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CHERRY POINT, NORTH CAROLINA 28533-0003

AirStaO P12000.6E
GIH Apr 13 2004
APR 13 2004

AIR STATION ORDER P12000.6E

From: Commanding General, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: MARINE CORPS AIR STATION, CHERRY POINT CIVILIAN HUMAN
RESOURCES MANUAL (SHORT TITLE: STATION CHRM)

Ref: (a) Title 5 Code of Federal Regulations (CFR)
(b) DON Civilian Human Resources Manual

Encl: (1) LOCATOR SHEET

1. Purpose. To publish policies and procedures regarding administration of the Civilian Personnel Management Program.
2. Cancellation. AirStaO P120000.6D; AirStaO 3040.4; AirStaO 12300.1H; AirStaO 12300.3; AirStaO 12400.1; AirStaO 12430.3; AirStaO 12451.1; AirStaO 12451.5; AirStaO 12610; AirStaO 12610.1B; AirStaO 12630.1C; AirStaO 12630.2; AirStaO 12630.3; AirStaO 12713.3; AirStaO 12534.1A.
3. Information. Reference (a) is the Federal Regulation covering the administration of the Federal Civilian Human Resources Program. Reference (b) is the Department of Navy (DON) CHRM. Specific references to other Marine Corps, Navy and Department of Defense (DoD) regulations are included within each chapter.
4. Action
 - a. All MCAS and Halyburton Naval Hospital employees must comply with the instructions in this Manual and all references.
 - b. Separately Published Orders and Instructions. All separately published orders and instructions of the MCAS and the Naval Hospital are controlling and will take precedence over the material contained in this Manual.
 - c. Negotiated Agreements with Recognized Labor Organizations. In all respects with regard to the material contained in this Manual, the provisions of current negotiated agreements with recognized labor organizations are controlling and will take precedence over the related provisions of this Manual.

YPO 211 JADITHO

AirStaO P12000.6E

APR 13 2004

4. Certification. Reviewed and approved this date.


ANDREW KOWALSKI
Chief of Staff

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UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION
PSC BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-6003

AirStaO P12000.6E Ch 1
G1H
14 OCT 2005

AIR STATION ORDER P12000.6E Ch 1

From: Commanding General, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: MARINE CORPS AIR STATION, CHERRY POINT CIVILIAN HUMAN
RESOURCES MANUAL (SHORT TITLE: STATION CHRM)

Encl: (1) New Chapter 16 insert to ASO P12000.6E

1. Situation. Significant changes have been made to the Civilian Awards Program, which requires new page inserts to the basic Manual.

2. Mission. Remove Chapter 16 of the basic Manual and replace with corresponding pages contained in the enclosure.

3. Execution

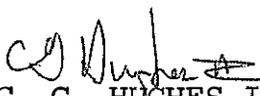
a. Commander's Intent. To outline the new Civilian Awards Program that pertains to all Marine Corps Air Station Cherry Point Civilian employees, who are paid from appropriated funds.

4. Administration and Logistics. File this Change transmittal immediately behind the signature page of the basic Manual.

5. Command and Signal

a. Command. This Air Station Order Change is applicable to all Marine Corps Air Station Cherry Point.

b. Signal. This Change is effective the date signed.


C. G. HUGHES II
Chief of Staff

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LOCATOR SHEET

Subj: MARINE CORPS AIR STATION (MCAS), CHERRY POINT! CIVILIAN HUMAN
RESOURCES MANUAL (CHRM) (SHORT TITLE: STATION CHRM)

Location: _____
(Indicate location(s) of copy(ies) of this Manual).

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INTRODUCTION

0001. BACKGROUND

1. Over 190,000 civilians are employed by DON at Naval and Marine Corps activities throughout the world. Civilian employees provide the critical infrastructure needed to support the DON mission. The range of jobs and skills are as diverse as the people who fill the positions. From scientific research to supporting the families of the men and women who serve, civilian employees perform the full spectrum of services that are not dissimilar to those services required to run a city.

