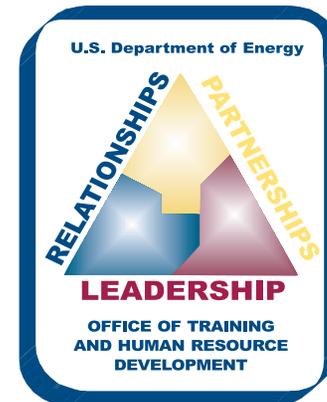


U . S . D E P A R T M E N T O F E N E R G Y

# Supervisor's Desk Reference



Adapted for the U.S. Department of Energy  
by the Office of Training and  
Human Resource Development



# OVERVIEW

As an Department of Energy team leader, supervisor or manager (*throughout the rest of this document, the term “Supervisor” refers to Team Leaders, Supervisors and Managers*) you have many different responsibilities. In addition to being a supervisor, you carry out the mission of your organization as one of its leaders. One of the key tasks of your job is administering personnel and other administrative practices and actions.

This desk reference guide provides you with an overview of personnel and administrative practices and procedures that you must know in order to effectively do your job.

The guide is not meant to make you a personnel expert or provide the answers to all of your personnel-related or administrative questions. It is meant to give you basic information on topics that you will commonly encounter in your supervisory role and provide you with references and contacts for more information.

If you are unsure of a practice or procedure, this guide can serve as your first source of information. If you need more help, try the references associated with the topic. If you are still in need of help, use the personnel contacts provided. Since policies and procedures change, you may wish to check with your Administrative Officer/Service Personnel Office or your own supervisor if you are unsure of the latest version of information.

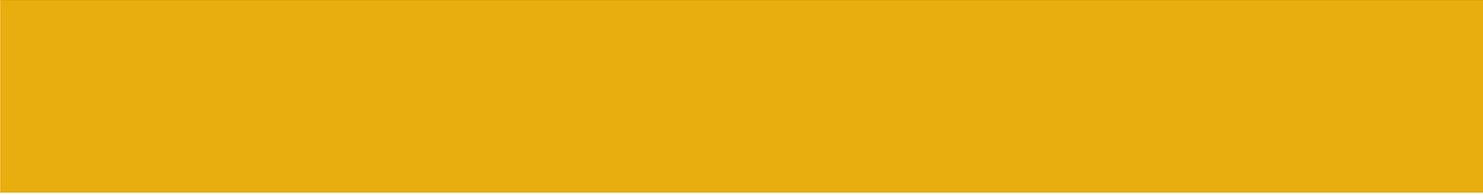
---

## Overview

## **Credits**

*Office of Security Affairs  
Office of Hearings and Appeals  
Office of Headquarters Procurement Services  
Office of Administration  
Office of Chief Information Officer  
Assistant General Counsel for General Law  
Office of Civil Rights  
Office of Chief Financial Officer  
HQ Classification and Employment Services Division  
Employee and Labor Relations Division  
HQ Benefits Team  
Office of Training and Human Resource Development  
Office of Performance Excellence  
Office of the Assistant Secretary for Environment, Safety and Health*

*Special Thanks to the Visual Media and Library Services Group and Printing Operations  
for the design and printing of this document.*



# **I. Classification, Recruitment, and Staffing**

---

# DEVELOPING POSITION DESCRIPTIONS

---

**Purpose**

In order to fulfill your organization's mission, you may find the need to create a new position or restructure current positions. The first step in accomplishing this is writing a position description. A position description states the major duties and responsibilities of a position. The grade, series, and title are determined by comparing the duties to OPM classification standards.

---

**Supervisor's Role**

It is your responsibility to develop a proposed or draft position description (PD) if one does not exist. You must forward the proposed PD to the personnel team to classify the position. You may need to assist the personnel team by providing additional information about the duties so they can accurately classify the PD.

---

**CONTACT**

For more information on developing position descriptions or classification, contact your Servicing Personnel Office.

## DEVELOPING POSITION DESCRIPTIONS

### **You must write a new PD when . . .**

- You are creating a new position; or
- The duties, tasks, and responsibilities of a current position have changed to such an extent that the way the job is performed is significantly different from the existing PD.

## DEVELOPING POSITION DESCRIPTIONS

A PD may take many forms, depending on the nature of the position and the types of duties. There are several different formats:

- Supervisory or Managerial
- Factor Evaluation System
- Narrative
- Federal Wage System

If you are not sure which type of PD must be written for the position you are creating, contact your Servicing Personnel Office. The most important thing is to write a description of the duties as they are expected to be performed, that is, as they are needed to be accomplished in order to carry out and achieve the objectives, missions, and functions of the organization.



# INTERNAL RECRUITMENT

---

<b>Purpose</b>	All Federal employees may move competitively or non-competitively from one position to another through merit promotion procedures. This process provides a fair and systematic means of identifying, considering, and selecting candidates for promotions and career opportunities based on merit principles.
<b>Supervisor's Role</b>	In conjunction with your Servicing Personnel Office, you must determine the most appropriate method for filling vacancies. In doing so, you must apply merit principles including the principles of equal employment opportunity.
<b>References</b>	5 USC; 5 CFR; Article 19 of the Collective Bargaining Agreement between the Department of Energy Headquarters and the National Treasury Employees Union; DOE Headquarters Merit Promotion Plan.
<b>CONTACT</b>	For more information on internal recruitment, contact your Servicing Personnel Office.

---

## INTERNAL RECRUITMENT

**One of the merit system principles . . .** at 5 USC 2301 states that recruitment should be from qualified individuals from appropriate sources to achieve a workforce from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity.

### **Career Transition Assistance Plan**

---

**On September 12, 1995, the President of the United States issued a memorandum directing the Heads of Executive Departments and Agencies to establish a program to provide career transition assistance to displaced Federal employees.**

The DOE Career Transition Assistance Plan (CTAP) and the Governmentwide Interagency Career Transition Assistance Plan (ICTAP) provide special selection priority to career and career-conditional employees who will be or were displaced from a position in the same local commuting area of a vacancy, and who apply for a vacancy at or below the grade level from which they have been or are being separated—provided that the position does not have greater promotion potential than the position from which they have been or are being separated. To receive special selection priority, an eligible employee must apply for a specific

continued...

# INTERNAL RECRUITMENT

---

**Career Transition Assistance Plan (continued)**

vacancy announcement in the same local commuting area as the position the employee occupies or the position from which displaced, within the prescribed time frames; attach proof of eligibility; and be determined well qualified for the specific vacancy.

Contact your Servicing Personnel Office for information.

---

**Types of Internal Recruiting**

---

**Merit Promotion**

Merit promotion is the mechanism whereby current or former Federal employees compete with other current or former Federal employees for promotions, reassignments, details, and other career opportunities.

**Details**

A detail is the temporary assignment (salary continues to be the same) of an employee to a different position or set of unclassified duties for a specified period of time. Details can be made non-competitively for up to 120 calendar days, and extended in increments of 120 days, for any legitimate purpose (e.g., to handle

continued...

# INTERNAL RECRUITMENT

---

**Details  
(continued)**

unexpected workloads or specific projects, to fill in during another employee's absence, etc.) for up to 1 year. For details of more than 120 calendar days to a higher graded position or to a position with greater promotion potential than the employee's permanent position, the position must be announced through merit promotion procedures (see Temporary Promotions below).

---

**Temporary Promotions**

Temporary promotions are used to non-permanently fill vacant positions, accomplish project work, fill positions temporarily pending reorganization or downsizing, or meet other temporary needs. Promotions involving bargaining unit positions for longer than 30 days must be made under merit promotion procedures in accordance with article 19 of the collective bargaining agreement between the Department of Energy Headquarters and the National Treasury Employees Union; over 120 days must be made under merit promotion procedures. Temporary promotions can be made in any increment up to a maximum period of 5 years. Advance written notice of the conditions of the time-limited promotion must be provided to the employee.

---

**Reassignment**

A reassignment is the permanent change of an employee from one position to another without promotion or demotion.

# INTERNAL RECRUITMENT

---

## **Reinstatement**

Reinstatement is the employment of a person formerly employed in the competitive civil service who had competitive status or was serving probation when he/she resigned, retired, or was otherwise separated from that service.

# EXTERNAL RECRUITMENT

---

<b>Purpose</b>	Candidates from outside the Federal Government may be appointed through external recruitment and hiring procedures. There are many external hiring authorities. Generally speaking, applicants must compete for career/career-conditional, term, and temporary positions based on an evaluation of their education and work experience. Written examinations are required for certain occupations. Veterans must be given preference over non-veterans.
<b>Supervisor's Role</b>	In conjunction with your Servicing Personnel Office, you must determine the most appropriate method for filling vacancies. In doing so, you must apply merit principles, including the principles of equal employment opportunity.
<b>References</b>	5 USC; 5 CFR
<b>CONTACT</b>	For more information on external recruiting, contact your Servicing Personnel Office.

---

# EXTERNAL RECRUITMENT

**One of the merit system principles . . .** at 5 USC 2301 states that recruitment should be from qualified individuals from appropriate sources to achieve a workforce from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity.

## Types of Federal Employment

---

### **Competitive Service**

Under the competitive service employment system, individuals must compete for their first permanent Federal position. They are initially given career-conditional appointments and serve a 1-year probationary period. They become career employees after completing 3 years of substantially continuous service. Career and career-conditional appointments confer competitive status. Temporary and term positions are also found within the competitive service.

Under a career or career-conditional appointment, employment can be full-time, part-time, intermittent, or seasonal. Full-time employment is regularly scheduled work of 40 hours per week. Part-time employment is regularly scheduled work that is less than 40 hours, usually from 16 to 32 hours, per week. Intermittent employment is employment continued...

# EXTERNAL RECRUITMENT

---

**Competitive Service (continued)**

without a regularly scheduled tour of duty. Career (permanent) seasonal employment means annually-recurring periods of work of more than 6 months and less than 12 months each calendar year.

---

**Excepted Service**

There are a variety of hiring authorities which are “excepted” from the rules and regulations of the competitive service employment system. Excepted service authorities can be used, among other things, to hire students, individuals with disabilities, veterans, and experts or consultants, and to satisfy critical hiring needs of 30 days or less.

---

## Types of External Recruiting

---

**Delegated Examining**

HQ DOE has authority to advertise, evaluate, and hire applicants independently from the U.S. Office of Personnel Management (OPM). This is the mechanism used to hire non-status applicants to the competitive service. Some Regions use this authority; others do not.

## EXTERNAL RECRUITMENT

---

<b>Temporary-Limited Appointments</b>	A temporary-limited appointment is a non-status appointment to a competitive service position for a specified period not to exceed 1 calendar year. The appointment may be extended up to a maximum of 1 additional calendar year (24 months of total service).
<b>Term Employment</b>	A term appointment is a non-status appointment to a competitive service position for a specified period exceeding 1 year and lasting not more than 4 years when the need for an employee's services is not permanent.
<b>Private Sector Temporaries</b>	Employees of temporary help service firms are available in many fields, such as accounting, technology, secretarial, typing, and office support. One of the following short-term situations must exist: (1) an employee is absent for a temporary period due to personal need (excluding vacations), or (2) someone is needed to perform work of a temporary nature that cannot be delayed in the judgment of the agency because of a critical need.

---

continued...

## EXTERNAL RECRUITMENT

---

### **Private Sector Temporaries (continued)**

Agencies may hire a private sector temporary when there are no current agency employees who could be spared to do the work, when the need cannot be met through temporary recruitment, or when there are no former employees available on the Reemployment Priority List (RPL). Additionally, agencies are not permitted to use temporary help services to circumvent controls on employment levels. Private sector temporaries may be hired up to a maximum of 120 workdays with an extension of a second period up to 120 workdays, up to a maximum of 240 workdays in a 24-month period.

---

### **Student Employment**

Students may be hired under the Student Educational Employment Program. This program falls in the excepted service and consists of two components: The Student Career Experience Program (SCEP) and the Student Temporary Employment Program (STEP). Certain requirements must be met for participation in either of these two programs.

continued...

## EXTERNAL RECRUITMENT

---

### **Student Employment (continued)**

The SCEP provides experience that is directly related to the student's educational program and career goals. Periods of attendance at an accredited school are combined with periods of career-related work experience in a Federal agency. Once specific requirements have been met, students may not be non-competitively converted to a career or career-conditional appointment.

Under the STEP, students are appointed to positions not-to-exceed 1 year; appointments may be extended in 1-year increments. The nature of the duties does not have to be related to the student's academic and career goals, and students are not eligible for non-competitive conversion to the competitive service.

---

### **Career Transition Assistance Plan**

---

**On September 12, 1995, the President of the United States issued a memorandum directing the Heads of Executive Departments and Agencies to establish a program to provide career transition assistance to displaced Federal employees.**

continued...

## EXTERNAL RECRUITMENT

**Career Transition  
Assistance Plan  
(continued)**

The DOE Career Transition Assistance Plan (CTAP) and the Governmentwide Interagency Career Transition Assistance Plan (ICTAP) provide special selection priority to career and career-conditional employees who will be or were displaced from a position in the same local commuting area of a vacancy, and who apply for a vacancy at or below the grade level from which they have been or are being separated—provided that the position does not have greater promotion potential than the position from which they have been or are being separated.

To receive special selection priority, an eligible employee must apply for a specific vacancy announcement in the same local commuting area as the position the employee occupies or the position from which displaced, within the prescribed time frames; attach proof of eligibility; and be determined well qualified for the specific vacancy.

Contact your Servicing Personnel Office for information.

# JOB ANALYSIS/CREDITING PLANS

---

**Purpose**

Rating plans are written instruments that, based on a thorough job analysis, are used to rate applications and distinguish highly qualified candidates from minimally qualified candidates. Rating plans identify the knowledge, skills, and abilities (KSAs) required for successful performance in a position and indicate levels of performance for each KSA. These levels are then used as benchmarks in rating applications.

---

**Supervisor's Role**

When announcing a vacancy, and with advice from the Servicing Personnel Office, you will analyze positions and develop crediting plans for positions in your organization. Job analysis documentation and the crediting plan must be submitted with the SF-52 and the position description for recruitment actions.

---

**CONTACT**

For more information on job analysis/crediting plans, contact your Servicing Personnel Office.

## JOB ANALYSIS/CREDITING PLANS

**When conducting a job analysis . . .** and developing crediting plans, your role is to provide subject matter knowledge. The process of conducting job analyses and developing crediting plans is detailed—a general overview is provided below. Following are the three major steps in creating crediting plans and information you must provide to your Servicing Personnel Office:

1. *Identify major duties and responsibilities*

You must provide a list of all of the major duties and responsibilities to be performed by the person who will fill the vacancy. These duties and responsibilities will form the basis of the crediting plan. This list must reflect duties and responsibilities included in the position description.

2. *Identify KSAs*

KSAs must be identified for the major duties and responsibilities stated in the first step. Applicants will be rated against the KSAs that you specify.

3. *Identify benchmarks*

Benchmarks must be defined for each KSA identified in the second step. Typically, three levels are defined: Superior, Good, and Satisfactory. You must define general experience and specific tasks for each level. These benchmarks will ultimately be used to rate applications and distinguish minimally qualified applicants from highly qualified applicants.

# JOB ANALYSIS/CREDITING PLANS

## Job Analysis/Crediting Plans Definitions

---

<b>Ability</b>	Ability is the power to perform an activity at the present time. Often broader, more abstract than skills or knowledge.
<b>Benchmark</b>	A written, descriptive statement of experience, education, training, awards, appraisals, etc., which shows how an applicant could have acquired a knowledge, skill or ability (KSA) at a particular level of competency.
<b>Crediting Plan</b>	A crediting plan is a written instrument used to rate applications and distinguish highly qualified candidates from minimally qualified candidates. Based on a thorough job analysis, crediting plans identify the KSAs required for successful performance in a position, and indicate levels of performance for KSAs which are used as benchmarks in rating applications.
<b>Job Analysis</b>	Job analysis is a systematic process which analyzes a position in order to determine the knowledge, skills, and abilities (KSAs) which are necessary to successfully perform the duties of the position.

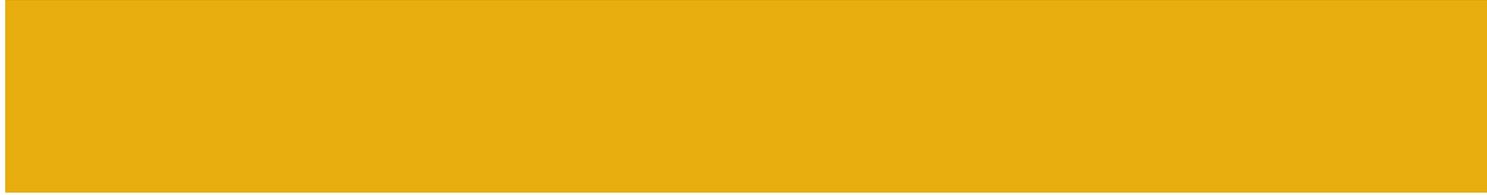
---

## JOB ANALYSIS/CREDITING PLANS

---

<b>Knowledge</b>	Knowledge is an organized body of information that a person mentally possesses as a result of formal education, training, or personal experience.
<b>KSA</b>	“KSA” is an abbreviation for knowledge, skills, and abilities.
<b>Selective Factor</b>	A selective factor is a KSA which is so essential to a position that it is made a part of the minimum qualifications for that position. Applicants not possessing this factor are ineligible for further consideration. Selective factors must be job related and their validity documented through job analysis.
<b>Skill</b>	Skill is the performance of a task with ease and proficiency. Implies measurable performance. Often requires the use of equipment, machinery, or tools.
<b>Weights</b>	Weights are numerical values (either a 1, 2, or 3) assigned to each KSA based on the KSA’s relative importance to the position (an applicant’s score on a particular KSA will be multiplied by the weight assigned).

---



## 2. Compensation



# SETTING PAY

---

<b>Purpose</b>	As a rule, pay is set in accordance with the rules applicable to the pay schedule in which the position is classified (e.g., GS, SES, WG). As a supervisor, you have a variety of pay-setting options available to use when you are recruiting, relocating, or trying to retain an employee in the General Schedule.
<b>Supervisor's Role</b>	It is your responsibility to be aware of the pay-setting options available to you. You should use them to attract and retain highly qualified employees, and you must consider how you can obtain the maximum benefit from expenditure of tax dollars.
<b>References</b>	5 CFR parts 531, 532, 536; 5 USC 53

---

 **CONTACT**

For more information on setting pay, contact your Servicing Personnel Office.

## SETTING PAY

---

### Promotion

General Schedule—Employees promoted from a lower GS grade to a higher GS grade are entitled to basic pay at a rate not less than two step increases (within grades above the employee's existing rate of pay). If the two-step increase exceeds the 10th step of the grade to which the employee is being promoted, pay will be set at the step 10.

Federal Wage System—Pay on promotion is set at a rate that exceeds the employee's existing rate of pay by at least 4% of the representative rate of the grade from which that employee is being promoted. If the increase exceeds the 5th step of the grade to which the employee is being promoted, pay will be set at the step 5.

---

### Reassignment

There is normally no change in base pay when an employee is reassigned from one position to another. However, when a reassignment involves moving to or from a position covered by a special salary rate, an increase/decrease in base pay may result. In addition, if an employee is reassigned from one locality area to another, rules covering locality pay adjustments are used which could also result in either a higher or lower rate.

## SETTING PAY

---

### **Change to Lower Grade**

A change to lower grade (CLG) is an action in which an employee moves from a GS position at one grade to a position at a lower GS grade while continuously employed. CLGs can be voluntary (requested by the employee), involuntary (initiated by the agency), or be caused by failure to complete the supervisory or managerial probationary period.

---

### **Within-Grade Increases**

Permanent employees occupying a position (not limited to 1 year or less) are eligible for step increases provided the employee's performance is at least "Meets Performance Measures," employee completes the required waiting period, and provided no equivalent increase was received during the waiting period. Waiting periods for within-grade increases for all GS grades are as follows:

- 52 calendar weeks for employees receiving basic pay less than a step 4;
- 104 calendar weeks for employees receiving basic pay equal to or greater than a step 4 and less than a step 7;
- 156 calendar weeks for employees receiving basic pay equal to or greater than a step 7 and less than a step 10.

continued . . .

## SETTING PAY

---

**Within-Grade  
Increases  
(continued)**

Employees paid under the Federal Wage System also receive within-grade increases, though the waiting periods are different from the General Schedule. Consult your Servicing Personnel Office.

## PAY OPTIONS

---

**Purpose**

As a rule, pay is set in accordance with the rules applicable to the pay schedule in which the position is classified. As a manager, you have a variety of pay-setting options available to use when you are recruiting, relocating, or trying to retain an employee.

---

**Supervisor's Role**

It is your responsibility to be aware of the pay-setting options available to you. You should use them to attract and retain highly qualified employees, and you must consider how you can obtain the maximum benefit from expenditure of tax dollars.

---

**References**

5 CFR parts 531 and 575; 5 USC; 38 USC

---

**CONTACT**

For more information on pay options, contact your Servicing Personnel Office.

## PAY OPTIONS

---

### Above the Minimum

The general rule for setting pay for new employees is to hire at step 1 of the grade of the position. However, a new employee with exceptional qualifications may be placed in a step higher than step 1 of the grade. Contact your Servicing Personnel Office for more information.

---

### Recruitment and Relocation Bonuses and Retention Allowances (3Rs)

Recruitment and Relocation Bonuses and Retention Allowances are special authorities authorized by the Federal Employees Pay Comparability Act of 1990 (FEPCA). These bonuses and allowances require advanced written approval; contact your Servicing Personnel Office for more information.

A **Recruitment Bonus** is a cash bonus of up to 25% of the employee's base pay, and is used as an incentive for a candidate to accept a Federal job. Recruitment bonuses are for situations in which an agency would otherwise have difficulty filling a position with a high-quality candidate.

A **Relocation Bonus** is a cash bonus of up to 25% of the employee's base pay, and is used to encourage a current Federal employee to accept a position which requires relocation to a new commuting area. This bonus may be paid only when the agency

continued...

## PAY OPTIONS

---

**Recruitment and  
Relocation Bonuses  
and Retention  
Allowances  
(3Rs)  
(continued)**

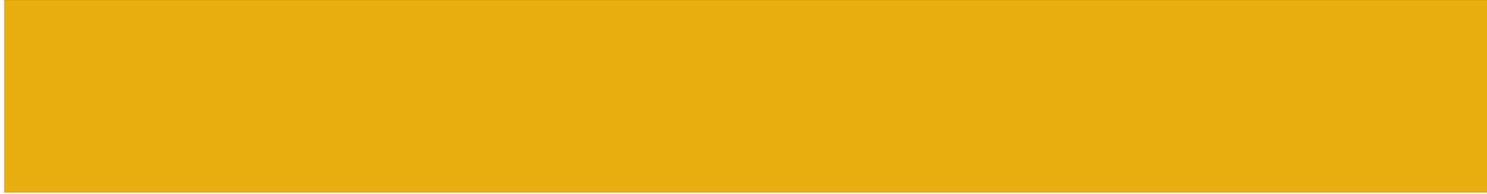
has determined that in the absence of the payment, it would be difficult or impossible to fill the position with a high-quality candidate.

A **Retention Allowance** is a payment of up to 25% of the employee's base pay, and is used to retain the services of a current employee who possesses unusually exceptional qualifications, or is essential to the Agency due to a critical need. The agency must determine that, without the allowance, the employee would be likely to leave for employment outside the Federal Government. A retention allowance is payable in the same manner as base pay (biweekly).

---

**Highest Previous  
Rate**

An employee may have his/her pay set at a rate equivalent to the highest rate earned in prior Federal employment. There are certain exceptions to this, so you should consult with your Servicing Personnel Office.



### **3. Workers' Compensation**



# FEDERAL EMPLOYEES' COMPENSATION ACT

---

## **Purpose**

The Federal Employees' Compensation Act (FECA) provides monetary compensation to employees for wage loss and medical expenses due to occupational diseases or on-the-job traumatic injuries that result from employment with the Federal Government. The Office of Workers' Compensation Programs (OWCP), Department of Labor, is the organization that processes and adjudicates Workers' Compensation claims.

---

## **Supervisor's Role**

You are responsible for completing the supervisor's portion of the CA-1 or CA-2 claim form in a timely manner, reviewing the employee's statements for accuracy, and providing a complete response to the claim. You are also responsible for maintaining contact with your injured employee and locating light/limited duty, when work restrictions are required, to facilitate your employee's return to duty.

---

## **References**

Publication CA-810, Injury Compensation for Federal Employees; 20 CFR part 10, subchapter B; Federal Employees' Compensation Act

---

## **CONTACT**

For more information on Workers' Compensation, contact your local HR Office OWCP Coordinator.



