreement with the U.S. Department of Agriculture, dated February 1, 1950. Copies of the updated pay schedule are transmitted annually to Area Offices.

Subchapter 5. Prevailing Rate Determination

5.1 Bureau Responsibilities. Area Offices will cooperate with lead agencies by providing the information necessary for wage surveys; providing members for the local wage survey committee as requested; and providing data collectors and clerical assistance for the local wage survey committee as requested.

5.2 Changes in Wage or Survey Areas. Recommendations for changes in wage or survey areas, survey jobs, or pay-fixing positions should be submitted to the Chief, Division of Personnel Management. Each recommendation must be accompanied by a statement indicating the need for the change and should include pertinent information to support the recommendation. Area Offices are reminded to review negotiated agreements with respect to any obligations to labor organizations concerning this matter.

Subchapter 6. Job Grading System

6.1 General. Information on the coding, titling, and grading of trades and labor occupations is contained in FPM Supplement 512-1.

6.2 Titling of Trades and Labor Jobs. Official job titles are those listed in the job grading standards developed by OPM. These titles will be used when grading jobs and processing all personnel actions. Areas may approve titles for jobs not covered by published standards, consistent with the titling instructions contained in FPM Supplement 512-1, Part I.

6.3 Titling and Grading of Supervisory Positions Excluded from the Federal Wage System. Instructions for titling and grading of supervisory positions which are excluded from the Federal Wage System are contained in Appendix A to this Supplement.

6.4 Establishment of New Occupations. Areas wishing to establish new occupations or revise the definitions of established occupations will address their request to the Chief, Division of Personnel Management.

6.5 Job Grading Standards.

A. Development of Job Grading Standards. Under the Federal Wage System, OPM is responsible for the development and publication of job grading standards and the modification of existing standards. The Bureau will cooperate with OPM in the development and modification of standards.

B. Review of Job Grading Standards. OPM will distribute tentative job grading standards to using agencies for review and comment. Employees in Area Offices will be given an opportunity to participate in this review. Field comments will be fully considered by the Division of Personnel Management in preparing its consolidated response to the Office of Personnel.

C. Availability of Standards. OPM job grading standards, and guides developed by the Department and the Bureau shall be made available for review by employees and interested officials. Employees will be informed of the location of the standards and conditions of availability.

Subchapter 7. Job Grading Appeals

7.1 Purpose. The purpose of this subchapter is to promulgate Bureau of Indian Affairs procedures for processing job-grading appeals in accordance with the provisions of FPM Supplement 532-1, Subchapter S7.

7.2 Introduction. A wage grade employee may at any time appeal the grade, title, and/or series assigned to his/her job, but not the standards established for the job, nor other matters such as the accuracy of his/her position description, his/her rate of pay, or the propriety of a wage schedule rate. The employee has the right of appeal to the Office of Personnel Management (OPM); however, before appealing to OPM he/she must first utilize the Bureau or Department appeal procedures.

7.3 Job Grading Appeal Procedures.

A. An employee is entitled to only one decision on a job grading appeal within the Department. The employee may appeal to either the Bureau or the Department, but not to both. Appeals to the Bureau should be addressed to Chief, Division of Personnel Management, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245. Appeals to the Department should be addressed to Director, Office of Personnel, Department of the Interior, Room 5201, 18th and C Streets, N.W., Washington, D.C. 20240.

B. If the appeal is to the Bureau and a decision is not issued within 60 days of the date the appeal was filed, the employee may request the Department to assume jurisdiction of the appeal.

C. When a final decision upholds the employee's appeal, the effective date for the change in grade may not be later than the beginning of the first pay period which begins after the 60th day from the date the appeal was filed.

D. If an employee wishes to appeal a change to lower grade or loss of pay, the appeal must be submitted under the provisions of this subchapter within 15 calendar days of the effective date of the change to lower grade, in order to preserve entitlement to retroactive corrective action. This provision is applicable only to employees who are eligible for, or who have received grade retention rights under the CSRA provisions defined in 370 DM 536, Grade and Pay Retention.

E. An employee who is not covered by the provisions of 370 DM 536, Grade and Pay Retention, wishing to appeal a change to lower grade or pay, must do so under the provisions of 370 DM 752, Adverse Actions. An appeal or grievance filed under 370 DM 752 precludes an employee from utilizing the review system established by this subchapter.

7.4 Notice of Appeal Rights.

A. When the Bureau makes a job-grading decision that leads to a loss in grade or pay, it will notify the affected employee of its decision promptly and in writing.

B. The notice will advise the employee as to the appeal procedures of the Department and OPM, and specify the time limits for filing an appeal in order to establish or preserve his/her rights to a retroactive adjustment.

7.5 Contents of Appeal. An appeal must be in writing and should clearly state the reasons the employee believes the job is erroneously graded. The employee should furnish any additional facts requested by the reviewing office.

7.6 Time Limit for Filing Appeal. An employee may file an application at any time. When, however, the application involves a downgrading or other grading action which resulted in a reduction in grade or loss of pay, it must be timely filed as defined in the above appeal procedures. This time limit may be extended when the employee shows that he/she was not notified of the time limit, or that he/she was prevented by circumstances beyond his/her control from filing his/her appeal within the prescribed time limit.

7.7 Presentation of Appeal. An employee in presenting an appeal has the right to be advised and assisted by a representative. Employees, including those who act as representatives in appeals, must be afforded a reasonable amount of official time in which to present the appeal.

7.8 Position Audits. Normally, the Bureau will base its appeal decisions on the official records established at the servicing personnel office. However, should the official records be found insufficient, an onsite or telephone audit may be conducted. Although the employee has the right to select a representative in the presentation of the appeal, there is no right to have a representative present at a desk or telephone audit conducted by the Bureau.

7.9 Cancellation of Appeal.

A. An employee may terminate an appeal at any time. The Bureau shall discontinue processing an appeal on receipt of a written request by the employee.

B. When an employee does not furnish required information or otherwise does not proceed with the advancement of the appeal in a timely manner, the Bureau may cancel the application for failure to prosecute.

C. When the employee is no longer in the job which was the subject of the appeal, the Bureau shall discontinue processing the appeal, except when the employee would be entitled to retroactive benefits including benefits allowable after the death of the employee.

7.10 Notification of Appeal Decision. The Bureau's decision shall be in writing, and shall advise the employee of the right to appeal to OPM in conformance with provisions of FPM Supplement 532-1, Subchapter 7-7. In addition, the decision shall include an analysis of the employee's job, comparing it with appropriate standard(s).

7.11 Information To Be Provided By Servicing Personnel Office. In order to insure prompt processing of an appeal, the following information shall be supplied by the servicing personnel office as soon as it is known an appeal has been filed:

A. The current position description that shows the position number, the date of classification and the classifier's signature. It should contain a statement by the appellant that the description is current, accurate, and complete. Otherwise, the employee's dissenting views should be attached, and, in this instance, a rebuttal by management should be included also.

B. Current organization chart(s) that show the place of the appealed position in the organization and the location of that organizational element in the overall organization structure.

C. In the case of an appeal of a supervisory position, current staffing chart(s) that show the exact number of positions supervised by title, series and grade (including a like breakout for any subordinate supervisory positions.)

NOTE: The data for the above two charts may be combined if one chart reflects all required data.

D. Current functional statement(s) for the organization in which the appealed position is located.

E. Any other information that is pertinent to the classification of the position.

Subchapter 8. Pay Administration

8.1 General. The instructions contained in Subchapter 8 of FPM Supplement 532-1 govern the application of basic pay and premium pay to FWS employees in the Bureau.

8.2 Supervisory Wage Rates - Special Schedules. Special schedule supervisory employees who supervise negotiated wage employees have their wage rates established as a percentage of the nonsupervisory rates. These supervisory schedules and the appropriate percentages are listed in FPM Supplement 532-1, Appendix V, Category J.

8.3 Environmental Differentials. Areas may request additions, changes or deletions to the schedule of environmental pay differentials in Appendix J of FPM Supplement 532-1. Requests should be addressed to the Chief, Division of Personnel Management. Requests should include the information described in FPM Supplement 532-1, Subchapter 8-7.

8.4 Preservation of Highest Previous Rate. Subject to the pay retention provisions in subchapter S9, and the provisions of FPM Supplement 532-1, Subchapter 8-3e, when a Bureau employee is reemployed, transferred, reassigned, promoted, or changed to lower grade, the employee may be paid at any rate of his/her grade which does not exceed his/her highest previous rate. However, if the highest previous rate falls between two rates of the grade, the employee shall be paid at the higher rate.

Subchapter 9. Grade and Pay Retention Under the Federal Wage System

9.1 Purpose. This subchapter provides Bureau policy and guidance on grade and pay retention benefits for prevailing rate employees covered by the Federal Wage System (including those paid under special schedules). It does not apply to negotiated wage employees covered under Section 9(b) of Public Law 92-392.

9.2 Grade Retention.

A. Mandatory.

(1) It is mandatory that an eligible employee be granted grade retention in the circumstances described in FPM Supplement 532-1, S9-3.

(2) Employees who transfer to this Bureau while in receipt of grade retention from another agency are entitled to continue grade retention for the balance of the original two-year period. However, this entitlement ceases when an employee: (a) has a break in service of one work day or more; (b) is demoted for personal cause or at his or her own request (i.e., to a position at a lower grade than the position to which the employee is reduced); (c) is placed in a position the grade of which is equal to or higher than the retained grade; or (d) elects in writing to waive entitlement to grade retention.

B. Optional.

(1) The Deputy Assistant Secretary - Indian Affairs will determine the circumstances in a reorganization or reclassification for which grade retention will be granted to eligible employees not entitled to mandatory grade retention. Employees are considered eligible for optional grade retention once they have met the basic eligibility requirements of FPM Supplement 532-1, S9-3. Requests for optional grade retention benefits should be submitted to the Deputy Assistant Secretary - Indian Affairs, Attention: Chief Personnel Officer.

(2) Optional grade retention benefits will be granted to eligible employees who decline to transfer with their functions and, prior to separation for declining to transfer, are placed in lower graded positions provided that the transfer of function is to a location outside the employees' commuting area, and provided that the employees are not subject to mobility agreements. This provision is intended to cover instances where employees are moved prior to receiving specific RIF notices, or notices that their positions are being reduced in grade.

9.3 Pay Retention.

A. Mandatory.

(1) It is mandatory that an eligible employee be granted pay retention in the circumstances described in FPM Supplement 532-1, S9-4.

(2) Employees who transfer to this Bureau while in receipt of pay retention from another agency are entitled to continue pay retention. However, this entitlement ceases when an employee: (a) has a break in service of one work day or more; (b) is entitled to a rate of basic pay that is equal to or greater than the rate to which he or she is entitled under pay retention; or (c) is demoted for personal cause or at his or her own request.

B. Optional.

(1) The Bureau may grant pay retention to eligible employees whose rate of basic pay would otherwise be reduced as the result of a management action. Requests for optional pay retention should be submitted to the Deputy Assistant Secretary - Indian Affairs, Attention: Chief, Division of Personnel Management.

(2) Optional pay retention will be granted to eligible employees under the circumstances described in 9.2B(2) above.

Appendix A - Titling and Grading of Supervisory Positions Excluded from the Federal Wage System

.1 Purpose
.2 Titling
.3 Grading

Appendix A. Titling and Grading of Supervisory Positions Excluded from the Federal Wage System.

A.1 Purpose. This Appendix includes instructions for titling and grading of supervisory positions which are excluded from the Federal Wage System. Basically this includes negotiated wage employees. These instructions may also be used to title and grade special schedule employees.

A.2 Titling. Supervisory positions shall be designated as "Foreman" with a numeral indicating the appropriate level of supervision. (See paragraph 3 for a description of supervisory levels). Supervisory titles shall include an appropriate description of the trade, craft, or type of work involved, such as: Foreman I - Carpenter, Foreman II - Automotive Mechanic, Foreman III - Machinist, Foreman IV - Construction and Maintenance. Ordinarily the descriptive titles shall conform to the titling of journeyman or trade, craft, or manual labor jobs as covered in the standard definitions for nonsupervisory positions. Where program identification is desirable to distinguish jobs with the same general titles, parenthetical suffixes may be included in the titles; e.g. Foreman IV - Construction and Maintenance (Roads), Foreman IV - Construction and Maintenance (Buildings).

A.3 Grading. Levels for non FWS supervisory wage grade positions shall be determined in accordance with the following standards. Four levels of wage grade supervisors are recognized in the Bureau: Foreman I, Foreman II, Foreman III and Foreman IV. Supervisory wage grade jobs shall be analyzed in accordance with these standards, allocated to the appropriate level, and titled accordingly. The following standards shall be used for supervisory positions:

A. Foreman I.

(1) Provides leadership with immediate accountability and responsibility for the productive work of a small crew (three or more workers).

(2) Is the pace-setter on whom other workers in the crew depend for instructions on tasks to be performed and methods to be used. Maintains discipline among the crew and instructs subordinates on safety techniques, reporting to the next level of supervision any rule infractions which are beyond the incumbent's control. Performs non-supervisory work similar to that performed by the crew for a major portion of the time.

B. Foreman II.

(1) Supervises three or more employees in accomplishing trades and labor work. Directs completion of work orders in accordance with standard procedures and with established trade practices. Depending on the nature of the work and the size of the crew supervised, may perform non-supervisory work for up to 50 percent of the time.

(2) Participates in the development of plans for assigned segments by contributing workload data, obtains suggestions from subordinates, and makes recommendations to superior.

(3) Makes assignments and reassignments to employees to maintain even flow of work. Reads blueprints, trains apprentices as assigned, instructs employees on how tasks are to be performed and helps journeymen accomplish assigned tasks when problems are encountered. Instructs subordinates on safety techniques and reports failures to observe safety regulations.

(4) Makes minor adjustments in methods of day-to-day operations within the scope of objectives determined by higher level supervision. Reviews and inspects the work to assure proper performance.

(5) Appraises crew and takes action as needed to improve conduct, to resolve employee work-related problems and to develop team spirit. Recommends personnel actions and official commendations or disciplinary action, as appropriate. Requisitions materials as needed.

(6) Develops performance standards and elements and periodically evaluates performance.

(7) May supervise a subordinate working leader designated as Foreman I.

C. Foreman III.

(1) Supervises three or more employees in accomplishing trades and labor work.

(2) Is responsible for accomplishment of work of a designated type utilizing the organization, equipment, personnel and overall methods and processes provided by management.

(3) Determines exact priorities of work orders on hand taking into consideration urgency indicated by superiors. Explains overall nature of work to be performed and each employee's part in it. Instructs subordinates in work methods and specific work steps to be taken on each work order. Decides what material and equipment will be used on each project. Determines from personnel available which employees will be used on each project and plans necessary on-the-job training to secure needed abilities and flexibilities. Plans for the development of the crew in terms of reserve abilities, group spirit and job satisfaction. Orients new employees. Instructs employees on safety techniques and is responsible for the enforcement of safety regulations or reporting violations.

(4) Discusses work problems and possible work improvements with the crew. Determines whether improvements can be made in the work and takes action to insure accomplishment of the workload by revision of methods, changing assignments or use of equipment and material.

(5) Makes recommendations to supervisor regarding supervisor's overall responsibilities which are related to the duties described at the Foreman II level.

(6) Develops performance standards and elements and periodically evaluates performance of subordinate employees.

(7) May also supervise full-time subordinate foremen or temporary foremen designated for a specific job.

D. Foreman IV.

(1) Supervises three or more employees in accomplishing trades and labor work.

(2) Is responsible for the accomplishment of a group of functions or a single function, exclusive of full managerial authorities and responsibilities. Is responsible for day-to-day and week-to-week achievements of specified goals in accordance with predetermined organizational structures, program plans and production and supply requirement schedules. Has important responsibilities in initial planning and participates with supervisor in quarterly, annual, or long-term work scheduling. Has substantial responsibility for personnel management and participates in management improvement including analysis and improvement of work procedures and use of equipment. Is responsible for the enforcement of safety regulations.

(3) Superior relies on incumbent for advice on personnel, equipment and organizational planning within incumbent's organization. The Foreman IV does not have responsibility for final decisions on these matters.

(4) Determines and recommends the total number of personnel needed and number of positions in each craft or skill. Plans with subordinate supervisors the development of effective work crews and for full use of skills.

(5) Takes corrective action to insure accomplishment of the work by changing assignments and methods of using equipment and material. May perform some duties described in Foreman III and Foreman II levels.

(6) Develops performance standards and elements and periodically evaluates performance of subordinate employees.

(7) May also supervise full-time subordinate foremen or temporary foremen designated for a specific job.

Subchapter 1. Determining Pay Under Systems Other Than the Classification Act and Prevailing Rate Systems

.1 Alaska Seasonal Employees. The option provided in 370 DM 534,1.2 to pay or not to pay travel and transportation expenses of seasonal employees to and from Alaska may be excercised by those field officials to whom authority is delegated in 42 BIAM 2.3.5.

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	1.2	Annual Premium Pay
	1.3	Administratively Uncontrollable Work
	1.4	Regularly Scheduled Standby Duty Pay
	1.5	On Call

Subchapter 1. Premium Pay

1.1 Introduction. The purpose of this manual part is to issue Bureau of Indian Affairs policy for administering premium pay for law enforcement personnel on an annual basis in accordance with the provisions of FPM 550, Subchapter 1.

1.2 Annual Premium Pay. There are two types of premium pay which can be paid on an annual basis: premium pay for regularly scheduled standby duty, and premium pay for administratively uncontrollable work. A related issue, on call duty, will also be discussed.

1.3 Administratively Uncontrollable Work. Annual premium pay for administratively uncontrollable work is authorized under 5 CFR 550.151, subject to OPM approval (FPM 550, 1-7), for employees whose hours of work cannot be controlled administratively and include substantial amounts of irregular or occasional overtime work with the employee generally responsible for recognizing, without supervision, circumstances which require remaining on duty. Irregular or occasional overtime work means overtime which is not regularly scheduled in advance as part of the administrative workweek within which the employee is required to be on duty.

A. The requirement in 5 CFR 550.151 that a position be one in which the hours of duty cannot be controlled administratively is inherent in the nature of law enforcement positions. A typical example of a position which meets this requirement is that of an investigator of criminal activities whose hours of duty are governed by what criminals do and when they do it. The investigator is often required to perform such duties as surveillance, working undercover, searching for evidence, meeting informers, making arrests, and interviewing persons having knowledge of criminal or alleged criminal activities. The hours on duty and place of work depend on the behavior of the criminals or suspected criminals and cannot be controlled administratively. In such a situation, the hours of duty cannot be controlled by such administrative devices as hiring additional personnel; rescheduling the hours of duty (which can be done when, for example, a type of work occurs primarily at certain times of the day); or granting compensatory time off duty to offset overtime hours required.

B. The words in 5 CFR 550.151 that an employee is generally "responsible for recognizing, without supervision, circumstances which require him to remain on duty" mean that:

(1) The responsibility for an employee remaining on duty when required by circumstances must be definite, official, and a special requirement of his position.

(2) The employee must remain on duty not merely because it is desirable, but because of compelling reasons inherently related to continuance of his/her duties and of such a nature that failure to carry on would constitute negligence.

(3) The requirement that the employee is responsible for recognizing circumstances does not include such clear-cut instances as, for example, when an employee must continue working because a relief fails to report as scheduled.

1.4 Regularly Scheduled Standby Duty Pay. Annual premium pay for regularly scheduled standby duty is authorized under 5 CFR 550.141, subject to OPM approval (FPM 550, 1-6), for employees whose positions require them regularly to remain at or within the confines of their duty stations longer than ordinary periods of duty, a substantial part of which involves standing by rather than performing work. Such employees must be officially ordered to remain at their stations, and the standby duty must be included in the established tours of duty on a regularly recurring basis. The requirement of standby duty must be associated with regularly assigned duties either by continuation with standby or by standby to perform regularly assigned duties if the necessity arises.

A. "At or within the confines of the duty station" means at the regular duty station, in quarters provided for personnel required to stand by, or in the employee's living quarters if designated as the duty station when the employee's whereabouts and activities are substantially restricted.

B. In terms of providing law enforcement coverage in the Bureau, premium pay for standby duty may be paid provided the above provisions are met. This means that: (1) the standby requirement must be definite and the employee must be ordered to remain at his/her station; (2) the hours during which the requirement is operative must be included in the employee's tour of duty, and this tour of duty must be established on a regularly recurring basis over a substantial period of time (generally at least a few months); (3) this requirement must not be occasional, irregular, or for a brief period; and (4) the requirement must be associated with the regularly assigned duties of the employee's job, either as a continuation of his/her regular work which includes standby time, or as a requirement to stand by at the employee's post to perform his/her regularly assigned duties if the necessity arises.

1.5 On Call.

A. Standby duty is different than what is commonly known as "on call" or "telephone standby". Standby premium pay, as discussed above, is compensation paid to an employee when the employee is ordered to standby in a restricted capacity in the confines of the employee's duty station. On call, on the other hand, generally means assigning an employee to an unrestricted situation, or in a telephone availability capacity; meaning an employee is not confined to his/her regular duty station, and the employee is unrestricted as to whereabouts, but subject to recall outside the tour of duty, should the need arise.

B. There is currently no legal authority by which agencies can compensate unrestricted on call. Under the provisions of 5 CFR 551.431, which applies to nonexempt employees, an employee will be considered off duty and time spent in an on-call status shall not be considered hours of work if:

(1) The employee is allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius; or

(2) The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person.