# TRAUMATIC INJURY

---

**Purpose**

All instances of traumatic injury must be documented. A traumatic injury is defined as a wound or other condition of the body caused by external force, including stress or strain. The injury must be identifiable as to the time and place it occurred and the function of the body it affects. It must be caused by a specific event or incident or series of events or incidents within a single day or work shift. Examples are cuts, sprains, or broken bones suffered as a result of a fall in the office.

---

**Supervisor's Role**

Report traumatic injuries using the Form CA-1, "Federal Employees Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation." The supervisor's portion of Form CA-1 must be completed and the form submitted to OWCP within 10 days following receipt of Form CA-1 from the employee. If you have reason to question the circumstances surrounding the injury, contact your OWCP Coordinator for assistance.

---

**References**

Publication CA-810, Injury Compensation for Federal Employees; Pamphlet CA-550, Questions and Answers About the Federal Employees' Compensation Act.

---

**CONTACT**

For more information on Workers' Compensation, contact your local HR OWCP Coordinator.

## TRAUMATIC INJURY

**If an employee's disability extends beyond 45 days . . .** the employee is entitled to file for compensation for wage loss. After approximately the 30th day of Continuation of Pay (COP), you should provide the employee with a Form CA-7, "Claim for Compensation on Account of Traumatic Injury or Occupational Disease," which is available from your OWCP Coordinator. The employee should submit the Form CA-7, along with associated medical documentation that substantiates the time away from work, in accordance with procedures established by the OWCP Coordinator.

Inform the employee that the Form CA-7 should be submitted no later than the 40th day of COP to avoid an interruption in pay. Employees with no dependents are paid compensation at the rate of 66 2/3% of their regular pay, and employees with dependents are paid compensation at the rate of 75% of their regular pay. Compensation payments are tax free.

# CONTINUATION OF PAY

---

**Purpose** When an employee experiences a traumatic injury on the job, he/she could be entitled to Continuation of Pay (COP) which continues regular salary for up to 45 calendar days (including weekends and holidays). COP is provided to eliminate any interruption of an employee's income as the result of a traumatic injury. **Employees claiming an occupational disease are not eligible for COP.**

---

**Supervisor's Role** Ensure that the employee submits proper medical documentation to support approval of each day of COP used. Monitor your employee's use of COP and ensure that COP is properly coded on the timesheet. Contact your OWCP Coordinator if it appears that the disability will continue beyond 45 days.

---

**References** Publication CA-810, Injury Compensation for Federal Employees; Pamphlet CA-550, Questions and Answers About the Federal Employees' Compensation Act.

---

 **CONTACT**

For more information on Workers' Compensation, contact your local HR OWCP Coordinator.

## CONTINUATION OF PAY

**In order to be eligible for COP . . .** the employee must file a Form CA-1 within 30 days of the injury. When an employee uses COP, you should:

- Charge administrative leave on the day of the injury if the injury occurred during the official work day and there was immediate time loss.
- Charge COP on the day following the date of the injury (when there is immediate time loss).
- COP may be used for up to 45 days. Monitor the use of COP and inform the OWCP Coordinator after the employee has used approximately 30 days of COP and it appears the employee's disability will extend beyond 45 days. If after 45 days the employee is unable to resume work, he/she may use annual or sick leave, or file a claim for compensation.
- Count COP in full-day increments even when the absence from work (due to the injury) is for a portion of the work day. Timekeeping records should reflect actual hours worked and actual hours of COP used.

continued...

## CONTINUATION OF PAY

- Ensure that adequate medical documentation is provided to justify each day that the employee is absent from work, regardless of whether the employee has elected to use annual leave, sick leave, or COP.
- Ensure that timekeeping records are corrected if the employee uses COP and the Workers' Compensation Claim is denied by OWCP. With adequate medical documentation, the employee may use appropriate leave in lieu of COP.



## OCCUPATIONAL DISEASE

---

### **Purpose**

All instances of occupational disease must be documented. An occupational disease is defined as a condition produced in the work environment over a period longer than 1 workday or shift. It can result from systemic infection, repeated stress or strain, exposure to toxins, fumes, or other continuing conditions in the work environment. Examples are carpal tunnel syndrome or asbestosis caused by the duties or work environment.

---

### **Supervisor's Role**

Report occupational diseases using the Form CA-2, "Federal Employees Notice of Occupational Disease and Claim for Compensation," must be used to report all work-related instances of occupational disease. The supervisor's portion of Form CA-2 must be completed and the form submitted to OWCP within 10 days following receipt of Form CA-2 from the employee. If you have reason to question the circumstances surrounding the claim, contact your OWCP Coordinator for assistance.

## OCCUPATIONAL DISEASE

---

### References

Publication CA-810, Injury Compensation for Federal Employees; Pamphlet CA-550, Questions and Answers About the Federal Employees' Compensation Act.

### CONTACT

For more information on Workers' Compensation, contact your local HR OWCP Coordinator.

**An employee claiming an occupational disease . . .** is not entitled to COP. The employee is entitled to compensation benefits and can file for compensation for wage loss.

You should provide the employee with a Form CA-7, "Claim for Compensation on Account of Traumatic Injury or Occupational Disease," which is available from your OWCP Coordinator. The employee should submit the Form CA-7, along with associated medical documentation that substantiates the time away from work, in accordance with procedures established by the OWCP Coordinator. You should inform the employee to submit the Form CA-7 as soon as possible to avoid an interruption in pay. Employees with no dependents are paid compensation at the rate of 66 2/3% of their regular pay and employees with dependents are paid compensation at the rate of 75% of their regular pay. Compensation payments are tax free.

# MEDICAL DOCUMENTATION

---

## Purpose

When an employee seeks compensation for a traumatic injury or occupational disease, medical documentation must be provided to substantiate the claim. Employees may see the doctor of their choice, but the documentation provided must be “prima facia” or absolute, without any doubt. The medical documentation must show that an injury or illness is directly related to employment.

---

## Supervisor’s Role

It is your responsibility to advise employees that they must provide medical documentation to support their claim of traumatic injury or occupational disease. Advise employees that medical documentation must be received within 10 days of an injury to support the granting of COP. COP should not be granted without proper medical documentation.

---

## References

Publication CA-810, Injury Compensation for Federal Employees; Pamphlet CA-550, Questions and Answers About the Federal Employees’ Compensation Act

---

## CONTACT

For more information on Workers’ Compensation, contact your local OWCP Coordinator.



# TEMPORARY LIGHT DUTY WORK ASSIGNMENT

---

**Purpose**

The objective of a temporary light duty work assignment is to facilitate the employee's rapid return to duty by offering available and meaningful work which accommodates any medical limitations imposed during his/her recovery period. By arranging a temporary light duty work assignment, supervisors can minimize the amount of lost work hours due to job-related injuries and illness while aiding the employee's recovery process.

---

**Supervisor's Role**

It is your responsibility to actively attempt to find meaningful temporary light duty work for injured or ill employees and assure that injured or ill employees and their medical providers are made aware of available temporary light duty work assignments in your work area.

---

**References**

Publication CA-810, Injury Compensation

---

**CONTACT**

For more information on Workers' Compensation, contact your local OWCP Coordinator.





## **4. Hours of Duty and Leave**



## TYPES OF WORK SCHEDULES

---

<b>Purpose</b>	In general, employees work either full-time or part-time, and different work schedules may be used. These include the traditional fixed schedule, a flexible work schedule, and a compressed work schedule.
<b>Supervisor's Role</b>	Within DOE requirements, you have several options available when determining the type of schedule your employees can work. In addition, you are responsible for scheduling your employees to provide adequate staff coverage.
<b>References</b>	OPM Handbook on Alternative Work Schedules (available on the OPM Web page)
<b>CONTACT</b>	For more information on types of work schedules in your organization, contact Employee and Labor Relations.

---

# TYPES OF WORK SCHEDULES

## Types of Work Schedules

<b>Full-Time</b>	Full-time employees must account for 80 hours in a two-week period. The 80 hours may be comprised of actual hours worked and leave taken.
<b>Part-Time</b>	Part-time employees work fewer than 40 hours for fewer than 5 work days or fewer than 80 hours in fewer than 10 workdays.
<b>Traditional Schedule</b>	A traditional schedule is a fixed work schedule consisting of five 8 1/2-hour days (usually Monday through Friday) with the same start and stop times every day.
<b>Compressed Work Schedules</b>	<p>The two types of compressed schedules in HQ are ... the 5 -4/9 Schedule and the 4-10 Schedule. When working a 5-4/9 schedule, the employee works 5 days in one week and 4-days in the other week of a pay period. The employee must...</p> <ul style="list-style-type: none"><li>- Fulfill a basic 80 hour biweekly work requirement. Over a 10-day period, an employee works eight 9 1/2 hour days, one 8-1/2 hour day, and has one day off.</li><li>- Understand that both the 8 1/2 hour workday and the day off are fixed.</li></ul>

continued...

## TYPES OF WORK SCHEDULES

An employee working a 4-10 schedule works 4 days each week, for 10 1/2 hours each day. The employee must:

- Fulfill a basic 40-hour workweek, and an 80-hour biweekly requirement.
- Work a fixed schedule of 10 1/2 hours per day. The day off each week is also fixed.

*Note: Work schedules, to include designated days off, must be approved by the employees supervisor. In situations where several employees are requesting the same day off, the supervisor must consider work load demands in evaluating these requests.*



## FAMILY-FRIENDLY PROGRAMS

---

### **Purpose**

The Department offers several Family-Friendly Programs, including: Flexible Workplace Agreements, and Compressed Work Schedules, and the Voluntary Leave Transfer Program. See *Types of Work Schedules* in this section for more information on work schedules.

---

### **Supervisor's Role**

In some situations, employees may request approval for one of the Family-Friendly programs. It is your responsibility to review and make a decision on the use of these programs, while complying with the policies set by the Department.

---

---

### **CONTACT**

For more information on Family-Friendly Programs, contact your Employee and Labor Relations.

# FAMILY-FRIENDLY PROGRAMS

## Quality of Work Life Programs

---

### **Flexible Workplace Arrangements**

Flexible workplace arrangements allow employees to work from their home or satellite offices (often called telecommuting in the private sector). It is used for short- and long-term purposes to include meeting the needs of special projects, medical conditions (e.g., illness, injury), etc. You and the employee sign a work agreement, which specifies the Flexiplace work schedule (i.e., days and hours of work at home or in a center, and days and hours of work in the official duty station). This is strictly a voluntary program and can be terminated by either you or the employee at any time.

## TYPES OF LEAVE

---

### Purpose

Many types of leave are available to employees. Different types of leave are used for different purposes, and you must understand the similarities and differences in the types of leave so that you can properly approve leave requests and timesheets.

---

### Supervisor's Role

Supervisors are responsible for complying with DOE policy and procedures relating to the approval, use, and restoration of forfeited annual leave and for ensuring that the administration of leave within their organizations is legal, justifiable, and equitable. Supervisors have a joint responsibility to ensure that annual leave is used before the end of the leave year to avoid forfeiture.

---

### CONTACT

For more information on types of leave, contact Employee and Labor Relations.

## TYPES OF LEAVE

---

**Annual Leave** Annual leave is earned by employees based on length of service with the Government, and is usually requested in advance. It accumulates and is carried from year to year up to 240 hours. Part-time employees earn a pro-rated amount of leave.

---

**Advancing Annual Leave** Advanced annual leave may be granted up to the amount of annual leave that the employee will accrue during the current leave year.

---

**Sick Leave** Sick leave may be used under the following circumstances:

- to receive medical, dental, or optical examination or treatment;
- when the employee is incapacitated by physical or mental illness, injury, pregnancy, or childbirth;
- when the employee would, because of exposure to a communicable disease, jeopardize the health of others by his/her presence on the job; or
- when the employee must be absent from work for adoption-related activities.

continued . . .

## TYPES OF LEAVE

---

### **Sick Leave (continued)**

A limited amount of sick leave may also be used to:

- provide care for a family member as the result of physical or mental illness, injury, pregnancy, childbirth, or medical, dental, or optical examination or treatment; or
- make arrangements necessitated by the death of a family member or attend the funeral of a family member.

---

### **Family and Medical Leave**

Covered employees who have been employed for a period of at least 12 months in the Federal service are entitled to 12 administrative workweeks of unpaid leave during any 12-month period for: (1) the birth and care of a newborn child; (2) the placement of a child with the employee for adoption or foster care; (3) the care of a spouse, son, daughter, or parent of the employee with a serious health condition; or (4) a serious health condition of the employee that makes the employee unable to perform the essential functions of his/her position. Employees may substitute annual leave or sick leave for the unpaid leave under certain conditions.

## TYPES OF LEAVE

---

<b>Leave for Bone-Marrow or Organ Donation</b>	Federal employees are entitled to 7 days of paid leave each calendar year (in addition to annual and sick leave) to serve as a bone-marrow or organ donor.
<b>Leave Sharing</b>	Leave transfer programs allow employees to donate annual leave to other Federal employees who have medical emergencies and who have exhausted their own leave. Supervisors are responsible for being knowledgeable of the concepts of this program and recommending approval or disapproval of leave recipient applications. See Employee and Labor Relations for leave recipient and donor forms.
<b>Absent Without Leave (AWOL)</b>	AWOL is not a form of leave, as such. It is any absence from duty not authorized by the proper leave-approving official and may be the basis for disciplinary action. You must fully document all instances of AWOL.
<b>Court Leave</b>	Court leave is an excused absence for jury duty or for testifying in a non-official capacity as a witness in certain circumstances in a State or Federal court.
<b>Military Leave</b>	Military leave is an authorized absence to perform active military duty, active duty for training, or law enforcement. Military leave is not authorized for inactive duty training (usually weekend drills).

---

continued . . .

## TYPES OF LEAVE

---

### **Leave Without Pay**

Leave without pay (LWOP) is an approved absence from duty without pay. LWOP can impact an employee's waiting period for within-grade increases, in addition to health benefits, life insurance, and accrual of annual and sick leave.

---

### **Excused Absence**

An excused absence is absence from duty without loss of pay or charge to leave. Excused absence is often referred to as "administrative leave."

---

### **Funeral Leave**

Funeral leave, not to exceed 3 workdays, may be granted to an employee whose immediate relative dies as a result of wounds, disease, or injury incurred as a member of the Armed Forces in a combat zone. Law enforcement officers and firefighters may be excused from duty to attend the funeral of a fellow Federal law enforcement officer or firefighter who was killed in the line of duty. The employee will be considered to be in official duty status while attending such services and will not be charged leave for this period.

---

### **Home Leave**

An employee who is serving abroad for at least 24 continuous months is entitled to earn home leave. Home leave may be used for employees to return home (for personal reasons) during their current tour of duty, or between tours if they will be moving to another international duty station.



# APPROVING TIMESHEETS

---

## **Purpose**

Before a timesheet can be processed by payroll, it must be approved by a certifier. Timesheets that are incorrectly approved may cause an employee's pay and/or leave to be processed incorrectly; errors in pay and/or leave always cause employees problems and should be avoided.

---

## **Supervisor's Role**

As a certifier, you, NOT the timekeeper, are responsible for the accuracy of the information recorded on each employee's timesheet. The timekeeper records the information that you have indicated as being correct by your signature on the completed timesheet. See the box on the following pages for information on what to look for when approving a timesheet.

---

## **CONTACT**

For general information on your timesheet approval responsibilities, contact Payroll. For specific details on your responsibilities, contact your Servicing Personnel Office.

## APPROVING TIMESHEETS

**When approving a timesheet . . .** you must verify that all pay and leave hours recorded on each timesheet are correct and comply with all rules, regulations, and policies. You can be held accountable for any incorrect payments or leave charges. Following are some tips to keep in mind when approving timesheets:

- A typical tour of duty is 80 hours. Unless the employee has begun work or separated from DOE within the pay period, tours of duty are 80 hours for full-time employees. Contact your Servicing Personnel Office for information on tours of duty for other than full-time employees.
- If there is overtime designated on the timesheet, supporting documentation must be on file.
- Leave or credit hours that were not reported in time to be entered electronically for a pay period should be adjusted on an amended timesheet and sent to your payroll office.
- If there were any paid holidays during the pay period, they must be designated as such.
- Any changes to a timesheet can be made by the timekeeper, a supervisor, or the certifier.

## RESOLVING TIMESHEET PROBLEMS

---

### **Purpose**

Because pay and leave problems can have a direct effect on an employee's performance, errors in pay and leave must be corrected as quickly as possible. The Payroll Office was established to provide guidance on the procedures for completing forms to request adjustments or corrections.

---

### **Supervisor's Role**

As a supervisor, you will need to review the corrections to ensure that the adjustments comply with OPM, GAO, DOE, and other regulations. You must be familiar with the required forms in order to provide guidance to the timekeeper on proper procedures to request corrections or adjustments.

---

### **CONTACT**

For procedures and general information regarding payroll rules, regulations, and procedures, contact your Payroll Office. For detailed information on pay and/or leave regulations, contact your Servicing Personnel Office.

## RESOLVING TIMESHEET PROBLEMS

**To resolve errors in pay or leave . . .** the timekeeper must determine the cause and take the necessary steps to request a correction or update of the data and request any adjustment in pay, benefits, or leave.

Some errors must first be corrected by Personnel before the timekeeper completes an error notice (i.e., an error in the health code, grade/step, leave entitlement, etc.).



## **5. Benefits**



# HEALTH BENEFITS AND LIFE INSURANCE

---

## **Purpose**

In general, all permanent employees and employees whose appointments are for more than 1 year are eligible for health benefits and life insurance. Both programs provide group rates and Agency contributions toward the premiums. Leave Without Pay could impact these benefits.

---

## **Supervisor's Role**

The availability of employee benefits is very important in both the recruitment and retention of highly qualified employees. As a supervisor, you must be aware that the Federal Government offers benefits in these two areas, and direct any specific questions to your personnel office.

---

## **References**

Federal Employees' Health Benefits Program Booklet (SF 2809-A); Federal Employees' Group Life Insurance Booklet (RI 76-21)

---

## **CONTACT**

For more information on health benefits and life insurance, contact your Servicing Personnel Office.



# RETIREMENT

---

**Purpose**

In general, all permanent employees and employees whose appointments are for more than 1 year are eligible for retirement coverage. The Federal retirement programs provide for retirement, disability, and survivor benefits. Leave Without Pay could impact these benefits.

---

**Supervisor's Role**

The importance of a good retirement system cannot be overstated. An awareness of the retirement programs can be used by the supervisor in both recruitment and retention of highly qualified employees. When questions regarding retirement benefits arise, employees/applicants should be referred to your personnel office for information.

---

**References**

Federal Employee Retirement System pamphlet (RI 90-1); Thrift Savings Plan Summary booklet (TSPBKO8); Civil Service Retirement System Facts (RI 83-1 through 11); Civil Service Retirement System Handbook (RI 83-12).

---

**CONTACT**

For more information on retirement, contact your Servicing Personnel Office.



# BENEFITS FOR TEMPORARY EMPLOYEES

---

**Purpose**

Temporary appointments are made usually for 1 year or less. Generally, temporary employees are not entitled to benefits. If a temporary employee completes 1 year of temporary employment, and is then converted to another temporary appointment for 1 year or less, the employee is eligible to enroll in the Federal Employees' Health Benefits program. However, the employee must pay the full cost of the insurance. If the temporary employee is converted to a permanent appointment, benefits would then become available with Agency contributions toward the premium.

---

**Supervisor's Role**

When hiring temporary employees, you must be aware of any benefit options (or lack thereof) available to the temporary employee, as well as the impact of converting the temporary employee to permanent status.

---

**References**

Enrollment Information and Plan Comparison Chart for Certain Temporary Employees (RI 70-8)

---

**CONTACT**

For more information on benefits for temporary employees, contact your Servicing Personnel Office.



# EMPLOYEE SEPARATIONS

---

## **Purpose**

When an employee separates from the Department to accept employment in another Federal agency, or to leave Federal service, the employee must become inactive in the Department, automated personnel/payroll system, and he/she is subject to an exit clearance process. The employee's Servicing Personnel Office will process the separation in the agency's personnel/payroll automated system. The responsible offices for the exit clearance form must verify and certify whether the employee is released from any financial obligations owed to the agency, and that all Government-issued property, library materials, parking permits, credit cards, etc., have been returned.

---

## **Supervisor's Role**

When an employee gives notice of separation, you should refer him/her to your Administrative Officer to obtain the appropriate forms. This should be done at least two weeks prior to separation. If the Request for Personnel Action (SF-52) and exit clearance forms are not completed, employees will experience a delay in receiving their lump sum annual leave check as well as a delay in forms necessary to obtain/continue benefits after separation.

---

## **CONTACT**

For more information on employee separations and impact on benefits, contact your Servicing Personnel Office.



## DEATH OF AN EMPLOYEE

---

### **Purpose**

When an employee dies, whether expected or unexpected, the family will need guidance as to what needs to be done. This may also be true if an employee loses a family member through death. There are various claim forms that need to be filed in order for benefits to be paid.

Usually the family's first contact is with the employee's office. You might also be approached by an employee who is faced with a terminal illness and wants to discuss survivor benefits. These important issues can be discussed with the employee at whatever point they might be ready.

---

### **Supervisor's Role**

When a family member contacts your office to report a death of an employee, or if an employee advises you of the desire to discuss survivor benefits, you should provide them with the telephone number of their Servicing Personnel Office. You may also offer to call on behalf of the family and request that office contact the family directly. If the family wants to contact that office directly, please call and let that office know to expect the call so that records can be pulled and preparation of the case may begin. At that time, you will be advised of what is needed from your office.

# DEATH OF AN EMPLOYEE

---

## References

Federal Employee Retirement System pamphlet (RI 90-1); Civil Service Retirement System Handbook (RI 83-12); Thrift Savings Plan Withdrawal Booklet; Federal Employees' Health Benefits Program Booklet (SF-2809-A); Federal Employees' Group Life Insurance Booklet (RI 86-21)

---

## CONTACT

To report the death of an employee or for more information on death benefits, contact your Servicing Personnel Office.



## 6. EEO



## EEO OBJECTIVES

---

### Purpose

The objectives of Equal Employment Opportunity (EEO) are to provide full and fair employment opportunities for all employees and applicants for employment and to provide for the non-discriminatory treatment of all employees in the course of carrying out their workplace duties. Employees should be offered employment and career advancement opportunities consistent with merit principles (based on performance and abilities).

---

### Supervisor's Role

As a supervisor, you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you set the tone for dealings among employees in your organization. In order to comply with EEO goals, you should be familiar with EEO objectives, programs, and complaint issues.

---

### References

29 CFR part 1614—Federal Sector Equal Employment Opportunity, Subpart A—Agency Program; DOE Order 311.1A; your own performance plan EEO element

---

### CONTACT

For more information on EEO objectives, contact your the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).

# EEO OBJECTIVES

---

## Some Types of Activities Involving EEO Considerations from Supervisors

- Recruitment
- Hiring
- Promotions
- Awards
- Professional Development
- Training

# EEO SPECIAL EMPHASIS PROGRAMS

---

## Purpose

Many different EEO Special Emphasis Programs exist within DOE. These programs assist supervisors by providing resources that support EEO goals such as affirmative employment and reasonable accommodation for disabled employees and applicants. These programs also seek continued progress with respect to the representation of women, minorities and individuals with disabilities in all aspects of employment at DOE.

---

## Supervisor's Role

As a supervisor you can use these resources to assist you in supporting the principles of affirmative employment and equal employment opportunity, specifically to increase the representation of women, minorities and individuals with disabilities in the DOE workforce.

---

## References

DOE Affirmative Action Plans; your own performance plan EEO element; DOE Order 311.1A.

---

## CONTACT

For more information on EEO programs, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).

# EEO SPECIAL EMPHASIS PROGRAMS

---

## **EEO Special Emphasis Programs**

- Black Employment Program
- Federal Women's Program
- Disabled Employment Program
- Hispanic Employment Program
- Affirmative Employment Program
- Native American Employment Program
- Asian Employment Program
- Energy Veteran's Advisory Action Committee
- Domestic Violence Awareness Task Force
- Holocaust Days of Remembrance Task Force

# COMPLAINTS OF DISCRIMINATION

---

<b>Purpose</b>	Federal law prohibits discrimination against employees or applicants because of their race, color, religion, sex (including sexual harassment), national origin, age, disability, or reprisal. In addition, DOE policy prohibits discrimination on the basis of sexual orientation.
<b>Supervisor's Role</b>	As a supervisor, you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you evaluate the performance of employees in your organization. In order to comply with EEO goals and minimize the likelihood of a complaint, you should be familiar with EEO objectives and programs.
<b>References</b>	Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

 **CONTACT**

For more information on complaints of discrimination, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).



## EEO COMPLAINT ISSUES

---

### Purpose

An employee who believes that he/she has been treated unfairly due to discrimination can file a complaint on issues such as promotion, reprimand, termination, job training, assignment of duties, awards, reassignment, denial of within-grade increases, reprisal, etc.

---

### Supervisor's Role

As a supervisor you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you evaluate the performance of employees in your organization. In order to comply with EEO goals and minimize the likelihood of a complaint, you should be familiar with EEO objectives and programs.

---

### References

Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

### CONTACT

For more information on EEO complaint issues, contact the Office of Civil Rights and Diversity or go to [www.hr.doe.gov.ed](http://www.hr.doe.gov.ed).



## COMPLAINT PROCESS (GENERAL)

---

### Purpose

A Federal employee or applicant who believes that he/she has been discriminated against can initiate a complaint of discrimination by contacting an EEO Counselor within 45 days of the alleged discriminatory occurrence, or within 45 days of the date the employee reasonably should have become aware of the discrimination. For more information on the formal and informal processes, see the overviews on pages 6-13 and 6-15. While an employee can't use Government equipment or postage to prepare or send a complaint, he/she can request approval for a reasonable amount of Government time to prepare the complaint.

---

### Supervisor's Role

Federal EEO regulations require you to provide full cooperation with EEO counselors and investigators in the performance of their duties throughout the complaint process. As a supervisor, you have the responsibility to make a good-faith effort to understand the complaint process and to resolve complaints of discrimination early in the process.

---

### References

29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

### CONTACT

For more information on the complaint process, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).



## EEO COUNSELORS

---

<b>Purpose</b>	DOE EEO Counselors perform a vital role as a conduit through which employees and supervisors can resolve various EEO problems and issues. EEO Counselors are trained to resolve EEO problems informally and in a timely and appropriate manner.
<b>Supervisor's Role</b>	Federal EEO regulations require all supervisors and managers to cooperate with EEO Counselors and investigators in the performance of their duties throughout the complaint process. All supervisors and managers have a responsibility to make a good-faith effort to understand the complaint process and to resolve complaints of discrimination early in the process.
<b>References</b>	29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A
<b>CONTACT</b>	For more information on EEO Counselors, contact the Office of Civil Rights and Diversity, or go to <a href="http://www.hr.doe.gov/ed">www.hr.doe.gov/ed</a> .

---

## EEO COUNSELORS

**You can cooperate with an EEO Counselor by:**

- Maintaining accurate documentation of the incident and providing it to the Counselor when requested
- Providing the employee a reasonable amount of time to document his/her complaint
- Allowing the employee time to meet and work with the Counselor
- Making yourself available to the Counselor and the employee as required

## INFORMAL COMPLAINT PROCESS

### **An Overview of the Informal Complaint Process . . .**

1. Employees or applicants who feel they have been discriminated against must contact an EEO Counselor or the EEO Manager within 45 days of the discriminatory occurrence, or within 45 days of the date the employee reasonably should have become aware of the discrimination. Failure to meet time limitations may affect the employee's right to file a formal complaint.
2. The employee will meet with the EEO Counselor and discuss the situation. If the employee or applicant still wishes to pursue the matter, the Counselor will proceed with steps 3–6.
3. The Counselor will gather information by interviewing witnesses of the alleged discriminatory occurrence, if any exist, and by contacting the named official and/or responsible management official to discuss the allegations.
4. Attempts to resolve the complaint will be made during the counseling stage. The informal process will generally take 30 days, or 90 days if the aggrieved employee or applicant agrees to use the Alternative Dispute Resolution process to seek resolution.
5. If the complaint is not resolved at the informal stage, the complainant receives a Notice of Final Interview and is advised of his/her right to file a formal complaint within 15 days of receipt of the notice.



## FORMAL COMPLAINT PROCESS

### **An Overview of the Formal Complaint Process . . .**

1. The complainant files a formal complaint within 15 days of receiving a Notice of Final Interview with the Office of Civil Rights and Diversity.
2. The Office of Civil Rights and Diversity accepts or dismisses the complaint. If the complaint is accepted, the Department generally has 180 days from the date of filing to conduct an investigation.
3. When the investigation is completed, the Department forwards a copy of the report of investigation (ROI) to the complainant and notifies him/her of the option to request an Equal Employment Opportunity Commission (EEOC) hearing or a final decision by the Department.

For more information or for procedures beyond 1-3, contact the Office of Civil Rights and Diversity.



# PREVENTING SEXUAL HARASSMENT

---

<b>Purpose</b>	The Equal Employment Opportunity Commission defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment is a violation of Federal law.
<b>Supervisor's Role</b>	The importance of dealing decisively with a sexual harassment complaint cannot be overemphasized. Once you become aware of a sexual harassment situation, you must take immediate and appropriate corrective action to ensure that the harassment ends. Every level of management has a responsibility to provide guidance on the DOE policy on preventing sexual harassment. This should be done periodically for the benefit of new employees, and as a reminder to current employees.
<b>References</b>	Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A
 <b>CONTACT</b>	For more information on sexual harassment, contact the Office of Civil Rights and Diversity, or go to <a href="http://www.hr.doe.gov/ed">www.hr.doe.gov/ed</a> .

---

# PREVENTING SEXUAL HARASSMENT

## Identifying Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

# PREVENTING SEXUAL HARASSMENT

## Examples of Unacceptable Behavior

- Physical contact, such as caressing, massaging, patting, pinching, or touching any part of a person's anatomy
- Indiscreetly staring at someone in a sexual manner
- Complimenting someone on his/her appearance with a reference to a specific part of the person's anatomy
- Telling a sexually oriented joke
- Persistently asking a co-worker on a date after the co-worker has said no
- Exhibiting sexually oriented visuals, such as nude or scantily dressed women or men



## ALTERNATIVE DISPUTE RESOLUTION (ADR)

---

### **Purpose**

The purpose of Alternative Dispute Resolution (ADR) is to provide assisted negotiation to resolve a conflict or dispute between two or more parties. ADR can be used to resolve internal issues, such as EEO complaints and grievances, as well as external issues, such as land acquisition and contract negotiation. ADR exists in a variety of forms, ranging from the informal (e.g., conciliation, mediation, using a neutral third party) to the formal (e.g., arbitration, negotiation, mini-trial, etc.). Mediation is the most widely-used form within the Department. The expected results are improved teamwork and interpersonal communication. ADR can be used at any time, at any stage of the EEO complaint process.

---

### **Supervisor's Role**

Maintain open and consistent communication on work issues with employees, clarify misunderstandings, and make reasonable adjustments to address work problems and relationships with employees. Actively seek resolution to workplace issues at the earliest opportunity. Provide employees with communication, education, and access to information regarding the ADR process, and participate as appropriate.

---

### **References**

P. L. 104-320, Administrative Dispute Resolution Act of 1996; Executive Orders 12778 and 12871; P.L. 101-648, Negotiated Rulemaking Act of 1990; Civil Rights Act of 1991, 29 CFR Part 1614; EEOC Management Directive 110

## ALTERNATIVE DISPUTE RESOLUTION (ADR)

### CONTACT

For more information on ADR, contact the Office of Civil Rights and Diversity, or the DOE Office of Dispute Resolution.



## 6. EEO



## EEO OBJECTIVES

---

<b>Purpose</b>	The objectives of Equal Employment Opportunity (EEO) are to provide full and fair employment opportunities for all employees and applicants for employment and to provide for the non-discriminatory treatment of all employees in the course of carrying out their workplace duties. Employees should be offered employment and career advancement opportunities consistent with merit principles (based on performance and abilities).
<b>Supervisor's Role</b>	As a supervisor, you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you set the tone for dealings among employees in your organization. In order to comply with EEO goals, you should be familiar with EEO objectives, programs, and complaint issues.
<b>References</b>	29 CFR part 1614—Federal Sector Equal Employment Opportunity, Subpart A—Agency Program; DOE Order 311.1A; your own performance plan EEO element
 <b>CONTACT</b>	For more information on EEO objectives, contact your the Office of Civil Rights and Diversity, or go to <a href="http://www.hr.doe.gov/ed">www.hr.doe.gov/ed</a> .

---

# EEO OBJECTIVES

---

## Some Types of Activities Involving EEO Considerations from Supervisors

- Recruitment
- Hiring
- Promotions
- Awards
- Professional Development
- Training

# EEO SPECIAL EMPHASIS PROGRAMS

---

## Purpose

Many different EEO Special Emphasis Programs exist within DOE. These programs assist supervisors by providing resources that support EEO goals such as affirmative employment and reasonable accommodation for disabled employees and applicants. These programs also seek continued progress with respect to the representation of women, minorities and individuals with disabilities in all aspects of employment at DOE.

---

## Supervisor's Role

As a supervisor you can use these resources to assist you in supporting the principles of affirmative employment and equal employment opportunity, specifically to increase the representation of women, minorities and individuals with disabilities in the DOE workforce.

---

## References

DOE Affirmative Action Plans; your own performance plan EEO element; DOE Order 311.1A.

---

## CONTACT

For more information on EEO programs, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).

# EEO SPECIAL EMPHASIS PROGRAMS

---

## **EEO Special Emphasis Programs**

- Black Employment Program
- Federal Women's Program
- Disabled Employment Program
- Hispanic Employment Program
- Affirmative Employment Program
- Native American Employment Program
- Asian Employment Program
- Energy Veteran's Advisory Action Committee
- Domestic Violence Awareness Task Force
- Holocaust Days of Remembrance Task Force

# COMPLAINTS OF DISCRIMINATION

---

## Purpose

Federal law prohibits discrimination against employees or applicants because of their race, color, religion, sex (including sexual harassment), national origin, age, disability, or reprisal. In addition, DOE policy prohibits discrimination on the basis of sexual orientation.

---

## Supervisor's Role

As a supervisor, you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you evaluate the performance of employees in your organization. In order to comply with EEO goals and minimize the likelihood of a complaint, you should be familiar with EEO objectives and programs.

---

## References

Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

## CONTACT

For more information on complaints of discrimination, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).



## EEO COMPLAINT ISSUES

---

### Purpose

An employee who believes that he/she has been treated unfairly due to discrimination can file a complaint on issues such as promotion, reprimand, termination, job training, assignment of duties, awards, reassignment, denial of within-grade increases, reprisal, etc.

---

### Supervisor's Role

As a supervisor you are involved in virtually all of the decisions that directly impact the success or failure of your organization's EEO program. You fill vacant positions and make selections for promotions, you approve training and detail employees to other positions, and you evaluate the performance of employees in your organization. In order to comply with EEO goals and minimize the likelihood of a complaint, you should be familiar with EEO objectives and programs.

---

### References

Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

### CONTACT

For more information on EEO complaint issues, contact the Office of Civil Rights and Diversity or go to [www.hr.doe.gov.ed](http://www.hr.doe.gov.ed).



## COMPLAINT PROCESS (GENERAL)

---

### Purpose

A Federal employee or applicant who believes that he/she has been discriminated against can initiate a complaint of discrimination by contacting an EEO Counselor within 45 days of the alleged discriminatory occurrence, or within 45 days of the date the employee reasonably should have become aware of the discrimination. For more information on the formal and informal processes, see the overviews on pages 6-13 and 6-15. While an employee can't use Government equipment or postage to prepare or send a complaint, he/she can request approval for a reasonable amount of Government time to prepare the complaint.

---

### Supervisor's Role

Federal EEO regulations require you to provide full cooperation with EEO counselors and investigators in the performance of their duties throughout the complaint process. As a supervisor, you have the responsibility to make a good-faith effort to understand the complaint process and to resolve complaints of discrimination early in the process.

---

### References

29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

### CONTACT

For more information on the complaint process, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).



# EEO COUNSELORS

---

**Purpose** DOE EEO Counselors perform a vital role as a conduit through which employees and supervisors can resolve various EEO problems and issues. EEO Counselors are trained to resolve EEO problems informally and in a timely and appropriate manner.

---

**Supervisor's Role** Federal EEO regulations require all supervisors and managers to cooperate with EEO Counselors and investigators in the performance of their duties throughout the complaint process. All supervisors and managers have a responsibility to make a good-faith effort to understand the complaint process and to resolve complaints of discrimination early in the process.

---

**References** 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A

---

 **CONTACT**

For more information on EEO Counselors, contact the Office of Civil Rights and Diversity, or go to [www.hr.doe.gov/ed](http://www.hr.doe.gov/ed).

## EEO COUNSELORS

**You can cooperate with an EEO Counselor by:**

- Maintaining accurate documentation of the incident and providing it to the Counselor when requested
- Providing the employee a reasonable amount of time to document his/her complaint
- Allowing the employee time to meet and work with the Counselor
- Making yourself available to the Counselor and the employee as required

## INFORMAL COMPLAINT PROCESS

### **An Overview of the Informal Complaint Process . . .**

1. Employees or applicants who feel they have been discriminated against must contact an EEO Counselor or the EEO Manager within 45 days of the discriminatory occurrence, or within 45 days of the date the employee reasonably should have become aware of the discrimination. Failure to meet time limitations may affect the employee's right to file a formal complaint.
2. The employee will meet with the EEO Counselor and discuss the situation. If the employee or applicant still wishes to pursue the matter, the Counselor will proceed with steps 3–6.
3. The Counselor will gather information by interviewing witnesses of the alleged discriminatory occurrence, if any exist, and by contacting the named official and/or responsible management official to discuss the allegations.
4. Attempts to resolve the complaint will be made during the counseling stage. The informal process will generally take 30 days, or 90 days if the aggrieved employee or applicant agrees to use the Alternative Dispute Resolution process to seek resolution.
5. If the complaint is not resolved at the informal stage, the complainant receives a Notice of Final Interview and is advised of his/her right to file a formal complaint within 15 days of receipt of the notice.



## FORMAL COMPLAINT PROCESS

### **An Overview of the Formal Complaint Process . . .**

1. The complainant files a formal complaint within 15 days of receiving a Notice of Final Interview with the Office of Civil Rights and Diversity.
2. The Office of Civil Rights and Diversity accepts or dismisses the complaint. If the complaint is accepted, the Department generally has 180 days from the date of filing to conduct an investigation.
3. When the investigation is completed, the Department forwards a copy of the report of investigation (ROI) to the complainant and notifies him/her of the option to request an Equal Employment Opportunity Commission (EEOC) hearing or a final decision by the Department.

For more information or for procedures beyond 1-3, contact the Office of Civil Rights and Diversity.



# PREVENTING SEXUAL HARASSMENT

---

<b>Purpose</b>	The Equal Employment Opportunity Commission defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment is a violation of Federal law.
<b>Supervisor's Role</b>	The importance of dealing decisively with a sexual harassment complaint cannot be overemphasized. Once you become aware of a sexual harassment situation, you must take immediate and appropriate corrective action to ensure that the harassment ends. Every level of management has a responsibility to provide guidance on the DOE policy on preventing sexual harassment. This should be done periodically for the benefit of new employees, and as a reminder to current employees.
<b>References</b>	Title VII of the 1964 Civil Rights Act, as amended in 1972; 29 CFR part 1614; EEOC Management Directive 110; DOE Order 311.1A
 <b>CONTACT</b>	For more information on sexual harassment, contact the Office of Civil Rights and Diversity, or go to <a href="http://www.hr.doe.gov/ed">www.hr.doe.gov/ed</a> .

---

# PREVENTING SEXUAL HARASSMENT

## Identifying Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

# PREVENTING SEXUAL HARASSMENT

## Examples of Unacceptable Behavior

- Physical contact, such as caressing, massaging, patting, pinching, or touching any part of a person's anatomy
- Indiscreetly staring at someone in a sexual manner
- Complimenting someone on his/her appearance with a reference to a specific part of the person's anatomy
- Telling a sexually oriented joke
- Persistently asking a co-worker on a date after the co-worker has said no
- Exhibiting sexually oriented visuals, such as nude or scantily dressed women or men



## ALTERNATIVE DISPUTE RESOLUTION (ADR)

---

### **Purpose**

The purpose of Alternative Dispute Resolution (ADR) is to provide assisted negotiation to resolve a conflict or dispute between two or more parties. ADR can be used to resolve internal issues, such as EEO complaints and grievances, as well as external issues, such as land acquisition and contract negotiation. ADR exists in a variety of forms, ranging from the informal (e.g., conciliation, mediation, using a neutral third party) to the formal (e.g., arbitration, negotiation, mini-trial, etc.). Mediation is the most widely-used form within the Department. The expected results are improved teamwork and interpersonal communication. ADR can be used at any time, at any stage of the EEO complaint process.

---

### **Supervisor's Role**

Maintain open and consistent communication on work issues with employees, clarify misunderstandings, and make reasonable adjustments to address work problems and relationships with employees. Actively seek resolution to workplace issues at the earliest opportunity. Provide employees with communication, education, and access to information regarding the ADR process, and participate as appropriate.

---

### **References**

P. L. 104-320, Administrative Dispute Resolution Act of 1996; Executive Orders 12778 and 12871; P.L. 101-648, Negotiated Rulemaking Act of 1990; Civil Rights Act of 1991, 29 CFR Part 1614; EEOC Management Directive 110

## ALTERNATIVE DISPUTE RESOLUTION (ADR)

### CONTACT

For more information on ADR, contact the Office of Civil Rights and Diversity, or the DOE Office of Dispute Resolution.



## **7. PERFORMANCE**

# PERFORMANCE MANAGEMENT SYSTEMS

---

**Purpose** Performance management systems are used as tools to define expected performance and evaluate and appraise employee and organizational performance. They are also used to make decisions concerning training, within-grade increases, promotions, and other performance-related actions.

---

**Supervisor's Role** You have a number of performance management responsibilities for employees whom you are responsible to evaluate. You should work with employees to develop, implement, and update performance plans; monitor employee performance; conduct progress reviews as well as annual appraisals; and reward, recognize, or take corrective actions as appropriate, depending on the extent to which these various responsibilities are reflected in your position description

---

**References** 5 USC 43; 5 CFR part 430; 370 DM 430; negotiated agreements

---

 **CONTACT**

For more information, contact Employee and Labor Relations.

## PERFORMANCE MANAGEMENT SYSTEMS

**Two performance management systems . . .** are used in Headquarters.

One covers supervisory and non-supervisory employees, GS-1 through GS-15 and all Federal Wage Grade employees, and one covers the Senior Executive Service.

# PERFORMANCE MANAGEMENT SYSTEMS

**Performance management is . . .** comprised of a number of factors. To provide accurate and fair performance appraisals, you should:

- Involve employees in creating their performance plans. This includes identifying elements and related tasks.
- Identify individual critical and noncritical elements. A element is a key function of a job.
- Identify tasks within each element. Performance tasks are based on the requirements of the employee's assigned duties and responsibilities. They may be based on results where the final product defines the success of the employee, or manner of performance which refers to the way an employee acts on the job in order to produce the results.

continued...

## PERFORMANCE MANAGEMENT SYSTEMS

- Observe and document the employee's performance throughout the year. Two formal reviews are required.
- Provide feedback and coaching for employees.
- Complete the performance appraisal by comparing the employee's performance to the levels of accomplishment identified in the performance plan.
- Recommend and take action based on the employee's performance—recognize good performance throughout the year, through the use of appropriate recognition, or by developing performance improvement strategies for poor performance.

## COACHING AND DEVELOPMENT

---

### Purpose

Performance coaching can be defined as the help that a supervisor provides to employees in analyzing their performance and other job behaviors for the purpose of increasing their job effectiveness. Effective coaching is critical for developing employees to reach their full potential. See the *Training and Development* section for more information on employee development.

The objectives of coaching are to:

- Provide a nonthreatening atmosphere in which the employee can freely express tensions, conflicts, concerns, and problems;
- Help the employee understand his or her strengths and weaknesses;
- Enhance the employee's understanding of the work environment;
- Increase the employee's personal and interpersonal effectiveness by giving feedback about behavior and assistance in analyzing interpersonal competence; (*note: while behavior may have an impact on an employee's performance, the employee's conduct is not part of the performance evaluation process*).
- Review the employee's progress in achieving objectives;
- Identify any problems that are hindering progress;
- Assist in generating alternatives and a final action plan for dealing with identified problems;

continued...

# COACHING AND DEVELOPMENT

- 
- Encourage the employee to set goals for further improvement;
  - Provide whatever support the employee needs while implementing the action plan; and
  - Help the employee to realize his or her potential.

Become an effective performance coach by first ensuring that the employee is willing to learn from coaching and understands the purpose of the coaching, and then encouraging the employee to function independently, rather than relying too heavily on you for decision making.

The following conditions contribute to effective coaching:

- A general climate of openness and mutuality;
- A helpful and empathetic attitude on the part of the supervisor;
- The establishment of an effective dialogue;
- A focus on work-related goals; and
- Avoidance of discussion about salary, raises, and other rewards.

# COACHING AND DEVELOPMENT

## Job Aid: Coaching Checklist

---

Ferdinand Fournies in *Coaching for Improved Work Performance* details the following coaching steps:

- **Identify the problem.** Good coaching begins with separating the problem from the person—that means identifying the cause rather than the effect. In some cases, it means listening to the employee to discover what obstacles stand in his or her way to optimum performance.
- **Does the worker know that the problem exists?** Sometimes, performance problems exist because the individual worker or workers *think* their performance is acceptable. Another possibility is that, although the worker may know that he or she is not performing as expected, the deficiency itself is considered acceptable. These perceptions often result from too little feedback.
- **Does the worker know what the supervisor’s expectations are?** One reason a worker doesn’t perform up to a supervisor’s expectations is that he or she doesn’t know what those expectations are and, consequently, doesn’t realize that a problem exists.
- **Does the worker know how to meet the supervisor’s expectations?** Even when a worker knows what the supervisor’s expectations are, he or she may not know what he or she is supposed to do and when to do it.

continued...

## COACHING AND DEVELOPMENT

---

- **Are there obstacles outside the worker's control that are affecting the worker's performance?** Outside factors can have a direct effect on a worker's performance. Among these factors are equipment failure, late or incorrect reports or data, conflicting instructions, too many bosses, and lack of materials or supplies.
- **Does a positive consequence follow poor performance?** It is important to ensure that consequences exist for poor performance, and that those consequences do not reinforce poor performance. An example is that an employee who has part of his or her work taken away is being rewarded for not getting his or her work done.
- **Does negative consequence follow good performance?** Unsatisfactory performance may occur because good performance is punished. This may be hard to recognize, and supervisors often have to take the worker's word for it. An example of negative consequences is that an employee who has to accept another employee's work because he/she finished his/her own tasks early.
- **Could the worker do it if he or she wanted to?** If the answer to the above questions is "no," adjustments should be made as appropriate so that the employee can be successful or removed.

## GENERAL AWARDS

---

<b>Purpose</b>	The two main purpose of Award Programs are to allow flexibility in recognizing individual and group achievements and to acknowledge contributions that lead to the achievement of results. Program objectives are to encourage all employees to actively share in improving Government operations, enhance productivity and creativity, and optimize personal job satisfaction. Achievements should be recognized at the time of accomplishment.
<b>Supervisor's Role</b>	As a supervisor, you play a key role in the DOE Award Program. Through daily contact with employees, you are in a position to ensure that employee contributions are recognized in a timely manner.
<b>References</b>	5 USC 45—Incentive Awards; 5 CFR part 451—Incentive Awards
<b>CONTACT</b>	For more information on incentive awards, contact your Servicing Personnel Office.

---



## MONETARY AWARDS

**Monetary awards are . . .** cash awards that may be granted to recognize an individual or team of DOE employees for: achieving results; customer service; displaying exemplary dedication, innovation, and/or cooperation; fostering partnerships; promoting diversity; ensuring workplace safety; or sustained exceptional service.

### The DOE offers the following types of monetary awards:

---

<b>On-the-Spot Award</b>	A cash award granted to provide immediate recognition for achievements. Employees may receive no more than two On-the-Spot Awards in a fiscal year. On-the-Spot Awards are approved by the second-level supervisor, and are paid through the normal payroll process.
<b>Special Act Award</b>	The award amount should be proportional to the value of the individual or team accomplishment, considering the overall benefit to the Government.
<b>Performance Award</b>	A performance award is directly linked to an employees performance and rating of record. The amount formula of the award is based on the numeric rating times the employee's grade. The actual cash value of the award will depend on the respective program office's budget and awards pool.

---

## MONETARY AWARDS

---

### **Quality Step Increase**

A Quality Step Increase (QSI) is a form of recognition that is based on an evaluation of an employee's performance that clearly shows a high level of performance for sustained superior performance. A QSI raises the employee's base pay and results in long-term benefits to the employee. A QSI is a faster-than-normal advancement to the next step within the grade level. To be eligible for a QSI, an employee must meet established criteria within his/her program office. A QSI is linked directly to the employee's performance plan and rating of record. Supervisors should be aware that a QSI is intended to recognize an employee who is expected to continue at the same high level of performance. No more than one QSI may be granted to an employee within any 52-week period.

## NON-MONETARY AWARDS

**Non-monetary recognition and informal honors are . . .** granted to employees for: superior accomplishment of regular duties; exceptional achievement of project goals; noteworthy accomplishments over a sustained period of time; or specific contributions to the Department's mission.