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Subchapter 1. General Provisions (No BIAM issuance planned)

Subchapter 2. New Appointees (To be issued later. Use 44 BIAM 571,2 until superseded)

Subchapter 3. Determination of Manpower Shortage (No BIAM issuance planned)

Appendix A List of Positions for which a Manpower Shortage Exists for Payment of Travel and Transportation (No BIAM issuance planne

Appendix B Procedure for Requesting Determination of Manpower Shortages for Payment of Travel and Transportation

Subchapter 2. New Appointees

.1 Policy.

A. Travel and transportation expenses to the first post of duty shall be paid by the Bureau for appointees to those positions for which the Civil Service Commission has found that there is a manpower shortage. In addition to the positions listed in FPM 571-A, approval was authorized on November 14, 1966, for the payment of travel and transportation costs to the first post of duty of appointees to the positions of Teacher (Elementary), GS-1710-5/9, Teacher (appropriate subject-field), GS-1710-5/9, and Teacher (Guidance), GS-1710-5/9. Travel and transportation expenses shall be paid in accordance with a signed employment agreement. (See Illustration 1, 370 DM 571,2).

B. If the appointee fails to remain in the Federal service for the twelve month period following appointment except for reasons beyond his control and acceptable to the Bureau, he shall be required to reimburse the Government for the cost of his travel and transportation expenses.

Append. x B (7)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Illustration I
370 DM 571.2

7

EMPLOYMENT AGREEMENT

Date: _____

Pursuant to the provisions of Public Law 89-516, dated July 21, 1966, I hereby agree to remain in the service of the United States Government for a period of not less than twelve (12) months following _____, the effective date of my ☐ transfer ☐ appointment to the Bureau of Indian Affairs, _____ located at
(Date)
(Organizational Unit)

_____.
(Geographic Location)

I understand that should I leave Government service prior to the expiration of this period, any money expended by the Government on account of travel of myself and dependents, transportation of my household goods and personal effects, and other benefits paid pursuant to the provisions of Public Law 89-516, shall be recoverable from me as a debt due the United States, unless my separation is for reasons beyond my control or acceptable to the Bureau of Indian Affairs.

_____
(SIGNATURE)

Attach to FPM ADD. 44-23, 1/6/71

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Subchapter 1. Weekly and Daily Scheduling of Work (To be issued later; use 44 IAM 610,1 until superseded)

Subchapter 2. Holidays (To be issued later)

Subchapter 3. Administrative Dismissals of Employees (To be issued later; use 44 IAM 610,3 until superseded)

Subchapter 1. Weekly and Daily Scheduling of Work.

.1 Establishment of Workweeks. It is recognized that it may be necessary in some field operations to establish a tour of duty other than Monday through Friday. When it is necessary to establish any variation from the regular tour of duty, a written report shall be furnished to the payroll office, showing the name of the employee, the days in the changed tour of duty and the actual hours which the employee is scheduled to work on each day. This report is necessary in order that the payroll office may know the days and hours included in the modified basic 40 hours of work, and the hours for which the employee may be entitled to night differential, overtime and/or holiday compensation. This report must be prepared and forwarded to the payroll office simultaneously with the actual authorization of any variation from the regular tour of duty. In scheduling tours which vary from the regular, every effort should be made to establish reasonable and practicable work schedules.

A. Delegation of Authority. Area Directors and heads of operating offices are authorized to schedule tours of duty other than five 8-hour days, Monday through Friday, consisting of not less than 40-hours in one workweek when such tours of duty are necessary for normal operations. *This includes authority to establish special tours of duty (of not less than 40 hours) in order to enable officers and employees to take courses in nearby colleges, universities, or other educational institutions which will equip them for more effective work in the Bureau.x

B. Travel to and from Work Projects as it applies to the Regular Tour of Duty. Where employees are required to assemble at designated places for duty and release from duty, the regular tour of duty of eight hours a day shall begin at the required time of such assembly for duty and shall end at the time of the assembly for release from duty. In no case shall a place of assembly be so established as to increase travel time.

.2 Establishment of Work Schedules. It is the policy of the Bureau that overtime for any reason shall be kept to a minimum, and none shall be performed unless justifiable reasons therefor exist. Staggered shifts should be arranged whenever practicable to avoid work in excess of 40 hours a week. Subject to the availability of funds, hours of work in excess of the prescribed basic 40 hour workweek may be authorized if it is determined that overtime is necessary to meet emergencies, deadlines in work schedules, or other conditions, and that the work can be accomplished more efficiently and economically by the authorization of overtime than by the detail of other employees or the employment of additional temporary personnel. Compensatory leave in lieu of overtime compensation may be taken by those employees occupying classified positions. Wage Board employees must be paid for all officially ordered overtime performed.

[illegible] of "heads of operating offices" is an indepen dent operating entity where full-time attendance is administer...i.e. Agency level."

A. Delegation of Authority.

(1) Area Directors are authorized to prescribe for personnel within their area, hours of work in excess of the prescribed basic 40 hour workweek. This authority may be redelegated to Assistant Area Directors responsible for administration functions, Area Administrative Officers, and heads of operating offices. (See interpretation on this in 1.A)

(2) Chief, Branch of Plant Design and Construction, and Chief, Office of Consolidated Services are authorized to prescribe overtime as required for personnel under their supervision.

(3) Superintendents, Cherokee, Micosukee, and Seminole Agencies are authorized to prescribe hours of work in excess of the prescribed basic 40 hour workweek to meet situations of an emergency or occasional character only and of short duration. Extended workweeks under other circumstances at these agencies require approval by the Central Office.

.3 Payment for Overtime. The laws are clear that all officially ordered and approved overtime must be compensated (either in money or equivalent time off). Therefore, employees should not be required or expected to work overtime without compensation. However, there is no authority or requirement for payment for any hours which an employee voluntarily spends in work outside his regularly scheduled tour of duty. Emphasis is placed on the word "voluntarily" inasmuch as the courts have held that where employees are expected to work overtime, where their supervisors know they work overtime and in fact insist upon it, such insistence amounts to authorization even though it is not put in writing.

.4 Tours of Duty for Minors. Provisions of Child Labor regulations of the Fair Labor Standards Act restricting the hours of duty for employment of minors shall be observed in the employment of students in Bureau work programs. Whenever a State standard differs from a Federal standard in this regard, the higher standard shall be observed.

.5 Tours of Duty including Stand-By Time. It is recognized that it may be necessary under unusual conditions in field operations to include in the regularly scheduled workweek "stand-by time" for certain employees. Instructions and criteria contained in IFM Supplement 990-2, Book 550, Subchapter S1-6, must be carefully reviewed to determine whether restrictions placed

upon employees time and whereabouts are such as to require compensation for such time. No authority has been delegated by the Commissioner to approve payment of premium compensation on an annual basis for stand-by time under Section 401(1) of the Federal Employees Pay Act of 1945, as amended. Any proposals to authorize premium compensation on an annual basis for stand-by time should be submitted to the Central Office for approval.

.6 Administratively Uncontrollable Irregular Unscheduled Overtime Duty and Duty at Night and on Holidays. Area Directors are authorized to approve payment of premium compensation on an annual basis for individual positions of Criminal Investigator and Policeman for which the hours of duty cannot be controlled administratively; which require substantial amounts of irregular unscheduled overtime, night and holiday duty; and which require the employee himself to recognize, without supervision, circumstances which require him to remain on duty, provided all of the criteria set forth in FPM Supplement 990-2, Book 550, Subchapter S1-7, are met. This authority may be redelegated to Assistant Area Directors responsible for administrative functions and Area Personnel Officers.

Subchapter 3. Administrative Dismissal of Employees.

.1 Absence not Chargeable to Leave.

A. Area Directors are authorized to excuse groups of employees from duty without charge to leave under circumstances outlined in 370 DM 610,3.2A (1) and (2). This authority may be redelegated to heads of operating offices.

B. Superintendents of Cherokee, Miccosukee, and Seminole Agencies, and Chief, Branch of Plant Design and Construction are authorized to excuse groups of employees under their jurisdiction from duty without charge to leave under circumstances outlined in 370 DM 610,3.2A (1) and (2). Immediate report of such authorization should be made to the Central Office, attention: Commissioner.

Release No. 44-104
November 5, 1964

54959

SUBCHAPTER 1. GENERAL PROVISIONS

.1 Purpose. The purpose of this chapter is to set forth Departmental and Bureau leave policies and instructions.

.2 Responsibility. Area Directors are responsible for their jurisdictions and the Deputy Commissioner for the Central Office jurisdiction in administering this chapter. Authorities throughout the sub-chapter may be redelegated except where otherwise specified. Supervisors authorized to approve leave requests are responsible for advising employees on leave matters and for verifying actions to insure that leave granted is legal and justifiable under laws and regulations.

A. The Division of Personnel Management has staff responsibility for leave policy and regulations.

B. The Indian Affairs Data Center has staff responsibility for leave accounting.

.3 Absence without leave (AWOL). AWOL is an absence from duty which is not authorized or for which a request for leave has been denied. Whenever an employee fails to report for duty as scheduled and no leave has been approved in advance, he is AWOL. If subsequently the employee satisfactorily explains the absence including the reason why he could not obtain approval in advance, the absence may be retroactively charged to leave at the employee's request. Officials one administrative level above immediate supervisors shall approve charging an employee with AWOL. Charging AWOL in these cases provides a record of irregularity. It also places the employee in non-pay status but is not considered a suspension. Such absences may be cause for disciplinary action.

.4 Compensatory Time. Area Directors may grant employees up to six months to use compensatory leave earned when the circumstances warrant. However, compensatory time off should normally be taken within the same pay period following that in which overtime work was performed. If this cannot be done without detriment to the work, compensatory time off may be granted within six months time after overtime work was performed. If an employee fails to take it within the prescribed limit, he shall lose his rights both to compensatory time off and to overtime pay unless the failure is due to an exigency of the service beyond his control. This may be extended to twelve months for employees engaged in educational activities (Re: FPM 550 and PML 66-28).

A. All compensatory time earned will be recorded on the employee's time and attendance report (Form 5-1515A).

.5 Intermittent Employees. Supervisors are responsible for determining at the time of appointment whether employees, (other than construction workers paid at an hourly rate) appointed are expected to work a prearranged schedule of days or hours. When this is true, the tour of duty will be included on the SF 50 or the SF 50A. Intermittent employees are, by definition, employees with no regular tour of duty, thus, employees with a regular tour of duty should not be given intermittent appointments.

SUBCHAPTER 3. ANNUAL LEAVE

.1 Approval. Immediate supervisors may approve up to 15 workdays of annual leave at one time. Supervisors one administrative level higher may approve annual leave exceeding 15 workdays at one time. The total amount of annual leave that an employee is eligible to accrue during the leave year will be credited to him at the beginning of the leave year. Area Directors may approve such leave for all employees within their jurisdiction, without referral to a higher administrative level.

.2 Procedures in Applying for Leave. Annual leave not exceeding 15 consecutive workdays may be documented by the employee by initialing the Time and Attendance Report, subject to the prior approval of the supervisor. When this is not feasible the employee should apply for leave by completing an SF 71. Applications for annual leave exceeding 15 consecutive workdays will be made on an SF 71 and routed through official channels to the official authorized to approve the leave.

.3 Using Annual Leave. Employees are encouraged to use their annual leave in a manner which best meets their needs for rest and relaxation. Leave schedules shall be arranged so that each employee has an opportunity to use his annual leave when he desires, providing the work program does not suffer unduly. It is Bureau policy that whenever possible each employee shall have his/her annual leave scheduled so that they may have at least two consecutive weeks annual leave if they so desire. Except in emergencies, employees are required to obtain prior approval before using annual leave. In emergencies employees are expected to notify their supervisor as soon as possible.

.4 Amount of Leave Earned. In accordance with leave laws, annual leave is earned at the rate of 13 days each leave year for full-time employees who have completed less than 3 years of service, 20 days after 3 but less than 15 years, and 26 days after 15 years of service. For employees with less than 90 calendar days of continuous service, annual leave is earned but may not be granted until after the completion of the 90 days. Leave is credited on a pro rata basis for part-time and other employees who have been assigned a regular tour of duty. The maximum accumulation of annual leave at the end of the leave year, which may be carried over to the next leave year, is 30 days for employees in the States and the District of Columbia.

SUBCHAPTER 4. SICK LEAVE

.1 Purpose. The laws provide that sick leave shall be approved only when the employee receives medical, dental, or optical examination or treatment; is incapacitated for the performance of duties by sickness, injury, or pregnancy and confinement; is required to give care and attendance to a member of his immediate family who is afflicted with a contagious disease; or would jeopardize the health of others by his presence at his post of duty because of exposure to a contagious disease.

.2 Approval. In accordance with leave laws, sick leave is earned at the rate of 13 days per year for full-time employees. Immediate supervisors may approve sick leave. Advanced sick leave, not to exceed 30 days, must be approved one administrative level higher. Area Directors may approve this leave for all employees within their jurisdiction without referral to a higher administrative level. A medical certificate or other appropriate written evidence shall be obtained for the use of sick leave in excess of three consecutive working days. A written statement in lieu of a medical certificate shall not be acceptable for an absence of more than five consecutive working days, nor may such a statement be accepted for more than one absence within a six month period. Particular attention shall be given to requests for approval of extended periods of sick leave immediately prior to retirement in order to be certain that a medical certificate is obtained when necessary. Employees may be required to submit for approval an SF 71 for any period of leave.

.3 Advancing Sick Leave. Advance sick leave may be granted only in cases of serious disability or ailments, and when required by the exigencies of the situation. An advance of sick leave shall be for not less than one day nor more than 30 days. A certificate of physician or practitioner or other appropriate written evidence shall be obtained for all periods of advance sick leave. Sick leave shall not be advanced when separation date has been established which would preclude an employee from earning leave to cover the advance. The employee must make application for advance sick leave in writing.

.4 Sick Leave for Travel Time. If an employee must go to some distant point to receive medical, dental, or other appropriate examination or treatment because of the lack of facilities in their own area, then travel time during regular duty up to 8 hours

each way may be charged to sick leave. However, when adequate facilities are available in the local area and the employee goes to some distant point only because of personal preference, annual leave should be charged for the travel time involved. Eligible employees may be given sick leave for travel time up to 8 hours each way to obtain services from the Indian Health Service when these services are not available in the local area.

... 44-29, 7/13/72

SUBCHAPTER 8. FUNERAL LEAVE

.1 Policy. It is the policy of the Bureau to grant up to three days funeral leave to an employee whose immediate relative dies as the result of wounds, disease or injury incurred as a member of the Armed Forces in a combat zone. A combat zone is an area determined by the President in accordance with Section 112 of the Internal Revenue Code. At present, Vietnam and its adjacent waters are the only combat zones. An immediate relative is a spouse, or his parents, children including adopted children and their spouses, brothers and sisters and their spouses or any individual related by blood or affinity whose close association with the deceased is equivalent to a family relationship.

.2 Approval. Immediate supervisors shall approve funeral leave not to exceed three days.

.3 Use. Funeral leave is an excused absence without charge to any other kind of leave. It may be granted to allow an employee time to make arrangements as well as to attend funeral services. It need not be consecutive but the employee must justify in writing non-consecutive use.

SUBCHAPTER 9. MILITARY LEAVE

.1 Approval. Immediate supervisors shall grant military leave to permanent employees within the limits set below upon presentation of military orders. Military leave is an excused absence without charge to any other kind of leave.

.2 Procedures. Each application for military leave shall indicate the armed forces reserve or National Guard organizations of which the employee is a member and shall be accompanied by a copy of the orders directing him to report for military duty. The employee shall furnish a copy of his orders certified as to days on which he was on active duty. Where the orders do not show the actual days of service, an additional certificate from appropriate military authority must be obtained showing the actual days served on active duty. This certificate will be forwarded to the accounting office with the time and attendance report on which the return to duty is reported.

.3 Military Leave Categories. Basically there are three types of military leave:

A. 5 U.S.C. 6323 (a) authorizes a Federal employee who is ordered into active military service by Executive order 15 calendar days military leave in each calendar year.

B. 5 U.S.C. 6323 (c) authorizes leave for up to 22 workdays in a calendar year to a reservist or national guardsman who is called to duty by Federal officials, the governor of a State or the District of Columbia for the purpose of providing military aid to enforce the law.

C. A member of the District of Columbia National Guard is entitled to military leave for each day of a parade or encampment ordered or authorized under Title 39 of the District of Columbia Code. Employees called to duty to aid in law enforcement must use leave provided for under B. He may not use any other type of leave until his 22 workdays have expired at which time he may use leave provided for under A. An employee may not be granted administrative leave after the expiration of his military leave; however, he may be granted annual leave.

SUBCHAPTER 10. COURT LEAVE

.1 Approval. Immediate supervisors shall approve court leave. Managers and supervisors will not request that any Bureau employee be excused from jury duty without the prior approval of the Area Director or the Deputy Commissioner for Central Office employees. It is the policy of the Bureau not to request the court to excuse an employee from jury duty.

.2 Granting Court Leave. All employees except those with no scheduled tour of duty (re: FPM Bulletin 630-16 (May 23, 1969) and CG decision B-166056 (March 21, 1969)) shall be granted court leave to:

A. Perform jury duty.

(1) The period of jury duty shall be chargeable as court leave, from the date stated in the court summons to the date of discharge by the court.

(2) When an employee is excused from duty by the court for one day or for a period that would permit him to work for four hours, it is expected that he will return to work unless his return would cause a hardship because of the distance of the court from his residence or duty station or unless he is assigned to night duty. Otherwise, if the employee does not return to duty, he shall be charged with annual leave.

(3) A Federal employee serving as a juror in any court of the United States shall not retain compensation received from the court for such services. Pay received from a State court shall be credited to the appropriation or fund from which the employee is paid his compensation. Pay for jury duty in a State court may be retain by an employee, if such service is performed outside the regular tour of duty of the employee.

B. Serve as a witness in a non-official capacity for the United States Government or the Government of the District of Columbia. Witness fees for such service shall be credited against the employee's pay. When an employee is called as a court witness to testify in his official capacity, he is on official duty.

C. Testify in cases involving the Department of the Interior or the Bureau of Indian Affairs if not covered by assignment on official business.

D. When an employee is summoned to appear as a witness in a judicial proceeding on behalf of a State or local government.

SUBCHAPTER 11. EXCUSED LEAVE

.1 Approval. Absences from duty without charge to leave or without loss of compensation may be granted by Area Directors or the Deputy Commissioner for Central Office employees. Extreme caution shall be used in the exercise of this authority.

.2 Registration and Voting. Area Directors are responsible for assembling necessary information about the hours during which polls are open and for making an administrative determination regarding the amount of excused leave that may be properly granted within these limits:

A. Where the polls are not open at least three hours either before or after an employee's regular hours of work he may be granted an amount of excused leave which will permit him to report for work three hours after the polls open or leave work three hours before the polls close whichever requires the lesser amount of time off.

B. An employee may be excused for such additional time as may be needed to enable him to vote depending upon the particular circumstances in his individual case, but not to exceed a full day.

C. If an employee's voting place is beyond normal commuting distance and vote by absentee ballot is not permitted, the employee may be granted sufficient time off in order to be able to make the trip to the voting place to cast his ballot. Where more than one day is required to make the trip to the voting place, every effort shall be made to grant him annual leave. Time off in excess of one day shall be charged to annual leave or if annual leave is exhausted, to leave without pay.

D. An employee who votes in a jurisdiction which requires registration in person may be granted time off to register on substantially the same basis as for voting, except that no such time shall be granted if registration can be accomplished on a non-work day and the place of registration is within reasonable one-day, round-trip travel distance of the employee's place of residence.

.3 Individual Dismissals. An individual employee may be excused from duty for:

A. Taking a physical examination required by the Department or other Federal agencies; employees shall be given excused leave for the time necessary to complete the examination.

B. Taking a physical examination required for entry into the Armed Forces or one required by a local draft board; employees shall be given excused leave for the time necessary to complete the examination.

C. Obtaining treatment for an injury sustained in the performance of duty. The employee may be excused for the balance of the day on which the injury occurred.

D. Taking part in public activities in which the Federal Government participates or is interested in encouraging; provided the employee can be spared without detriment to the work and that it will not require the employment of a relief worker or the payment of overtime.

E. Participating in emergency rescue or protective work under the same provisions as stated in D.

F. Taking a Federal Civil Service examination for a position currently occupied or one to which the employee is to be considered or recommended by the office; not to exceed four hours.

G. Participating as active pallbearers or as members of a firing squad or a guard of honor in funeral ceremonies for a member of the Armed Forces returned to the United States for final interment, when the employee is a veteran; not to exceed four hours in any one day.

H. An employee shall be excused to attend the funeral of an immediate member of his family killed in the line of duty in the Armed Forces, not to exceed 8 hours.

I. Donating blood to the American Red Cross, or other public service blood banks, or in emergencies to individuals, four hours, providing that the employee does not receive pay for the blood.

Being unavoidably or necessarily absent from duty for less than one hour and being tardy when the reasons are justifiable to the supervisor.

K. Serving as a representative of an employee organization to receive information, briefing, or orientation relating to matters of mutual concern to the Bureau and the employee in his capacity as an union representative. This would include matters relating to pay, working conditions, work schedules, employee grievance procedures, performance ratings, adverse action appeals, as well as Bureau policy and negotiated agreements pertaining to them.