### Examples of Non-Monetary Awards:

---

**Items of Nominal Value**

Coffee cups, key chains, or similar gifts under a \$25 cash value.

---

**Items of Significant Value**

Pen-and-pencil sets, clocks, or similar gifts with a \$26 to \$250 cash value.

*Note: Approving Officials should use care in selecting appropriate items for non-monetary recognition to avoid appearance of misuse of Government funds.*

---

**Informal Honors**

Letters of Commendation, certificates, or thank-you notes.

---

**Time Off Recognition**

An excused absence awarded to an employee without charge to leave.



## PERFORMANCE-BASED ACTIONS

---

<b>Purpose</b>	Performance-Based Actions are initiated at any time during the performance appraisal cycle when an employee's performance is determined to be unacceptable (i.e., is below level 2 in one or more critical elements). When an employee's performance is unacceptable, you must develop a Performance Improvement Plan (PIP), which is intended to help the employee achieve and maintain acceptable performance, or failing that, to enable the supervisor to take other appropriate action.
<b>Supervisor's Role</b>	Early intervention is critical to resolving performance problems. As a supervisor you must discuss the performance problem with the employee as well as develop a PIP. Employee and Labor Relations can assist you with PIP guidelines, timeframes, and any subsequent necessary action.
<b>References</b>	5 USC 43; 5 CFR parts 430 (Performance Management) and 432 (Performance-Based Reduction in Grade and Removal Actions)

---

## PERFORMANCE-BASED ACTIONS

### CONTACT

If you must take a Performance-Based Action, it is critical that you contact Employee and Labor Relations immediately.

**A Performance Improvement Plan . . .** is developed at any time during the performance appraisal cycle when an employee's performance is determined to be at the Unacceptable level (i.e., below level 2 on any critical element). The PIP establishes timelines and improvement goals for the employee and, if necessary, is a prerequisite for reduction in grade or removal. While it is critical that you contact Employee and Labor Relations when there is a potential need to take a Performance-Based Action, the following provides an overview of the process:

1. You must notify the employee, in writing, of the critical elements of his/her performance that is (are) being performed at the Unacceptable level (i.e., below level 2).
2. Clearly describe the performance requirement(s) or tasks that must be attained to demonstrate acceptable performance in his/her position in a written Performance Improvement Plan (PIP).

continued...

## PERFORMANCE-BASED ACTIONS

3. Establish a reasonable period of time for the employee to demonstrate improvement. The period allowed must be commensurate with the duties and responsibilities of the employee's position.
4. Offer appropriate assistance to the employee in improving unacceptable performance.
5. Inform the employee that unless the performance in the critical element(s) is improved and sustained at an acceptable level, he/she may be reduced in grade or removed.

*NOTE: If an employee's performance continues to be unacceptable in one or more critical elements after the opportunity to improve has expired, then you may be forced to take appropriate action. Before taking a performance-based action, consult with Employee and Labor Relations.*



# DENIAL OF WITHIN GRADE INCREASES

---

**Purpose**

An employee's current rating of record must show Results Achieved in order to receive a Within Grade Increase (WIGI) in pay. An employee who has a current rating of record of less than level 2 will not be granted a WIGI until performance improves to the at least level 2.

---

**Supervisor's Role**

As a supervisor, you are responsible for evaluating the performance of your employees and then informing them if they will receive a WIGI or if their WIGI will be denied. As with conduct or performance-based actions, it is essential to immediately document all information that supports the denial of the WIGI, since you must prepare a notice of the decision (see "When a WIGI is denied..." and "In a WIGI denial letter you should..." in this section). You must consult with Employee and Labor Relations to ensure that the decision notice about denial of the WIGI issued to the employee is consistent with regulatory requirements and collective bargaining agreements.

---

**References**

5 CFR part 531, subpart D

---

**CONTACT**

For more information on denying WIGIs, contact Employee and Labor Relations.

## DENIAL OF WITHIN GRADE INCREASES

### When a WIGI is denied . . .

1. Inform the employee orally and in writing about the determination of an unacceptable level of competence. This should be issued as soon as possible after the WIGI due date. Describe to the employee how the performance on the critical element must improve to receive the WIGI.
2. Inform the employee of his/her right to request reconsideration, and identify the reconsideration official.
3. Explain to the employee that if, his/her performance improves to at least level 2, the WIGI will be granted.

continued . . .

## DENIAL OF WITHIN GRADE INCREASES

4. When a negative determination is sustained after reconsideration, the employee will be informed in writing, of the reasons and of the right to appeal the decision to the Merit Systems Protection Board. For employees covered by a collective bargaining agreement, a negative determination after reconsideration must be reviewed in accordance with the terms of the agreement.

### **In a WIGI denial letter you should . . .**

1. State that the employee's performance is not at an acceptable level of competence to receive the WIGI. Include date of recent performance appraisal and the date the WIGI was due.
2. Describe the requirements that must be met to receive a WIGI.
3. State that the WIGI is withheld and cite the appropriate regulation that supports the denial action.

continued . . .

## DENIAL OF WITHIN GRADE INCREASES

4. State the rights of the employee. These include the right to request reconsideration of the denial of the WIGI, the right to be represented in the matter by someone of the employee's choosing (with some restrictions), and the right to be granted official time to review the performance rating(s) on which the negative determination was based.
5. State the time limit for requesting reconsideration of the WIGI denial. State that in order for the WIGI to be granted, the employee must perform at least at level 2 on all critical elements of the performance plan.
6. Provide the name and phone number of the Employee and Labor Relations Specialist who can assist the employee if he/she has questions or concerns that you cannot address.

**For a sample WIGI denial letter, contact Employee and Labor Relations.**

## CONDUCT-BASED ACTIONS

---

**Purpose** When an employee’s conduct is unacceptable, corrective measures called conduct-based actions must be taken. Examples of unacceptable conduct include leave abuse, failure to follow supervisory instructions.

---

**Supervisor’s Role** As a supervisor it is your duty to take steps to correct an employee’s unacceptable conduct. You should address the unacceptable conduct as soon as possible. In addition to maintaining documentation of the inappropriate behavior, you should work with your Employee and Labor Relations to decide and administer the appropriate action. Depending on the severity of misconduct, the employee may be issued an oral warning which can be followed up in writing. In most situations, you will pursue a “progressive” course of action (see “When you take corrective measures for a conduct problem...” on the following page).

---

**References** 5 CFR part 752

---

 **CONTACT**

For more information on conduct-based actions, contact Employee and Labor Relations.

## CONDUCT-BASED ACTIONS

**When you take corrective measures for a conduct problem . . .** you will normally pursue what is called a progressive course of action. A progressive course of action begins with a relatively minor action such as an oral warning, but can go so far as to remove the employee from Federal service.

continued . . .

## CONDUCT-BASED ACTIONS

Progressive actions ensure that the employee is given adequate notice of the problem, identify what the employee must do to rectify it, and state the consequences if he/she does not correct or cease the inappropriate conduct. Examples of progressive actions are as follows:

1. Oral counseling or warning
2. Written warning or notice
3. Written official reprimand
4. Suspension of 14 days or less
5. Suspension of 15 days or more
6. Reduction in grade or pay
7. Removal of the employee from Federal service



# NEW EMPLOYEE PROBATION

---

**Purpose**

When new employees are hired, they are placed on a 1-year probationary period. During this time, employees are evaluated to see if they are suitable for Federal service and capable of meeting the needs of the position for which they were hired. If an employee is terminated because of misconduct or work performance problems during this probationary period, the employee has limited appeal rights.

---

**Supervisor's Role**

It is your job as a supervisor to maintain complete documentation of the probationary employee's performance and conduct, as only employees who are performing at an acceptable level and who demonstrate acceptable conduct and leave usage should be retained. If any performance, conduct, or leave abuse problems develop, you should notify your Employee and Labor Relations Specialist.

---

**References**

5 CFR part 315

---

**CONTACT**

For more information on new employee probation or for information on how to address deficient performance, attendance, or conduct, contact Employee and Labor Relations.

## NEW EMPLOYEE PROBATION

### During the employee's probationary period you should . . .

- Discuss performance, conduct, and/or attendance problems with the employee as they develop.
- Keep thorough and accurate documentation of all discussions.
- Follow up all conversations between you and the employee with a written record of the discussion, including a statement of the problem, proposed solution, and timelines.
- Contact Employee and Labor Relations for assistance with performance, leave, or conduct problems well before the end of the probationary period.

## NEW SUPERVISOR PROBATION

---

### Purpose

Just as new employees are placed on a 1-year probation, all employees who are promoted to supervisory or managerial positions are placed on a probationary period of 1 year. During this time, the new supervisor or manager is evaluated to see if he/she is suitable for and capable of performing the full range of supervisory duties in the Federal service. All probationary supervisors and managers must achieve satisfactory performance ratings and demonstrate acceptable conduct during their probationary period to be retained in their positions.

---

### Supervisor's Role

If you supervise a new supervisor or manager, you must assess the new appointee's supervisory and/or managerial performance. If the employee's performance or conduct is deficient, the employee may be returned to a non-supervisory or non-managerial position. If the employee is removed from the supervisory position, normally he/she will be assigned to another position of no lower grade or pay than the one he/she left to accept the supervisory position.

---

### References

5 CFR part 315

---

### CONTACT

For more information on new supervisor probation, contact your Servicing Personnel Office.



## **8. Performance**

# OVERVIEW OF TRAINING

---

**Purpose** Enhancing employee knowledge, skills, and abilities will increase the productivity of your employees and their ability to successfully complete both routine and increasingly complex work assignments. It is in the best interests of your work unit to train and develop your employees to the maximum extent of their capabilities.

---

**Supervisor's Role** Through your frequent interactions with employees (e.g., making assignments, monitoring and evaluating performance, observing, etc.), you are in the best position to determine employee training and developmental needs. You define the nature of the training need, recommend the training source, and initiate the appropriate training nomination and authorization form.

---

**References** A list of training support references and tools is provided in *Training Resources* and *Training References* on pages 8-22 through 8-25

---

 **CONTACT** For more information on training in general, contact The Office of Training and Human Resource Development..

## OVERVIEW OF TRAINING

### **Training and development programs may be authorized to . . .**

- Provide knowledge and skills that relate directly to competencies that are linked to job requirements
- Provide orientation and basic training for new employees and experienced employees in new situations
- Develop skills needed to adapt to reorganizations, changing mission requirements, and technology or equipment changes
- Enhance scientists, engineers, and other professionals knowledge and or skills to prevent from becoming obsolete to meet new challenges
- Prepare employees with demonstrated potential for increased responsibility in meeting future staffing or organizational requirements
- Implement Administration initiatives

## OVERVIEW OF TRAINING

**Employee training and development needs may be met by:**

- Planned work experiences, special projects, details, etc.
- Self-development (e.g., membership in professional organizations)

## OVERVIEW OF TRAINING

### Keys to Success

- Identify employees strengths and areas that need improvement.
- Develop a working knowledge of available training resources and options.
- Orient new employees to their office and work environment.
- IDPs
- Implement process for initiating, authorizing, and approving training and development actions.
- Assess the potential effort of training and evaluate performance changes.
- Employees' training can be enhanced by coaching them toward improved performance, i.e., through regular feedback.

continued . . .

## OVERVIEW OF TRAINING

- Recognize that training is not always the solution—the problem may be equipment-related, the work process, a communication issue, or otherwise not able to be remedied through training.
- Consider training sources, including DOE or other Government-sponsored training, or outside sources.
- Don't forget yourself when identifying training and developmental needs!



# ORIENTING NEW EMPLOYEES

---

## **Purpose**

Orienting a new employee is a very important activity. Unfortunately, it may be overlooked in the effort of accomplishing the office's work. Orienting new employees assists them in adjusting to their new environment, new tasks, and new co-workers. You are likely to do a better job at orientation if you plan what to do, and when to do it, before your employee arrives. On the following pages is a brief checklist of items that should be done before the employee arrives, and during the employee's first day, week, and month.

---

## **Supervisor's Role**

Whether or not your organization conducts a new employee orientation, you should plan orientation activities for all of your new employees. What you do in the first few days and weeks to help the employee's transition may serve to establish work habits, relationships with co-workers, and overall contributions of the employee for months to come.

---

## **CONTACT**

For more information on orienting new employees, contact your Servicing Personnel Office.

# ORIENTING NEW EMPLOYEES

---

## Before your new employee arrives, you should . . .

- Contact the new employee and welcome them. Provide them information on when, where, and what time to report, appropriate attire, parking, etc.
- Announce the selection of the new employee to your staff and ask for their support in helping him/her adjust.
- Make arrangements to set up and equip the new employee's work station.
- Arrange for the addition of an e-mail ID and network login ID (if applicable).
- Assemble some preliminary assignments or substantive reading materials.
- Develop some job-related tasks that the new employee can complete on the first full day in their position. This will provide the employee with a sense of accomplishment.
- If appropriate, select co-workers who can assist you in the orientation. Co-workers can help the employee feel comfortable and adapt to the new environment.

# ORIENTING NEW EMPLOYEES

---

## On the employee's first day, you should . . .

- Welcome and put the employee at ease. Encourage questions.
- Give the employee an overview of what the onsite orientation will cover.
- Show the employee around the work area and other facilities, including the location of telephones, mailboxes, copy machines, fax machines, restrooms, etc. Discuss security of building/property.
- Review how to operate the telephone system and how to answer the telephone.
- Review how to access the computer and e-mail, if applicable.
- Review work hours and work schedule options, lunch schedules, leave policies, annual leave, sick leave, overtime and compensatory time and holidays. Include who can approve leave in advance and unscheduled leave.
- Identify the person(s) the new employee can go to for help if you are absent. Administrative Officer, Training Officer, etc.

continued . . .

## ORIENTING NEW EMPLOYEES

---

- Ensure a Government Identification Card has been issued. If not, make arrangements for issuance.
- Introduce the new employee to co-workers, supervisors, and managers, and explain the relationship of their work to the employee's.
- Go over safety, accident, and emergency procedures for the work area.
- Have the new employee complete job-related tasks that will provide a sense of accomplishment.
- Ensure employee understands building access procedures.

## ORIENTING NEW EMPLOYEES

---

### **By the end of the employee's first week, you should . . .**

- Review the employee's position description, emphasizing critical duties and responsibilities. Explain how the employee's work is important to the immediate office and how the office's work contributes to the mission of the Service.
- Communicate your performance expectations.
- Point out frequently-used internal forms, where they are kept, and how they are used.
- Review policies and procedures for the office, and go over guides, instruction manuals, standard operating procedures, etc., that are available in the work area. Review special words and terms used by the office.
- Provide the employee with positive feedback, and offer suggestions that will help the employee learn the job and fit in with the group. Ask the employee how the first week went and discuss any areas of concern.
- Explain the organizational structure of the Department.
- Arrange for any necessary on-the-job training.

## ORIENTING NEW EMPLOYEES

---

**Within the employee's first month, he/she should have been provided information on . . .**

- Retirement\*
- Federal Employees Group Life Insurance (FEGLI)\*
- Federal Employee's Health Benefits Program (FEHB)\*
- Thrift Savings Plan (TSP)\*
- Employee Assistance Program
- Ethics—An Employee Guide
- Conflict of Interest Regulations
- Political Activity Guidance
- Equal Employment Opportunity Policy & Guidance

\*Provided for permanent employees

## ORIENTING NEW EMPLOYEES

---

### By the end of the employee's first month, you should . . .

- Establish and sign the employee performance plan. Discuss what is involved in a performance rating, specifically: critical elements of the position that will be used to measure performance; how performance is documented; and the time performance reviews and ratings will take place.
- Discuss incentive awards.
- Review the employee's work progress to date. Provide any positive feedback and discuss any areas of concern that you or the employee identify.
- Provide the employee with general information on personal growth and training opportunities, as well as promotional procedures. Decide together what training and developmental activities are necessary within their first year and develop an initial Individual Development Plan.

continued . . .

## ORIENTING NEW EMPLOYEES

---

- Confirm that the employee has reviewed the **Ethics—An Employee Guide, Standards of Ethical Conduct for Employees of the Executive Branch, Conflict of Interest Regulations, and Political Activity Guidance**. Emphasize that it is the employee’s responsibility to be aware of the requirements and restrictions of these documents and to comply with them.
- Discuss office procurement procedures and how to obtain supplies.
- Discuss how to obtain reimbursement for incidental expenses.
- Discuss basic Federal travel regulations.
- Arrange for Government Purchase Card, if appropriate.

## APPROVING AND AUTHORIZING TRAINING

---

<b>Purpose</b>	You should consider the training needs of employees initially when performance standards and work plans are established, during periodic reviews of the employee's performance, and soon after the annual final appraisal.
<b>Supervisor's Role</b>	<p>Training needs are documented on the employees Individual Development Plan. It is your responsibility to approve training requests for your employees. Your approval constitutes certification that the training is an appropriate expense related to improving DOE's mission-related performance.</p> <p>Second-level supervisors (managers) or a designated training official(s) authorize training. The authorization certifies that the training meets legal and administrative requirements and that appropriate funds are available.</p>
<b>References</b>	DOE O 360.1A and DOE M 360.1A-1
<b>CONTACT</b>	For more information you should contact your local training office, or your organization's standard procedures for approval and authorization of training.

---

## APPROVING AND AUTHORIZING TRAINING

**Within 30 days after training . . .** you are responsible for ensuring that the employee provides you with a written evaluation of the course. The evaluation forms are available on the Employee Self Service web page. Once you have verified completion of training and reviewed the evaluation, forward the evaluation to your local training office so they can document the completion of training in the employees training records.

# INDIVIDUAL DEVELOPMENT PLANS

---

## Purpose

An Individual Development Plan (IDP) is an employee development tool that identifies activities that will help the employee enhance his/her knowledge, skills, and abilities. The IDP process provides an opportunity for employees to learn about performance expectations to meet organization goals, as well as communicate his/her strengths and deficiencies in a developmental context.

---

## Supervisor's Role

Through your frequent interactions with employees, you are the person to best determine an employee's training and development needs. When creating an IDP, you should take the lead in formulating a partnership with the employee. The employee should identify realistic goals and activities to achieve them, and you should assist him/her by providing feedback and suggestions. *The DOE IDP Guide can be downloaded from DOE's Web page ([www.http://cted.inel.gov/cted/idp.html](http://cted.inel.gov/cted/idp.html)).*

---

## References

DOE IDP Guide, USA Careers

---

## CONTACT

For more information on preparing employee IDPs, contact The Office of Training and Human Resource Development.

## INDIVIDUAL DEVELOPMENT PLANS

**When completing an Individual Development Plan . . .** it should be a joint effort between the employee and you. You should consider your organization's needs, technology changes, expected turnover, program plans, etc. The IDP should not be a "wish list," but a realistic working document. The employee is accountable for following through with the IDP activities. Sections of the IDP include:

***Long Range Goals***—This is a statement of what the employee hopes to achieve, within the next 3–5 years, such as a promotion to supervisor, the assignment of managing a project, or even changing to an entirely different position.

***Developmental Needs***—This is a list of skills that are necessary to meet the requirements of the employee's current job or long-range goals. An example is "presentation skills."

***Developmental Objectives***—These are statements defining who will do what, under what conditions. An example is "Mary Smith will be able to make clear, effective presentations to Office or Division staff."

continued . . .

## INDIVIDUAL DEVELOPMENT PLANS

***Developmental Mechanism/Source***—This is a list of the strategies the employee will use to achieve the developmental objective. Examples include attend DOE's IDP training. Join Toastmasters International public speaking group, volunteer for organization special projects, share term developmental assignments, etc.

***Proposed Dates***—List when the activities are offered or, if appropriate, by when they are to be completed.

***Cost Estimate***—List the approximate costs of each of the activities—be sure to include the tuition or course fees as well as any travel and per diem costs associated with the activities.

## UPWARD MOBILITY PROGRAM

---

**Purpose**

The purpose of the SOAR Program (Significant Opportunities for Advancement and Recognition) - DOE Headquarters Upward Mobility Program - is to provide and improve career opportunities for employees in grades GS-1 through GS-9 through the process of employee development and mobility. It targets individuals who have demonstrated the potential and interest, but lack the experience and/or specific qualifications to be selected for positions that offer further career opportunities.

---

**Supervisor's Role**

You should consider the upward Mobility Program as a viable recruitment alternative that provides career enhancement opportunities to underdeveloped employees. In addition, you should develop new performance standards for upward mobility positions that reflect the trainee's responsibilities, participate fully in developing and monitoring the trainee's training plan, and evaluate the trainee's progress on a quarterly basis.

---

**References**

OPM Qualification Standards Handbook (formerly X-118), SOAR Handbook, <http://www/hr/doe/gov/pers/winhome.htm>.

## UPWARD MOBILITY PROGRAM

### CONTACT

For more information on hiring an upward mobility trainee, contact your Personnel Office.

## TRAINING RESOURCES

---

**Purpose**

Once you have determined that there is a need for training and/or development, you must identify a source for the required training. The following information will help you to find the appropriate training, either for employees you supervise or for your own training and development.

---

**Supervisor's Role**

Since you are expected to initiate an SF-182, you must be aware of the possible choices for training sources. In addition to the sources listed here, your own supervisor may be a valuable source of information on available Government and non-Government training programs.

---

**Government Sources of Training**

---

**Washington Area Training & Development Center**

WAT&DC provides DOE employees a one-stop training center through exciting learning experiences using technology and interpersonal activities. The employees have an opportunity to develop new skills, plan their careers with counselor assistance, and prepare for career changes. For more information go to [www.hr.doe.gov/pers/cmrc.htm](http://www.hr.doe.gov/pers/cmrc.htm).

continued . . .

## TRAINING RESOURCES

---

### **Graduate School, USDA**

The Graduate School conducts a variety of clerical, professional, managerial, and technical training courses throughout the country. The Graduate School catalog contains specific information on course availability and registration procedures. The Graduate School's National Independent Study Center (NISC) offers a variety of topics presented in a self-study format. For general information call toll-free at (888) 744-GRAD or check their website at <http://grad.usda.gov>

---

### **Office of Personnel Management, Management Development Centers (MDC)**

The MDCs offer a variety of programs specifically with the needs of career Government leaders in mind. Each program provides an opportunity for executives, managers and supervisors to improve their performance in one or more critical areas of leadership, management and policy implementation. MDC Training is open to GS-11s through SES. For more information call the Division of Training, NCTC, 304/ 876-7472 or check out OPM's website at [www.opm.gov/mdc/index.htm](http://www.opm.gov/mdc/index.htm).

continued . . .

## TRAINING RESOURCES

---

### **Non-Government Sources of Training**

Non-Government sources of training can range from private companies to local community colleges and universities.

---

### **Other Training Options**

There are a number of additional options for training available to you. These include on-the-job training by you, another supervisor, or another employee; a mentoring arrangement with an experienced employee; developmental assignments or details to other offices; work outside of FWS; technical or professional conferences; memberships in professional organizations; and professional books, journals, or other periodicals.

## TRAINING REFERENCES

**There are many references available . . .** to assist you with the planning, implementation, and evaluation of training. In addition to the materials listed below, you can contact your Regional Training Coordinator, your Personnel Office, or the Division of Training, NCTC.

---

DOE O 360.1A, Federal Employee Training  
Needs Assessments & Training Plan Guide  
Succession Planning Guide  
HQ Individual Development Planning Guide  
Mentoring Program Guide

---

OPM Training Handbook at [www.opm.gov/hrd/lead/handbook](http://www.opm.gov/hrd/lead/handbook)

Analyzing Performance Problems or “You Really Oughta Wanna,” Robert F. Mager and Peter Pipe,  
Fearon Publishers/Lear Siegler, Inc., Education Division, 1970



## **9. Performance**

## EMPLOYEE ASSISTANCE PROGRAM (EAP)

---

<b>Purpose</b>	At one time or another, employees experience personal problems that may interfere with work performance, attendance, and/or conduct, which lowers productivity and workforce morale. The Employee Assistance Program (EAP) is a voluntary, confidential program which provides access to professional counselors who can help troubled employees return to normal work productivity and/or acceptable levels of conduct.
<b>Supervisor's Role</b>	As a supervisor, you should become involved when an employee's problem becomes severe enough to affect his/her work performance and/or conduct. You play a critical role in early detection of developing problems by observing and documenting deficient performance and unacceptable conduct and referring the employee to the EAP when you recognize a pattern of deterioration. You are not required, nor is it appropriate for you, to make a diagnosis of an employee's problem. Your most significant contribution is to recognize the indicators of developing problems and then encourage the employee to seek assistance through the EAP. Additionally, you must refer employees to the EAP when employees are found to be using illegal drugs. However, you may not require an employee to seek such assistance.
<b>References</b>	5 CFR part 792

---

## EMPLOYEE ASSISTANCE PROGRAM (EAP)

### CONTACT

For more information on the EAP, contact your Servicing Personnel Office's EAP coordinator.