L. Serving as a union negotiator for a unit holding exclusive recognition with the Bureau. This shall be (a) for a maximum of 40 hours or (b) one-half the total time spent in negotiations during regular working hours unless the negotiated agreement calls for a lesser amount of time. In no case shall it exceed these limits.

M. Attending a union-sponsored training session, not to exceed 8 hours per session. This leave can only be granted if the following conditions are met:

(1) The employee is a union representative or acts as such.

(2) The employee submits, in advance, an agenda for the training session. This agenda must show to the approving official's satisfaction that the training session will be to the mutual benefit of the employee and the Bureau. This agenda should be submitted at least two weeks in advance.

(3) The employee can be spared from his position without undue hardship or the obligation of extra funds. Employees attending union training sessions which are concerned solely with internal union matters will not be granted excused leave.

N. Attending a conference or convention when it is determined that attendence will serve the best interests of the Federal Service. Approval must be obtained in advance as prescribed in DM 205, Subchapter 2.1 and 42 IAM 2.3.4 and 5.

O. Participating in federally recognized civil defense programs for a reasonable amount of time up to 40 hours in a calendar year.

P. Employees determined to be too tired to work during their normal tour of duty due to lengthy emergency overtime service (e.g. emergency fire suppression work) shall be excused from duty without charge to leave or without loss of compensation from that tour of duty.

Q. It is the policy of the Bureau to grant administrative leave to employees who have been elected or appointed to tribal councilmen positions, to school board positions (for schools under the direct control of the Bureau), or to other tribal positions (this includes National American Indian Safety Council members) to attend to duties of those positions provided that these conditions are met:

(1) The employee has received official permission to serve in his tribal or school board position. Special care will be taken to insure that conflict of interest regulations are strictly adhered to before granting this permission.

(2) The employee can be spared from his duties without the addition of either extra funds or personnel.

(3) The approving official has assured himself that the purpose of the tribal or school meeting is in accordance with the President's goal of increasing Indian self-determination through encouraging self-government to the maximum extent possible and that the employee's presence will not violate conflict of interest regulations.

(4) This leave will be granted on an individual meeting basis and may not exceed 80 hours per annum for each employee. Area Directors and officers in charge of operating offices may approve this leave for all employees within their jurisdiction, without referral to higher administrative level.

Group Dismissals. Groups of employees stationed in the District of Columbia may be excused from work only with Departmental approval. Other groups of employees may be excused from duty without charge to leave by Area Directors when:

A. Normal operations are interrupted by events or emergencies beyond the control of management or employees, such as extreme weather conditions, serious interruption to public transportation service (except as the result of strikes), disasters such as fire, flood, or other conditions preventing employees from working or reporting to work. This includes employees compensated as a per diem, per hour or piece-work rate.

B. The office or project must be closed for short periods, usually one day or less, but not to exceed three days, for making repairs, retooling, power failure, or for other managerial reasons; but for longer periods, annual leave or leave without pay shall be scheduled. In the event of a temporary shut-down arrangements shall be made, insofar as practicable, to continue the conduct of public business.

C. It is in the public interest to relieve employees from work to take part in activities in which the Federal Government participates, providing the employee can be spared without detriment to the work and will not require closing the office or project, the employment of relief workers, or the payment of overtime.

D. Employees may be excused from duty without charge to annual leave on State, local, and tribal holidays when the Commissioner determines that Federal work cannot be properly performed. Experts and consultants with regular tours of duty who are compensated at per diem or per hour rates and who are not in leave status will be charged to annual leave, sick leave if applicable, or leave without pay when excused from the performance of their duties under these circumstances.

E. Superintendents of Cherokee, Seminole, and Choctaw Agencies are authorized to excuse groups of employees under their jurisdictions from duty without charge to leave under conditions A, B, and C. Immediate report of such authorization should be made to the Central Office.

SUBCHAPTER ~~13~~ 12. LEAVE WITHOUT PAY Rel. 44-33, 1-23-75

.1 Approval. Supervisors one administrative level higher than immediate supervisors may approve leave without pay requests up to 30 workdays. Appointing officers may approve leave without pay requests exceeding 30 workdays, but not exceeding the maximum time standards.

.2 Applications. Leave without pay will be applied for by memorandum setting forth the purpose of the leave. It is not necessary that all annual and sick leave be exhausted before granting leave without pay.

.3 Granting leave without pay. Leave laws and Civil Service regulations do not limit or specify the exact situations under which agencies may grant or deny leave without pay requests. It is the policy of the Bureau to grant leave without pay only when it will be of mutual benefit and interest to the Bureau and the employee. Leave without pay shall not be granted for the purpose of private employment.

.4 Maximum Time Standards. The following maximum time standards are established for use in administering leave without pay:

A. One year for illness or disability.

B. Two years for Peace Corps volunteers. Leave without pay requests for this purpose, must be coordinated with the Central Office.

C. One calendar year for educational purposes for any employee who wishes to undertake further education. The employee must expect to return to the Bureau at the completion of the year.

D. One year for an employee elected or appointed to a union office that occupies all or part of his worktime to transact union business that is directly concerned with the functions of the Bureau.

E. One year for employees elected to tribal offices. Leave without pay requests for this purpose that are expected to extend for more than one year should be coordinated with the Central Office.

F. Six months for service with other non-Federal public or quasi-public organizations not specifically mentioned in this subchapter.

G. Six months, including available leave with pay, for pregnancy or confinement.

H. Three months depending on the merits of the case, for care of members of the family during illness.

.5 Extensions. Extensions of leave without pay exceeding the maximum time limits stipulated under .4 may be approved by the Commissioner. Justifications for extensions should be forwarded to the Chief Personnel Officer not later than one month prior to the effective day.

.6 Extended leave without pay. Employees granted leave without pay for more than one year should be notified that their Federal Employee's Health Benefits are effective for only one year plus a 31-day grace period. When the employee is receiving benefits under the Federal Employees' Compensation Act because of disease or injury to himself, his life insurance may be continued during the period he receives such benefits, without cost to him. Periods of leave without pay in excess of six months in a calendar year are recorded on the Individual Retirement Record.

BIAM REISSUE
FEBRUARY 1984

SUBCHAPTER 13. ABSENCE FOR MATERNITY REASONS

.1 Definition. Absence for maternity reasons is a period of approved absence for incapacitation related to pregnancy and confinement. It is chargeable to sick leave or to any combination of sick leave, annual leave, and leave without pay. An absence covering pregnancy and confinement is to be treated like any other medically certified temporary disability. Immediate supervisors must apply the same leave policies, regulations and procedures as are applicable to requests for leave generally.

.2 Approval. Immediate supervisors may approve absence for maternity reasons. There is no longer a specified time-frame to grant maternity leave. The length of absence from work is to be determined by the employee, her physician, and her supervisor on an individual case basis. Sick leave may be used to cover the time required for physical examinations and to cover the period of incapacitation. After delivery and recuperation, the employee may desire a period of adjustment or need time to make arrangements for the care of the child. Such additional leave requirements must be taken care of by the use of available annual leave or leave without pay. Periods of absence related to pregnancy and confinement which are not medically certified as due to incapacitation for the performance of duty may not be charged to sick leave.

.3 Employee responsibility. An employee shall make known her intent to request leave for maternity reasons including the type of leave, approximate dates and anticipated duration in sufficient time to allow her immediate supervisor to prepare for any staffing adjustments which may be necessary.

.4 Bureau responsibility. The Bureau's overall objective is to provide gainful employment and make use of skills for as long as employee is not incapacitated for duty. The immediate supervisor should always be aware of any working conditions which could have an adverse effect upon employees with various known physical conditions. If any of these elements could have a harmful effect on the pregnant employee, it may be suggested that she consult her own physician on this matter. If after consulting her physician, the employee requests modification of her work duties or a temporary reassignment, her immediate supervisor should make every reasonable effort to accommodate her request. If the supervisor feels that it's necessary, he or she may desire to consult with an appropriate medical authority to determine if any of the employee's duties or working conditions could have a harmful effect upon the pregnant employee or the unborn child, and the employee should be advised of the medical opinion.

.5 Employees planning to return to work. The Bureau has an obligation to assure continued employment in her position or a position of like seniority, status and pay, to the employee who wishes to return to work following delivery and confinement, unless termination is otherwise required by expiration of appointment, by reduction-in-force, for cause, or for similar reasons unrelated to the maternity absence.

.6 Employees not planning to return to work. An employee who is not planning to return to work should submit her resignation at the expiration of her period of incapacitation or she may be separated at such earlier date as may be required for other reasons, e.g., expiration of appointment or reduction-in-force, for cause, or for similar reasons unrelated to the maternity absence.

.7 Absence for paternity reasons. A male employee may be granted only annual leave or leave without pay for purposes of assisting or caring for his minor children or the mother of his newborn child while she is incapacitated for maternity reasons. Each such leave request should be considered on its own merits.

SUBCHAPTER 14. EDUCATIONAL LEAVE

.1 Approval. Area Directors or the Deputy Commissioner for Central Office employees may approve educational leave.

.2 Authority. Educational leave is authorized by 25 U.S.C. 275: "Provided that hereafter teachers in schools operated by the Bureau of Indian Affairs may be allowed, in addition to annual leave, educational leave not to exceed thirty workdays per calendar year, or sixty workdays in every alternate year, for attendance at educational gatherings, conventions, institutions.

.3 Policy. Educational leave is not a privilege that may be claimed as a result of continuing service, nor is it for the benefit of the employee. Instead, it is for the improvement of the educational program of the Bureau.

.4 Eligibility. Employees must have served with the Bureau during one school year to be eligible for 30 days educational leave, and during two school years for an initial 60 days educational leave. Subsequent leave may be given for 30 days each year or 60 days every two years. Leave for more than 30 days may not be approved if in the previous year the employee was granted any educational leave. The employee's service with the Bureau must be expected to continue following completion of the leave. This leave may be granted on any basis; i.e., whole days, partial days, or by the hour.

.5 Plan of Study. Employees must submit a plan of study that appears to be advantageous to the Bureau.

.6 Positions Occupied. Employees in the following positions are eligible for educational leave:

Education Program Administrator
Principal-Teachers
Principals
Education Specialist
Teachers and Instructors (regardless of title)
Guidance Counselors
Recreation Leaders
Librarians
Instructional Aid

Teacher Aid
Corpsmen Supervisor
Education Supervisor, Job Corps
College Residental Aids

Approving officials are encouraged to make liberal use of the Government Training Act for other employees who can benefit the Bureau and themselves with further education.

.7 Applications. Applications for educational leave shall indicate the name and address of the school to be attended, the course or courses to be pursued, the beginning and ending dates of each course and may include a statement that the employee plans on returning to the Bureau. If class changes are necessary these must have the approval of the approving officer. Employees must furnish their college grades as proof of completion of courses taken on educational leave.

1. General
.1 Introduction
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Release 44-39, 10/8/75

Subchapter 1. General

.1 Introduction. The main objectives of the Bureau as variously expressed in the legislative history have been to give Indians a greater participation in their own self-government; to further the Government's trust obligation toward the Indian tribes; and to reduce the effect of having non-Indians administer matters that affect tribal life. The overriding purpose was to establish machinery whereby Indian tribes would be able to assume a greater degree of self-government, both politically and economically.

One of the primary means by which self-government would be fostered and the Bureau made more responsive was to increase the participation of tribal Indians in BIA operations. In order to achieve this end, it was recognized that some kind of preference and exemption from otherwise prevailing Civil Service requirements was necessary.

Legislative history reflects that Congress was well aware that the Indian preference would result in employment disadvantage within the BIA for non-Indians. Not only was this displacement unavoidable if room were to be made for Indians, but it was explicitly determined that gradual replacement of non-Indians within the Bureau was a desirable feature of the entire program for self-government. The extension of the preference in 1972 to all actions designed to fill vacancies was designed to bring more Indians into positions of responsibility and, in that regard, was considered to be a logical extension of the Congressional intent.

The mentioned affirmative provisions of the 1964 Civil Rights Act excluding coverage of tribal employment and of preferential treatment by a business or enterprise on or near a reservation indicate Congress's recognition of the longstanding Federal policy of providing a unique legal status to Indians in matters concerning tribal or "on or near" reservation employment. The exemptions reveal a clear congressional sentiment that an Indian preference in the narrow context of tribal or reservation-related employment did not constitute racial discrimination of the type otherwise proscribed. In extending the general anti-discrimination machinery to Federal employment in 1972, Congress in no way modified these private employment preferences built into the 1964 Act, and they are still in effect. A provision aimed at furthering Indian self-government by according an employment preference within the BIA for qualified members of the governed group can readily coexist within the general rule prohibiting employment discrimination on the basis of race. Any other conclusion can be reached only by formalistic reasoning that ignores both the history and purposes of the preference and the unique legal relationship between the Federal Government and tribal Indians.

The basic purpose and thrust of the EEO program is to provide a vehicle to assist minorities and women in upgrading their status within the Federal Sector by providing training and developmental opportunities necessary for upward mobility, and secondly to establish and maintain active, extensive efforts in recruiting, to insure that minorities and women are always in evidence among the resources. The unique employment environment within the Bureau limits substantially opportunities for non-Indians, however, there are many opportunities which will continue to develop for the members of the non-Indian community and, in these instances, extreme care must be exercised to assure benefits and considerations fully meet the conditions of this program and that equal opportunity does prevail.

It is against this background that we must design an affirmative action program. Of necessity, this program is Indian oriented and in every instance of selection for participation under the program provisions which is tantamount to selection for promotion either present or future, when qualified for target positions, Indian preference will be applicable, and applied when making selections for program participation. This program may be viewed as the vehicle or tool in furthering the Bureau's obligation to identify, develop, and train Indians for administering programs affecting Indian people. All managers are encouraged to make full use of the Career Development System as a supportive program to the Affirmative Action Program.

.2 Statement of Policy. In the Bureau of Indian Affairs, an Indian has preference, by law, in appointment provided the candidate has established proof that he or she is Indian and meets the qualifications for the position to be filled (25 U.S.C., Section 472). This legislation directs the Secretary of the Interior "to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to Civil Service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions." Indian preference eligibles have been defined as those persons of Indian blood and being a member of a Federally recognized tribe.

In the case of Freeman vs. Morton the U. S. District Court issued a summary decision which reads as follows:

> "It is accordingly ordered this 21st day of December 1972, that all initial hiring, promotions, lateral transfers, and reassignments in the Bureau of Indian Affairs as well as any other personnel movement therein intended to fill vacancies in that agency, however created, be declared governed by 25 U.S.C. Section 472 which requires that preference be afforded qualified Indian candidates."

The Supreme Court ruled June 17, 1974, on the Morton vs. Mancari case which had been pending since April 24, 1974. The Government's policy of giving preference to Indians in hiring and promotion within the Bureau of Indian Affairs was upheld.

The decision of the court was basically that (1) Congress did not intend to repeal the Indian preference, and the District Court erred in holding that it was repealed by the Equal Employment Opportunities Act of 1972, and (2) Indian preference does not constitute invidious racial discrimination in violation of the Due Process Clause of the Fifth Amendment but is reasonable and rationally designed to further Indian self-government.

Personnel actions will be in accordance with the provisions of the Court Decision in the Freeman vs Morton case. The partial stay was vacated by the Court on April 25, 1974.

.3 Exceptions to Indian Preference. Non-Indians may be appointed, promoted, reassigned or laterally transferred to vacancies, however created, only when there are no qualified Indians available.

.4 Training. Employee training or any formalized self-development efforts which require a commitment or allocation of Bureau funds shall be administered on the basis of need. Experience indicates that Indian employees, due to prior lack of developmental opportunities, have greater developmental needs; therefore, it is to be assumed that major training efforts shall be directed toward the development of Indians.

Participation in training shall be to meet determined training needs and the needs of the government service, therefore, selection shall take into consideration existing need for training to improve job effectiveness, employee utilization, upward mobility, and the willingness of the employee to be available in locations where his skills and services can be best utilized.

Recognition of the Bureau's mandate to develop Indian administrators to administer programs affecting Indians, full use of the Career Development Program is encouraged. Indian preference of necessity must be applied, however, extensive competition is encouraged to assure the identification of candidates with high motivation and potential having a substantial degree of qualifications needed to fill the target positions. This effort should be based on an assessment of projected needs.

.5 Responsibility. The application of these policies in employment and training is the direct responsibility of every Bureau official and appointing officer. The Bureau must rely on the judgment and integrity of its officials and appointing officers, since it has neither the intention nor the capability to inquire into the filling of every vacancy with a non-Indian candidate to assure itself that the Indian preference policy has been fully observed. The overall performance of Bureau offices and activities in this regard will be measured periodically, and further study will be undertaken of any program or activity where accessions or promotions of Indian to non-Indian employees appears to be distorted.

In those instances where field officials do their own recruiting, they will make a positive effort to locate qualified Indian candidates for each vacancy. If a qualified Indian candidate cannot be located and a qualified non-Indian is available, the non-Indian may be appointed. In this event, documentation in writing to show the efforts made to identify Indian candidates, except for classroom teacher positions, must be furnished the Bureau Equal Employment Opportunity (EEO) Officer.

.6 Equal Employment Opportunity (EEO) Program. The Bureau's Equal Employment Opportunity (EEO) Program is designed to assure equal opportunity in employment to the maximum extent possible to minorities and women, while taking into account Federal laws and the Indian preference policy which affect Bureau employment practices. After consideration of the mandate prescribed above, equal opportunity shall be provided to all employees in actions affecting status changes and in selection for training without regard to race, color, religion, sex, or national origin.

.7 Program Objectives. Objectives for this program, which take into account the primary mission of the Bureau and the requirement of giving preference to Indians, are:

(1) To provide, when qualified Indians are not available for hire, equal employment opportunity for others without regard to race, color, religion, sex, or national origin.

(2) To foster equal opportunity for training based upon the need of employees to receive training to improve job effectiveness, to achieve full utilization of their skills, and to enhance career opportunities.

(3) To assure equal opportunity for career advancement to all employees without regard to race, color, religion, sex, or national origin in all instances not subject to the application of Indian preference.

(4) To implement and foster a continuing development program of Indian administrators to assure reserve of resources to administer Indian programs.

.8 Organization for Equal Employment Opportunity (EEO).

A. The Commissioner of Indian Affairs has overall responsibility for the direction and operation of the Equal Employment Opportunity (EEO) Program within the Bureau.

B. The Equal Employment Opportunity Staff. The Central Office Equal Employment Opportunity Officer has full delegated authority and functional responsibility from the Commissioner for administering the Equal Employment Opportunity Program. This is an independent staff located within the Office of Administration. The staff, in coordination with the Central and Areas Offices, develops plans, procedures, and regulations in carrying out the EEO program to promote equal opportunity without regard to race, color, religion, sex, or national origin in all organizational units, locations, occupations, and level of responsibility. It is also responsible for monitoring the continuing application of Indian preference in initial hiring, promotions, and transfers. The staff includes a Federal Women's Coordinator who has the responsibility to assure that equal opportunity for women is an integral part of the overall EEO program.

(1) Develop, within the context of policy set by the Civil Service Commission, the Department, and in accordance with the Supreme Court's decision of June 17, 1974, the policy to be set forth by the Bureau's EEO program.

(2) Develop, within the context of guidelines of the Civil Service Commission, the Department, and in accordance with the Supreme Court's decision of June 17, 1974, the format and content of the Bureau's Affirmative Action Plan for EEO. This plan will be reviewed annually and revised if necessary.

(3) Evaluate program effectiveness with assistance of field EEO officers through onsite reviews at various Bureau jurisdictions, advising officials of improvement, if required. Wherever and whenever appropriate, the Bureau EEO Officer is delegated the authority of the Commissioner, after consultation with the Chief Personnel Officer, to direct remedial action to effect immediate administrative action and changes. This delegation extends to field EEO officers.

(4) Develop and recommend to the Commissioner the annual fiscal and manpower resources required, Bureauwide and by major organizational components, to assure effective operation and improvement of the Bureau's EEO program.

(5) Act to the extent appropriate and feasible to resolve individual and group complaints relating to operation of this program (see item 3 above).

(6) Assure the concerns of women are evidenced by a person designated as/and to function as Federal Women's Program Coordinator, who shall assist and advise him of the special concerns of women.

C. The Chief Personnel Officer has responsibility for providing staff assistance to the Bureau EEO Officer and is charged with the responsibility of executing those functions assigned to the Division of Personnel Management by the Affirmative Action Plan. This responsibility extends to the Area level where full-time EEO officers are appointed.

D. Area Directors are responsible for effective operation of the Bureau's Affirmative Action Plan, as set forth in this issuance, within their Areas. Officials in charge of field offices under Central Office jurisdiction are responsible for effective operation of the Bureau's Affirmative Action Plan within their jurisdictions. This responsibility includes the appointment and designation of a person to serve as the Area Federal Women's Program Coordinator and in areas with significant Spanish-surname designate a Spanish-Speaking Coordinator. Of primary concern to these officials in meeting this responsibility shall be the appropriate allocation of resources --- fiscal and manpower to assure effective program operation.