## EAP SERVICES

**The EAP can provide employees with . . .** help for a number of problems, including financial hardship, difficult marital/family relationships, stress-related issues, alcohol or drug dependency/abuse, depression, grief, legal concerns, elder care issues, or medical/emotional issues.

---

### EAP Services

The EAP is a program designed to recognize instances in which employees' poor performance, attendance, or behavior is due, at least in part, to their failure to cope with a personal problem; offer assistance to employees in identifying the problem; and provide for confidential and professional counseling for employees with personal problems that affect their everyday lives and/or conduct or performance on the job. Following are the primary services offered to employees by the EAP:

- Short-term counseling and problem assessment by an EAP provider at no cost to employees;
- Referral for extended treatment and rehabilitation, if necessary, to an appropriate community service or professional resource. Long-term treatment/rehabilitation at Government expense is prohibited; however, careful consideration will be given to employees' health insurance during the referral process in an effort to minimize the costs of treatment/rehabilitation for employees; and
- Follow-up during period of treatment/rehabilitation to aid employees in achieving an effective and successful readjustment to the job both during and after treatment.

# EAP SERVICES

---

## Supervisor's Role in the EAP

When employees fail to successfully meet established performance and/or conduct standards, supervisors have both the responsibility and the authority to confront employees with the deficiencies and to provide them with an opportunity to correct the problems. Additionally, it is also the responsibility of supervisors to refer employees to seek assistance through the EAP with any personal problem that might be adversely affecting job performance and/or conduct. Following is guidance for adhering to these responsibilities. It is the responsibility of every supervisor to:

- Be alert, through continuing observation, to changes in work or behavior, or both, of subordinate employees. Supervisors are in close contact with employees in their work situations and, therefore, will ordinarily be the first to note work or behavioral problems that interfere with satisfactory performance.
- Document specific instances when employees' work performance, behavior, or attendance fails to meet established standards or appears to be deteriorating.

continued . . .

## EAP SERVICES

- Conduct counseling sessions with employees primarily to discuss specific areas of performance/conduct problems. In the course of such counseling, encourage employees to seek assistance through the EAP if they believe the conduct/performance problems have been triggered by personal problems. Supervisors can have the greatest impact on motivation of employees toward self-assistance. Such counseling should include a contact for the EAP and a statement that failure to correct performance/conduct deficiencies may lead to corrective personnel actions. Should supervisors suspect a specific employee problem, they must avoid making a diagnosis, e.g., “alcoholic” or “drug abuser,” as this is a decision to be made only by a professionally trained individual of the EAP. Offers of referrals to the EAP shall be documented in writing for future reference should employee misconduct/unsatisfactory performance continue and necessitate corrective personnel action.
- If employee performance/conduct problems do not improve to an acceptable level after seeking assistance from the EAP or if no EAP assistance has been sought, supervisors should initiate appropriate corrective personnel actions against employees.

## EAP SERVICES

---

The Departmental Drug Testing Procedures require that employees found to be using illegal drugs be referred to the EAP for assessment, counseling, and referral for treatment or rehabilitation, as appropriate. Should employees refuse to obtain counseling or rehabilitation through the EAP after having been found to use illegal drugs, supervisors should initiate action to remove employees from the Federal service. Supervisors should consult with the Employee and Labor Relations for technical assistance regarding mandatory EAP referral and possible corrective personnel action.

---

### **Education**

The EAP can provide you and your employees with educational services, including programs and services on stress management, managing different types of people, coping with change, weight management, assertiveness skills, etc.

## RECOGNIZING EMPLOYEE PROBLEMS

---

**Employees may experience a number of different personal problems . . .** all of which may affect performance or conduct. Examples of such problems are financial difficulties, troubled marital/family relationships, stress-related issues, alcohol or drug dependency/abuse, depression, grief, legal concerns, elder or child care issues, and/or medical/emotional issues. Listed below are some warning signs that an employee may be experiencing a problem.

### **Behavior**

- Physical or verbal threats or assault
- Inability to cooperate with others
- Disrespectful or insubordinate conduct
- Sleeping on the job
- Falsification of reports, time records, etc.
- Using/possessing alcohol or drugs at work
- Frequent work-related injuries
- Change in character, attitude, or appearance
- Isolation/withdrawal from co-workers
- Increased physical complaints/health problems
- Theft or misuse of Government property

# RECOGNIZING EMPLOYEE PROBLEMS

---

## **Attendance**

- Tardiness
- Extended lunch breaks
- Patterns of absenteeism (Mondays, Fridays, etc.)
- Absences from the work site
- Frequent unscheduled leave

## **Performance**

- Missing deadlines or needing excessive time for assignments
- Inconsistent work quality
- Work quality below supervisory expectations or peer average
- Difficulty in following instructions, procedures, etc.
- Forgetfulness, absent-mindedness, and difficulty in concentration

## EAP REFERRALS

**Employees may seek assistance from the EAP . . .** on their own without you ever knowing that contact has been made. Although employees are encouraged to take advantage of the program on their own, you may find it necessary to seek the services of the EAP when an employee exhibits deteriorating performance and/or conduct. If this occurs, a referral to the EAP is encouraged. It is not, however, mandatory that employees participate in the EAP after having been referred.

There are primarily three types of referrals to the EAP.

**Supervisory Referral.** A supervisor refers an employee to the EAP usually because of a deterioration in job performance or conduct.

**Self-referral.** An employee voluntarily requests assistance from the EAP at any time to obtain help for a personal problem.

**Mandatory Referral.** An employee who tests positive for illegal drug use is referred to the EAP for treatment and/or rehabilitation.



## **10. Ethics and Integrity**

# GENERAL ETHICS

---

**Purpose**

Public service is a public trust, and each Federal employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws, and principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee must respect and adhere to the fundamental principles of the Standards of Ethical Conduct. The following is a synopsis of the Standards, promulgated by the Office of Government Ethics (OGE), and other laws applicable to Federal executive branch employees. For further information, you may refer to the Standards (a copy of which is given to all new employees) found in the Code of Federal Regulations (CFR).

---

**Supervisor's Role**

You are personally responsible for following the standards, as well as recommending and taking disciplinary action when appropriate to punish and prevent further breaches of the standards. The type of disciplinary action must be determined in relation to the specific violation, consult your Servicing Personnel Specialist and the Designated Agency Ethics counsel for assistance.

---

**References**

5 CFR Part 2635

# GENERAL ETHICS

## CONTACT

Contact: Designated Agency Ethics Counsel (GC-80)

## Basic Concepts

Employees shall judge whether circumstances will violate the appearance principle, from the perspective of a reasonable person with knowledge of the relevant facts.

There are special rules for determining which standards apply to employees detailed to other agencies, to other branches of the Federal Government, to State or local governments or to international organizations.

A violation of the regulatory standards may be cause for corrective or disciplinary action against an employee. There are criminal penalties for violations of criminal statutes referred to in the regulations.

Employees are encouraged to seek the advice of agency ethics officials. Disciplinary action for violation of regulatory standards will not be taken against an employee who relies on such advice.

# GIFTS FROM OUTSIDE SOURCES

---

## **Purpose**

As an employee, you may not solicit or accept a gift given because of your official position or from a prohibited source. A prohibited source includes any person or an organization more than half of whose members are persons,

- Seeking official action by the employees agency;
- Doing or seeking to do business with the Department;
- Regulated by the Department; or
- Substantially affected by the performance of your official duties.

---

## **Supervisor's Role**

Employees may request from ethics counsel in determining if a gift is acceptable. You have only one-specific responsibility regarding gifts from outside sources. In an employee receives a perishable gift, it is your responsibility to determine how the gift will be disposed of – either given to an appropriate charity, shared with in the office, or destroyed.

---

## **References**

Reference: 5 CFR part 2635, subpart B

---

## **CONTACT**

Designated Agency Ethics Counsel (GC-80)

## GIFTS FROM OUTSIDE SOURCES

*Definition of a Gift.* The term “gift” includes almost anything of monetary value. However, it does not include:

- Coffee, donuts and similar modest items of food and refreshments when offered other than as part of a meal;
- Greeting cards and most plaques, certificates and trophies;
- Prizes in contests open to the public;
- Commercial discounts available to the general public or to all Government or military personnel;

**Commercial loans, and pensions and similar benefits;**

Anything paid for by the Government, secured by the Government under Government contract or accepted by the Government in accordance with the statute; or

continued . . .

## GIFTS FROM OUTSIDE SOURCES

**Anything for which you pay market value.**

Since there a number of provisions as well as exceptions to the policy on accepting gifts from outside sources, you should always check the Standards of Conduct or consult with your Servicing Ethics Counselor if you have any questions.



## GIFTS BETWEEN EMPLOYEES

---

**Purpose** Employees often wish to give a gift to their supervisor or other employees on special occasion. In general, it is not acceptable to give a gift to a supervisor or another employee who receives higher pay.

---

**Supervisor's Role** As a supervisor, it is your responsibility to know the permissible limits on gifts. You are obligated to follow the rules stated in the Standards of Conduct.

---

**References** 5CFR part 2635, subpart C

---

 **CONTACT** Designated Agency Ethics Counsel (GC-80)

*Definition of a Gift.* The term “gift” has the same meaning as in previous section. (5CFR part 2635, subpart B). However, carpooling and similar arrangements are excluded where there is a proportionate sharing of the costs and effort involved.

Definition of an Official Superior. The term “official superior” includes an immediate supervisor whose official responsibilities include directing or evaluating performance of the employees official

continued . . .

## GIFTS BETWEEN EMPLOYEES

duties or those of another official superior. The term is not limited to immediate supervisors, but applies to officials up the supervisory chain.

**Exceptions.** Subject to a limitation on using any exception to coerce a gift from a subordinate, there are exceptions that allow the exchange of gifts (but not cash) between superiors and subordinates on an infrequent basis for birthdays and other occasions when gifts are traditionally exchanged

**Waiver.** Under limited conditions, an employee with an otherwise disqualifying financial interest may be allowed to participate in a particular matter upon a written determination that the employee's interest is not so substantial that it is likely to affect the integrity of the services the Government may expect from the employee. No waiver should be granted without first consulting with your agency ethics counsel.

# CONFLICTING FINANCIAL INTERESTS

---

**Purpose** At times employees will acquire financial interests that are prohibited by regulations. Employees are not allowed in accordance with the Standards of Conduct to participate in matters, which would place them in situations of conflicting financial interests.

---

**Supervisor's Role** You play a pivotal role in conflicting financial interest situations. Though an employee must inform you of any potential conflict of interest, it is your responsibility to ensure that your employees are not given an assignment, which would place them in a position to violate the Standards. 18 USC 208, which is a criminal statute. You have authority to grant a waiver of a financial conflict of interest but only after consulting with the Agency Ethics Counsel.

**References** 5 CFR part 2635, subpart D, 18 USC 208, 5 CFR Part 2640, 5 CFR 3301.102(a)

---

 **CONTACT** Designated Agency Ethics Counsel (GC-80)

## CONFLICTING FINANCIAL INTERESTS

***Disqualifying Financial Interests.*** The Standards have codified a criminal statute, 18 U.S.C. 208, which generally excludes Federal employees from participating in matters in which they have a financial interest, including certain interests imputed to them. As a Federal employee, you are prohibited from participating in an official capacity in any particular matter in which, to your knowledge, you or any person whose interests are imputed to you, have a financial interest, if the particular matter will have a direct and predictable effect on that interest.

***Applicability.*** In addition to your own financial interests, those imputed to you under the statute include the interests of: your spouse, minor child or general partner; any person (including a non-profit organization) for which you serve as officer, director, trustee, general partner or employee; a person with which you are negotiating for or have an arrangement concerning future employment. Please see Subpart F for further guidance on seeking employment outside the Federal government.

***Disqualification.*** If you have a financial interest which precludes your participation in a particular matter, the Department's regulations (10 CFR 3301.102) require you to provide **written** notification, usually referred to as a **recusal**, to your supervisor and agency ethics counsel upon determining that you cannot participate in the matter.

## IMPARTIALITY IN PERFORMING OFFICIAL DUTIES

---

### **Purpose**

Sometimes employees are requested to participate in an assignment which they know is likely to affect the financial interest of a member of their household or a person with whom they have a covered relationship. If an employee determines that a reasonable person with all of the relevant facts would question his/her impartiality, the employee should use the process described in the Standards of Conduct to determine whether or not to participate.

---

### **Supervisor's Role**

If an employee requests assistance, you should seek to determine whether a reasonable person with all the relevant facts would question his/her impartiality in performing an assignment related to a personal or business relationship. Based upon the determination, you may authorize an employee's participation in a matter, despite the appearance. Any authorization should be in writing after consultation with the agency Ethics Counsel. If the employee determines that he/she cannot impartially perform an assignment, the employee must submit a written recusal statement to you and the Agency Ethics Counsel. You have a duty to avoid even the appearance of a loss of impartiality in the performance of your official duties. Even though disqualification may not be required under subpart D, you should not participate in certain matters without written authorization. The authorization is required if, in your judgment, a person with knowledge of the relevant facts would question your impartiality.

---

## IMPARTIALITY IN PERFORMING OFFICIAL DUTIES

---

**References** 5 CFR part 2635, subpart E, 5 CFR 3301.102(b)

**CONTACT** Designated Agency Ethics Counsel (GC-80)

## IMPARTIALITY IN PERFORMING OFFICIAL DUTIES

***Matters Covered.*** The matters covered include a particular matter involving specific parties if you know that it is likely to affect the financial interests of a member of your household or that one of the following persons is a party or represents a party in the matter:

- A person with whom you have or seek a business or other financial relationship;
- A member of the employee's household (roommate, fiancé) or a relative with whom you have a close personal relationship;
- A person for whom your spouse, parent or child serves or seeks to serve as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee;
- A person for whom you have served as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee in the past; or
- An organization, other than a political party, in which you are an active participant.

***Disqualification.*** If you have a financial interest which precludes your participation in a particular matter involving a specific party, the Department's regulations (10 CFR 3301.102) require you to provide a written recusal statement to your supervisor and your ethics counsel upon determining that you cannot participate in the matter.

## IMPARTIALITY IN PERFORMING OFFICIAL DUTIES

***Authorization to Participate.*** Notwithstanding a determination that your impartiality would be questioned, the agency designee can authorize you to participate in the matter based on a decision that the Government's interest in your participation out-weighs the concern that a reasonable person would question the integrity of agency programs and operations. The authorization permitted by subpart E cannot be given, however, if your disqualification is also based on financial interests.

***Other Applications.*** You are urged to use the factors set forth in subpart E to decide whether you should or should not participate in other matters in which your impartiality is likely to be questioned.

## SEEKING OTHER EMPLOYMENT

---

### Purpose

There is authority to waive all or part of this disqualification requirement. At any given time, employees may consider negotiating for non-Federal employment. To avoid potential conflict of interest or appearances of conflict, employees are required to follow the guidelines found in the Standards of Conduct.

---

### Supervisor's Role

Employees must make you aware of a potential conflict of interest situation if they are seeking other employment. As a supervisor, it is your role to ensure that employees who negotiate for prospective employment are not assigned work that may directly affect the prospective employer. Where appropriate, an employee may be allowed to work on a matter involving a prospective employer. You should consult with the Agency Ethics Counsel to prepare an appropriate written, authorizing document.

---

### References

5 CFR part 2635, subpart F; 18 USC 208; 5 CFR 3301.102(c)

---

### CONTACT

Designated Agency Ethics Counsel (GC-80)

## SEEKING OTHER EMPLOYMENT

**If you are seeking information on the applicability, disqualification, waiver or authorization to participate ...** you should consult the Standards of Conduct. There are a number of types of waivers and many inclusions and exclusions. An Ethics Counselor can give you guidance and assistance, and will provide you with the standard waiver letter format.

# MISUSE OF POSITION

---

<b>Purpose</b>	All employees are required to adhere to the ethical standard that relate to the use of public office for private gain or the private gain of friends, relatives or persons with whom you are affiliated outside your Federal employment. There are also restricted from the endorsing of any product, service or enterprise.
<b>Supervisor's Role</b>	As a supervisor, you may not misuse Government resources or information yourself and you may not ask an employee to misuse Government resources or property. When appropriate you may impose discipline on an employee for misuse of Government property, resources or information.
<b>References</b>	5 CFR part 2635, subpart G, 5 CFR part 752; DOE Order 3758.1
<b>📞 CONTACT</b>	Consult with the Agency Ethics Counsel and your servicing personnel office for further guidance. In some instances, referral to the DOE Inspector General may be warranted.

## MISUSE OF POSITION

*Use of Government Property and Official Time.* Every Federal employee has a duty to protect and conserve Government property and to use Government property only for authorized purposes. Also, employees are to use official time in an honest effort to perform official duties. It is improper for an employee to encourage, direct, coerce or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized by laws or regulations.

# EMPLOYEE OUTSIDE ACTIVITIES

---

**Purpose**

If you wish to engage in outside employment or other outside activities, you must be obedient to the Standards set forth in subparts A through G above. Generally, an employee's outside activities must not be in derogation of a statute or materially impair the ability to perform ones official duties. Employment is any form of non-Federal work or business relationship involving the provision of personal services by the employee. Participation in non-profit, charitable, religious, public service or civic organizations are excluded unless these activities involve the provision of professional services or are compensated, *e.g., paid bookkeeper.*

---

**Supervisor's Role**

DOE Employees are required to obtain written approval from you and the agency Ethics Counsel for all outside employment. As a supervisor, you should grant your approval unless the outside employment is likely to involve violations of these regulations or other Federal laws. Your Agency Ethics Counsel has available a form which employees may complete and submit to you.

---

**References**

5 CFR part 2635, subpart H; 5 CFR section 3301.103

---

**CONTACT**

Designated Agency Ethics Counsel (GC-80)



# FINANCIAL DISCLOSURE

---

**Purpose**

A financial disclosure report must be completed annually by certain employees. There are two kinds of reports, one which is due in May and the other which is due in October. Whether an employee is required to file at all and which report he or she must file depends upon the employee's grade, position, and appointment type. Generally, most of the filers of the May report are either non-career employees or senior Department officials. Most of the employees who are required to file the October report are at the grades GS-1 and above. In addition, all contracting officers, contracting officer's representatives and contracting offer's technical representatives must file a report.

---

**Supervisor's Role**

When you are informed that one or more of your employees must fill out a disclosure report, you must ensure that they do so.

---

**References**

5 CFR part 2634, subpart B and I

---

** CONTACT**

Designated Agency Ethics Counsel (GC-80)



## POLITICAL ACTIVITY OF FEDERAL EMPLOYEES

---

**Purpose**

“The extent to which you may be involved in political activities as a Federal employee is covered under a law known as the Hatch Act. The Act was amended February 3, 1994, to give certain employees more flexibility in the political process.

---

**CONTACT**

Office of the Assistant General counsel for General Law





## **II. Grievances**

# ADMINISTRATIVE GRIEVANCES

---

<b>Purpose</b>	All Federal agencies are required by law to establish grievance procedures or process for resolving workplace employment disputes for all employees not covered by a labor union agreement.
<b>Supervisor's Role</b>	If you receive a grievance, you should ensure that you are the appropriate official to answer the grievance; that the grievance is timely; and that the grievance clearly describes the issue(s) and the remedy(ies) sought. If the grievance is filed to seek review of an action that you took, you must respond to the grievance in a timely manner. See “If a grievance is filed . . .” on the following page for more information.
<b>References</b>	5 CFR part 771.101

---

 **CONTACT**

For more information on administrative grievances, contact Employee and Labor Relations.

## ADMINISTRATIVE GRIEVANCES

**Grievance rights and procedures . . .** ensure an objective review of employees' complaints.

Employees who feel they have been unfairly treated have the right to present their written grievances for consideration and decision. Employees may file grievances on their own behalf, and can be advised by and/or represented by a representative of their own choosing.

**If a grievance is filed . . .** to seek review of an action that you took, the following guidelines should be followed:

An employee desiring consideration of a grievance must first seek informal resolution of the matter through supervisory channels. A request for informal resolution of a grievance should be within 15 days after the incident from which the dispute arose or 15 days from the date the employee became aware of the matter giving rise to the grievance. The initial presentation will normally be made to the first-level supervisor. The employee must be given a written decision within 21 days after the date of the presentation of the grievance. The written decision will contain the reasons and rationale on which the decision is based, and will inform the employee of the right to present the grievance under the formal procedure if dissatisfied with the decision under the informal process. The employee will also be referred to the Servicing Personnel Office for technical assistance concerning the formal grievance procedures. A grievance cannot be rejected for any reason under the informal process.

# NEGOTIATED AGREEMENT GRIEVANCES

---

**Purpose**

Negotiated agreement grievances are complaints from employees who work under a union-management agreement. These grievances concern conditions of employment or allegations of violations or incorrect interpretations of a labor agreement. There are specific requirements and procedures for filing grievances, and these differ throughout each negotiated contract.

---

**Supervisor's Role**

If you are presented with a grievance, you must adhere to the specifications of the negotiated contract. In general, you must acknowledge, investigate, and respond to the grievance. You should also immediately contact Employee and Labor Relations to obtain information on procedures and covered and exempt issues.

---

**References**

The appropriate grievance procedure within your negotiated contract

---

**CONTACT**

For more information on negotiated contract grievances, contact Employee and Labor Relations.

## NEGOTIATED AGREEMENT GRIEVANCES

**Negotiated contract grievances are . . . complaints in the following categories:**

- 1) By an employee regarding his/her personal employment issues;
- 2) By a union regarding an employee's employment issues; or
- 3) By an employee, union, or agency management claiming that:
  - a) The labor agreement has not been correctly interpreted or has been violated; or
  - b) A law, rule, or regulation affecting conditions of employment has been violated or that an error in interpretation or application of a law, rule, or regulation has occurred.

## NEGOTIATED AGREEMENT GRIEVANCES

**If your response to the grievance is not satisfactory . . .** to the employee or union, the grievance may be taken to binding arbitration. Binding arbitration is the resolution of a dispute by an impartial individual called an arbitrator. The decision made by the arbitrator is binding to both parties, and arbitration can be requested only by the union or Service management. An individual may not request arbitration. The decision of an arbitrator may be appealed to the Federal Labor Relations Authority (FLRA) on certain limited grounds.



## **I2. Labor-Management Relations**

# LABOR-MANAGEMENT RELATIONS OVERVIEW

---

**Purpose**

DOE encourages all of its supervisors and management officials to be fully familiar with the law and DOE policy on Labor-Management Relations, whether or not they are currently involved in the day-to-day administration of a negotiated collective bargaining agreement.

---

**Supervisor's Role**

You should be familiar with the rights of employees, management, and any labor organization when dealing with personnel policies, practices, and conditions of employment in a work situation in which a union is attempting to organize or has achieved exclusive representative for your employees. You must ensure that all personnel actions under your control are initiated and effected without prejudice, that is, irrespective of any participation or lack of participation by employees subject to your authority in labor-management activities.

---

**References**

370 DM 711; 5 USC 5596, Chapter 71, Labor-Management Relations; Title VII, Federal Service Labor-Management Relations (of the Civil Service Reform Act of 1978); 5 CFR part 2411

---

** CONTACT**

For more information about Labor-Management Relations, contact Employee and Labor Relations.



## FLMRS OVERVIEW

### Overview of the Fundamentals of Labor-Management Relations under the Federal Labor-Management Relations Statute (FLMRS)

- The basic stages of Labor-Management relations:
  - *The organizing stage:* when a union petitions for an election to obtain the exclusive right to represent the employees;
  - *The negotiation stage:* when Management and union representatives, known as “the parties,” work to achieve a collective bargaining agreement (contract) governing conditions of employment; and
  - *The agreement administration stage:* when the parties apply the agreed-upon conditions of employment to the employees covered



## BASIC TENETS OF THE LAW

### **The Federal Labor-Management Organization**

Following is a description of the organization of the Federal Labor-Management Relations Program, as it was established by the Civil Service Reform Act (CSRA) of 1978.

- ***Federal Labor Relations Authority (FLRA)***

An independent Federal organization consisting of three members and a General Counsel, appointed by the President and confirmed by the Senate, which administers the Labor-Management Relations (LMR) program to meet the special requirements and needs of the Federal sector.

Among the powers and responsibilities of the FLRA are:

- To determine “appropriate units” for unionization;
- To supervise or conduct representation elections;
- To conduct hearings and resolve complaints of “unfair labor practices”;
- To resolve exceptions to arbitrators’ awards; and
- To administer the provisions of the Federal Service Labor-Management Relations Statute.

## BASIC TENETS OF THE LAW

- *Federal Services Impasses Panel (FSIP)*

The FSIP is an entity within the FLRA whose function is to assist in resolving impasses in negotiations between the parties to a collective bargaining agreement. The FSIP has authority to direct the parties to accept specific contract language or to direct that a specific negotiation proposal be withdrawn.

The procedures for resolving impasses include:

- Mediation (voluntary on the part of the parties);
- Fact-finding with recommendations (which the parties may or may not be willing to accept in resolution of the impasse); or
- Arbitration (whereby the FSIP holds hearings, administers oaths, takes testimony or depositions, and issues a decision on the issue which is binding upon the parties for the term of the agreement).

## BASIC TENETS OF THE LAW

- *Federal Mediation and Conciliation Service (FMCS)*

The FMCS is an independent Federal agency that provides services and assistance to other Federal agencies and to unions in resolving negotiation impasses.

The FMCS does not have the authority to “resolve” impasses, as does the FSIP; its function is to assist the parties to reach agreement.



## THE ORGANIZING STAGE

The Organizing Stage begins when a union seeks to represent the employees in all or part of an agency, thereby requesting a “**unit of recognition**” (also known as “**bargaining unit**” or “**appropriate unit**”).

The union’s first task is to evaluate the employees it seeks to represent and their jobs to establish that a “community of interest” exists among the employees. This “community of interest” may be based upon several different things, such as similar jobs, the same personnel servicing, the same work location, or other “common interest” factors shared among the employees.

The union will then circulate a questionnaire among employees to determine their interest in being represented by the union. Any union seeking to represent employees must get a 30% interest showing of the total number of employees in the bargaining unit it seeks to represent in order to have an election.

*During the organizing period, you, as a supervisor, must remain absolutely neutral, both on and off the job, with regard to the question of union representation. In general, employees may engage in organizing activities during non-duty time and in non-work areas. As a supervisor, you should check with Employee and Labor Relations to verify employee rights and management rights with regard to labor-management organizing activities, and conduct yourself accordingly.*

## THE ORGANIZING STAGE

*After a labor organization has obtained the required 30% interest showing, it will submit a petition to the FLRA seeking to represent the employees in a specified bargaining unit.*

*The FLRA will examine the petition and the accompanying questionnaires and determine the “appropriateness” of the requested bargaining unit.*

*If the FLRA finds that all pertinent requirements have been met, it will authorize a secret ballot election. The FLRA may either conduct the election or supervise its conduct to verify its validity and legality.*

*The outcome of such an election is based solely upon the “majority of valid votes cast” by eligible employees.*

The preelection and election period can be challenging to management, and particularly to supervisors who deal directly with the employees, because of the requirement for management to remain absolutely neutral on questions of union representation.

## THE ORGANIZING STAGE

There are some positive things that management can do, rather than simply being passive. For example, management can:

- Publicize the election and encourage all employees to vote;
- Correct false or misleading statements related to the election; and
- Inform employees regarding Headquarters or Departmental Labor-Management Relations policy and advise employees of their rights, but not how to exercise those rights.

*A supervisor should not in any way encourage an employee to take part in union activity or discourage an employee from doing so. A supervisor should consult with his/her labor relations specialist before making statements to employees regarding union organizing or union activities.*

A union that receives a majority of the votes cast in an election is certified by the FLRA as the exclusive representative of the employees of the bargaining unit.



## THE NEGOTIATION STAGE

After a union gains exclusive recognition, it usually soon wishes to negotiate an agreement covering the employees it represents.

Agency and union representatives will meet to negotiate in good faith a collective bargaining agreement, which is binding upon both parties. The negotiated agreement basically will set forth the actions, rights, and responsibilities of both parties with regard to personnel policies, practices, and matters affecting working conditions. The agreement, which is applicable to all members of the bargaining unit (whether they are dues-paying members or not), must include a negotiated grievance procedure which has binding arbitration as the final step in the procedure.

The union, as the exclusive representative of bargaining unit employees, is responsible for representing the interests of all employees in the unit it represents without discrimination and without regard to labor organization membership.



## THE AGREEMENT ADMINISTRATION STAGE

Once a negotiated agreement is approved, it is binding upon both parties. You are a representative of management responsible for carrying out management's part of the bargain.

You must know what is in the agreement in very explicit detail, not have just some vague idea of the contents. In addition to a clear understanding of the rights of employees and the union, you must know your rights and responsibilities also. You must know, for example, that the law prohibits certain actions by both management and union officials. Those prohibitions are called "Unfair Labor Practices" (ULPs) and you must know what they are for both parties.

For example, as a supervisor, you may not:

- Interfere with, restrain, or coerce employees in exercising their rights under the labor relations program.
- Encourage or discourage union membership by discriminating with regard to conditions of employment.
- Sponsor, control, or assist a labor organization.

continued . . .

## THE AGREEMENT ADMINISTRATION STAGE

- Discipline or otherwise discriminate against employees for filing a complaint, petition, or for testifying.
- Refuse to consult or negotiate in good faith with a labor organization.
- Fail or refuse to cooperate in negotiation impasse procedures or decisions.
- Enforce a rule which conflicts with the collective bargaining agreement, if the agreement was in place before the rule was issued.
- Otherwise fail or refuse to comply with any provision of the labor relations statute.

Similarly, union officials may not:

- Interfere with, restrain, or coerce employees in exercising their rights under the labor relations statute.
- Cause, or attempt to cause, an agency to discriminate against employees in exercising their rights.

continued . . .

## THE AGREEMENT ADMINISTRATION STAGE

- Coerce, punish, or attempt to take reprisal against a union member to hinder work performance or productivity.
- Discriminate against employees in regard to labor organization membership.
- Refuse to consult or negotiate in good faith.
- Fail or refuse to cooperate in impasse procedures and decisions.
- Call, participate in, or condone a strike, work stoppage, slowdown, or picketing which interferes with an agency's operation.
- Otherwise fail or refuse to comply with any provision of the labor relations statute.

**An alleged ULP may be filed against:**

- Management; or
- A Labor Organization (not against you or another employee).

## THE AGREEMENT ADMINISTRATION STAGE

### **An alleged ULP may be filed by:**

- An employee;
- Management; or
- A Labor Organization.

The FLRA will investigate, prosecute, and decide all ULPs that are not settled. If an agency is found to have violated the labor relations statute, a 30-day posting of the FLRA's findings must be made in work areas. Additionally, the agency may be directed to return to the status quo which existed before the ULP occurred, e.g., an agency may be required to vacate a promotion selection and to rerun the merit promotion process.

Once a labor organization has achieved exclusive recognition, it gains the right to negotiate with management before any supervisor changes a condition of employment of bargaining unit employees. The union also has the right to represent employees in discussions that may result in disciplinary actions if the employee requests representation. Finally, a supervisor must allow the union to have a representative present when he/she is discussing a grievance or any personnel policy or practice with bargaining unit employees. A supervisor should consult with Employee and Labor Relations when any of these situations arises. The consultation should occur before any management action is initiated.

## TIPS FOR YOU

Other than a thorough knowledge of the collective bargaining agreement applicable to your work unit, nothing will go further toward achieving smooth and fair labor-management relations than an open, cooperative attitude on your part.

Remember that the union representatives in your work unit hold positions of trust in the bargaining unit. Give them the respect and cooperation they need to do their jobs effectively. Be as understanding of their jobs as you expect them to be of yours.

Here are a few common-sense tips that may help you to avoid or minimize employee grievances or dissatisfaction:

- Keep the union representative informed of plans affecting employees.
- Keep workers informed regarding the quality of their work.
- Assign work impartially to employees with equal skill and ability.
- Don't knowingly violate the agreement.
- Encourage constructive suggestions from union representatives and act on them.
- Correct minor irritations promptly.

continued . . .

## TIPS FOR YOU

- Act as soon as possible on reasonable union requests.
- Explain your orders, even if they seem obvious to you.
- Keep your promises.
- Don't resort to "favoritism."
- When you take corrective action against an employee, don't make it a public display.
- When a dispute does arise, resolve it (if possible) before it becomes a formal grievance.
- Seek the advice and assistance of Employee and Labor Relations any time you are not sure of the action or position most appropriate to the situation or if you are at all uncertain as to whether or not the action you desire to take is consistent with the provisions of the labor relations statute.

# UNFAIR LABOR PRACTICES

---

**Purpose**

Federal labor-management relations law establishes certain rights for agency employees, unions, and agency management. An Unfair Labor Practice (ULP) is any violation of this law. The ULP process is the means to enforce rights provided under the Federal Labor-Management Relations Statute.

---

**Supervisor's Role**

You play a central role in avoiding ULP charges. It is your responsibility to be aware of your labor relations responsibilities under the Federal Labor-Management Relations Statute. You should know the steps for implementing new conditions of employment and invite union representatives to attend formal discussions with bargaining unit employees, as well as investigations of employees when the employee reasonably believes that the investigation may result in disciplinary action against the employee (and the employee requests representation). You should also cooperate with any ULP investigations or proceedings.

---

**References**

5 USC 71, section 7116

---

** CONTACT**

For more information on Unfair Labor Practices, contact Employee and Labor Relations.





## **I3. Safety**

# GENERAL SAFETY

---

## **Purpose**

As a Federal agency, it is the Department's responsibility to provide a safe and healthful environment for its employees, cooperators, contractors, and the visiting public. In meeting this responsibility, the Department must minimize unsafe/unhealthful behavior and/or work conditions through education, training, and the use of recognized management techniques to identify and correct hazards, minimize accidental property damage or loss, and make safety and health an integral part of every task. To ease readability in the following sections, the word “employee(s)” will encompass volunteers.

---

## **Supervisor’s Role**

As a supervisor, you are responsible for complying with and enforcing the safety regulations/standards adopted by the DOE, which are issued from OSHA, EPA, DOT, DOE, and State and local authorities. You are expected to identify unsafe/unhealthful employee behavior and working conditions and correct them or advise management of the need for corrective action. It is also your responsibility to ensure that your employees understand safety responsibilities and are properly trained in the Department’s safety program.

---

## **References**

OSHA regulations found at 29 CFR parts 1910, 1926, 1960, E.O. 12196 and DOE 0440.1a, Worker Protection Program for DOE Federal and Contractor Employees.

## GENERAL SAFETY

### CONTACT

For more information on the Department's safety program, contact your HQ Safety Office staff, or the Office of Environment, Safety, and Health. Information can also be found on the Internet at <http://www.ch.doe.gov/feosh>.

# SAFETY PROGRAM

---

**Purpose**

The responsibility for a safe and healthful DOE occupational environment is shared by all employees. In particular, supervisors must apply the use of various work practices and procedures to protect resources (personnel, physical structures, equipment, and land) from risks, injury, damage, or loss.

---

**Supervisor's Role**

As a supervisor, you have safety program resources available to you, such as DOE Points of Contacts and Safety Office staff who are familiar with managing resource risks by implementing proactive, site-specific Safety Program elements. An effective Program is made up of at least the following four elements: (1) management commitment and employee involvement; (2) analysis/inspection; (3) hazard prevention and control; and (4) training. These four elements are incorporated within the Department's safety and health policies and are discussed in the following sections. In addition, you are responsible for:

- Actively participate in providing for the safety and health of employees, volunteers, contractors, and the visiting public.
- Ensuring that employees are capable of accomplishing their assigned work by providing appropriate safety and health training such as safety orientation for new/transferred employees task-specific safety training.

continued . . .

# SAFETY PROGRAM

---

## Supervisor's Role (continued)

- Monitor operations and ensure that facilities are inspected routinely (at least annually).
- Require implementation of engineering/administrative controls based upon hazard analyses (Job Hazard Analysis [JHA]/Hazard Assessments) before relying on personal protective equipment (PPE) such as gloves, safety glasses, etc., to protect the employee from hazards. If PPE is needed, then you must ensure its proper use.
- Promptly abate deficiencies found during inspections or reported by employees— do not allow an employee to work in an unsafe situation.
- Ensure compliance with safety and health regulations and policies, including the development of site-specific safety and health programs/plans (e.g., Emergency/Evac, HazCom, Respiratory Protection, Chemical Hygiene, etc.).
- Investigate and report all job-related incidents/accidents that result (or could result) in injury, illness, or property damage.

continued...

# SAFETY PROGRAM

---

## Supervisor's Role (continued)

- Involve your employees in creating a safe working environment—ask them about the hazards of their jobs, discuss accidents/near-misses, plan new tasks/work procedures with employees' input, etc. Use promotional efforts and incentives to motivate employees to achieve the safety program goals.
- Hold employees accountable for safe and healthful work practices, include safety and health as part of each employee's annual review, and provide recognition for exemplary performance. Provide for employee participation in the safety and health program without fear of reprisal.

The bottom line is that by managing an effective safety and health program, you save DOE resources (money and lost time) and foster employee motivation by your “I care” attitude.

---

## References

29 CFR parts 1910, 1926, 1960, et al.; E.O. 12196, and DOE 0440.1A



# ACCIDENT/INCIDENT INVESTIGATION

---

## Purpose

The primary reason for conducting an accident/incident investigation is to determine causes and prevent recurrence. With the exception of serious accidents as defined within *Accident/Incident Reporting* in this section, investigations should be conducted by the immediate supervisor of the employee or property involved. The DOE Point of Contact should assist in the investigation to ensure all relevant factors are identified. Generally, the procedures followed during an investigation are designed to elicit clues to other problems, such as maintenance problems, poorly-designed equipment, untrained employees, etc. Accidents involving activities such as aircraft/fire/law enforcement operations, etc., have specific and/or additional investigation and reporting requirements that must be met. Please note that the full spectrum of accident/incident investigation is outside the scope of this guide, so you should contact the Safety Office staff for additional guidance.

---

## Supervisor's Role

**Take Immediate Action:** Employee and visitor safety is the primary concern when an accident occurs. If an injury or illness results, make sure the affected person gets immediate medical attention, and take steps to provide for emergency care or rescue. In addition, take any action that will prevent/minimize further accidents from happening as a result of the initial accident.

continued . . .

# ACCIDENT/INCIDENT INVESTIGATION

---

## Supervisor's Role (continued)

- **Secure the Site:** If needed, barricade or isolate the scene with ropes, barrier tape, cones, guards, etc., to warn people and/or restrict access to the area.
- **Preserve Evidence:** Record locations of evidence with videotape, photos, or sketches.
- **Interview Witnesses:** Supervisors should speak with anyone who was in the accident area, not only those who actually witnessed the event.
- **Complete the DOE Report:** Use clear, concise language and cover all causal factors that might have contributed to the accident.

---

## References

29 CFR part 1960.29

# ACCIDENT/INCIDENT REPORTING

---

## **Purpose**

The primary purpose of reporting accidents and incidents is to document causal factors in order to prevent a recurrence. For DOE purposes, an “incident” is an unplanned event involving DOE property, employees, contractors, visiting public, or the environment that could have resulted in an injury, illness, or material loss, but did not. If there is injury, illness, or loss of property the incident is reported as an “accident.” In addition, a serious accident is one involving a death or three or more persons hospitalized, or property loss exceeding \$250,000.

An accident/incident report is required for, but not limited to, events that involve:

- Injury, occupational disease, or death connected with the performance of work duties by employees or other personnel (e.g., contractors’ employees, etc.).
- Public injury, death, and/or property damage relating to DOE operations or facilities.

continued . . .

# ACCIDENT/INCIDENT REPORTING

- 
- Fire resulting in any loss involving equipment, structures, or contents of any DOE property.
  - Property damage or injury resulting from privately-owned or commercially-leased equipment use for official business.
  - Other property under DOE control that is damaged by an accident.
- 

## **Supervisor's Role**

- Ensure that employees understand their responsibility to immediately report every job-related incident or accident to their supervisors.
- Ensure that each incident/accident is investigated to determine cause(s), with preventive/corrective actions implemented to prevent recurrence
- Be knowledgeable about requirements to complete additional reports for certain accidents involving aircraft, motor vehicles, fire, injury compensation, etc.

continued...

## REPORTING UNSAFE/UNHEALTHFUL CONDITIONS (EMPLOYEE)

---

### Purpose

Employees are responsible for identifying potentially hazardous practices/conditions and correcting them when they have the ability and knowledge to do so. Employee reports of unsafe or unhealthful practices and conditions are an important means of identifying potential hazards before accidents occur, and are encouraged at all levels. Reports should be handled at the operating level to expedite corrective action; however, reports or complaints may be made directly to the Safety Office staff for follow-up action.

---

### Supervisor's Role

Supervisors are the key to ensuring that follow-up is done on employee reports of unsafe/unhealthful conditions and practices. Supervisors are responsible for investigating employee reports and implementing controls to protect employees from hazards. Such controls include:

- Discontinue operation/process until corrective action is implemented.
- Remove all employees from the hazardous condition, operation, or process.
- Place barriers and sign the hazardous area to prevent entry of personnel until corrective actions are completed.

continued . . .

## REPORTING UNSAFE/UNHEALTHFUL CONDITIONS (EMPLOYEE)

---

### Supervisor's Role (continued)

- Provide employees with appropriate clothing, PPE, or equipment to allow them to continue the task safely.
- Advise employees concerning corrective actions completed or planned.
- Forward the report to the Safety Office or upper management if you do not have the expertise, authority, or resources to accomplish corrective action.
- Follow up to ensure that corrective actions have been completed.

Employees may also submit formal complaints alleging workplace hazards directly to OSHA; however, employees are encouraged to use DOE in-house reporting procedures as the most expeditious means to achieve hazard abatement.

---

### References

29 CFR parts 1960.10, 1960.26-28, 46

## SAFETY AND OCCUPATIONAL HEALTH TRAINING

---

### Purpose

The DOE is required to provide safety and health training to all employees, including managers and supervisors. Training in how to deal with the environment, materials, and machines that may pose hazards is a primary deterrent to accidents. Some obvious reasons for conducting training are to protect employees from injury, increase efficiency, improve morale, avoid accidents, and comply with regulatory requirements. Training needs can vary drastically from one location to another; therefore, the training of each employee or group of employees must be appropriate to the work performed, compliance requirements, and the degree of hazard involved.

---

### Supervisor's Role

Supervisors are the key in establishing when, where, and how to do each job safely by:

- Ensuring that their employees receive the training necessary to safely perform job duties.
- Obtaining assistance for developing and conducting safety training from qualified and experienced employees, Service safety personnel, private industry vendors, OSHA, NFPA, etc.

continued . . .

## SAFETY AND OCCUPATIONAL HEALTH TRAINING

---

### Supervisor's Role (continued)

- Ensuring the proper use and care of PPE and DOE property.

There are numerous jobs throughout the Department that require training and/or certification prior to performing certain tasks. Supervisors are advised to check with Safety Office staff for specific requirements.

---

### References

29 CFR part 1960.54, 55, 58, 59

## SAFETY AND HEALTH INSPECTIONS/ASSESSMENTS

---

### Purpose

Safety and health inspections/assessments identify substandard conditions and practices that can lead to accidents and injuries. All DOE facilities must have an inspection/assessment at least annually, or more frequently if operations involve special hazards. They must be conducted by personnel qualified by training or experience to identify hazards within their specific work settings (e.g., POCs and/or Safety Office staff). Inspections by outside agencies (e.g., OSHA) may be triggered by an employee's report of a hazard or an imminent danger, or be part of the agency's formal inspection process. Safety Offices typically conduct scheduled inspections of their facilities on a rotational basis.

---

### Supervisor's Role

- Afford employees the opportunity to identify substandard working conditions. This is done primarily through the use of daily assessments of routine activities. These assessments deal with work practices/conditions such as machine guarding, housekeeping, ladders, fire protection, flammable/combustible liquid storage, and so forth.
- If an imminent danger situation is discovered during an inspection/assessment, personnel should be withdrawn from the worksite until the condition is corrected.

continued . . .

## SAFETY AND HEALTH INSPECTIONS/ASSESSMENTS

---

### Supervisor's Role (continued)

- Ensure that corrective actions are completed immediately, or promptly request assistance from the appropriate management level for action.
- Ensure that all reports of identified hazards, as well as any resulting abatement plan, are posted on the Station's bulletin board.

**NOTE:** Inspection checklists are an excellent tool for conducting routine inspections; however, while checklists are helpful, they are not all-encompassing. Hazards identified that are not included on a checklist should be added as appropriate. Contact your Safety Office staff for inspection/assessment checklists or examples of safety reviews conducted at other sites.

There may be operational areas where expertise at the site is not sufficient for conducting an inspection. In such cases, you should contact your Safety Office staff for assistance. They may either provide the assistance you need or refer you to a qualified individual (e.g., industrial hygienist, engineer, etc.).

continued . . .

## SAFETY AND HEALTH INSPECTIONS/ASSESSMENTS

---

<b>Supervisor's Role (continued)</b>	Guidance on which activities/operations require inspection, and the preferred inspection format, may also be obtained from your Safety Office staff.
<b>References</b>	29 CFR part 1960.25(a)(c)

---



# HAZARD COMMUNICATION (HAZCOM)

---

## Purpose

To ensure that employees are informed of chemical and physical hazards present within their workplace, reduce or eliminate the incidence and/or likelihood of workplace injuries/illnesses resulting from exposures, and establish a framework for providing safety and health information for special-emphasis programs such as (but not limited to) asbestos, formaldehyde, lead, etc.

---

## Supervisor's Role

The extent or degree of HAZCOM implementation is based upon the potential of on-the-job exposures to chemical and physical hazards; therefore it is highly recommended to contact your Safety Office staff to determine the extent of program development required at your specific location.

Develop and implement a written Hazard Communication Program which contains the following key elements:

- Acquire and maintain **Material Safety Data Sheets (MSDSs)** for all hazardous chemicals in use at the facility. Obtain the applicable MSDS prior to the product's first use and review it with employees.

continued . . .

## HAZARD COMMUNICATION (HAZCOM)

---

### Supervisor's Role (continued)

- Maintain a **list of all hazardous chemicals** used at the facility. The list may be further subdivided to provide inventories for individual buildings and workplaces. Each list must be updated annually, and as new products are received. Each item on the inventory shall have a corresponding MSDS. It is recommended that this list be computerized to facilitate updates.
- Provide employees with **training** prior to first using or handling a hazardous chemical. Ensure that a review of the chemical-handling procedures has been done prior to the start of a chemical's use. Where JHAs are used, MSDSs must be incorporated into the JHA.
- Ensure that all containers are **labeled, tagged, or marked** with the product's identification and appropriate hazard warnings.
- Ensure that employees exposed to hazardous chemicals or those developing symptoms of overexposure have access to a **medical evaluation**.

continued . . .

## HAZARD COMMUNICATION (HAZCOM)

---

### Supervisor's Role (continued)

- **Retain records** pertaining to employee exposures, hazard chemical inventories, and hazardous chemical use for at least 30 years.
- DOE personnel should be informed about any chemical/physical hazards brought onto the site by **contractors**, and contractors should be made aware of such hazards at the site.
- It is incumbent upon management to choose the **least-hazardous product** that will get the job done. Supervisors should contact suppliers (especially GSA) to request literature or an MSDS prior to ordering a product to determine if that product is the least hazardous for the required application.

---

### References

29 CFR part 1910.1200



## PERSONAL PROTECTIVE EQUIPMENT (PPE)

---

### Purpose

To provide personal protection from workplace hazards in the event that those hazards cannot be mitigated through engineering or administrative controls (*see Job Hazard Analysis (JHA)/Hazard Assessment* in this section for additional information on engineering and administrative controls). PPE includes all clothing and work accessories (e.g., barrier creams to protect against poisonous vegetation, ergonomic devices, electrolyte fluids, etc.) designed to protect against occupational hazards.

---

### Supervisor's Role

- Conduct a written hazard assessment of employee's work activity to determine if hazards are present, or likely to be present, which necessitates the use of PPE.
- If hazards are found that cannot be totally controlled by engineering and/or administrative methods, you must:
  - Select, provide, and require the use of PPE that will protect the employee from identified hazards.
  - Communicate the selection and compulsory-use requirement to each affected employee.

continued...

## PERSONAL PROTECTIVE EQUIPMENT (PPE)

---

### Supervisor's Role (continued)

- Certify each JHA form with an evaluator's signature.
  - Provide training to individuals required to use PPE, to include when and how to use it, limitations, and proper care, maintenance, and disposal.
  - Each employee must demonstrate an understanding of the training provided, and the ability to use the PPE properly.
- 
- Verify by written certification that each affected employee has received and understands the PPE requirements as imparted in the training. If you believe that any trained individual does not have an acceptable level of understanding/skill regarding PPE, retraining must be provided.

---

### References

29 CFR parts 1910.95, 132 through 138, 1960.10; ANSI Z41, Z87.1, & Z89

# CONFINED SPACE

---

## Purpose

To ensure that employees having job tasks involving work in a confined space have the necessary understanding, skills, and knowledge to accomplish their tasks safely while in the confined space.

A confined space is an area with limited or restricted means of access and egress that is not designated for continuous occupancy. A few examples that may be found at DOE facilities include tanks, wells, lift stations, manholes, boilers, and pits. Many workplaces have confined spaces that may occasionally be entered to perform repairs, maintenance, or other tasks. Hazards that can be encountered in a confined space are heat, noise, falling, engulfment, and asphyxiation, to name a few. All DOE are required to assess their facilities to determine if permit-required confined spaces exist (it is recommended that you check with your Safety Office staff for additional assistance). If confined or permit-required confined spaces exist they must be identified (signed, labeled, etc.). If DOE personnel will be entering the space, a Confined Space Entry Program is required.

continued . . .