E. The head of each major field office with a servicing personnel office and the Central Office will appoint an EEO officer to serve on a full-time basis and designate a person as the Federal Women's Program Coordinator who shall assist the Area EEO officer. The appointment of field EEO officers shall be subject to the approval of the Bureau EEO Officer. While reporting to the respective heads of offices, these officials shall concurrently report all EEO matters to the Bureau EEO Officer. All Personnel Management Specialists with EEO responsibility will function in a similar capacity when working on EEO matters. These officials shall perform within their areas of jurisdiction the same functions as those assigned to the Bureau EEO Officer in the administration of the Bureau's Affirmative Action Plan. The field EEO officers will assist and provide guidance to EEO counselors, employees, and management during the informal stages of complaints when necessary and appropriate. Emphasis should be directed toward resolving all issues prior to the acceptance of a formal complaint. When the complaint is accepted formally, it should be directed to the Central Office for further disposition by the Bureau EEO Officer, and should be fully documented to reflect all Area EEO officer actions and management considerations prior to submission to the Central Office.

F. The Bureau will have a sufficient number of properly trained EEO counselors (1 for each 50 employees). These officials will establish an open and sympathetic channel through which employees may raise questions, discuss grievances, get answers, and obtain informal resolutions of problems connected with equal employment opportunity. They serve as a bridge between employees and management and are responsible for trying to resolve problems which are brought to their attention by employees. Counselors shall display initiative in identifying and resolving potential or actual cases of employee dissatisfaction in the operation of this program. Counselors are expected to remain in this capacity for a minimum of two years. Managers, supervisors, and employees should make sure that persons nominated as counselor have the time, sensitivity, and basic understanding required to perform this function prior to soliciting interest from employees for selection of counselors.

All efforts to fill vacant counselor positions should be advertised since this role does provide substantial developmental opportunities as a collateral assignment.

When acting in the role of a counselor, counselors are responsible to and report only to the EEO officer. Contacts with local management should be made only as required in attempting to resolve the issues at hand.

G. Personnel Officers will assist in studies prescribed by the Bureau's Affirmative Action Plan and will cooperate fully with the local EEO officer, the Bureau EEO Officer, and the Central Office Division of Personnel Management in providing an active equal employment opportunity program.

H. Managers and supervisory personnel at all levels are responsible for observing the principles and spirit of the EEO program. Each manager and supervisor is responsible for implementing the action items of the Affirmative Action Plan which lie within his authority. Support of the EEO program will be a major item considered when completing the annual performance rating of managers and supervisors.

I. The Chief, Personnel Systems and Information Section, or his designee, of the Field Support Services Office, is designated for report purposes as Deputy EEO Officer.

.9 Communication of Program. The Bureau's EEO program and the specific details of the Affirmative Action Plan will be brought to the immediate and continued attention of all employees semi-annually on an informal basis (e.g., general employee meeting). New employees, upon entry on duty, shall be apprised of the program and the plan. Supervisors, in particular, because of the key role they play in the operation of the program, shall receive refresher training annually to assure they are fully aware of program policy and the responsibilities they have been assigned in the execution of this program. Such training shall especially stress the high priority that the Commissioner has assigned to this program, and the impact of Federal laws unique to Indians and applicable to the Bureau of Indian Affairs.

.10 Processing Complaints. The Bureau will insure, in cooperation with the Department's Office for Equal Opportunity, the timely, competent and objective handling of complaints of alleged discrimination. Complaints will be processed under the provisions of Federal Personnel Manual, Chapter 713, except that field EEO officers shall be responsible for the proper handling of complaints and for forwarding the necessary information to the Bureau EEO Officer. In this connection:

A. All employees will be made aware of the function, identity or specific location of available EEO counselors.

B. Provision shall be made for replacement and training of EEO counselors and investigators as needed, and for a periodic review of their adequacy and competence by the Area and field EEO officers in cooperation with the Bureau EEO Officer.

C. The Bureau will maintain a roster of not less than four EEO investigators who have been fully trained in the EEO investigative process to be utilized by the Department in conducting internal EEO investigations and in other bureaus of the Department.

D. Appropriate corrective action will be taken where investigation of complaints reveals discriminatory or other inappropriate administrative practices action by managers and supervisors.

.11 Program Evaluation. The Bureau EEO Officer and supportive staff shall have primary responsibility for evaluating the program, recommending modifications, and recommending resources required to assure optimum program operation. This official shall receive the full support and aid of all Bureau managers in the execution of this function.

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Evaluation will involve analysis of required report data and visits to appropriate field offices in consultation with Bureau, Departmental, and Civil Service Commission officials. Program effectiveness shall be measured against the program requirements and objectives set forth in this issuance, and Affirmative Action Plans.

.12 Program Elements. Program elements and applicable procedures are set forth in Subchapter 2. Supplements will be reviewed and established annually and revised as necessary to assure emphasis on areas of greatest need.

.13 Local Implementation. Each Area Office, agency installation, and major independent field office reporting directly to the Central Office will prepare action plans to supplement this program. Plans should include additional items considered appropriate for immediate action by the activity concerned. This may be a memorandum supplement to either the Bureau or Area plan. This calls for a clear understanding of the equal employment opportunity situation at each office and major facility. EEO officers will assist local management in an analysis of programs at each office. The local EEO program must be based on the existing employment situation and should respond to currently identified problem areas or impediments to equal employment opportunity in all organizational units, occupations, and levels of responsibility.

B

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Subchapter 1. Introduction

1.1 General. The Department of the Interior (DOI) Regulations (Part 20, of 43 CFR), Employee Responsibilities and Conduct, is the basic source of guidance on ethical conduct. This HANDBOOK supplements those regulations and provides guidance and administrative procedures on maintaining proper conduct and the nature and use of discipline. Attention is also directed to the applicable statutes set forth in the Code of Federal Regulations which are listed in Appendix A. Table III.

1.2 Purpose. This release establishes the Bureau of Indian Affairs (BIA) policies, procedures and restrictions concerning the conduct and responsibilities of employees in the discharge of their official responsibilities. Office of Personnel Management regulations state that any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct on the part of a federal employee may be cause for removal from government service. Also, it provides information in using discipline as a constructive tool in securing maximum employee contribution to the Bureau mission; and, affords guidance to employees about their rights in regard to disciplinary and adverse actions.

1.3 Scope. These regulations apply to all Agency, Area and Central Office units of the Bureau of Indian Affairs and implements the provisions of Executive Order 11222 of May 8, 1965.

1.4 Policy. The BIA policy on standards of conduct as conveyed in the DOI regulations applies to all BIA employees and is designed to maintain, at all times, a level of behavior and efficiency which: (a) will promote the best interests of the service; and (b) will conform with the highest ethical principles. Employees are expected to maintain high standards of ethical, moral, and other conduct and to avoid any action which could reflect adversely on the Bureau of Indian Affairs, the Government service, or which would jeopardize the employee's effectiveness in dealing with peers, supervisors, and the public.

1.5 Philosophy. Discipline in BIA is considered a corrective process which is continuously applied to establish and maintain exemplary standards of work performance and conduct. Discipline is not merely the action taken at times when an employee may deviate from acceptable forms of conduct; but, it is a part of the daily responsibility of supervisors and should be applied in all supervisor/employee relationships. The supervisor's activities shall emphasize the prevention of incidents requiring disciplinary actions.

A. Disciplinary action is taken by management to correct offending employees and to maintain discipline and morale among all employees. In those cases where corrective action becomes necessary, the disciplinary measures taken should have a constructive effect. Disciplinary objectives are development, correction and rehabilitation. Constructive discipline encourages employee acceptance of job responsibilities and deters situations where penalties must be imposed.

B. Constructive discipline is the responsibility of all parties. Effective constructive discipline is timely, fair and effects positive results ideally. Management attains a constructive environment through good supervision, patience, understanding, encouragement, consistent practice, recognition of the rights and dignity of employees, fair treatment, and acceptance of responsibility. Before initiating action, management should conduct an inquiry into any apparent offense to assure consideration of relevant aspects of the situation. A disciplinary action is appropriate only when there has been a recognizable offense against the employer/employee relationship. Employees assist in the development and maintenance of constructive discipline by observance of established rules, exhibiting self-discipline, and by cooperating with management efforts. Any action taken must be to promote the efficiency of the service and must be:

(1) For good cause;

(2) Consistent with applicable law, regulation and policy;

(3) To demonstrate a progression of penalties;

(4) Fair, and equitable; and

(5) Timely.

C. Discipline encourages both supervisors and employees to maximize use of motivators in securing maximum employee contributions to the accomplishment of the Bureau's mission. Motivators such as recognition, training and counseling are among the tools available and are dealt with in other directives.

D. Every effort must be made to ensure the confidential nature of disciplinary actions. Interviews and inquiries are conducted privately and in such a manner as to minimize personal embarrassment. The minimum number of persons possible, consistent with the need for fact gathering and internal coordination, are involved in or made party to the action. Information relating to such actions may not be routinely made available to parties not affected by the actions without the written consent of the employee involved. No employee may request adverse or disciplinary action against another employee as a remedy under BIA appellate procedures.

E. A management official cannot request that the employee resign or retire to keep from being disciplined, nor should the official imply that a resignation or retirement would result in a clear record. A resignation or retirement obtained by such means may be found to be involuntary and reversed and therefore subject to adverse action procedures.

1.6 Practice. Primary emphasis is placed upon preventing situations that require disciplinary actions through effective employee-management relations. The objective of disciplinary action is to correct, not to punish, the employee. When justified, disciplinary actions are to be promptly initiated in accordance with the policy and procedures outlined herein. Disciplinary action must be based on cause and be consistent with laws and regulations governing such actions. Except when required by statute, disciplinary action may not be taken against an employee for (partisan) political reasons or marital status. Disciplinary action may not be taken against an employee based on discrimination because of age, sex, race, religion, color, or national origin; nor because of physical handicap; nor because of an employee's membership or non-membership in a labor union. Formal disciplinary or adverse action (i.e.; letter of reprimand, suspension, demotion, reassignment or removal) should be taken when other corrective actions such as closer supervision, on the job training, admonition or oral reprimand have been unsuccessful. Constructive discipline must be timely or its effect will diminish in proportion to the amount of time elapsed between the offense and the corrective action.

Table I. Conduct and Discipline Guide, cites examples of conduct which can be considered cause for discipline. See Table I at the end of manual.

1.7 Code of Ethics for Government Service. The revised requirements and procedures for DOI employee responsibilities and conduct are set forth in 43 CFR 20.735 (Federal Register, Vol. 46, No. 230, dated December 1, 1981).

Subchapter II. Employee Responsibilities

2.1 General. An employee's conduct on the job has a direct bearing on the efficient, economical and effective accomplishment of official duties and responsibilities. Each employee's on the job conduct affects co-workers' attitudes and work; hence, all employees are expected to approach their work in a business like manner and maintain that attitude throughout the workday. Public attitude toward federal service and the BIA is influenced by the manner in which employees serve and the way they conduct themselves before the public.

2.2 Employee's Responsibilities. Each employee is responsible for conduct that will reflect credit on the Federal Government and the BIA, therefore; BIA employees shall observe the following rules of conduct:

A. Report for work on time and in a condition which will permit the performance of assigned duties, i.e., in appropriate clothing, with required tools or equipment, and in a mentally alert, and physically fit condition.

B. Render full, efficient, and industrious service in the performance of assigned duties. If insufficient work is assigned, the employee is expected to notify the supervisor so that additional work may be assigned.

C. Respond promptly to directions and instructions received from the supervisor.

D. Exercise courtesy and tact in dealing with co-workers and the public.

E. Maintain a clean and neat personal appearance as well as work area to the maximum practicable extent during working hours.

F. Conserve and protect federal funds, property, equipment, energy and materials.

G. Observe the various laws, rules, regulations and other authoritative instructions brought to an employee's attention by BIA authorities.

H. Accept responsibility for taking an active part in the BIA mission by using the Employee Suggestion System and offering cost reduction ideas, as well as reporting unsatisfactory conditions to proper levels of management.

I. Uphold with integrity the public trust in the assigned position.

2.3 Supervisor's Responsibilities. Supervisors are responsible for assuring that each of their employees is provided with a personal copy of the DOI Regulations, Part 20, DM 735 Employee Responsibilities and Conduct, and for annual recognition of those standards of conduct. Supervisors must maintain written evidence that the employees were made aware of these regulations and the date that this function was performed. Supervisors are expected to:

A. Provide positive leadership; set an example for their employees and instill in their subordinates a sense of loyalty, teamwork and responsibility.

B. Provide advice and assistance to individual employees who are in doubt as to whether a particular action is consistent with the expected standards of conduct.

C. Treat all employees under their supervision in a fair and equitable manner, demonstrating proper regard for the dignity of their subordinates.

2.4 Personnel Office Operations and Responsibilities. Personnel Management is responsible for the implementation and modification of procedures to:

A. Assure that each new employee is provided with a personal copy of and understands DOI Regulations, Part 20, DM 735, Employee Responsibilities and Conduct.

B. Ensure that supervisors call employees attention to those regulations annually.

C. Provide support and assistance to managers and supervisors in implementing the Conduct and Discipline Guide (Table I). See Table I at the end of the manual.

D. Provide management and employees with advice and assistance.

E. Define and interpret procedures and regulations as inquiries arise.

Subchapter III. Ethical and Other Conduct and Responsibilities

3.1 Safeguarding and Use of Information, Documents and Records. Employees shall not disclose or discuss classified or "For Official Use Only" information unless specifically authorized to do so or except as required on a "need-to-know" basis in the proper discharge of official duties. In addition, employees shall not:

A. Divulge any official information, obtained through or in connection with their government employment, to any unauthorized person or organization.

B. Release any official information, obtained through or in connection with their government employment, to any unauthorized person or organization.

C. Make use of, or permit others to make use of, any official information for private purposes which is not available to the general public.

D. Remove official documents or records from the files for personal reasons (the willing and unlawful falsification, concealment, mutilation or unauthorized removal of official documents or records is prohibited by law 18 U.S.C. 2071, Table III).

E. Fail or refuse to respond promptly and courteously to requests from a member of the public for information generally available to the public.

3.2 Safeguarding Public Funds. All employees whose duties concern the expenditure of public funds are expected to have knowledge of and observe all applicable legal requirements and restrictions. Summaries of the penalty provisions of some of the more important laws relating to the misuse of Federal funds are contained in Table I. (See table I at the end of the manual). For example, drastic penalties are imposed for knowingly and willfully, making or presenting a false, fictitious, or fraudulent claim; entering into an agreement or conspiracy to defraud the government by obtaining or aiding to obtain the payment or allowance of a false or fraudulent claim. An employee found to have committed any such act may be removed from the federal service.

3.3 Use of Federal Equipment, Property and Manpower. Employees may not use or permit others to use federal equipment, property or manpower, such as stenographic and typing assistance, duplicating services, or chauffeur services, for other than official business or officially approved or sponsored activities. Specific statutory penalties are prescribed for the willful use of Government-owned or leased motor vehicles or aircraft for other than official purposes (31 U.S.C 628a) and the use of official envelopes or labels for private purposes to avoid payment of postage (18 U.S.C 1719, see Table III at the end of the chapter).

A. Government telephones are provided for conducting official business only and should not be used for making or receiving personal calls except in cases of emergency.

B. Employees are not permitted to receive personal mail at their place of employment and should have it directed elsewhere.

3.4 Observing Safety Regulations. All employees are expected to observe all rules, signs, and instructions relating to personal safety. In addition to avoiding accidents, employees are expected to report potential accident and fire hazards to the proper officials and to cooperate fully with the safety officer to assure that the safety of persons or property is not endangered. Willful non observance of the governing safety regulations described below constitute grounds for disciplinary actions:

A. Failure to report an accident involving injury to persons or damage to property or equipment.

B. Failure to use protective clothing or equipment.

C. Endangering the safety of or causing injury to personnel or damaging property or equipment through negligence.

3.5 Canvassing, Soliciting, or Selling. Employees are not permitted to engage in private activities for personal gain or any other unauthorized purpose while on government property.

A. This prohibition applies specifically to such activities as:

(1) Canvassing, soliciting, or selling goods or services for personal monetary gain, such as: cosmetics, diet plans and reducing aids, box lunches, plastic household items, raffle tickets, household cleaning products, vitamins, jewelry, household decorating items, etc.

(2) Promoting group buying when such action could reasonably be interpreted as involving the improper use of federal facilities and manpower.

(3) Canvassing or soliciting membership, except as authorized in connection with organized employee groups.

(4) Soliciting contributions from other employees for a gift to anyone in a superior official position in contravention of law (5 U.S.C. 7351, Table III). This prohibited activity applies on or off government premises.

(5) Bureau employees are also prohibited from having an interest or concern in any trade with Indians except for, and on account of the United States (25 U.S.C. 68, exceptions to this law is also provided in 25 CFR 251.5, and 121.25).

B. This prohibition does not apply to:

(1) Those activities which have been specifically authorized by appropriate authority.

(2) Soliciting contributions for charitable, health, welfare, and similar organizations as authorized by appropriate authority.

(3) Collecting contributions for group immunization programs conducted for the benefit of employees.

(4) Those activities of voluntary groups of federal employees which are of the type commonly accepted as normal social, welfare, or recreational functions of such groups.

(5) A spontaneous, voluntary collection for an employee who is being married, retired, separated or is ill, or as an expression of condolence when conducted by co-workers of approximately equal status to the employee.

3.6 Unauthorized Absence. Employees are required to request and obtain approval for all absences from duty (including leave without pay). An absence which is not approved will be charged as absence without leave (AWOL). In addition, disciplinary action may be taken if the circumstances warrant such action (See Table I at the end of the manual). AWOL should be reported and certified in accordance with the procedures set forth in 35 BIAM 4.4. Supervisors are responsible for documenting, recording and certifying any periods of AWOL for employees under their supervision. Time attendance administration will be dealt with in detail under a separate issuance.

3.7 Giving Testimony.

A. It is the duty of every officer and employee of the BIA to give to the appropriate authorities (or authorized representatives conducting official investigations) all information and testimony about all matters of inquiry arising under the laws, rules, and regulations administered by the BIA. Release of information is subject to the regulations of the Privacy Act of 1974.

(1) When directed by an appropriate authority an employee shall take an oath or make an affirmation about his/her testimony or written statement before an officer authorized by law to administer oaths. The employee shall sign his/her name to a transcript of testimony or a written statement which he/she provided.

(2) Refusal of any officer or employee to testify or provide information pertinent to matters under investigation or inquiry may result in removal from office or employment, unless the employee validly invokes his privilege against self-incrimination.

B. All employees are expected to give information fully in response to requests received from Congress, General Accounting Office, or other duly authorized investigative bodies and to other Federal Agencies regarding matters under their jurisdiction. It is BIA policy to cooperate with such bodies in the public interest. Employees should notify their supervisors of any such request.

3.8 Borrowing and Lending Money. Employees may not borrow money from subordinates or have a subordinate act as an endorser or co-maker of a note given as security for a personal loan. Neither may an employee loan money to fellow employees for the purpose of monetary profit. Such conduct will be subject to disciplinary action. These prohibitions do not apply to the operations of recognized credit unions or to employee welfare plans.

3.9 Accepting Notarial Fees. An employee who is also a notary public may not charge or receive fees for performing notarial acts in connection with his official duties. Neither may such an employee charge or receive a fee for performing a notarial act for any person during official duty hours or lunch periods. The prohibition on acceptance of fees does not apply to notarial acts performed in an official capacity during off-duty and off government-controlled property.

3.10 Letters and Petitions to Congress. The use of appropriated funds to influence the consideration of legislation is prohibited by statute (18 U.S.C. 1913). On the other hand, the right of employees, either individually or collectively, to petition Congress or any member thereof, or to furnish information to any committee or member of Congress is provided by law (5 U.S.C. 7102). Letters to Congress, as well as petitions and other communications, are covered by this provision. While the BIA desires that employees seek to resolve any problem or grievance within the Bureau, any employee exercising his/her constitutional right to correspond with a member of Congress shall be free from restraint, reprisal or coercion. Nevertheless, employees may not use Bureau facilities or duty time in writing about personal business to anyone, including any committee or member of Congress.

3.11 Prohibited Substances. Employees on duty may not possess, use, consume, offer for sale, sell, or be under the influence of alcoholic beverages, drugs, or other substances, the possession or use of which is unlawful or the use of which adversely affects the user's performance or conduct, or reflects adversely on the public service. Employees off duty also may not possess, use, consume, offer for sale, sell or be under the influence of unlawful drugs or other substances, the possession or use of which reflects adversely on the public service. (See Table I at the end of the manual). The Bureau offers provisions for an Employee Counseling Assistance Program in which the participants are placed under the auspices of the Department Medical Officer.

Employees using drugs prescribed by a physician that adversely affect performance or conduct should make this fact known to their supervisors. Such employees would not normally be subject to disciplinary procedures. When necessary, they may be granted leave for the duration of such use or temporarily assigned to positions where the use of drugs will not interfere with the safe and efficient performance of normal duties.

3.12 Defamatory or Irresponsible Statements. Agency policies encourage freedom of expression. However, employees are accountable for the statements they make and views they express. Employees are not permitted to make irresponsible, false, or defamatory statements which attack, without foundation, the integrity of other individuals or of an organization.

3.13 Recording or Monitoring of Telephone Calls by a Third Party or Automatic Equipment.

A. Telephone mechanical or electronic eavesdropping is prohibited. Advance notice must be given whenever any person is placed on the line for any purpose whatsoever. Additionally, an advance verbal warning must be given when an automatic recording device with a tonal-warning system is used.

B. BIA employees, in the conduct of their official duties, are prohibited from:

(1) The covert use of recording or monitoring equipment and devices of any kind.