# CONFINED SPACE

---

## **Supervisor's Role**

If a program is required, the following actions are just a few of those needed to meet compliance.

- Establish written Confined Space entry procedures (consult Safety Office staff).
- Provide initial and refresher training to all employees whose jobs necessitate entering any confined space(s) at the Site.
- Employees required to enter confined spaces must be informed about the hazards, precautions, emergency equipment, and PPE involved in the work activity.
- Ensure that the confined space has been tested for hazardous atmosphere, and that any steam, water, heat, or power lines going to the confined space are locked and tagged out before entrance.

continued...

## CONFINED SPACE

---

### Supervisor's Role (continued)

- There are additional entry requirements that should be obtained from Safety Office staff. These include having a competent person stand by during a confined space entry to act in the event the entry worker requires rescue from the confined space, having additional equipment such as body harnesses, rescue equipment, ventilation equipment, etc.

---

### References

29 CFR part 1910.146



# ENERGY LOCKOUT/TAGOUT

---

## Purpose

To ensure that employees and contract personnel understand how to prevent unexpected energization, start-up, or release of stored energy that could result in personal injury. Machines, equipment, and systems must be isolated from all potentially-hazardous energy sources (e.g., electricity, pneumatic, steam, internal combustion, hydraulic, etc.) prior to employees performing any service or maintenance activities.

Typical activities requiring lockout/tagout include repairing electrical circuits or equipment, work on or near equipment with movable parts, cleaning blocked or jammed mechanisms, and work on lines carrying hazardous materials, materials under pressure, or materials at dangerous temperatures.

---

## Supervisor's Role

- Determine if your facility requires a lockout-tagout program. If so, implement a program at the Site, with assistance from your Safety Office staff.
- Ensure that all employees are trained in the purpose and requirements of lockout/tagout procedures.

continued...

# ENERGY LOCKOUT/TAGOUT

- 
- Require the implementation of lockout/tagout procedures for tasks which carry the risk of unexpected energy release.
  - Ensure that standardized lockout/tagout devices are used when required.
- 

## References

29 CFR part 1910.147

## NOISE CONTROL AND HEARING CONSERVATION

---

### Purpose

To establish requirements and procedures that will eliminate, prevent, or minimize the risk of hearing impairment from exposure to excessive levels of noise in the work environment.

---

### Supervisor's Role

- Evaluate excessive noise-exposure activities/locations and determine, in consultation with Safety Office staff, the need for audiometric testing, sound-level measurements, implementation of engineering/administrative/PPE controls, etc.
- Post high-noise-level warning labels and signs in work areas where the noise level is 85 dBA or higher.
- Ensure that employees at risk to excessive noise participate in a hearing conservation program.
- Provide and replace, as necessary, appropriately-selected hearing protection devices for all employees exposed to excessive noise.

continued . . .

## NOISE CONTROL AND HEARING CONSERVATION

---

### Supervisor's Role (continued)

- Ensure that employees are trained in the selection, use, and maintenance of hearing-protection devices, and are responsible for using them in designated high-noise areas.

---

### References

29 CFR part 1910.95

# OFFICE SAFETY AND ERGONOMICS

---

## **Purpose**

To provide a safe and healthful work environment for DOE personnel whose job responsibilities entail working in an office setting. Hazards encountered in the office environment may include slips and trips from loose carpeting or power cables across a doorway, falls from a step ladder while retrieving supplies, excessive noise from a copier placed too close to a work area, fire hazards from too many electrical plugs in one outlet, and ergonomic problems resulting from poor workstation layout.

---

## **Supervisor's Role**

- Ensure that good housekeeping practices are followed in the office, including keeping extension cords away from travel areas, cleaning up spilled liquids, properly storing flammable materials, providing adequate outlets for electrical items, maintaining clean, well-lit stairways, and isolating loud machinery from the general work area.
- Include office safety and ergonomic topics in safety meetings. Supervisors should consult their POCs and/or Safety Office staff for safety requirements common to office environments (e.g., fire, electrical, etc.).

continued . . .

# OFFICE SAFETY AND ERGONOMICS

---

## Supervisor's Role (continued)

- Provide employees with work areas designed to prevent ergonomic problems such as Carpal Tunnel Syndrome, eyestrain, back strain, and neck strain. For example, each employee should have adequate desk space to comfortably accommodate materials and equipment necessary for the job, keep frequently-used items close to the employee, position computer equipment for maximum comfort of use, chairs must be adjustable and at the proper height, desks should be at the proper height for the employee, reduce glare and intense lighting, and cut back on office noise by covering noisy printers or erecting partitions to reduce the noise level.
- Ensure that employees are aware that they are responsible for other ergonomic solutions, such as taking short rest breaks, exercising during the week to increase fitness, notifying you of any problems that arise, and maintaining good work habits.

---

## References

## FIELD WORK

---

### Purpose

To ensure the safety and health of employees who perform field activities in which they may confront many different types of work environments, each with its own associated hazards. For example, working alone can be dangerous if unexpected problems such as injury, fire, or chemical emergency occur; therefore, whenever possible, the planning and execution of field activities should be a team effort.

---

### Supervisor's Role

- Ensure that employees required to work in the field have received adequate safety orientation and training on specific topics such as inherent seasonal hazards (e.g., summer heat/humidity, winter ice and snow, etc.), and location-specific hazards (e.g., mines/pits, hazardous chemicals/waste, etc.). Appropriate training in first-aid/CPR must be furnished, along with adequate emergency supplies.
- Ensure adherence to an established field work routine, such as notifying others of intended destination, route of travel, work time, and expected return to base.
- Provide an adequate means of communication (e.g., cell phones, radio, etc.) and personal emergency locator devices for employees working in remote locations, and if communication is not possible, develop a back-up plan for use in emergencies.

# MOTOR VEHICLES AND EQUIPMENT

---

**Purpose**

To ensure employee safety when operating or working around motor vehicles and motorized equipment, all-terrain vehicles (ATVs), dump trucks, heavy-duty equipment, motor vehicles, farm equipment, and powered industrial trucks (forklifts).

---

**Supervisor's Role**

- Ensure that employees can satisfactorily operate the vehicle/equipment for which they are authorized. You have the authority to restrict or terminate authorizations for poor/unsafe drivers.
- Make sure you have informed employees regarding their responsibilities for operating Service motor vehicles: a) mandatory seatbelt use, b) not driving under the influence, c) official passengers only, d) vehicle misuse, and e) accident reports (DI-135 packet, SF-91, SF-94, and SF-95).
- Ensure that all vehicles have first-aid kits and fire extinguishers.

continued...

# MOTOR VEHICLES AND EQUIPMENT

---

## Supervisor's Role (continued)

- All vehicle operators must be provided specific equipment operational training, such as in the case of powered industrial trucks (forklifts) and four-wheel all-terrain vehicles (ATVs). Ensure that safety protection equipment and devices such as rollover protection (ROPS), seat belts, etc. are in working order.
- Stress that operators must continually inspect their vehicles/machines for safe operating conditions. Vehicle operators shall inspect motor vehicles before placing them in operation. The operator inspection should be conducted to detect obvious vehicle malfunctions that render the vehicle unsafe and/or unserviceable (e.g., checking tires, battery, steering, brakes, lights, horn, etc.). Additionally, each motor vehicle must be inspected by qualified/competent mechanics for safety and operability. Operators must be provided the authority to discontinue use of their equipment if defects or unsafe operating conditions are found.

---

## References

29 CFR parts 1910, 1926, 1928

# AIRCRAFT USE AND SAFETY

---

**Purpose**

In general, DOE aviation policy is similar in that DOE O440.2, establishes the framework for an effective aviation program, and to reduce or eliminate accidental losses and injuries in Departmental and contractor aviation operations.

---

**Supervisor's Role**

It is your responsibility to ensure the safety of your personnel and that the required training has been provided prior to using aircraft to accomplish Service missions. You must have enough familiarity with your aircraft operations and pertinent regulations to ensure compliance and safety. If you are not conversant with regulations on aircraft operations, then you are responsible for contacting appropriate personnel to ensure that your aviation use is safe and in compliance with regulations.

---

**References**

DOE 0440.2, "Aviation"; DOE Draft Aviation Implementation Guide; Aviation Manager and Aviation Safety Officer Technical Qualification Standards; April 17, 1999, S-1 delegation of authority to Director, MA-10; and new draft "Aviation Management and Safety" policy.

---

**Contact**

Office of Aviation Management (MA-10)
---------------------------------------

# HAZARDOUS MATERIALS OPERATIONS

---

## Purpose

To provide a safe and healthful environment for employees engaged in hazardous material-related activities through a program of education, training, use of PPE, medical monitoring, and recordkeeping.

---

## Supervisor's Role

- Consult with your Safety Office staff to determine if appropriate protective measures are in place prior to requiring employees to work in hazardous materials operations. JHAs/Hazard Assessments are typically required for these types of activities.
- Ensure that employees are fully trained in their responsibilities concerning hazardous materials operations (see OSHA's HAZWOPER standard at 29 CFR 1910.120 for training requirements).
- Ensure that employees use appropriate PPE to protect against hazardous exposures (e.g., chemical, biological, physical, etc.).
- Ensure that employees have received appropriate medical monitoring, and participate in a medical surveillance program.

---

## References

29 CFR part 1910.120



## INTERNET RESOURCES

The following Internet sites provide useful information on safety and health topics:

OSHA: <http://www.osha.gov>

Office of Aircraft Service, Aviation Safety: <http://www.oas.gov/oassafety/index.htm>

Consumer Product Safety Commission (CPSC): <http://www.cpsc.gov>

National Safety Council (NSC): <http://www.nsc.org>

Department of Transportation Hazardous Materials: <http://www.hazmat.dot.gov>

Centers for Disease Control and Prevention (CDC): <http://www.cdc.gov/>

Compressed Gas Association (CGA): <http://cganet.com>

Environmental Protection Agency (EPA): <http://www.epa.gov/>

NIOSH: <http://www.cdc.gov/niosh/fp.html>

National Fire Protection Association (NFPA): <http://www.nfpa.org>

MSDS Resources: <http://www.chem.uky.edu/resources/msds.html>

MSDS Resources: <http://hazard.com>

Toolbox Talks: <http://www.dca-online.org/toolbox.htm>

WVU-Safety: <http://www.wvu.edu/~exten/infores/pubs/safety.htm>

OWCP AQS Case Management Query System: <https://www.dol-esa.gov/aqs/>

OWCP Forms, Handbooks, etc.: <http://www.dol.gov/dol/esa/public/regs/compliance/owcp/fecacont.htm>

Lab Safety Supply: <http://www.labsafety.com>



## **I4. Security**

# PHYSICAL SECURITY

---

**Purpose** The physical security program establishes the physical measures designed to protect employees, to prevent unauthorized access to property and information and safeguard them against loss or damage. To the extent possible, all employees are responsible for safeguarding Government property and sensitive information.

---

**Supervisor's Role** It is your responsibility to ensure that all of your employees are advised of their obligation to protect Government property and sensitive information. You should also ensure that they are informed of the physical security program.

---

**References** DOE Orders

---

 **CONTACT** Contact the Office of Security Affairs.

## PHYSICAL SECURITY

**Office security includes . . .** safeguarding your own workspace as well as your office suite. To minimize the risk of a security breach, you should:

- Keep the emergency phone numbers for the protective force, the police, and fire department posted near every phone.
- Never leave office keys where they can be easily taken and copied. Only give out keys to people with a legitimate need and make sure they are returned.
- Report any broken or flickering lights, dimly lit corridors, doors that don't lock properly, or broken windows to the facility manager.
- Keep small items such as calculators, tape recorders, adding machines, etc., locked in a desk drawer or file cabinet.
- Unescorted visitors who appear lost should be assisted and directed to the office they are visiting. Employees should ensure that their visitors wear visitor badges and are otherwise properly identified.

continued . . .

## PHYSICAL SECURITY

- Notify the protective force of any suspicious person or vehicle you see.
- Protect security badges and report a lost or stolen badge to the security office within 24 hours of discovery.
- Lock all offices, conference rooms, and storage rooms when unoccupied.

**Personal property is . . .** the responsibility of the owner, not the Department. All employees are discouraged from bringing personal items such as radios, televisions, clocks, pictures, etc., to the office. To minimize loss of personal property, you should:

- Keep your wallet, purse, or other valuable items with you at all times or locked in a drawer or cabinet.
- Never leave change or cash on a desk or in an unlocked drawer. Never post a sign indicating the individual's name/location collecting coffee/water fund monies.
- Do not leave outer office areas unattended.
- Keep coat racks away from main office entrances.

## PHYSICAL SECURITY

**Privileged information refers to . . .** any industry trade secrets or confidential commercial or financial information. It also includes personnel and medical files, as well as investigatory records compiled for the purpose of law enforcement. All DOE employees must take the following precautions:

- Never leave privileged information unattended. If you must leave your work area, place the information in an approved secure file area or in an approved secure file container.
- During non-working hours, all privileged information must be placed in an approved secure file area or in an approved secure file container.

# COMPUTER SECURITY

---

## **Purpose**

The DOE Computer Security Program exists to prevent unauthorized access, disclosure, delay, alteration, destruction, or misuse of automated information systems and data. The use of computer equipment for processing national security classified information is prohibited within DOE.

---

## **Supervisor's Role**

As a supervisor, your responsibilities are to:

- 1) Ensure that all employees/contractors observe the security requirements of the Automated Information Systems (AIS) and AIS facilities they use;
- 2) Ensure that only authorized software runs on DOE computer equipment and that employees' activities comply with all legal requirements concerning the use of proprietary software;
- 3) Ensure that all employees receive computer security awareness training that is provided by the DOE Computer Security Program.

# COMPUTER SECURITY

---

## References

OMB Circular No. A-130

---

## CONTACT

The Division of Information Resources Management (IRM) is responsible for the DOE Computer Security Program. A Bureau Information Resource Security Administrator (BIRSA) is appointed by the Director to serve as the point of contact for computer security policy and its implementation. An Information Resource Security Officer (IRSO) is appointed by the Director.

# COMPUTER SECURITY

---

**Use of ADP Resources**

Automated Data Processing (ADP) equipment and resources may not be used for activities other than approved Government business. Use of Government equipment for personal business or non-work related activities (such as personal finance programs or computer games) is prohibited.

---

**Software Policy**

Software that is copyrighted may not be copied or distributed to unauthorized users without prior authorization from the vendor. Also, public domain software cannot be placed on an DOE system unless there is a valid need for it, approval has been obtained from your IRSO, the software is obtained directly from the vendor or developer, and the software has been checked for contamination.

---

**Computer Virus Program**

DOE has a computer virus detection and protection program, as well as procedures for reporting incidents of computer viruses. Contact your IRSO for more information.

---

**Computer Security Breaches**

Any violations of computer security or information resources policies, procedures, or requirements must be reported immediately. Contact your IRSO for more information or to report a breach.



## **15. Travel**

# T R A V E L

---

## **Purpose**

Your organization's Administrative Officer (AO) is the best source of information regarding travel. The AO or other administrative support staff completes Travel Authorization; processes reimbursements and maintains Federal regulations for travel. Your AO can assist with resolving travel problems or unusual expenses incurred while on travel status or after the trip occurred, as well as answer any questions about changes in policies or rates.

---

## **Supervisor's Role**

As a supervisor, your role is similar to that of the AO. You should be able to answer general questions or refer employees to sources of information. You should also review the trip's necessity, decide which employee is the best person to attend, and ensure that the travel expenditures are allowable and necessary. If you're not sure about a travel expense, check with your AO before you authorize that expense. Expenses authorized may not be paid if not provided for in the travel regulations. It is also your responsibility to support your AO as you would any other type of staff member (by answering questions, providing training and professional development, etc.).

---

## **References**

Federal Travel Regulations; Civilian Law Personnel Manual

# T R A V E L

## CONTACT

For more information on the role of the AO, contact your own AO or your Finance Office.

### **Your AO can assist you with . . .**

- Completing Travel Authorization
- Obtaining internal reimbursement for travel expenditures
- Obtaining outside reimbursement for travel expenditures
- Procuring transportation for local travel
- Understanding and adhering to Federal Travel Regulations
- Obtaining the appropriate travel credit card

# GOVERNMENT CHARGE CARD

---

**Purpose**

Government travel charge cards are offered to all Departmental employees who travel for official Government business. The Government travel card may be used to pay for major expenses such as lodging, meals, automobile rental, air, bus, or rail tickets, or cash advances using an ATM machine. Cash advances are authorized to pay for meals and incidental expenses, excluding auto rentals.

---

**Supervisor's Role**

Your role as a supervisor is to identify which employees are eligible to apply for a Government charge card and offer them the opportunity to do so. An employee who needs to travel on official business but doesn't have a Government charge card (e.g., a new employee) may contact CR-50 for guidance. Recipients are subject to the same travel expenditure accounting requirements as stated in the Federal Travel Regulations. Government charge card applications are available from your AO, and must be approved by your immediate supervisor.

---

**References**

Federal Travel Regulations

---

** CONTACT**

For more information on applying for or using the Government charge card, contact your Administrative Officer or Credit Card Coordinator.



# GENERAL TRAVEL

## Travel Definitions

---

Frequent travelers (travel at least once a year) receive a limited open Travel Authorization that is valid for one year.

---

### Reimbursement of Travel

The travel voucher must be supported with documents such as hotel bills, parking fee receipts, airline or rail tickets (if purchased out-of-pocket), rental car billing papers, etc. Receipts for expenses under \$75 need not be attached to the travel voucher, but should be retained by the traveler.

DOE is 80-90% paperless. (Not on paperless Crystal City, IG Field Office, Secretary's LAN)

- If paperless, must process within 10 days of return from TDY.
- If not, must submit voucher within 10 days of return from TDY.
- If paperless - Travel pulls stats sample vouchers from system - employees will be notified by email if they need to submit a voucher to travel - all originals are requested.

# GENERAL TRAVEL

---

## **Federal Travel Regulations**

Federal Travel Regulations (FTR) are published by GSA. Federal Travel Regulations are rules that apply to all travel by civilian employees.

---

## **Local Travel**

Local travel expenses are those paid by an employee for the purpose of official business, and are reimbursable. These expenses include the cost of bus or subway fare, and/or a per-mile reimbursement for traveling in a personally-owned vehicle.

- All must include a justification for travel.
- All must deduct the normal commute roundtrip from home to duty station.
- All vouchers are subject to complete audit from CR-50.

# TRAVEL TO DOE FOR INTERVIEWS

---

## Purpose

When staffing certain high-level or critical needs category positions, it may be necessary to have an applicant travel to Headquarters or one of its operating components in order to fully appraise the applicant’s qualifications. Payment for this type of travel is limited by the Federal Travel Regulations (FTR) and is subject to administrative determination by the Department and OPM.

---

## Supervisor’s Role

When filling a position, you should first try to limit applicants to the immediate commuting distance. If this is not possible, or no suitable applicants are found, you may issue another job announcement outside of the area. When doing so, you must determine if an in-person interview is required to adequately judge the applicants’ qualifications. Your organization may have policies and/or procedures on this; you should work with your AO when interview situations arise. *(If applicants are “out of the area”, organizations must pay PCS. “Budgetary Constraints” is not a justification for not paying).*

---

## References

Federal Travel Regulations

---

## CONTACT

For more information on travel for interviews, contact your Administrative Officer.



# INTERNATIONAL TRAVEL

---

**Purpose**

International travel is the term used to define all travel on official duty time (except change of official duty station) outside the United States and its territories.

---

**Supervisor's Role**

Processing international travel is much more detailed than processing domestic travel, since more approvals and advance notifications are required. The Director and the Department's Office of International Affairs must approve all international travel requests. When necessary, an ethics review and clearance must be obtained before the travel request is submitted to the Office of International Affairs. If tickets are not contract Foreign Flag carrier - justification needed. If business class requested, must be approved by Deputy Controller.

---

**References**

TFMS Guidelines.

---

** CONTACT**

For more information on international travel, contact your Administrative Officer, the International Affairs Office, or the Ethics Branch.



# INJURIES/ILLNESS DURING TRAVEL

---

**Purpose** Occasionally an incapacitating illness or injury may occur while an employee is in travel status. If the employee is incapable of continuing the travel assignment, either temporarily or permanently, certain actions may be taken.

---

**Supervisor's Role** If one of your employees becomes ill or injured while on travel, you should alert your AO immediately. You also must know who has the authority to approve reimbursement for transportation, per diem expenses, etc., incurred due to the injury or illness.

---

**References** Federal Travel Regulations 301-12.4

---

 **CONTACT**

For more information on injuries or illness during travel, contact your Travel Coordinator or AO.





## **16. Property Management**

## ACQUISITION AND ASSISTANCE AGREEMENTS

---

### Purpose

The purpose of acquisition is to acquire services and supplies that enable DOE to carry out its mission. With the exception of the Government Purchase Card and EC-Web, acquisition of supplies and services should be made through the Office of Procurement Services. You should, however, know where to find information on acquisition and assistance agreements. Assistance agreements include grants and cooperative agreements.

---

### Supervisor's Role

Your role as a supervisor is to request or approve requests for items and/or services necessary to accomplish your office's mission. The approval authority of supervisors is established by each organization. Contact your own supervisor if you do not know what your authority is.

---

### References and Contacts

#### Simplified Acquisitions

**(supplies and services up to \$100,000 or through GSA/other agencies)**

*References*—Federal Acquisition Regulation (FAR) part 8 & 13; (DEAR) Department of Energy Acquisition Regulation; EC-Web ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)); Guidelines & Operating Procedures for the use of the Government Electronic Commerce (EC) Web ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)) in accordance with FAR parts 3, 8 & 13.

*Contacts* - Office of Headquarters Procurement Services ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html))

## ACQUISITION AND ASSISTANCE AGREEMENTS

---

**References and  
Contacts  
(continued)**

**Contracts (generally over \$100,000)**

*References*—Federal Acquisition Regulation (FAR) 48 CFR parts 1–52;  
DEAR

**Grants & Cooperative Agreements**

*References*—10 CFR 600 (DOE Financial Assistance)

**Interagency Agreements**

*References*—FAR subpart 17.5

**Government Charge Card Program**

When accepted by the vendor, the Government Purchase Card is the preferred method for purchasing most supplies and services not exceeding \$2,500. The Government Purchase Card program combines purchasing and travel functions.

continued...

## ACQUISITION AND ASSISTANCE AGREEMENTS

Each Government Purchase Card is issued to an individual cardholder who is the only person authorized to use that particular card. Fleet cards are assigned to each Service-owned vehicle. As a supervisor, you should be aware of the cardholders in your office and your responsibilities. You may be a cardholder or the approving official for purchases made by a cardholder, depending on the procedures in your office. In addition to GSA and DOE rules, individual offices may establish transaction dollar limits, mandatory sources, pre-approval/authorization requirements, and special restrictions for use of the Government Purchase Card.

*References*—DOE Office of Headquarters Procurement Services guidelines for the use of the Government Purchase Card ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)) Federal Acquisition Regulation (FAR) part 8 & 13; Office of Headquarters Procurement Services ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)); (DEAR) Department of Energy Acquisition Regulation; EC-Web ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)); Guidelines & Operating Procedures for the use of the Government Electronic Commerce (EC) Web ([www.pr.doe.gov/hr56.html](http://www.pr.doe.gov/hr56.html)) in accordance with FAR parts 3, 8 & 13.

continued . . .

## ACQUISITION AND ASSISTANCE AGREEMENTS

### Procurement Do's and Don'ts

- Do** Contact your Office of Headquarters Procurement Services whenever you need to procure supplies or services.
- Don't** Obligate the Government to the expenditure of funds without authority! Obligating funds can be done as easily and inadvertently as asking a vendor to send the supplies, etc., while the purchase order is in process. Except for Government Purchase Card holders with specific authority, only a duly warranted Contracting Officer has the authority to obligate the expenditure of Government funds.

# OBTAINING FINANCIAL RESOURCES

---

**Purpose**

As a supervisor, you will need financial resources for office supplies, training, travel, lab equipment, etc. You may request money only for items and/or services necessary to accomplish your organization's mission.

---

**Supervisor's Role**

One of your primary roles as a supervisor is to request or approve requests for items and/or services necessary to accomplish your organization's mission. The approval authority of supervisors is established by each organization—contact your own supervisor if you do not know your authority. In order to request resources, you must know which forms must be completed and who has authority to approve them. You should understand the process of funds availability and approval that is required for your application.

---

** CONTACT**

For more information on obtaining financial resources, contact your Administrative Officer.



## IMPREST FUNDS/THIRD PARTY DRAFTS/CREDIT CARDS

---

### Purpose

The Department has been mandated to eliminate imprest funds and increase Electronic Funds Transfer (EFT) payments for miscellaneous expenses. The Department has implemented EFT payments for claims for miscellaneous expenses. For emergencies, Third Party Drafts are available to make payments. The purchase card is also available to organizations for purchases under \$25,000.00, reducing the need for imprest funds.

---

### Supervisor's Role

As a supervisor, your role is to assure that the expenditures are valid and necessary. This includes monthly review of Purchase Card Statements of Account to ensure that all transactions are made in the best interests of the Government. You should also know if the Purchase Card is available for your organization and where to find information about the card.

---

### CONTACT

For more information on imprest funds/third party drafts, contact your own supervisor, your Administrative Officer or the Office of Headquarters Procurement Services.



# FTS2000/2001 FEDERAL CALLING CARDS

---

**Purpose**

While away from the office, it may be necessary to place long distance calls in order to conduct Government business. The best way to place these calls is by the use of an FTS2000/2001 Federal Calling Card (Fed Card). All Fed Cards may be used from anywhere within the United States. Fed Cards may also be provisioned to allow international calling.

---

**Supervisor's Role**

It is your responsibility to request these cards for authorized individuals and to ensure that Fed Cards are used only to conduct official Government business.

---

**References**

Federal Property Management Regulation (FPMR) Subpart 101-35.1: Use of Government Telephone Systems

---

** CONTACT**

For more information on ordering and use of Fed Cards, contact your organizations Administrative Officer or the Headquarters Network, Telecommunications and Engineering Division, SO-341.

## FTS2000/2001 FEDERAL CALLING CARDS

### **You should use a Fed Card when...**

You are on Government business away from the office and need to place official long distance calls. Official business calls may include emergency calls and other calls the agency determines are necessary in the interest of the Government. Examples of such calls are:

1. An employee traveling on Government business is delayed by business or transportation problems and calls to notify family.
2. An employee traveling on Government business makes a brief call home, but not more than an average of one five-minute call per day, not to exceed \$4.00.

There are no other means of accessing FTS2000/2001 from your office telephones.

continued . . .

## FTS2000/2001 FEDERAL CALLING CARDS

**You should not use a Fed Card when...**

You are in your office, and FTS2000/2001 service is available.

**You cannot use a Fed Card when...**

You are placing personal long distance calls (certain personal calls are permitted while away from home on Government business).



# PROPERTY ACCOUNTABILITY

---

**Purpose**

The Federal Property and Administrative Services Act of 1949 and Public Law 84-863, passed in 1956 established regulations regarding property accounting, inventory, controls, utilization, and disposal of Government property. The Federal Property Management Regulation (FPMR) System governs and guides the activities of the Property Accountable Officer (PAO) in the acquisition, control, use and disposal of Government property.

---

**Supervisor's Role**

You are responsible for selecting an Accountable Property Representative (APR) for your area of supervision (this is usually by Branch, however, not mandatory). The Accountable Property Representative remains accountable for Government property charged to a custodial area. You must ensure that each Headquarters DOE or contractor employee is aware of his/her responsibilities for the proper acceptance, use, protection, and surrender of any property assigned to his/her custody or control, and may be held financially liable for violations if they result in losses to the Government. It is also your responsibility to ensure that all acquisitions, transfers, and turn-ins of Government property are routed through the PAO.

**References**

HQ Order 580.1 Government Personal Property Asset Management

# PROPERTY ACCOUNTABILITY

## CONTACT

For more information on property accounting, inventory controls, utilization, and disposal, contact the Headquarters Organizational Property Management Officer (OPMO).

**The Accountable Property Representative is responsible for . . .** all accountable personal property in the custodial area as well as the effective management of the property. Some duties are:

- Ensures the Government personal property is properly accounted for, controlled, protected and used;
- Serves as the primary hand-receipt holder and is responsible for all Government personal property in their custodial area;
- Receives all reports of Government personal property loss, theft, damage, or destruction; handles such situations; and assists the reporting employees in completing the HQ F 1400.20, “Retirement Work Order.”
- Ensures uniform procedural compliance by:
  - notifying the Property Accountable Officer (PAO) in writing of any personnel actions that would affect the official Property Accounting and Management System (PAMS) listing;
  - submitting DOE F 1400.18, “Property Transfer or Turn-In,” when Government personal

continued . . .

## PROPERTY ACCOUNTABILITY

- property is no longer needed to support program requirements;
- participating in inventories of Government personal property and reconciling all inventory discrepancies;
- monitoring movement and hand receipts on sensitive items of Government personal property;
- confirming, certifying and returning the Monthly Gain and Loss Report;
- notifying asset management staff if tagged items of Government personal property are removed or replaced, or if the physical form of the property has changed;
- overseeing the transfer, reassignment, or separation of personnel from their organization to ensure that accountable Government personal property is not abandoned or removed from the area of responsibility without proper documentation;
- Concurring in all requests for furniture and equipment.
- Upon the transfer or separation of an employee, takes a physical inventory of all Government personal property in the employee's custody.

# LOSS OF PROPERTY

---

**Purpose**

When Government property is lost or stolen, there may be an impact on an office or organization. Losses or theft of any property should be reported promptly to Security.

---

**Supervisor's Role**

Any employee who detects or suspects a loss or theft of Government property should immediately make an oral report to his/her supervisor and Accountable Property Representative (APR). You should then make a preliminary investigation by trying to find out where the property was last, who saw it, and you should conduct a search of the immediate office area. If the item cannot be located, you should instruct the employee to initiate a Retirement Work Order (HQ F 1400.20) and forward it to your APR for submission to the Property Accountable Officer.

---

**References**

HQ Order 580.1, Attachment 2, Item 10 - Loss, Theft, Damage, or Destruction of Headquarters Government Personal Property

---

**CONTACT**

For more information on loss of property, contact the HQ Organizational Property Management Officer.

# MOTOR VEHICLES

---

**Purpose**

Motor vehicles, either Government-owned or commercially leased or rented, are to be used for official purposes only. Official purposes are those pertaining to DOE duties, and do not include transportation of any employee between his/her residence and place of employment, except as authorized for certain law enforcement personnel. Authorization must be obtained from the Department.

---

**Supervisor's Role**

You are responsible for approving the use of Government-owned or commercially leased or rented vehicles, and you should approve them only for official purposes. It is also your responsibility to verify that an employee's driver's license is not expired or revoked, and to restrict the use of vehicles when necessary. You are also responsible for scheduling maintenance and tracking usage, fuel costs, and maintenance costs.

---

**References**

Federal Personnel Manual, chapter 930-1; 41 CFR parts 101-6.4 and 101-39

---

** CONTACT**

For more information on the use of motor vehicles, contact your Travel and Transportation Group.

## MOTOR VEHICLES

**Misuse of a Government vehicle.** . . is a serious offense. Any Government employee who willfully uses or authorizes the use of any Government-owned or commercially leased/rented vehicle for other than official purposes will be suspended from duty. This suspension is without compensation, for a minimum of 30 days, and may be longer. If circumstances warrant, the employee or authorizing official may be terminated from Federal service. An employee who operates a Government-owned or commercially leased/rented vehicle must have a valid driver's license issued by the State, District of Columbia, territory or possession of the United States.

**If a motor vehicle accident occurs . . .** you must take prompt action. You are responsible for ensuring that a prompt and thorough investigation is made whenever one of your employees is involved in an accident while operating a Government-owned or commercially leased motor vehicle. Standard Form 91, the form must be completed by the person responsible for investigating the accident.



## **17. Information Technology**

# THE INTERNET AND ELECTRONIC MAIL

---

## Purpose

Like many high technology, information-based enterprises, access to the Internet and electronic mail is provided by the Department of Energy to Federal employees and contractors to increase productivity and facilitate collaboration. Due to the easy access and open culture of the Internet, there are many types of information available for both work-related and recreational uses. As organizations and individuals continue to exploit the vast potential of the Internet, issues of appropriate use quickly arise.

Department of Energy employees and contractors are reminded that Internet services, including the World Wide Web, electronic mail, and the equipment required to access and use them, are provided by the Department of Energy for authorized purposes only. Unauthorized uses of Internet and e-mail technology, include, but are not limited to, those that: (1) result in a loss of productivity or impair the performance of the Department's network; (2) are unlawful or offensive to fellow employees or the public (*e.g.*, gambling, hate speech or material that ridicules on the basis of race, creed, religion, color, sex, national origin, disability, or sexual orientation); (3) transmit sexually explicit or sexually oriented material; or (4) allow

continued . . .

## THE INTERNET AND ELECTRONIC MAIL

---

**Purpose  
(continued)**

unauthorized access to controlled information (*e.g.*, computer software, privacy information, classified or other non-public data, copyright, trademark or other intellectual property rights).

DOE employees do not have a right, nor should they have an expectation, of privacy while using Government resources at any time, including accessing the Internet or e-mail. Personal use of Government resources will be deemed to grant the Department consent to review and disclose the contents of communications when appropriate or mandated by law. Occasional incidents of misuse of the Internet, electronic mail, equipment and duty time by Department Federal employees and contractors have been discovered. Misuse of these Government resources is a violation of the law and a serious breach of our core values. In the past, a number of employees have been counseled, officially reprimanded, or had their employment terminated as a result of such misuse. Criminal charges have been placed in at least one case.

---

**Supervisor's  
Role**

As public servants, we must hold ourselves to the highest standards of behavior and stewardship. Managers and supervisors must ensure that employees know the risks associated with inappropriate use of Government resources and are responsible for

continued . . .

# THE INTERNET AND ELECTRONIC MAIL

**Supervisor’s  
Role  
(continued)**

taking appropriate disciplinary action if misuse occurs. All should be aware that information sent over the Internet or as attachments to electronic mail can be monitored, recorded, and accessed by the general public. The Department’s policy of zero tolerance for the inappropriate use of the Internet and electronic mail must be clearly understood and followed by all.

**References**

Appropriate Use of the Internet and Electronic Mail, DOECast, May 12, 2000; Freedom of Information Act; Privacy Act; Clinger Cohen Act.

**CONTACT**

The Office of the Chief Information Officer.



# AUTOMATED INFORMATION SYSTEM PROJECT MANAGEMENT

---

## Purpose

DOE is a large, complex organization with multiple missions: (1) to maintain the safety, security, and reliability of the U.S. nuclear weapons stockpile; (2) to ensure leadership in science and technology; (3) to assure clean, affordable and dependable supplies of energy, now and in the future; and, (4) to clean up the environmental legacy from over 50 years of nuclear weapons production. The activities associated with the management and operation of the various DOE programs and organizations require the collection, manipulation and distribution of information.

In order to collect, manage, and use vast quantities of information, it is necessary to develop automated information systems. The development of these kinds of systems requires special skills and, if not managed properly, can result in the loss of considerable money and time. Also, an improperly designed and managed system will often result in multiple collections of the same or similar information in a format that is not compatible with other systems using like data. This is a waste of resources and a burden on the staff. Project management is essential to ensure that the system meets the organization's information needs and is cost effective.

continued . . .

## AUTOMATED INFORMATION SYSTEM PROJECT MANAGEMENT

---

### **Purpose (continued)**

It is your responsibility to ensure that automated information system development is properly configured and managed in alignment with the published DOE Information Architecture Guidelines and in accordance with the Cyber Security Program. Even the effort put forth to evaluate the need for such a system should be tracked and managed. If a proposed system is corporate in nature or common to more than one program office, you are required to develop a business case that will determine the Return-on-Investment (ROI) and identify business process reengineering opportunities. This is documented in the Department's Strategic Information Management (SIM) Process described on the CIO HomePage. Besides the SIM process, the Office of the CIO provides an integrated set of software engineering, project management, and quality assurance processes for all software projects. You must ensure that your staff are familiar with approved practices and follow them. You must make sure they know how, when, and with whom to coordinate these activities.

---

### **References**

Clinger-Cohen Act, 1996; OMB Circular A-130, Management of Federal Information; CIO HomePage, Architecture, Software Engineering, Standards, and Planning HomePage (<http://cio.doe.gov/>); for SIM information ( <http://cio.doe.gov/sim> ) or for System Engineering Methodology, ( <http://cio.doe.gov/smp> ).

## AUTOMATED INFORMATION SYSTEM PROJECT MANAGEMENT

---

### CONTACT

For more information on Project Management and Project Planning, contact the Office of the Chief Information Officer, Architecture, Standards and Planning Division.

# WEB PUBLISHING

---

## **Purpose**

DOE offices can communicate specific messages to target audiences – effectively, quickly, and without great expense – via the Internet.

A larger percentage of the general public and DOE employees have become comfortable with using Internet technology in the last few years. One key advantage to publishing material on the Web is that DOE’s messages are not diluted or repackaged by reporters, newscasters, etc. There is a much greater potential for “good information” and specific DOE recommendations to be transmitted correctly, unfiltered, via this technology. It is the first cost-effective tool that will allow the exact words and images issued by the Department to be seen intact by most readers.

---

## **Supervisor’s Role**

It is your responsibility to ensure that the material published on the Internet reflects DOE policy and is consistent with DOE guidance. The content of Official Web pages is equivalent to a news release or Congressional testimony: it is an official statement of the Department.

It is also your responsibility to ensure that (1) your web site design meets accessibility requirements for people with disabilities, and, (2) your web server meets DOE cyber-security requirements.

# WEB PUBLISHING

---

## References

World Wide Web Consortium (<http://www.w3.org/provider/>);  
Web Accessibility Initiative (<http://www.w3.org/WAI/>).

---

## CONTACT

For guidance on content, contact the Office of Public Affairs.  
For guidance on web publishing, contact The Office of the CIO,  
For guidance on web security, contact Office of the CIO,



# CYBER SECURITY

---

**Purpose**

The DOE Cyber Security Program exists to prevent unauthorized access, disclosure, delay, alteration, destruction, or misuse of automated information systems and data.

---

**Supervisor's  
Role**

It is your responsibility to ensure that all employees/contractors observe the security policies and procedures of the Cyber Security Program, for both classified and unclassified processing. The use of unclassified computer equipment or media for processing classified information is strictly prohibited. Password and Security Banner policies should be followed. Employees and contractors must access the DOE network through the DOE firewall. Web servers must be properly configured and properly placed within the DOE cyber security environment.

It is your responsibility to ensure that only authorized software runs on DOE computer equipment and that employees' activities comply with all legal requirements concerning the use of proprietary software. Software that is copyrighted may not be copied or distributed to unauthorized users without prior authorization from the vendor. Also, public domain software should not be placed on the DOE network unless there is a valid business reason, it will not negatively impact other network users, and it has been checked for virus contamination.

continued . . .

# CYBER SECURITY

---

## Supervisor's Role (continued)

DOE has a computer virus detection and protection program, as well as procedures for reporting incidents of computer viruses. Any violations of computer security policies, procedures, or requirements must be reported immediately. It is your responsibility to ensure that your employees/contractors report computer viruses or cyber security incidents/breaches to the Hotline, 301-903-2500.

---

## References

OMB Circular No. A-130; DOE Policies relating to the Cyber Security Program, (<http://www.cio.doe.gov/>), (<http://www.so.doe.gov>) and the Headquarters Facilities Master Security Plan. Note especially the following: DOE N 205.1, "Unclassified Cyber Security Program;" DOE O 471.2A, "Information Security Program;" and, DOE M 471.2-2 "Classified Information Systems Security Manual."

---

## CONTACT

For further information contact the Office of the Associate CIO for Cyber Security (SO-33).



## **18. Other**

## GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

- Annual Performance Reports to Congress. The Annual Performance Report addresses the performance measures in the Annual Performance Plan. The first report is due to Congress by March 31, 2000.

### Supervisor's Role

All supervisors should learn about the principles and requirements of *GPRA* for strategic and annual performance plans and annual performance reports. Supervisors may be asked to provide input for setting annual performance measure targets, and for reporting actual annual performance measures.

### References

Public Law 103-62: "*Government Performance and Results Act of 1993*"; GAO Report, "The Effective Guide for Effectively Implementing the *Government Performance and Results Act*," June 1996, GAO/GGD-96-118; The Government Executive: Time to Get Cooking on *GPRA*" by Anne Laurent: June 1996

### CONTACT

For more information on *GPRA*, contact the Office of Performance Excellence.

## GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

### Purpose

*GPRA* requires agencies to set strategic and annual goals, measure performance, and report on the degree to which goals are met. Federal agencies must now tell American taxpayers exactly what they are getting for their money each year. Program managers will be expected to clearly identify what they plan to accomplish, how they accomplish it, and what resources they need to achieve the intended results.

Requirements: *GPRA* requires all Federal agencies to prepare and submit:

- Strategic Plans by September 30, 1997. The Strategic Plan must include mission statement, long-term (five years) strategic goals, strategies to achieve the goals, relationship between the long-term strategic goals and the annual performance goals, external factors that could affect performance, and program evaluations. The Strategic Plan is updated every three years.
- Annual Performance Plans to Congress. The Annual Performance Plan should include annual performance goals that contain a targeted level of performance to be achieved for the year. The annual goals must be expressed in an objective, quantifiable, and measurable form. The Plan must also contain performance indicators and measures, description of the processes, skills, and financial and human resources required to meet the goals, and verification and validation of performance measures.

continued . . .

## FREEDOM OF INFORMATION ACT

**All requests for records must . . .** be reported to the FOIA representative. Only individuals instructed and authorized to handle FOIA requests should respond to them.

However, all employees should have a basic understanding of FOIA, since any employee may receive a verbal, written, or electronic request for information. Though you may release information without receiving a FOIA request for it, you should be careful to ensure that your release of information does not contradict what you might withhold under a formal FOIA request.

Correspondingly, if you have a public request to come in and inspect the actual records of one of your offices, you should consult your FOIA representative.

# FREEDOM OF INFORMATION ACT

**Though there are nine exemptions . . .** to the information that is available under FOIA, the four exemptions which the DOE uses most are listed below. FOIA is a law of *disclosure*. If someone requests this information, it may be denied only if sound grounds exist to invoke the exemption.

- Exemption 4 may be used to protect trade secrets and commercial or financial information which is privileged or confidential
- Exemption 5 may be used to protect pre-decisional and deliberative inter-agency or intra-agency information
- Exemption 6 may be used to protect personnel and medical files and similar files which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy
- Exemption 7 may be used to protect records compiled for law enforcement purposes

**Any denial of information to a FOIA requester must receive the concurrence of the General Counsel's Office. If you are uncertain as to whether to use an exemption to protect material, please contact the FOIA Office.**

# FREEDOM OF INFORMATION ACT

**Information available under the FOIA . . .** can take many forms. The following is a list of records that are available to the public:

- Staff manuals and instructions unless disclosure would risk circumvention of a legal requirement
- Biological data and statistics in aggregated (not personally identifiable) form
- Some personnel data (e.g., name, title, grade, position, salary, work and Internet addresses, work phone/fax numbers, and various statistics)
- Refuge plans, recovery plans and coordination act letters
- Administrative records of rules, NEPA decisions, and permitting actions
- Government credit card holders

# FREEDOM OF INFORMATION ACT

---

**Purpose**

The Freedom of Information Act (FOIA) established standards for openness in Government. It attempts to balance the public's right to know and the ability of the Government to function. FOIA requires DOE to make available to the public all records, paper or other format, in its possession, with certain exceptions.

---

**Supervisor's Role**

You should be aware of the provisions of FOIA and understand that generally speaking, all DOE records are subject to FOIA requests, and most are releasable. Though you may not directly handle a FOIA request yourself, you should cooperate with a FOIA Officer if you are asked to provide records or other information. Also, you should ensure that all of your employees are familiar with the principles of FOIA.

---

**References**

5 USC 552; 10 CFR Part 100443 CFR part 2

---

** CONTACT**

For more information on the Freedom of Information Act, contact the FOIA Office.

# PRIVACY ACT

---

## References

5 USC 552a; 10 CFR Part 1008; OPM/GOVT-1 “General Personnel Records”;  
OPM GOVT-2 “Employee Performance File System Records”

---

## CONTACT

For more information on the Privacy Act, contact the Privacy Act Officer.

**The Privacy Act . . .** was enacted to protect all individuals, including Federal employees, from an invasion of privacy through the misuse of records by Federal agencies. In order to achieve this, you should:

- Understand the requirements of the Privacy Act and how they relate to your job.
- Understand the kinds of information that are protected and not protected by the Privacy Act.
- Take precautions to safeguard all personal information in your possession, e.g., keep files in a locked cabinet, restrict access to only authorized individuals, and password-protect personal information that is in electronic format.
- Respond promptly to requests for information.
- Be sure that personal information is not disclosed unless the disclosure is authorized by law or authorized in writing by the subject of the information.

# PRIVACY ACT

---

## **Purpose**

The Privacy Act provides safeguards for all individuals, including Federal employees, against unwarranted invasions of privacy. It requires all Federal agencies to maintain certain standards for collecting, maintaining, using, and/or disseminating information of a personal nature about any individual. The Privacy Act also provides U.S. citizens or permanent resident with access and amendment privileges to information about them.

Note: The Privacy Act applies to records which you store and retrieve by personal identifier (such as Social Security number, employee number, permit number).

---

## **Supervisor's Role**

As a supervisor, you should understand the provisions of the Privacy Act. You must keep no secret files on any individual U.S. citizen or permanent resident, including Federal employees. You must inform those on whom the information is collected regarding what records you have on them and how the records will be used. DOE does this through the publication of a Federal Register notice. For a current listing of such notices, see References below or call the Contact listed below. You must assure that personal information is used only for its intended purposes; allow individuals to see records kept on them; and provide them the opportunity to correct inaccuracies in their records.

Note: A few Privacy Act systems are exempt from some of the above requirements.

# WHISTLEBLOWER PROTECTION

## CONTACT

For more information about the Whistleblower Protection Act, contact your Office of Employee Concerns or the Office of Hearings and Appeals.

**If an employee is a whistleblower . . .** you must treat him/her fairly and without prejudice to his/her whistleblowing activities. You should ensure that all personnel actions that you take are fair, just, and based on merit principles. Examples of these personnel actions include:

- New appointments
- Promotions
- Disciplinary, corrective, and adverse actions
- Details
- Reassignments or transfers
- Reinstatements or reemployment
- Performance evaluations
- Pay decisions
- Benefits administration
- Awards
- Training and development
- Other significant changes in duties

# WHISTLEBLOWER PROTECTION

---

## Purpose

All personnel actions that you take must be initiated and carried out without prejudice, including against whistleblowers. The Whistleblower Protection Act (WPA) protects current, former, and prospective Federal employees from unfair personnel actions that may result from their whistleblowing activities.

---

## Supervisor's Role

You should be familiar with the provisions of the Whistleblower Protection Act, and provide all employees the freedom to disclose information protected by the Act, i.e., information they reasonably believe is evidence of a violation of any law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. You must ensure that all personnel actions taken under your control are initiated and effected without prejudice to whistleblowing activities. If an employee alleges that a personnel action was taken in reprisal for whistleblowing activities, management must demonstrate with clear and convincing evidence that the employee's whistleblowing activities were not a basis or factor in the decision to take the action.

---

## References

Public Law 101-12; 10 CFR Part 708; U.S. Merit Systems Protection Board Pamphlet "Questions & Answers About Whistleblower Appeals"; Office of Hearings and Appeals Website [www.oha.doe.gov](http://www.oha.doe.gov) for regulations

## MEDICAL DETERMINATIONS

**When an employee makes a request . . .** for a benefit or special consideration, you should verify that the request is based on medical reasons and is necessary. You may need to ask the employee to undergo a medical examination. Examples of benefits or special consideration that employees may request include but are not limited to:

- Extended leave (in excess of 3 work days, or less if the employee is on leave restriction)
- Advance sick leave
- Exemption from travel
- Exemption from physical exertion
- Medical Flexiplace

There are a few limited situations in which you can order an employee to undergo a medical examination. Examples include Workers' Compensation claims and positions which have physical requirements or medical standards. When these situations arise, you should always consult Employee and Labor Relations **prior to taking any action.**

# MEDICAL DETERMINATIONS

---

**Purpose**

At times you may be required to make a decision regarding an employee's request for a benefit or special consideration based on medical reasons. Also, you may have a legitimate need to obtain medical information relevant to an employee's ability to perform his/her duties efficiently and safely. In either case, you need to obtain medical information from the employee in order to make a reasonable and informed decision.

---

**Supervisor's Role**

You should be aware that at times you will have a legitimate need to obtain medical information from an employee, either by request or by requiring the employee to provide medical documentation. You should always seek advice from Employee and Labor Relations to verify the legitimacy of your need, determine if you can request or acquire the information, assist you with the required documentation, and assist you in the evaluation and decision-making process.

---

**References**

5 CFR part 339

---

** CONTACT**

For more information on medical determinations related to employability, contact your Employee and Labor Relations.