(2) Aiding or permitting the covert use of such equipment and devices.

3.14 Violations. It is the duty and responsibility of each employee to report promptly any known or suspected violations of law, policy, or regulations through supervisory channels or, if warranted, directly to the appropriate personnel or security office for appropriate handling.

A. It is essential that each violation or suspected violation be promptly and impartially investigated by experienced investigative personnel so that appropriate and timely corrective action can be taken.

B. Supervisors should consult their servicing personnel office before taking any disciplinary action. As in most circumstances, the Office of Personnel Management is charged with the responsibility of enforcing these restrictions.

C. An employee willfully violating the political activity restrictions will be subject to disciplinary action.

D. The freedom of employees to engage in political activities is limited by a number of statutes, laws and regulations. Some of the activities prohibited under penalty of fine and imprisonment are:

(1) Soliciting, receiving, disbursing, or otherwise handling contributions made for political purposes. This does not preclude employees from making voluntary contributions to a regularly constituted political organization for its general expenditures.

(2) Furnishing names and addresses of other employees for the purpose of political solicitation.

(3) Using official authority or influence for the purpose of interfering with an election or affecting the result thereof.

(4) Discriminating in favor of, or against, another employee or prospective employee because of political contributions or opinions.

3.15 Subversive Activity. No employee shall advocate or become a member of any organization which advocates the overthrow of the constitutional form of government of the United States, nor shall an employee become a member of any organization which seeks by force or violence to deny other persons their rights under the constitution of the United States. (18 U.S.C. 1918)

3.16 Striking. No employee shall strike against the Government or become a member of any organization which asserts the right to strike against the government of the United States (5 U.S.C. 7311).

3.17 Teaching, Lecturing, or Writing Activities. The attention of employees is directed to Section 20.735-10 of the Department of Interior Regulations on Employee Conduct and Responsibilities. That section makes it clear that while employees are encouraged to engage in such activities, there are certain restrictions. For example, an employee may not utilize information which has not or will not be made available to the general public. If the employee believes it is in the public interest to use such non-public information, that employee should request permission to do so from appropriate management officials. Permission to use the information must be given in writing over the signature of the appropriate official.

3.18 Meeting Financial Obligations.

A. All employees are expected to properly discharge their private financial obligations. For these reasons, failure without sufficient reason to honor just debts, (including tax delinquencies, claims based on court judgments, or to make and adhere to reasonable arrangements for settlement) will constitute grounds for disciplinary action. Employees are required to pay just financial obligations acknowledged by the employee or reduced to judgment by a court.

B. The agency will not permit itself to be used as a collection agent in connection with commercial obligations or claims based on court judgments. Neither will it be placed in the position of determining the validity of contested debts. Creditors and collectors shall be denied access to employees for the purpose of presenting or collecting claims during working hours. Upon receipt of a debt complaint, the employee shall be contacted by the supervisor and required to submit a statement concerning the action the employee will take to resolve the matter. Each complaint shall be acknowledged and the writer informed of the referral of the letter. If the obligation is admitted, the complainant will be advised of the employee's intentions regarding payment. If the obligation is disputed or denied the complainant will be so informed and advised that the BIA will take no further action pending determination of the claim's validity through proper civil proceedings.

C. All employees are also expected to properly discharge their financial obligations to the federal government. This includes but is not limited to prompt submission of travel vouchers, salary over payments, and income taxes when due.

Subchapter IV. Disciplinary Actions

4.1 Remedial Actions. When a supervisor decides that corrective action is necessary, the first consideration should be remedial action which is non-punitive in nature and will instruct the offending employee and possibly correct the problem situation. Consultation with the servicing personnel office is in order if a question should arise. Typically, these actions are applied by the supervisor, on their own initiative, and in situations where a relatively minor offense has occurred. The following suggested procedures are by no means the only informal corrective measures that can be employed. Supervisors are urged to review the background of individual cases and assure that these remedial measures are considered before disciplinary actions are utilized. It is the practice of sound management to be responsive to the first sign of unacceptable performance or employee misconduct.

A. Closer Supervision. At times the correction of unacceptable performance or employee misconduct requires nothing more than closer supervision. Such corrective action is particularly effective if applied immediately after the unacceptable performance or conduct occurs. Generally, the employee should be informed of the reason for the closer supervision and encouraged to participate in the corrective process. The employee should be informed of inadequacies in a proper time frame to ensure timely improvement.

B. On the Job Oral Instruction and Formal Training. Inadequacy in an employee's job performance can sometimes be remedied through on the job training and instruction. Such training shall be preceded by thorough employee counseling where the purposes and goals of the training are clearly described to the employee in a formalized training plan (IDP). As the training progresses, the employee should be apprised of his/her progress, or lack thereof, and notified in writing of this assessment. Unacceptable performance situations should be handled through the provisions of 5 CFR 432, Reduction in Grade And Removal Based On Unacceptable Performance.

C. Letters of Instruction. When further corrective action is necessary, letters of instruction should be written as a prelude to formal discipline. Informal letters should not be placed in the Official Personnel Folder, but may be maintained by the supervisor in the employee's SF 7B file. Letters of instruction should inform the employee of the performance or conduct expected to be performed which is consistent with the position or pertinent regulations. If a letter of instruction fails to correct the situation then an Admonishment Letter should be prepared.

D. Letter of Admonishment. It is a written interview between a supervisor and an employee and should be issued as a warning to the employee that a change in performance or conduct must take place immediately or formal disciplinary action may follow. It also identifies the infraction committed and informs the employee of the expected corrective action.

4.2 Formal Disciplinary Actions. Formal disciplinary actions consist of letters of reprimand, suspensions, reductions in grade or pay and removals. These actions should be initiated by supervisors after coordinating the proposed action with their personnel office. A record of the formal disciplinary action will become a part of the employee's official personnel file. The SF-50 effecting the action is placed on the right side of the employee's OPF. Detailed information concerning these actions is contained in FPM Chapter 752 and 370 DM 752, 1-3.

A. Letter of Reprimand. A written letter of reprimand is a letter or memorandum ordinarily issued by the immediate supervisor for the purpose of correcting an employee's conduct, attitude, work habits, or other factors which have a relationship to his/her employment, and to maintain the efficiency, discipline, and morale of the work force. A letter of reprimand is most effective when it is constructive and remedies or prevents the recurrence of an employee's shortcoming, fault, or offense. Before issuing a letter of reprimand, it maybe necessary for the supervisor to fully discuss the incident with the employee in order to permit the employee to present his/her side of the situation. However, in cases where all the facts are known, a reprimand can be issued directly without first conferring with the employee. In the event the employee has no valid justification for the action, the employee shall be informed that a written letter of reprimand shall be issued and that it shall be filed in the Official Personnel Folder for up to two years. The employee must also be informed that a reprimand may be grieved through the Departmental grievance procedure or union contract as applicable. This type of disciplinary action shall be used when the situation or offense is serious and warrants corrective action, or in the case of repeated infractions of a minor nature. A reprimand lessens an employee's chance for promotion and other career opportunities and puts the individual on notice that more severe discipline may be imposed if the problem is not corrected.

B. Suspension. A suspension is an action placing an employee in an enforced temporary nonduty and nonpay status, which is imposed for significant misconduct or repeated lesser infractions. Since it penalizes not only the offending employee, but production as well, (the services of the employee are lost during the suspension period), it should only be imposed when a lesser penalty would be inadequate or prior actions have failed to correct the situation.

(1) A suspension must first be proposed giving the employee an opportunity to reply orally and in writing and to furnish affidavits and other documentary evidence in support of the reply, prior to the decision. The deciding official must give fair consideration to the reply prior to making the decision as to the suspension of 14 days or less. Suspensions of more than 14 days are covered under separate procedures. Care should be exercised when taking a suspension action so that the appropriate procedures are followed. In all instances an employee must be apprised of his/her appeal rights.

(2) A Standard Form 52 (Request for Personnel Action) and all pertinent documentation must be sent to the servicing personnel office to enact all suspensions and adverse actions so that a Standard Form 50 can be processed.

C. Reduction in Grade or Pay. Demotion may be warranted as a result of misconduct or unsatisfactory performance when the employee cannot be continued in his/her present position and reassignment at the current grade or pay is not possible or practical. This type of action is normally imposed when (1) an employee is found to be inefficient in his/her current position and should be reduced in grade or pay, to a former position where it is determined that the employee did perform successfully and the conduct or performance deficiencies are not of such a nature to warrant removal or (2) an employee in a supervisory position, is found to be unable to properly supervise or manage and is demoted to a nonsupervisory position. (This does not apply to probation on initial appointment to a supervisory or managerial position see 370 DM 315, 9.1)

D. Removal. This is the most severe type of adverse action, since it not only removes the employee from the job, but may prevent any future federal employment. Before it is initiated, the facts and circumstances in an individual case must support the conclusion that the employee has clearly demonstrated unsuitability for continued employment or unwillingness to conform to the rules of conduct.

Note: Progression of Disciplinary Measures. Normally a progression of disciplinary measures is applied in an effort to correct employee performance or conduct before a decision is made to discharge. Discharge actions shall be preceded by progressive disciplinary measures such as reprimand, short suspension, and long suspension unless the misconduct is so serious or the violation of rules and regulations so flagrant, that immediate suspension or discharge is clearly warranted.

4.3 Additional Considerations. Withholding a with-in-grade increase from an employee does not constitute disciplinary action but is another mechanism of ensuring satisfactory performance. An employee must be informed in writing of the proposed denial, 60 days prior to the date the with-in-grade increase would become effective. The procedures for denying a WIGI are contained in 370 DM 531.4.

4.4. Choice of Discipline. Discipline demands the exercise of responsible judgment so that an employee will not be penalized disproportionately to the character of the offense. A supervisor, therefore, must evaluate the situation on the basis of factual circumstances to assure that the action proposed and taken is reasonable under those circumstances. Some factors that should be considered are:

A. The employee's past work record and disciplinary history, including the nature, frequency, and recency of other offenses.

B. The likelihood of constructive rehabilitation.

C. The character of the position to which the employee is assigned, since the more responsible the position, the more exacting the standard of performance or conduct on and off the job.

D. The nature and gravity of the offense and the influence or existence of mitigating circumstances.

E. Like penalties should be imposed for like offenses when the circumstances are fairly similar.

See Table IV at the end of the manual for listing of the Douglas factors the Merit Systems Protection Board (MSPB) uses in reviewing Federal Agencies determination on the maximum reasonable penalty imposed.

4.5 Restrictions on Implementing Disciplinary and/or Adverse Action
Part 355 DM 2.1 provides that certain complaints of a serious nature must be reported to the Assistant Inspector General for Investigation, Department of the Interior. Part 370 DM 311, 2.2 provides that the Bureau shall not take final action on such cases until they are released by the Department. These cases shall be coordinated with the Branch of Employee and Labor Relations, Division of Personnel Management in the Central Office.

Appendix A - Guide to Disciplinary and Adverse Actions

.1 Purpose
.2 Scope
.3 Authority
.4 Definitions
.5 General Procedures for Taking Disciplinary and Adverse Actions
.6 Instructions for Use of Table 1 Conduct and Discipline Guide

Table I. Conduct and Discipline Guide
II. Standards Applying to Motor Vehicle Operations
III. Statutory Provisions
IV. Merit Systems Protection Board (Douglas Factors)

Appendix A. Guide to Disciplinary and Adverse Actions

A.1 Purpose.

This guide assists in determining the appropriate discipline for the type of offense committed. It does not replace supervisory judgment and it does not dictate penalties. Rather, this guide provides a general framework within which supervisors may exercise mature judgment in dealing with particular circumstances of employee misconduct.

The guide attempts to promote greater uniformity in the application of discipline within the corrective process. It is assumed that, when appropriate, remedial actions (See 44 BIAM 752, IV) have been taken in an attempt to correct the problem situation before disciplinary or adverse actions are initiated.

A.2 Scope.

The offenses listed in this guide do not cover all possible offenses.

A. This guide does not cover discipline required by law. Chapter 735 of the Federal Personnel Manual (FPM) contains additional statutory and non-statutory provisions relating to conduct of Federal employees. (See Table III)

B. The Department of the Interior, 43 CFR Part 20, Employee Responsibilities and Conduct, contains further information concerning constraints on its employees and other offenses which may require disciplinary action.

A.3 Authority.

Authority for issuance of this guide is found in 5 CFR 735.104.

A.4 Definitions.

A. Official reprimand - a written letter or memorandum issued for the purpose of correcting an employee's conduct, attitude, work habits or other factors which impact adversely on the efficient operation of the work unit. It is the least severe form of disciplinary action taken against an employee and is made a part of the employee's Official Personnel Folder (OPF) for a period up to two years.

B. Suspension - a written letter or memorandum issued for serious misconduct which places an employee in a non-duty non-pay status for a specified period of time. It is issued when a lesser penalty would be inappropriate or prior disciplinary action has failed to correct the situation.

C. Removal - is the most severe type of action against an employee since it not only terminates the employment of the individual but may prevent future federal employment. Each case must be decided on its own merits but the action shall only be taken when the employee has clearly demonstrated unsuitability for continued employment or unwillingness to conform to the rules of conduct.

A.5 General Procedures for Taking Disciplinary or Adverse Actions

A. Consult 370 DM 752, Addition to FPM for specific requirements for taking disciplinary and adverse actions.

B. In the event of an appeal or grievance, management must demonstrate that the penalty was appropriate under the circumstances and that consideration was given to all material factors.

C. When citing employee misconduct in a proposal or decision letter, no reference to crimes or criminal procedure in 18 U.S.C. should be used because the burden of proof in a criminal matter is more severe than that necessary for an administrative action.

A.6 Instructions for Use of Table I.

A. "Offense" Columns, establish the range of penalties to be assessed.

(1) The reference to "first, second and third offense" means as follows:

(a) The first time an employee is formally disciplined (e.g. written reprimand or suspension) for violating Bureau policy or regulation, it will be considered the "first offense" for the purpose of this guide.

(b) Subsequent infractions of the same policy or regulation for which the employee is formally disciplined shall be the "second" and "third offense" respectively.

(c) "Remarks" Column is for individual use to note new decisions, references, and/or other specific notations regarding the specific offense cited.

B. Assessing Penalties.

(1) A penalty, either more or less severe than the minimum or maximum range, may be imposed. The appropriate penalty is determined primarily by:

(a) The nature and seriousness of the offense, and its relation to the employee's duties, position and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated;

(b) The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;

(c) The employee's past disciplinary record;

(d) The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;

(e) The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon the supervisor's confidence in the employee's ability to perform assigned duties;

(f) Consistency of the penalty with those imposed upon other employees for the same or similar offenses;

(g) Consistency of the penalty with any applicable agency table of penalties;

(h) The notoriety of the offense or its impact upon the reputation of the agency;

(i) The clarity with which the employee was on notice of any rules that were violated in committing the offense or had been warned about the conduct in question;

(j) Potential for the employee's rehabilitation;

(k) Mitigating circumstances surrounding the offense such as unusual job tension, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and

(l) The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

(2) When consideration of an employee's past disciplinary record results in the determination to impose a more severe penalty than the immediate offense would warrant (i.e. more severe than the penalty noted in Table I), the advance notice to the employee shall contain the specific previous formal and/or informal disciplinary action (i.e. oral or written warnings) involved, if any, and the reasons for the more severe penalty. Likewise, the reasons for imposing a less severe action shall be detailed in the proposal or decision letters.

(3) Suspensions shall be effected in calendar days. The suspensions for 14 days or less listed in Table I of this supplement are stated in calendar days. It should be remembered that Office of Personnel Management regulations refer to separate procedures established for suspension of "14 days or less," and for "more than 14 days". Therefore, care should be exercised to ensure that all suspensions are processed through the proper procedure. (Refer to FPM Chapter 735 and especially, note the difference in appeal rights.

(4) When appropriate, consideration may be given to reassignment or reduction in grade or pay, as an alternative to a more severe penalty.

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
1. Absence Without Leave. (AWOL) is an absence from duty which is not authorized or for which a request for leave has been denied.				AWOL must be reflected on the Time and Attendance Report in order to be considered charged. Refer to the PAY/PERS System, Time and Attendence, Installation, Vol. 8., dated April, 1982.
a. Tardiness. Reporting late for work, training, meetings, etc., or returning late from lunch, class, meetings, etc.	Official reprimand to 7 day suspension	1 day suspension to 14 day suspension	14 day suspension to removal	
b. Misapplication of Time. Unexcused absence from the work area during employees scheduled tour of duty.	Official reprimand to 7 day suspension	1 day suspension to 14 day suspension	14 day suspension to removal	
c. Leave Violations				
(1) Failure to request and obtain approval for leave according to established procedures.	Official reprimand to 7 day suspension	1 day suspension to 14 day suspension	14 day suspension to removal	
(2) Falsification of any type of leave record for oneself or another employee.	7 day suspension to removal	Removal		Falsification requires proof of intent to defraud Government (MSPB Docket #AT075299 011). Otherwise use alteration misrepresent, change etc.

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
(3) Improper use of sick leave (for other than personal illness, doctor's appointments, or quarantine as appropriate or necessary).	Official reprimand to 7 day suspension	1 day suspension to 14 day suspension	14 day suspension to removal	
2. Loafing, wasting time or sleeping on duty:				
a. When hazard to personnel or property is not acute or when no injury or loss is involved.	Official reprimand to 7 day suspension	1 day suspension to 14 day suspension	14 day suspension to removal	
b. When hazard to personnel or property is acute or when there has been injury or significant property loss.	Official reprimand to to removal	14 day suspension to removal	Removal	
3. Careless performance or negligence.				
a. Resulting in spoilage or waste of materials or delay in work production.	Official reprimand	Reprimand to 7 day suspension	14 day suspension to removal	
b. When consequences are extreme, or an attempt is made to conceal defective work or there is an unauthorized attempt to remove or destroy work.	1 day suspension to 14 day suspension	14 day suspension to removal	Removal	

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
4. Failure or delay in carrying out work assignments, or instructions of supervisors.	Official reprimand	Reprimand to 7 day suspension	7 day suspension to removal	
5. Insubordination. Disobedience to constructed authorities or refusal to properly carry out an order from authorized supervisor, or wanton disregard of directive or insolence.	Official reprimand to 14 days suspension.	14 day suspension to removal	Removal	Must have a direct order from appropriate authority. Employee must understand what order is, and the consequences of failing to perform the task and must fail to perform the task. Otherwise use failure to follow directions.
6. Inattention to Duties.				
a. Taking actions which disregard the safety of oneself or others.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	
b. Disregard of posted rules or official signs.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	
c. Violations of any safety instructions or failure to use protective clothing and equipment.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	
7. Endangering the safety of, or causing injury to personnel through carelessness or failure to follow instructions.	7 day suspension to removal	14 day suspension to removal	Removal	

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
8. Embezzlement or unauthorized possession of, use of, loss of, or damage to government property or the property of others.	Official reprimand to removal	14 day suspension to removal	Removal	See 43 CFR 20.735-15 (a) and (c)
9. Uses or authorizes use of a government owned or leased vehicle for other than official purposes. Employees entrusted with motor vehicles are responsible at all times for the proper care, operation, maintenance and protection of the vehicle.	30 day suspension to removal	Removal	Removal	See 43 CFR 20.735-15 (b)
10. Damage to government property or the property of others	1 day suspension to removal	14 day suspension to removal	Removal	
11. Failure to honor just debts or legal obligations without good cause.	Official reprimand	1 day suspension to 14 day suspension	14 day suspension to removal	See 43 CFR 20.735-16. Removal after full consideration of the effect on the agency.
12. Participation in or promoting gambling or betting while on duty for the Government.	Official reprimand to removal	14 day suspension to removal	Removal	See 43 CFR 20.735-17(d) Employee runs operation or is responsible for the gambling/betting activity.

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
13. Theft (actual or attempted) of government property or the property of others.	14 day suspension to removal	Removal		
14. Conversion of government funds to personal use, (e.g. travel advances, imprest funds, or amounts received as collections).	14 day suspension to removal	Removal		
15. Disorderly conduct, fighting, threatening, or attempting to inflict bodily injury to another or engaging in dangerous horse play.	Official reprimand to removal	14 day suspension to removal	Removal	
16. Disrespectful conduct.				
a. Quarreling or inviting others to quarrel, use of insulting, abusive or obscene language to or about other employees.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	Actual language must be spelled out and set off by quotes (e.g. "hell", "damn", etc.)
b. Making false, malicious, unfounded or irresponsible statements against other employees, supervisors, other officials, or subordinates which destroy or damage the reputation, or authority or the official standing of those concerned.	Official reprimand to removal	14 day suspension to removal	Removal	

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
c. Resisting competent authority.	Official reprimand to removal	14 day suspension to removal	Removal	
17. Conduct unbecoming a Federal Employee, - consisting of criminal, dishonest, infamous or notoriously disgraceful conduct.	7 day suspension to removal	14 day suspension to removal	Removal	
a. Engaging in immoral or indecent conduct.	7 day suspension to removal	14 day suspension to removal	Removal	
b. Use or possession of illegal drugs off duty which reflects adversely on the Bureau.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	
c. Selling illegal drugs off duty which reflects adversely on the Bureau.	Removal			
d. Excessive use of drugs (See Remarks) off duty which reflects adversely on the Bureau.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	Alcohol, amphetamine, barbiturate, hallucinogen, narcotic, etc. 43 CFR 20.735-17(g)
18. Deliberate misrepresentation, falsification, misstatement, exaggeration or concealment of material fact in connection with employment, promotion, travel voucher, any record	7 day suspension to removal	14 day suspension to removal	Removal	See 43 CFR 20.735-17(n)

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
investigation or other proper proceeding or official document.				
19. Aiding or assisting in prosecution of claim against the U.S., or receiving gratuity or any share of, or interest in claim from any claimant otherwise than in discharge of proper official duties.	7 day suspension to removal	14 day suspension to removal	Removal	Exception: P.L. 93-638 Sec. 105 (j)
20. Use or possession of illegal drugs (See remarks) on government premises or while on duty.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	Referral to Employee Counseling Assistance Program.
a. Selling of illegal drugs (See remarks) on government premises or while on duty.	Removal			Alcohol, amphetamine, barbiturate hallucinogen, narcotic, etc.
b. Being on duty so impaired by drugs, (See remarks) the employee is unable to perform assigned duties or could be a hazzard to self and others.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	If employee is not ready, willing, and able to work, the employee may be sent home on appropriate leave, a disciplinary action. See 43 CFR 20.735-17(g).
21. Improper discrimination in an official action against an employee, former employee, or applicant because of race, age, color, religion, sex, national origin, political affili-	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
ation, marital status or any reprisal action against an employee for filing a grievance, appeal or complaint. (Consider circumstances and the effect on the person discriminated against).				43 CFR 20.735-17(2)
22. Use of BIA identification to coerce, intimidate or deceive another party (includes cards, badges or any Bureau credentials).	7 day suspension to removal	14 day suspension to removal	Removal	See 43 CFR 20.735-17(o)
23. Borrowing money or obtaining co-signatures from subordinates.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	See 43 CFR 735-17(e)
24. Unauthorized canvassing, soliciting, or peddling on premises.	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	See 43 CFR 20.735-17 (c)
25. Conducting personal business/affair while on duty.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	Removal	Contingent on the extent of personal business.
26. Any employee in authority, shall not take or fail to take a personnel action, against an employee as reprisal for disclosing information, which the	Official reprimand to 7 day suspension	14 day suspension to removal	Removal	See 5 USC 2302 43 CFR 20.735-17(b)

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
employee in authority believes evidences violation of any law, rule, or regulation, mismanagement, a gross waste of funds, an abuse of authority or a substantial and specific danger to public health or safety.				
27. Serious or repeated violations of traffic regulations while operating a government vehicle or a vehicle rented or leased for official government purposes. Includes reckless driving or improper operation of any motor vehicle on BIA premises.	Official reprimand to removal	14 day suspension to removal	Removal	
28. Soliciting or accepting directly or indirectly any gift, gratuity, favor, entertainment, food, lodging, loan or other things of monetary value, from an individual or organization which has or is seeking business or financial relations with the BIA, conducts activities regulated by the BIA, or has interests which may be substantially affected by the performance of that employee's duties.	Official reprimand to removal	14 day suspension to removal	Removal	See 43 CFR 20.735-7

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
29. Unfair labor practices, if the violation of prohibited practice was deliberate.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	14 day suspension to removal	
30. Violation of tribal trust, when the breach results in release of sensitive information to unauthorized sources or there is evidence of a compromise of Bureau information.	1 day suspension to 14 day suspension	7 day suspension to removal	14 day suspension to removal	
31. Discourteous conduct toward the public - verbal, non-verbal or in writing.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	14 day suspension to removal	4 such instances within one (1) year period requires removal.
32. Corporal punishment.	Official reprimand to 14 day suspension	14 day suspension to removal	Removal	Use of hand, fist, strap, pointer, switch, stick, ruler, or other implement used for striking which results in torture, discomfort, or humiliation of any person subject to BIA Employee Control.
33. Unofficial use of franked mail or official stationery.	Official reprimand to 7 day suspension	7 day suspension to 14 day suspension	14 day suspension to Removal	See 43 CFR 20.735-17 (m) Referral to U.S. Department of Justice for determination of prosecution for $300.00 fine.

CONDUCT AND DISCIPLINE GUIDE

Conduct	Discipline			
Nature of Offense	First Offense	Second Offense	Third Offense	Remarks
34. Use of the GSA Government Travel Charge Card (Citicorp Diners Club Card or its successor) for other than expenses incurred on official business or allowing another person to use the card assigned to the employee.	Reprimand to Removal	10 day suspension to Removal	Removal	
35. Failure to keep account current with card issuer after being reimbursed for travel expenses.	Admonishment to 5 day suspension	3 day to 10 day suspension	Removal	See also with Offense #11
36. Supervisor's failure to properly establish performance standards for all subordinate employees.	Reprimand to 7 day suspension	14 day suspension to Removal	Removal	
37. Supervisor's failure to carry out requirements of 44 BIAM 430 within 120 days of the end of rating period.	Letter of admonishment to 5 day suspension	5 day suspension to 15 day suspension	15 to 30 day suspension	Refer to 44 BIAM 430 (Bureau Performance Appraisal System) for requirements and time frames

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TABLE II. STANDARDS APPLYING TO MOTOR VEHICLE OPERATIONS

1. The acts or circumstances listed in paragraph 3 and 4 below may require either suspension or revocation of any vehicle operator's permit which was issued by the Federal Government.

2. The suspension or revocation of a vehicle operator's permit does, however, require action either to remove duties from the employee's position or to remove the employee temporarily, or permanently from the position which requires performance of driving duties. Such personnel actions shall not be based on the reasons that led to the suspension or revocation.

3. In accordance with Section 930.118 of the Civil Service Regulations (FPM Supplement 990) the following grounds constitute sufficient cause for suspension or revocation of an operator's permit and for any necessary adverse personnel action.

   A. The employee is convicted of operating a vehicle while under the influence of narcotics or intoxicants.

   B. The employee is convicted of leaving the scene of an accident without making himself known.

   C. A federal medical officer finds the employee fails to meet the required physical standards.

   D. The employee's state operator's license is revoked or suspended.

4. The following circumstances may also be used as reasons for suspension or revocation of an operator's permit or as a basis for adverse personnel action.

   A. Involvement in a motor vehicle accident while driving a government vehicle and after investigation found to be at fault.

   B. Conviction of traffic (other than parking) violations which occurred while driving a government vehicle.

   C. Improper operation of the motor vehicle assigned.

   D. Non-compliance with BIA regulations relating to motor vehicle operation.

   E. Failure on physical examination to meet required physical standards but defects are considered by a federal medical officer to be a temporary nature.

TABLE III. STATUTORY PROVISIONS

Attention of the employees of the BIA is hereby directed to the following statutory provisions:

(A) House Concurrent Resolution 175, 85th Congress, second session, 72A Stat. B12, the "Code of Ethics for Government Service."

(B) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflict of interest, as appropriate.

(C) The prohibition against lobbying with appropiated funds (18 U.S.C. 1912).

(D) The prohibition against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(E) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(F) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(G) The provision relating to the excessive and habitual use of intoxicants (5 U.S.C. 7352).

(H) The prohibition against the misuse of Government vehicle (31 U.S.C. 638a(c)(2)).

(I) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(J) The prohibition against the use of deceit in an examination or personnel action in connection with government employment (18 U.S.C. 1917).

(K) The prohibition against fraud or false statements in a government matter (18 U.S.C. 1001).

(L) The prohibition against concealment, removal or mutilation of a public record (18 U.S.C. 2071 (b)).

(M) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(N) The prohibitions against; (1) embezzlement of government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee, by reason of his employment (18 U.S.C. 654).

(O) The prohibition against unauthorized use of documents relating to claims from or by the government (18 U.S.C. 285).

(P) The prohibition against political activities in subchapter III and 18 U.S.C. 600, 601, 602, 603, 606, and 607. (5 U.S.C. 73).

(Q) The prohibition against an employee acting as an agent of a foreign principal, registered under the Foreign Agents Registration Act (18 U.S.C. 219).

(R) Prohibition against engaging in riots or civil disorders (5 U.S.C. 7313).

(S) Prohibitions affecting activities of government employees in their private capacities - (Conflict of Interest) (18 U.S.C. 202, 203, 205, 207, 208, 209, 210, and 211).

(T) Prohibition on conduct other than statutory (FPM 735 - Appendix B-1).

TABLE IV. MERIT SYSTEMS PROTECTION BOARD (Douglas Factors)

In determining the maximum reasonable penalty the Merit Systems Protection Board will consider the following factors:

(1) The nature and seriousness of the offense, and its relation to the employee's duties, position and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated;

(2) The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;

(3) The employee's past disciplinary record;

(4) The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;

(5) The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon the supervisors' confidence in the employee's ability to perform assigned duties;

(6) Consistency of the penalty with those imposed upon other employees for the same or similar offense;

(7) Consistency of the penalty with any applicable agency table of penalties;

(8) The notoriety of the offense or its impact upon the reputation of the agency;

(9) The clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question;

(10) Potential for the employee's rehabilitation;

(11) Mitigating circumstances surrounding the offense such as unusual job tension, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and

(12) The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

Subchapter 1. General Provisions.

.1 Purpose. This chapter contains the Bureau's program concerning the use of full field investigations and the granting of clearance to employees occupying sensitive positions. This program is designed to insure that the employment and retention of any employee of the Bureau is clearly consistent with the interests of the national security. Departmental instructions are contained in Parts 441, 442, and 446 of the Departmental Manual.

.2 Responsibility. The Chief, Division of Law Enforcement Services, in accordance with 446 DM 14B(2), is designated Bureau Security Officer. He is responsible for determining sensitivity of positions, reviewing and evaluating reports of investigations on employees and on applicants for employment, making security determinations within limits of delegated authority, recommending action to higher authority, and inspecting other offices for effectiveness of security operations, as required.

.3 Designation of Positions as Sensitive. The Bureau Security Officer determines which positions are to be in the sensitive category. Only positions meeting the criteria determined by the Civil Service Commission and the Department will be designated as critical-sensitive. Other sensitive positions will be designated as noncritical-sensitive.

A. Full field investigations are required for all critical-sensitive positions involving the following responsibilities:

1. Access to TOP SECRET National security information and material;

2. Development or approval of plans, policies or programs which affect the overall operations of the bureau; that is, policy-making or policy-determining positions;

3. Investigative or law enforcement duties, the issuance of personnel security clearance, or

4. Fiduciary, public contact, or other duties demanding the highest degree of public trust.

B. National Agency Check and Inquiries (NACI) are required for all noncritical sensitive positions involving access to Secret or Confidential information or material.

.4 Investigations. All security investigations in the Bureau will be processed in accordance with the regulations and criteria set forth in Chapters 732 and 736 of the Federal Personnel Manual.

A. Full field investigations will be used to provide sufficient information to enable Bureau officials to determine the employability or security and suitability of persons entering critical-sensitive positions. Applicants for such positions may not be employed prior to completion of full field investigation. In an emergency, the Bureau Security Officer may authorize a temporary appointment pending completion of the investigation.

B. National Agency Check and Inquiry (NACI) will be used to determine employability of persons serving in noncritical sensitive positions. The Bureau Security Officer may initiate a full field investigation if he considers such an investigation to be appropriate.

.5 Procedures - Full Field Investigation. Requests for a full field investigation are made by the Bureau Security Officer. The servicing personnel office is responsible for obtaining the necessary forms and submitting them to the Security Officer as follows:

A. Three copies of SF-86, Security Investigation Data for Sensitive Position. The original and one copy must be signed.

B. One copy of SF-87, Fingerprint Chart.

C. Two copies of SF-171, Application for Federal Employment.

D. A letter of request, identifying the position for which the applicant is being considered and whether it is critical-sensitive or noncritical sensitive.

.6 Procedures - NACI. Routine procedures should be followed by the servicing personnel office in executing the required forms and transmitting them to the Civil Service Commission. After completion of the investigation, the file should be forwarded to the Bureau Security Officer for review and for issuing the necessary clearance.

.7 Granting Clearance. The Bureau Security Officer will review the complete investigative file. He will advise the activity concerned and grant the necessary clearance, or deny clearance if justified. Clearance for access to classified information will be granted only on a need-to-know basis. Top Secret clearance may be granted to persons serving in critical-sensitive positions; Secret clearance may be granted to persons serving in noncritical sensitive positions.

.8 Recertification. All employees occupying critical-sensitive positions must have their security and loyalty clearance updated at least every five years from the date of initial issuance. An updated SF-86 must be completed and forwarded to the Bureau Security Office for recertification.

.9 Separations. The Bureau Security Officer should be notified immediately of the separation of any employee who has been issued a security clearance. When an employee is separated from the Bureau to accept employment in another office within the Department, the security folder is forwarded to the appropriate security officer.

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Subchapter 2. Administrative Appeals (To be issued later)

Appendix A Instructions on Producing Witnesses at Agency Hearings on Adverse Actions (To be issued later)

SUBCHAPTER 1. Employee Grievances

.1 Policy. The Bureau of Indian Affairs incorporates intact the policy and procedure for handling employee grievances prescribed by the Department in 370 DM 771.

.2 Responsibility. Area Directors, the Executive Officer, Indian Affairs Data Center, and the Chief, Central Services Staff are authorized to administer the grievance policy.

.3 Publication of procedures. Copies of this release together with 370 DM 771, shall be posted on bulletin boards and shall be made available to employees and recognized employee organizations. In addition, information regarding the Bureau's grievance policy and procedures should be included in orientation material given to new employees.

1. OFFICE OF WORKERS' COMPENSATION PROGRAMS

.1 Responsibility.

A. Safety Management. The Division of Safety Management has staff responsibility for the Administration of the program. All safety officers having operation responsibility for the program will assist supervisors and employees in preparing claims for: Compensation/Continuation of Pay, Investigation and Documentation of Accidents/Incidents. The safety officer will act as OWCP agent. They also have responsibility for follow-up action on claims and for general liaison with concerned OWCP offices.

B. Personnnel Management. The Division of Personnel Management has staff responsibility and Line Officers have operating responsibility for the orientation and periodic reorientation of all Bureau employees concerning their rights and benefits provided by the Federal Employees' Compensation Act as amended.

.2 Regulations. Bureau regulations and instructions are found in Part 25 of the Bureau of Indian Affairs Manual Supplement 34.

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Subchapter 6. Types of Annuity (No BIAM issuance planned)

Subchapter 7. Computation of Annuities (No BIAM issuance planned)

Subchapter 8. Reemployment of Retired Employees (No BIAM issuance planned)

Subchapter 9. Refunds (To be issued later)

Subchapter 10. Death Benefits (No BIAM issuance planned)

Subchapter S1. Administration and General Provisions

.1 Responsibilities

A. The Chief, Branch of Budget and Finance has staff responsibility for the fiscal administration of the retirement program in the Bureau.

B. The Chief, Branch of Personnel has staff responsibility for retirement matters other than fiscal administration.

C. Area Directors, the Chief, Branch of Plant Design and Construction and the Chief, Branch of Personnel for the Central Office are responsible for:

(1) Informing employees of their rights, benefits, and obligations under the Act.

(2) Answering questions presented by employees.

(3) Rendering assistance in the preparation of applications for retirement and for the purchase of service credit, etc.

(4) Furnishing all employees who are subject to the Retirement Act with certificates of membership.

(5) Maintaining a call-up system for dates of retirement and issuance of notices of reaching retirement age.

(6) Providing assistance in locating the beneficiary or beneficiaries and in securing a claim for retirement benefits in case of the death of an employee.

(7) Processing retirement cases promptly in order to expedite the adjudication of claims.

Subchapter S9. Optional Retirement

.1 Optional Retirement of Law Enforcement Personnel

Explanatory and procedural material on this special provision for law enforcement personnel is outlined in FPM Supplement 831.1. The Area Director shall submit the application with his recommendation to the Chief, Branch of Personnel who shall prepare a letter for the signature of the Administrative Assistant Secretary and forward it to the Division of Personnel Management, Office of the Administrative Assistant Secretary. The employee shall be retained on the bureau's rolls until notification is received that the application has been approved by the Commission.

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Subchapter 2. Administration (To be issued later. Use 44 IAM 850,2 until superseded)

Subchapter 3. Reconsiderations and Appeals (No BIAM issuance planned)

Subchapter 2. Administration

.1 Responsibilities

A. The Chief, Branch of Budget and Finance has staff responsibility for the fiscal administration of the Unemployment Compensation Program.

B. The Chief, Branch of Personnel has staff responsibility for all matters pertaining to the Unemployment Compensation Program other than fiscal administration.

C. Appointing officers have responsibility for furnishing information to employees and explaining their rights and responsibilities under the program. A completed copy of SF-8 is to be furnished each employee at the time of separation, when transferred from one payroll office to another, or when in a non-pay status for 7 consecutive days or more. In addition, notation is to be made in the remarks on SF-52, SF-50 or SF-50A that the SF-8 was issued to the employee.

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Subchapter 2. Retired Employees (No BIAM issuance planned)

Subchapter 3. Employees' Compensation (No BIAM issuance planned)

Subchapter 4. Benefits Payable (No BIAM issuance planned)

Subchapter 1. Administration and General Provisions

.1 Responsibilities

A. The Chief, Branch of Budget and Finance is responsible for the fiscal administration of the program in the Bureau.

B. The Chief, Branch of Personnel is responsible for all matters pertaining to the life insurance program other than fiscal administration.

C. Area Directors, the Chief, Branch of Plant Design and Construction and the Chief, Branch of Personnel are responsible for counseling and advising employees, determining eligibility for coverage, and giving assistance to claimants.

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Subchapter 1. Administration and General Provision (To be issued. Use 44 IAM 890,1 and 44 IAM 891-1,S2 until superseded)

Subchapter 2. Health Benefits Plans (To be issued)

Subchapter 3. Registration and Enrollment (No BIAM issuance planned)

Subchapter 1 Administration and General Provisions

.1 Responsibilities.

A. The Chief, Branch of Budget and Finance has staff responsibility for the fiscal administration of the program for the Bureau.

B. The Chief, Branch of Personnel has staff responsibility for all matters pertaining to the Health Benefits Program other than fiscal administration. A staff member of the Branch of Personnel has been designated as the Health Benefits Officer for the Bureau.

C. Area Directors, the Chief, Branch of Plant Design and Construction and the Chief, Branch of Personnel for the Central Office are responsible for:

(1) Explaining to employees their rights and obligations under this program.

(2) Assuring that each eligible employee has free choice among plans available to him.

(3) Determining eligibility of employees and registering eligible employees.

(4) Processing health benefits forms and determining effective dates.

(5) Determining capability of self-support of children over age 21 and of husbands claimed to be dependent.

(6) Controlling carrier contacts with employees on Government premises or on Government time.

(7) Assisting and advising employees on preparing claims.

Subchapter S2. Administration

.1 Responsibilities.

A. The Chief, Branch of Budget and Finance has staff responsibility for the fiscal administration of the program for the Bureau.

B. The Chief, Branch of Personnel has staff responsibility for all matters pertaining to the Health Benefits Program other than fiscal administration. A staff member of the Branch of Personnel has been designated as the Health Benefits Officer for the Bureau.

C. Area Directors, the Chief, Branch of Plant Design and Construction and the Chief, Branch of Personnel for the Central Office are responsible for:

(1) Explaining to employees their rights and obligations under this program.

(2) Assuring that each eligible employee has free choice among plans available to him.

(3) Determining eligibility of employees and registering eligible employees.

(4) Processing health benefits forms and determining effective dates.

(5) Determining capability of self-support of children over age 21 and of husbands claimed to be dependent.

(6) Controlling carrier contacts with employees on Government premises or on Government time.

(7) Assisting and advising employees on preparing claims.

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Subchapter 1. Positions With Minimum Educational Requirements

Subchapter 1. Positions With Minimum Educational Requirements

.1 Policy. No minimum educational requirement will be established except for positions containing duties which cannot be performed by a person who does not have this education. Determination of such essentiality will be made by the Office of Personnel Management for positions to be filled by competitive appointment. The Bureau of Indian Affairs will make the determination through standards studies for positions to be filled by excepted appointment.

.2 Coverage. This restriction includes all formal education. It does not prohibit the requirement that applicants be able to speak, read and write the English language.

.3 Extent of application. The Office of Personnel Management's Handbook X-118, the Bureau of Indian Affairs' Excepted Qualifications Handbook, or the Education Position Categories and Qualification Handbook will identify those positions for which a minimum educational requirement has been established.

.4 Responsibility. Appointing Officers are responsible for assuring strict adherence to these restrictions by Area and Agency officials.

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Subchapter 7. Intergovernmental Personnel Act - Civil Service Commission Personnel and Training Assistance for Indian Tribal Governments

Subchapter 1. P.L. 93-638 Indian Self-Determination and Education Assistance Act, January 4, 1975

1.1 Personnel Provisions of the Act

A. The Indian Self-Determination and Education Assistance Act provides an opportunity for Federal employees to retain certain Federal benefits when they accept tribal employment. A mutual agreement must be reached between the tribe and the employee in order for the employee to retain benefits at the time he leaves Federal service to accept employment with a tribal organization.

B. The Act amends portions of the Intergovernmental Personnel Act (84 Stat. 1909) to permit Indian tribes and tribal organizations to participate in the various programs provided for in the Act. (44 BIAM 990.7 and 44 BIAM 334).

C. The Act amends the conflict of interest provision applicable to Federal employees on a mobility assignment to an Indian tribe or tribal organization; former Federal employees employed by the tribe or tribal organization; or, Federal employees receiving direction from the tribe in accordance with 25 U.S.C. 48. Title 18, U.S.C. 205 and 207 were amended to provide for an individual to represent a tribe or tribal organization in a matter pending before the Government and for prosecuting claims involving matters connected with former duties. The individual must notify the Commissioner of Indian Affairs prior to appearing before the Government.

Subchapter 2. Methods available to tribes for utilizing services of Federal employees and former Federal employees

2.1 Intergovernmental Personnel Act. (IPA). P.L. 93-638 amended the IPA to permit Indian tribes and tribal organizations to participate in the mobility provision for assignment for a Federal employee to these organizations. The use of the IPA provides a means whereby the tribe may utilize the services of a Federal employee in developing, or planning, a Bureau program or a portion of a program, and to assist them in operating tribal programs. An individual on an IPA assignment remains a Federal employee, retaining Federal rights and benefits, while under the direct supervision of an Indian tribe or tribal organization.

A. In negotiating an IPA agreement, all three parties - the Bureau, the employee, and the tribe - should keep in mind, even though an individual is on an IPA assignment, that individual remains an employee of the Bureau. If it is necessary to have a reduction-in-force, the employee will be considered the same as if he were working in the position for which he was primarily employed and will not receive special consideration because he is on an IPA assignment.

B. As an example, an employee from an Agency Office Social Service Program is on an IPA assignment to a tribe. The tribe subsequently negotiates a contract with the Bureau to administer the Social Services Program at the Agency. The employee on IPA assignment would then be faced with one of three possibilities: (1) the need for reassignment to another location; (2) reduction-in-force; or (3) direct hire by the tribe. If the employee is reassigned to another position and the tribe wanted the services of this individual by a method other than direct hire, another IPA agreement could then be negotiated by the tribe, the employee, and the Bureau. On the other hand, if the same employee is to be separated through reduction-in-force, then it would be up to the tribe to offer the individual employment directly with the tribe if his services are to be continued. The tribe and employee could then reach a mutual agreement whereby the employee could retain: (1) Federal retirement; (2) Health benefits; (3) Life insurance, and (4) Federal employees compensation, provided the tribe agreed to pay the employer share and withholds the employee contributions and there is no break in service from Federal employment to tribal employment. Detailed procedures and guidelines for IPA Agreement - See FPM 334, 370 DM 334 and 44 BIAM 334.

2.2 Tribal Direction of Federal Employees - 1834 Act (25 U.S.C. 48). There may be times when a tribe desires to direct the day-to-day activities of Bureau employees either as a method of: (1) staffing in association with a contracted program; or (2) directing programs on their reservation without contracting. This may be accomplished by an agreement with the tribe to permit them to provide direction to Bureau employees of the program or activity. This may be accomplished through the provisions of 25 U.S.C. 48 which reads:

> "Where any of the tribes are, in the opinion of the Secretary of the Interior, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe."

The Solicitor for the Department of the Interior, in his opinion M - 36803 dated April 3, 1970, stated:

> "The authority to direct the employment of Federal employees which the Secretary of the Interior may delegate to an Indian tribe pursuant to the provisions of R.S. 2072, 25 U.S.C. 48 (1964), is that authority related to the direction of employees and within the general range of the duties of their employment. The authority to direct the employment of Federal employees which the Secretary of the Interior may delegate to an Indian tribe pursuant to the provisions of R.S. 2072, 25 U.S.C. 48 (1964), may not include authority to employ, promote, or evaluate the performance of employees, nor authority to approve the alienation of rights in trust property, nor authority over Individual Indian Money Accounts, nor authority to expend or encumber appropriated Federal funds; nor authority to review or approve tribal actions, nor authority which abrogate employee rights granted by Executive Order, or regulation, nor authority to issue, amend, or waive Federal regulations."

230 DM 1 delegates to the Commissioner of Indian Affairs the authority of the Secretary of the Interior with respect to the management of all Indian affairs and all matters arising out of Indian relations, including the supervision, management and operation of the Bureau of Indian Affairs and related activities of the Department with respect to Indian program matters. 230 DM 1.3 restricts the Commissioner from redelegating

authority to permit Indian tribes to direct Bureau employees under 25 U.S.C. 48.

A. Consideration for an Agreement. An agreement must be worked out between the tribe, the Agency Superintendent and the Area Director, for approval by the Commissioner. The agreement shall clarify the relationship between the tribe and the Bureau in terms of the direction to be furnished by the tribe and the supervision which shall be retained by the Bureau of the Federal employee.

(1) Careful thought must be given to the organizational component of the activity being considered for tribal direction. Depending upon whether or not the agreement is in association with a contract, the following should be considered.

a. A tribe contracting for a program or parts of a program which is divisible from the remainder of the program and directing the day-to-day activities of Bureau employees, the agreement shall include all employees whose positions are in the program or portion of the program to be contracted, or in a portion of the program to continue under Bureau operation in connection with a contract for other portions of the program [25 CFR 275.3(a)(3)(ii)(A) and (B)].

b. For those agreements entered into wherein the tribe is not contracting the program or parts of a program, it is recommended that at an Agency Office, a branch-level organization should remain intact; at a school, a distinction might be made between the instructional function and the support function. Any further division of an integral program or service unit would be contrary to effective management because direction to the employee would stem from two sources - the Bureau and the tribe. In addition, arbitrarily dividing related co-workers into two groups would be detrimental to morale and to efficient and effective program operation.

(2) When a tribe assumes direction of only a portion of a program/function, care must be taken that employees under Bureau direction, as well as those under tribal direction, comprehend the unique and distinctive relationship between the two groups. This relationship consists primarily of a continued need for

coordination with other branches and the maintenance of usual organizational contacts.

For detailed procedures and guidelines for Direction of Federal employees - 1834 Act see 44 BIAM 990.4.

2.3 Tribal Employment of a Former Federal Employee. The tribe at any time may offer a Federal employee an opportunity for employment with the tribe. The tribe and the employee must reach a mutual agreement prior to the separation of the Federal employee from the Federal service if the employee is to retain one or any of the Federal benefits provided by Section 105(e) of P.L. 93-638. An agreement must be signed by the authorized tribal representative and the employee to withhold and deposit contributions into the appropriate Civil Service fund. Regulations implementing Section 105 will be issued by the Civil Service Commission.

Subchapter 3. Bureau employees affected by tribal contracting or direction.

3.1 Introduction. Employees and union representatives should be kept advised as far in advance as possible regarding any possible changes that may be made concerning their employment situation.

3.2 Advance Notice for Contracting. When a proposed contract may result in the displacement of Bureau personnel, the application must be submitted at least 120 days before the proposed starting date of the contract in order to comply with Civil Service requirements applicable to reduction-in-force or reassignment of Federal employees.

3.3 Reassignment of Employees. When it is apparent that successful negotiations will be completed with a tribe for directing Bureau employees under the provisions of the 1834 Act, or for contracting a Bureau program, or portion of a program, the employees may request reassignment. Every effort will be made to reassign employees within the same Area Office jurisdiction. Reassignments will be made within the Bureau in accordance with Indian preference guidelines.

3.4 Reduction-in-force. When tribal contracting results in the displacement of Bureau employees, reduction-in-force procedures in 44 BIAM 351 will be followed. Employees who are faced with reduction-in-force will be provided every opportunity possible for placement to vacancies within the Bureau.

A. Departmental Career Placement Assistance Program - Category I. All employees who have received a reduction-in-force notice and desire to be considered for placement within the Department should submit their applications immediately to their Personnel Office for processing under the DCPA program.

3.5 Retaining Federal Employee Benefits under Tribal Employment. The tribes, it is assumed, will offer employment to many Federal employees. P.L. 93-638, Sec. 105(e) provides for former Federal employees who immediately accept employment with a tribe to retain coverage under the Federal Compensation for Work Injuries, Retirement, Health Insurance, and Life Insurance programs provided the tribal organization and the employee agree to elect coverage under these programs. Employee and tribal employer contributions must be paid into the appropriate Civil Service fund.

A. The Bureau will cooperate in releasing Bureau employees to

accept employment with the tribe should the opportunity arise. However, employees should be aware that they will no longer retain Federal benefits other than those provided through P.L. 93-638: (1) Federal Retirement, (2) Health Benefits, (3) Life Insurance, and (4) Work Injuries Compensation. These benefits will be provided only when an agreement is reached with the tribe prior to leaving Federal employment. The employee will no longer be protected by the Federal procedures for grievances, appeals, union participation, sick and annual leave, periodic salary increases, etc.

3.6 Reemployment rights. See 44 BIAM 352 (to be issued separately)

Subchapter 4. Direction of Bureau employees - 1834 Act (25 U.S.C. 48)

4.1 Introduction: The use of this Act provides the tribes an opportunity to assume responsibility of their programs, including the direction of the Bureau employees. A well organized and thought-out plan which provides for improved services to the Indian people and maintains a team spirit between the tribes and the Bureau is essential to successful tribal direction of a Bureau program or activity. The ultimate goal through tribal direction may be eventual tribal assumption of activities which directly benefit the tribe. If such is the case, tribal direction could be utilized as an interim arrangement providing for the transition from Bureau to tribal staffing of a program. This subchapter applies to Personnel Management involvement in tribal direction of Bureau employees and the steps necessary to assure that Federal employees retain their status as Federal employees while under the direction of a tribe. Agreements in accordance with the 1834 Act must be approved prior to contracting.

4.2 Definitions in this Subchapter:

A. "Tribal direction of bureau employees" means the Indian tribe is responsible for the planning, coordination, and completion of the daily on-the-job assignments of Bureau employees. The daily assignments are limited to those that fall within the general range of duties prescribed in the employee's Bureau position.

B. "Indian tribe" means any Indian Tribe, Band, Nation, Rancheria, Pueblo, Colony or Community, including any Alaska Native Village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) which is Federally recognized as eligible by the U.S. Government through the Secretary for the special programs and services provided by the Secretary to Indians because of their status as Indians.

C. "Tribal organization" means any legally established organization of Indians or tribes which is controlled, sanctioned, or chartered by a tribal governing body or bodies, or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities.

D. "Supervision of Bureau employees" means the Bureau is responsible for the appointment, promotion, reassignment, performance evalua-

tion, pay increase, disciplinary action, or separation of employees. Bureau employees shall retain appropriate Federal benefits and shall be subject to current regulations regarding leave, hours of duty, etc. All personnel actions shall be accomplished in accordance with appropriate Civil Service Commission regulations, and the Department and Bureau Personnel manuals.

4.3 Policy. The Commissioner may delegate to a tribe the authority to direct the day-to-day activities of Bureau personnel under the authority of the 1834 Act. Such agreements can assure greater Indian participation in the direction of Bureau services in Indian communities so as to provide services which are more responsive to the needs and desires of those communities. An agreement may be used to provide interim staffing for a contracted Bureau program until the tribe is able to recruit its own employees. Tribes may authorize tribal organizations to enter into 1834 Act agreements with the Bureau upon their discretion by including such authority in the tribal resolution authorizing the tribal organization to apply for, negotiate and contract for the operation of Bureau programs. All rights and privileges of Bureau employees shall be preserved when authority has been delegated to a tribe or tribal organization to direct the day-to-day activities of employees.

4.4 Authority. Section 9 of the Act of June 30, 1834 (25 U.S.C. 48) and the Solicitor's Opinion M-36803 dated April 3, 1970 provides the guidelines for an Indian tribe to assume day-to-day direction of Bureau employees providing services to them.

A. The Secretary has delegated authority to the Commissioner to permit Indian tribes to direct Bureau employees. This authority may not be redelegated.

B. The authority given to a tribe extends only to directing the daily performance of the work which Bureau employees are employed to do.

4.5 Agreement. An agreement between an Indian tribe and the Bureau for assuming responsibility of a Bureau function must be specific as to:

A. the relationship of the tribe to an authorized tribal organization relative to the agreement, including any limitations and/or authorities granted;

B. the organizational coverage;

(1) if in connection with contracting, identify program(s) or parts of program(s) utilizing the agreement as a method of staffing;

C. the relationship that organizations will have to other components of the remaining organizations in the agency or area;

D. the tribe's and Bureau's agreed to responsibilities relative to the filling of positions in the organization as they become vacant, either:

(1) the positions will be filled by the tribe or tribal organization, or

(2) the positions will be filled by the Bureau, or

(3) a specific period of time for which the Bureau will continue to fill the vacancies in order to allow the tribe or tribal organization the opportunity to assume this responsibility.

E. the identification of any necessary organizational restructuring by the Bureau for the organizational unit covered by the agreement because of program redesign by the tribe.

4.6 Delegation of Authority to a Tribe For Direction of Bureau Employees. An agreement with a tribe under this authority will be implemented:

A. Where the work may be properly vested in the tribe and is in the tribes direct interest;

B. Where the tribe has the desire and the capacity to provide direction but does not have the necessary manpower and skills to do the work under contract, or desires to direct the activities without contracting; and

C. Where it does not involve personnel authorities which must be exercised by a Bureau employee.

4.7 Retention of Bureau Employees. Employees should be notified as soon as possible that an agreement is being negotiated with a tribe to assume responsibility for the direction of a specific program or function. Employees will be given the option of remaining in their current positions to work under the tribal direction or of requesting reassignment within the Bureau. All reassignments will be made in accordance with Indian preference guidelines. If a tribe assumes direction of only a portion of a larger installation, care must be taken that employees under Bureau supervision, as well as those under tribal direction, comprehend the unique and distinctive relationship between the two groups.

4.8 Restrictions on Delegation of Authority to Tribes. The following

authorities shall be reserved by the Bureau and not delegated to an Indian tribe:

A. An Indian tribe may not be regarded as standing in the place of a Bureau Superintendent with all the prerogatives, obligations, and authorities of that office.

B. A delegation of direction of employees cannot include authority of the Superintendent to approve the alienation of any rights in trust property; nor may authority over funds in Individual Indian Money Accounts be delegated to the tribe.

C. Such a delegation cannot include authority to expend or encumber appropriated Federal funds.

D. Authority contained in Federal statutes, regulations, or tribal constitutions to review or approve tribal action may not be delegated to the tribe.

E. No authority may be conferred on a tribe to issue, amend, or waive Federal regulations.

F. Authority to exercise supervision of Bureau employees may not be delegated to a tribe.

4.9 Relationship of Tribe to Bureau Employees. Under an agreement for tribal direction of the work of Bureau employees, tribal officials must fully understand their relationship to Bureau employees, including the limits on tribal action, and the rights of the Bureau employees.

A. An Indian tribe may: Furnish day-to-day direction of Bureau employees "within the general range of the duties of their employment."

B. An Indian tribe may not: Exercise any facet of the appointing authority. This means that only Bureau officials will control and be responsible for matters such as pay, promotions, reassignments, appointments, leave, performance evaluation, employee benefits, adverse actions, and dealings with employee organizations.

Tribal recommendations on any of the matters listed above concerning specific employees may be solicited and will be considered. Final decision will be made and acted upon by appropriate Bureau officials.

4.10 Employee's Understanding of the Agreement. Employees should be fully informed of the situation when their organization is proposed for

tribal direction under this type of agreement. Due to the possibility of misunderstanding and the employee apprehensions aroused by the prospect of proposed tribal assumption of Bureau functions, items such as the following should be made clear to employees at the earliest possible instance:

A. A delegation of direction of Bureau employees cannot include authority which would abrogate any rights granted to such employees by law, Executive Order, or regulation, including rights relating to employee organization representation and rights of petition and appeal to the Department and Civil Service Commission for redress of grievances.

B. Rating of Bureau employees (performance rating, acceptable level of competence, promotion appraisals, etc.) will be accomplished by Bureau, not tribal, officials. Procedures for these ratings will conform to usual Bureau regulations.

C. An employee may be directed to perform only those functions within the general range of duties prescribed for his employment. Appropriate revisions of position descriptions would be necessary to include a statement that the position is subject to tribal direction.

D. All personnel actions affecting an employee will be determined and accomplished by appropriate Bureau officials. Recommendations from the tribal governing body will be considered, but final decisions will be made by Bureau officials. Opportunities for advancement in the Bureau will continue to be based on established promotion plan procedures.

E. All rights, benefits, and privileges of Bureau employees will be preserved and protected.

Subchapter 5. Contracts for functions normally performed by a Bureau employee.

5.1 Contractible Services. Tribal contracts may include personal services which would normally be performed by Bureau employees, provided the service is divisible from the remainder of the program.

A. Work of a single position may be contracted when the function is one which provides direct services to Indians and does not reduce benefits to Indians served by the non-contracted functions of the program.

5.2 Protection of Bureau Responsibility. No contract may be entered into which would impair the Secretary's ability to discharge his trust responsibility to any Indian tribe or individual, or impair his responsibility and accountability for certain Federal property, records, funds or for administering a Federal personnel program.

5.3 Effects on Employees. Employees occupying positions for which the tribe requests a personal services contract will be reassigned or faced with reduction-in-force unless they are employed by the tribe or tribal organization.

Subchapter 6. Staffing in the event of retrocession, reassumption, assumption or cancellation for cause of tribal program

6.1 Introduction. P.L. 93-638 provides for retrocession by tribes [Sec. 106(d)] and reassumption or assumption by the Bureau [Sec. 109]of programs for which the tribes have assumed direct operational responsibility.

A. Retrocession. A tribe may request retrocession of any contract entered into in accordance with P.L. 93-638, [Sec (106(d)]. The retrocession will become effective upon the date designated by the Bureau but not more than 120 days from the date of the reqest by the tribe. This date may be extended upon mutual agreement between the tribe and the Bureau.

B. Reassumption or Assumption. Under certain conditions, the Bureau may rescind a contract or suspend a grant and reassume operation of a contracted program [25 CFR 271.74] or assume operation of a grant program [25 CFR 272.42].

6.2 Policy. The appropriate Bureau appointing officer shall prepare immediately to employ staff to continue providing specific services to a tribe in the event of retrocession, reassumption, assumption or cancellation for cause of a program administered by a tribe or tribal organization. To restaff programs for contracts entered into on or after December 4, 1975, the Bureau will use any authorized positions and end-of-year employment ceiling placed in reserve at the time of contract execution. For contracts having no reserve, or for operating grant programs, the Bureau will use other means to employ staff, including temporary employment.

6.3 Recruitment. Former Bureau employees who have been granted reemployment rights will be considered along with available Indian candidates when filling positions established as a result of retrocession or reassumption of a contracted program. Expanded recruitment effort will not be necessary unless it is known that local recruitment or the applicant supply file will not provide an adequate supply of qualified candidates.

6.4 Cancellation of Contract for Cause. The Bureau may cancel for cause any contract with a tribal organization when the tribal organization fails to perform within the terms and conditions of the

contract. When the Bureau does not have sufficient staff on hand to immediately perform the work, it may, for temporary periods of the shortest duration possible, contract with a contractor that is not a tribal organization. However, in such cases the advice of the tribe(s) will be obtained to determine how they desire the services to be rendered [25 CFR 271.75]. Whenever possible, the provisions of 6.3 above will be followed.

6.5 Temporary Appointment. A former Federal employee who has retained coverage for Federal benefits as provided by P.L. 93-638, [Sec. 105(e)] shall continue coverage for these benefits even though the employee may be given a temporary appointment, provided there is no break in service between the employment with a tribal organization and a temporary appointment in the Bureau.

6.6 Promotion. An appointment of a former Federal employee to a position at a higher grade than previously held in the Federal service must be in accordance with Bureau's Promotion Program.

Subchapter 7. Intergovernmental Personnel Act - Civil Service Commission Personnel and Training Assistance for Indian Tribal Governments

7.1 Introduction. As a result of the Indian Self-Determination and Education Assistance Act, Indian governing bodies performing substantial governmental functions may participate, along with State and local governments, in programs under the Intergovernmental Personnel Act of 1970. The IPA provides for grant assistance, talent sharing, training, technical assistance, and cooperative recruiting and examining.

Illustration 1 lists the Indian governing bodies which the Civil Service Commission has determined eligible for IPA assistance. Additions are made to the list as organizations are approved by the Commission. Any question regarding eligibility of a tribal governing body to participate in the program should be directed to the U.S. Civil Service Commission, Bureau of Intergovernmental Personnel Programs, Office of Faculty Fellows and Personnel Mobility, Washington, D.C. 20418.

7.2 Grants. Indian tribal governments can apply for grant assistance from the U.S. Civil Service Commission in undertaking projects to:

A. Improve their personnel management program.

B. Train their professional, administrative, and technical employees.

Certain nonprofit organizations are also eligible to receive grants to train Indian tribal government employees.

7.3 Talent Sharing - Mobility Assignments. Under the IPA, tribal employees can be temporarily assigned to a Federal agency to perform work of mutual interest. Similarly, a Federal employee can move temporarily to an Indian tribal government where his or her talents can be used. Original assignments cannnot exceed two years. For additional information see FPM 334, 370 DM 334, and 44 BIAM 334, or contact the local Bureau Personnel Office.

7.4 Training. Training for tribal government employees is available through:

A. Training programs developed and administered with IPA grant assistance.

B. Fellowships for graduate level study.

C. Admission to Federal training programs.

Training can involve a wide variety of managerial, supervisory, administrative and technical areas.

7.5 Technical Assistance. The U.S. Civil Service Commission may furnish technical advice on request to tribal governments seeking to improve their systems of personnel administration. Examples of the kinds of assistance available include:

A. Establishment or improvement of tribal government personnel systems, including merit personnel systems.

B. Evaluations of personnel operations.

C. Design of training courses for tribal government employees.

Generally, technical assistance provided by the Commission is reimbursable. However, short term advisory assistance and assistance which consists of the furnishing of available written material may be provided without charge.

7.6 Cooperative Recruiting and Examining. Indian tribal governments may work with the U.S. Civil Service Commission in cooperative efforts to recruit and examine tribal employees on a shared cost basis. Procedures for this kind of cooperative activity must be jointly agreed upon by the tribal government and the Commission Regional Office.

7.7 Additional Information. For additional information regarding the use of the programs listed in paragraphs 7.2, 7.4, 7.5, and 7.6, contacts should be made with the appropriate Regional Civil Service Commission office listed in Illustration 2. The Commission has retained authority to operate these programs.

INDIAN GOVERNING BODIES

Alaska

Kasaan I.R.A. Village

Chilkat Indian Village Klukwan

Metlakitla Indian Community

Atka Village Council

Nikolski Village Council

Perryville Village Council

Tatitlek Village Council

Native Village of Tyonek

Akutan Village Council

Allknagik Village Council

Belkofsky Village Council

Chignik Lagoon Village Council

Chignik Lake Village Council

Chistochine Village Council

Copper Center Village Council

Egegik Village Council

Eklutna Incorporated

Ekuk Village Council

Ekwok Village Council

English Hay Village Council

False Pass Village Council

Gulkana Village Council

Iliamna Village Council

Ivanof Bay Village Council

Koliganek Village Council

Kokhanok Bay Village Council

Larsen Bay Village Council

Levelock Village Council

Mentasta Lake Village Council

Nelson Lagoon Village Council

Ninilchik Native Association

Pedro Bay Village Council

Pilot Point Village Council

Portage Creek Village Council

Port Graham Village Council

St. George Island Village

Twin Hills Village Council

Ugashik Village Council

Akiachak Village Council

Kwethluk Village Council

Kwigillingok Village Council

Quinhagak Village Council

Tununak Village Council

Atmautluak Village Council

Crooked Creek Village Council

Alaska (cont'd)

Georgetown Village Council

Kalskag Village Council

Kipnuk Village Council

Village of Kongiganak

Lime Village Council

McGrath Village Council

Newtok Village Council

Nightmute Village Council

Oscarville Village Council

Pitkas Point Village Council

Platinum Village Council

Red Devil Village Council

Chuathbaluk Village Council

Sheldons Point Village Council

Sleetmute Village Council

Stony River Village Council

Tuntutulak Village Council

Minto Village Council

Stevens Village Council

Tanacross Village Council

Tetlin Village Council

Venetie Village Council

Allakaket Village Council

Arctic Village Council

Beaver Native Council

Birch Creek Village Council

Cantwell Village Council

Chalkyitsik Village Council

Circle Village Council

Dot Lake Village Council

Hughes Village Council

Koyukuk Village Council

Manley Hot Springs Village Council

Northway Village Council

Rampart Village Council

Ruby Village Council

Village Council of Chefornak

Village Council of Karluk

Village Council of Hobuk

Village Council of Naknek

Village Council of Noatak

Village Council of South Nakne

Village Council of Unalakleet

Chignik Village Council

Arizona

Navajo Tribal Council

Colorado River Tribal Council

Cocopah Tribal Council

White Mountain Apache Tribal Council

Hopi Tribal Council

Kiabab Tribal Council

The Papago Tribe of Arizona

Ak Chin Indian Community Council

Gila River Indian Community Council

Mohave Apache Community Council

Salt River Indian Community

San Carlos Tribal Council

Havasupai Tribal Council

Hualapai Tribal Council

Yavapai Apache Community Council

Yavapai-Tonto Apache Indian

Yavapai Board of Directors

California

Colusa Indian Community Council

Covelo Indian Community Council

Fort Bidwell General Community Council

Grindstone Indian Rancheria

Stewarts Point Rancheria Community Council

Manchester Community Council

Santa Rose General Council

Susanville Indian Rancheria

Tule River Tribal Council

Tuolumne Indian Rancheria

Alturas Rancheria General Council

Laytonville Executive Committee

Fort Independence General Council

X-L Ranch Board of Directors

Big Pine Tribal Council

Dry Creek Rancheria

El-Em Indian Colony

Bishop Tribal Council

Lone Pine Reservation

Middletown General Council

Sycamore Valley Association

Cortina Rancheria

Hoopa Valley Business Council

Ft. Mohave Tribal Council

Quechan Tribal Council

California

Big Bend General Council

Montgomery Creek Rancheria

Roaring Creek Rancheria

Cher-Ae Heights Community

Agua Caliente Tribal Council

Santa Ynez Business Council

San Pasqual General Council

LaJolla Tribal Council

Mesa Grande Band of Mission Indians

Pala Band Mission Indians

Pauma General Council

Rincon Indian Res. San Diego Co.

San Manuel General Council

Barona General Council

Inaja-Cosmit General Council

Los Coyotes Band of Mission Indians

Manzanita Indian Reservation

Campo Tribal Council

Morongo General Council

Pechanga General Council

Santa Rosa Business Committee

Santa Ysabel General Council

Soboba General Council

Sycuan Band of Mission Indians

Viejas Tribal Council

Chemehuevi Indian Tribe

Rumsey Rancheria

Cahuilla General Council

Torres-Martinez Business Committee

Resighini Rancheria

Colorado

Southern Ute Tribal Council

Ute Mountain Tribal Council

Florida

Miccosukee Business Council

Seminole Tribal Council

Idaho

Shoshone-Bannock Tribes

Coeuer d'Alene Tribal Council

Kootenai Tribe of Idaho

Nez Perce Tribal Executive Committee

Shoshone Paiute Business Council

Iowa

Sac and Fox Tribal Council

Kansas

Iowa Executive Committee

Kickapoo Tribe of Kansas

Sac and Fox Tribal Council

Prairie Band of Potawatomi

Louisiana

Chitimacha Tribal Council

Michigan

Bay Mills Executive Council

Hannahville Indian Community

Keweenaw Bay Tribal Council

Saginaw-Chippewa Tribal Council

Potowatomi on the Huron

Minnesota

Lower Sioux Community Council

Prairie Island Community Council

Shakopee Business Council

Upper Sioux Board of Trustees

Red Lake Band of Chippewa Indians

Fond Du Lac Reservation Business

Grand Portage Reservation Business

Leech Lake Reservation Business

Mille Lacs Reservation Business

Nett Lake Reservation Business

White Earth Reservation Business

Mississippi

Choctaw Tribal Council

Maine

Penobscot Tribal Council

Passamaquoddy Tribal Council
(Indian Township)

Passamaquoddy Tribal Council
(Pleasant Point)

Montana

Blackfeet Tribal Business Council

Crow Tribal Council

Flathead Tribal Council

Fort Belknap Community Council

Fort Peck Tribal Executive Board

Northern Cheyenne Tribal Council

Chippewa Cree Business Committee

Nebraska

Omaha Tribal Council

Santee-Sioux Tribal Council

Winnebago Tribal Council

Nevada

Duckwater Tribal Council

Ely Colony Council

Fort McDermitt Tribal Council

Las Vegas Colony Council

Lovelock Tribal Council

Moapa Business Council

Pyramid Lake Paiute Tribal Council

Washoe Tribal Council

Shoshone Paiute Business Council

Goshute Business Council

Reno Sparks Tribal Council

Te-Moak Western Shoshone Council

Walker River Paiute Tribal Council

Yerington Paiute Tribal Council

Yomba Tribal Council

Fallon Paiute Shoshone Tribes

Winnemucca Colony Council

New Mexico

Jicarilla Apache Representative

Mescalero Apache Tribal Council

Santa Calara Pueblo Council

Nambe Pueblo

Picuris Pueblo Council

Pojoaque Pueblo Council

San Ildefonso Pueblo Council

San Juan Pueblo Council

Taos Pueblo Council

Pueblo Tesoque Tribal Council

Isleta Pueblo Council

Laguna Pueblo Council

Acoma Pueblo Council

Cochiti Pueblo Council

Jemez Pueblo

San Felipe Pueblo Council

Sandia Pueblo Council

Santa Ana Pueblo Council

Santo Domingo Pueblo Council

Zia Pueblo Council.

Zuni Tribal Council

New York

Oneida Nation

Onondaga Nation

Tonawanda Seneca Indians

St. Regis Band of Mohawks

Tuscarora Nation

Seneca Nation of Indians

Poospatuck Indian Reservation

Shinnecock Indian Reservation

North Carolina

Cherokee Tribal Council

North Dakota

Three Affiliated Tribes

Devils Lake Sioux Tribal Council

Standing Rock Sioux Tribal Council

Turtle Mountain Tribal Council

Oklahoma

Osage Tribal Council

Apache Tribal Council

Kiowa Business Committee

Comanche Business Committee

Caddo Executive Committee

Wichita Council

Delaware Tribal Council

Chickasaw Nation

Cheyenne-Arapaho Business Committee

Creek Nation

Pawnee Business Council

Ponca Business Committee

Tonkawa Tribal Council

Otoe-Missouria Tribal Council

Eastern Shawnee Council

Seneca-Cayuga Tribal Business Council

Quapaw Tribal Business Committee

Absentee-Shawnee Business

Citizen Band of Potawatomi

Iowa Business Committee

Kickapoo Tribe of Oklahoma

Sac and Fox Business Committee

Cherokee Nation -Oklahoma-

Choctaw Nation -Oklahoma-

Seminole Nation of Oklahoma

Oregon

Confederated Tribes of Umatilla

Warm Springs Tribal Council

Burns-Paiute Business Commission

Pennsylvania

Seneca Nation of Indians

South Dakota

Oglala Sioux Tribal Council

Sisseton-Wahpeton Sioux

Cheyenne River Sioux Tribal Council

Crow Creek Tribal Council

Lower Brule Sioux Tribal Council

Rosebud Sioux Tribal Council

Yankton Sioux Tribal Business

Flandreau Santee-Sioux

Utah

Goshute Business Council

Unitah and Ouray Tribal Business

Skull Valley

Texas

Alabama-Coushatta Council

Tegua Indian Community

Virginia

Mattaponi Indian Tribe

Pomunkey Indian Tribe

Washington

Colville Confederated Tribes

Kalispel Community Council

Spokane Business Council

Hoh Business Committee

Lower Elwha Tribal Community

Makah Indian Tribal Council

Muckleshoot Indian Tribal Council

Nisqually Indian Tribe

Port Gamble Community Council

Puyallup Tribal Council

Quileute Tribal Council

Skokomish Tribal Council

Squaxin Island Tribal Council

Suquamish Tribal Council

Washington

Swinomish Indian Senate

Tulalip Board of Directors

Chehalis Community Council

Lummi Community Council

Quinault Tribal Council

Shoalwater Tribal Council

Nooksack Tribal Council

Yakima Indian Nation

Wisconsin

Winnebago Business Committee

Bad River Tribal Council

Forest County Potawatomi

Lac Courte Oreilles Governing Board

Lac Du Flambeau Tribal Council

Oneida Tribe of Indians of Wisconsin

Red Cliff Tribal Council

Sokaogon Chippewa Tribal Council

St. Croix Tribal Council

Stockbridge Munsee Tribal Council

Wyoming

Arapahoe Business Council

Shoshone Business Council

Additions approved by the Civil Service Commission as of July 13, 1976

All Indian Pueblo Council in New Mexico
Crow Tribal Council
Mescalero Apache Tribe
Navajo Nation
Oglala Sioux Tribal Council
Pueblo of Laguna
Sioux Tribes of the Fort Peck Reservations
Tanana Chiefs Conference
United Tribes ofWestern Oklahoma and Kansas
National Tribal Chairmen's Association

U. S. GOVERNMENT PRINTING OFFICE : 1975 O - 210-537 (26)

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Bureau of Intergovernmental Personnel Programs
U.S. Civil Service Commission
1900 E Street, N.W.
Washington, D.C. 20415
(202) 632-6274

PART 310 Employment of Relatives

.1 Policy. The Appointing Officers are responsible for administering the restrictions on employment of relatives by agency officials. The question and answers published by the Civil Service Commission will be used as guidelines for interpreting the restrictions. See Illustration 1.

In implementing the restrictions as set forth by this regulation, the members-of-family requirements, 44 BIAM 338,2 should also be kept in mind.

QUESTIONS AND ANSWERS ON RESTRICTIONS ON EMPLOYMENT OF RELATIVES

Coverage (Sec. 310.101)

Q. What is meant by appointment and employment?

A. The terms "appointment" and "employment" are essentially synonymous and include personnel actions other than promotions which are discretionary with an appointing official and are not based on a statutory requirement. Examples of appointment and employment subject to the restrictions are initial hires from a register or other source, reinstatements, reassignments, and transfers. However, a nondiscretionary action such as restoration after military service is not appointment or employment for this purpose. Likewise, the conversion of a TAPER or indefinite employee under P.L. 90-105 is not appointment or employment for this purpose.

Q. What is meant by promotion and advancement?

A. The terms "promotion" and "advancement" are also essentially synonymous. In general, they include personnel actions which increase an employee's grade, pay, or rank, provided the action is discretionary with the appointing official and is not based on a statutory requirement. A within-grade increase is not a promotion or advancement for this purpose. An action which increases an employee's relative standing in the agency's organizational structure is subject to the restriction, even though no increase in grade or pay is involved.

Q. Are positions whose pay is derived from nonappropriated funds/including those under the Department of Defense covered by 5 U.S.C. 2105(c)/ subject to the employment restrictions?

A. Yes.

Definitions (Sec. 310.102)

Q. Are the words uncle, aunt, nephew, niece, brother-in-law, and sister-in-law used in a strict legal sense, or in the broad dictionary sense? For example, does the word nephew include only the public official's nephew, or does it also include his wife's nephew?

A. The strict or legal definition is applied to all these terms; i.e., it is the public official's own uncle, aunt, nephew, niece, brother-in-law and sister-in-law whom he may not appoint and whose appointment he may not advocate. Specifically:

Nephew means the son of a public official's brother or sister.
Niece means the daughter of a public official's brother or sister.
Uncle means the brother of a public official's father or mother.
Aunt means the sister of a public official's father or mother.
Brother-in-law means the brother of a public official's spouse or the spouse of his sister.
Sister-in-law means the sister of the public official's spouse, or the spouse of his brother.

Q. Who is a public official?

A. A public official for the purpose of these restrictions is anyone who by law, rule, regulation, or delegation has appointment or promotion authority within his organization, or authority to recommend individuals for appointment or promotion.

Q. Are all supervisors public officials?

A. Practically all. Any supervisor, regardless of his grade level, who has authority to appoint or promote, or to recommend the appointment or promotion of employees supervised by him is a public official.

Q. Is a personnel or placement officer a public official?

A. He is if he has authority to appoint or promote or to recommend the appointment or promotion of employees. In this connection, making a determination that an individual is eligible for appointment under applicable laws, regulations, or standards does not by itself constitute a recommendation.

Restrictions (Sec. 310.103)

Q. Exactly what are the restrictions referred to in this section?

A. Basically there are two. First, a public official may not advocate a relative's appointment, employment, promotion, or advancement anywhere in his agency or in an agency over which he exercises jurisdiction or control. Second, he may not appoint, employ, promote, or advance in such agency (a) one of his own relatives or (b) the relative of any other public official in the agency if that official has advocated the action.

Q. What is meant by "agency" in this context?

A. Insofar as this section of the regulations is concerned, "agency" means (a) a department, an independent establishment, or a Government corporation in the Executive branch, (b) an office, agency, or other establishment in the legislative branch or in the judicial branch that is in the competitive service, or (c) that portion of the government of the District of Columbia which is in the competitive service.

Q. Does this mean that a public official serving in a department may not advocate the appointment of a relative anywhere in the entire department?

A. Yes. For example, a public official in the Department of the Army may not advocate employment of a relative in the Department of the Navy or elsewhere in the Department of Defense; and a public official in the Agency for International Development may not advocate employment of a relative in the Peace Corps or elsewhere in the Department of State.

Q. What is meant by "advocate"?

A. A public official advocates a relative's appointment or promotion if he recommends the action, either orally or in writing. Because of the special relationships between a supervisor and his subordinates, an official is considered to advocate a relative's appointment if he simply refers the relative for consideration to one of his subordinates (that is, someone standing lower in the chain of command).

Q. What constitutes "referral for consideration"?

A. Any action, even though short of an actual recommendation, that reveals an interest in securing or facilitating an individual's consideration for appointment, employment, promotion, or advancement. Examples of referrals for consideration are the transmittal of an application to a personnel or line official, providing a letter of introduction to an appointing official, and the like.

Q. May the relative of a public official be employed by a subordinate of the official if the official himself is in no way involved in the action?

A. Yes, provided the agency concerned has no regulations prohibiting such employment.

Q. If the person officially charged with approving personnel actions delegates this responsibility to subordinate officials, can one of his relatives be appointed by a subordinate official?

A. Only if there is full and continuing delegation of authority. If the action is taken in the name of the public official, or the public official is required to review or approve the action, it is still officially the public official's action and the employment restrictions apply.

Q. What is meant in this section of the regulations by "an agency over which he /i.e., a public official/ exercises jurisdiction or control"?

A. An official exercises jurisdiction or control over an agency only if he exercises direct control over some or all of the agency's operations.

Q. Are Members of Congress serving on an agency's appropriations committee or officials of such central agencies as the Bureau of the Budget and the Civil Service Commission considered to exercise jurisdiction or control over an agency?

A. No. They do not have direct control over the operations of other agencies in the sense contemplated here.

Q. May a supervisory position classification specialist determine that the position of one of his own relatives is classifiable at a higher level?

A. Yes, as far as 5 U.S.C. 3110 is concerned; although he is a public official, his action involves the position rather than the incumbent. However, as agency conduct regulations require employees to avoid any action which might result in or create the appearance of preferential treatment to any person, a classification specialist in this situation should disqualify himself.

Q. May a public official promote a relative whose position is reclassified at a higher grade?

A. Not if the action is discretionary with the public official. However, he may promote the relative when failure to do so is an adverse action under Commission regulations and instructions, that is, when the position is upgraded without significant change in duties either on the basis of a new classification standard or as the result of correction of an original classification error.

Q. May a relative of a public official be promoted if the public official was a member of the promotion panel that selected the relative for promotion?

A. No, unless the public official disqualified himself and did not participate in the decision affecting the relative.

Q. Would it be proper for a public official to reply to a written or oral employment inquiry (voucher) as to the qualifications and suitability of a relative who has applied for employment in the public official's agency?

A. The official may properly reply to such an inquiry provided he refrains from advocating employment of the relative. Completion of a voucher used to verify past experience and determine suitability is not in itself an advocacy or a recommendation within the prohibitions of the statute and the regulations. On the other hand, an affirmative answer to the question, "Would you recommend this individual for appointment in _____ agency?" constitutes advocacy. The official should state in reply to such a question that in view of the restrictions on employment of relatives he must refrain from answering any questions or making any statements that could be construed as advocacy on his part of his relative's employment.

Q. Under what circumstances may a relative who is a preference eligible be appointed without regard to these restrictions?

A. Only when the eligible's name is within reach for appointment to a position in the competitive service and an alternative selection cannot be made from the certificate without passing over the preference eligible and selecting a nonpreference eligible (section 310.103(d) of the regulations). This will occur only when the preference eligible is first on a certificate of three and both lower ranking eligibles are nonpreference eligibles.

Q. Will the Commission sustain agency objections to an eligible on a certificate whose appointment is prohibited by 5. U.S.C. 3110?

A. Yes. If appointment of an eligible would violate 5. U.S.C. 3110, an agency need not consider him; it may consider the next available eligible instead. The Commission need not approve cases in advance (that is, S.F. 62 need not be submitted for prior approval) but an explanatory statement must be furnished on or with the certificate report.

Q. Does section 310.103(d) apply to promotions too?

A. No. Although a public official may appoint a relative who qualifies under section 310.103(d) he cannot later promote the relative or advocate his promotion. The provision of law on which this regulation is based applies only to appointments.

Emergency Exceptions (Sec. 310.202)

Q. May the employment restrictions be waived when there is a shortage of qualified applicants?

A. No. There is no provision for waivers except to meet urgent needs resulting from an emergency posing an immediate threat to life or property, and then only for brief periods. In the competitive service, agencies may make temporary special needs appointments when these emergency conditions exist.

General

Q. Under what conditions is the savings provision in section 221(c) of P.L. 90-206 applicable?

A. Section 221(c) waives the requirements of 5 U.S.C. 3110 only for the relative of a public official who was appointed by the public official before December 16, 1967, and was serving on that date.

Q. Is a Member of Congress prohibited by 5 U.S.C. 3110 from recommending a relative for employment in the Executive branch?

A. 5 U.S.C. 3110 contains no such restriction. However, under 5 U.S.C. 3303 an appointing official in the competitive service may not receive or consider a recommendation of an applicant by a Senator or Representative, except as to character or residence.

Q. What penalties are attached to violations of the restrictions on employment of relatives?

A. Persons employed in violation of the restrictions may not be paid; payments made erroneously are subject to recovery. Public officials who violate the civil service regulations governing employment of relatives are subject to applicable penalties on this account.

Q. Will the Commission provide operational procedures to implement 5 U.S.C. 3110?

A. No. Application forms and the declaration of appointee are being revised to provide more complete information about an appointee's relatives. However, procedures to guard against violations are the responsibility of the agency.