2. The focus of DON has changed from preparing to fight a global conventional war to maintaining the operational flexibility and forward naval presence to handling selective crisis-response missions. A critical key to success has not changed. Attracting, training, and retaining a highly skilled workforce are the most important roles that we fill in supporting that mission. The Human Resources Management (HRM) System provides the framework for managing the DON civilian workforce. The system incorporates three essential elements:

a. Public policy laws and regulations based on a fundamental yet comprehensive set of merit principles;

b. Military and civilian managers, supervisors and team leaders who manage the civilian workforce in accordance with law and regulation; and;

c. HRM experts who serve as advisors to management and employees and who carry out the administrative details necessary to make the system operate.

0002. ROLES AND RESPONSIBILITIES

1. Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)). Assigns lead responsibility for Human Resources (HR) policy and HRM service delivery to the Deputy Assistant Secretary of the Navy (Civilian Personnel/Equal Employment Opportunity) (DASN (CP/EEO)). The HRM policy functions, located in the office of DASN, includes interpretation and application of Federal personnel

regulations and coordination of the implementation of HRM regulations, policies and programs throughout the Department.

2. Director, Office of Civilian Human Resources. Reports to DASN (CP/EEO). In addition to setting policy, this office manages and oversees the business operations and technology requirements of the Human Resources Service Centers (HRSC).

3. HRSC. Located in eight geographical locations worldwide, serves as the regional HRM processing center for activities and Human Resources Offices in its service area. Our servicing center in the East is at Portsmouth Naval Shipyard, Portsmouth, Virginia. The Human Resources Service Center-East (HRSC-E) services about 30,000 civilians.

a. HRSC serves as the regional HRM action-processing center for activities and Human Resources Offices (HRO's) in each of its serviced areas. HRSC also provides various centralized HRM programs and services. Other responsibilities include:

(1) Processing and effecting personnel actions submitted by HRO's and activities (including recruitments, position classifications, performance appraisals, and other actions).

(2) Maintaining official records, including position descriptions and Official Personnel Folders (OPF's).

(3) Providing EEO program support, including reporting on and analyzing regional Affirmative Employment Plan, processing class complaints of discrimination, and giving advice on the use of Alternative Dispute Resolution (ADR) processes.

(4) Advising HRO's and individual employees about employee benefits and services, and processing employee benefits actions (life insurance, health insurance, Thrift Savings Plan, retirement).

(5) Coordinating the Priority Placement Program (PPP) for all serviced HRO's/activities.

(6) Administering centralized regional training and employee development programs.

(7) Representing activities in proceedings before the Federal Labor Relations Authority (FLRA), the Federal Service Impasses Panel (FSIP), and the Merit Systems Protection Board (MSPB).

(8) Providing required management reports and systems administration support for HRM hardware and software systems to HRO's and customer activities.

4. Civilian Human Resources Office-East (CHRO-E)

a. The CHRO-E staff serves as advisors and consultants on HRM actions to commands, activities, managers, and employees. CHRO-E continues to be responsible for the overall effectiveness and quality of the HRM programs and services it provides to these customers. Specific responsibilities include:

(1) Advising management on all aspects of HRM programs, on individual personnel and EEO actions, and on recurring HRM activities (e.g. performance appraisal cycles, awards, recruitment requirements, training requirements, organizational changes, equal employment opportunity).

(2) Developing local policies, procedures, and instructions governing customer HRM operations to ensure consistency and meet activity requirements.

(3) Screening most types of personnel actions before they are forwarded to the HRSC to ensure that all necessary information is included.

(4) Answering employees' questions regarding procedures and regulations for HRM programs.

(5) Operating activity EEO programs.

(6) Managing labor relations issues, communicating with labor organizations (unions), promoting labor-management partnerships and satisfying bargaining obligations with those organizations.

(7) Monitoring activity requirements and HRSC service delivery to ensure timely and effective HRM support is being provided to managers and employees.

b. The local Human Resources Director manages CHRO-E and serves as the management advisor. CHRO-E and HRSC-E work closely together on a continuing basis to ensure that serviced activities receive the highest level of quality support. The CHRO-E staff maintains a

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partnership with activity managers regarding requirements, problems, issues, and actions underway or planned that will affect HRM operations.

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HUMAN RESOURCE FUNCTION BREAKOUT

HR Functional Area	Local Commands/ Managers	CHRO-E	HRSC-E
Classification	<ul style="list-style-type: none"> • Classify Positions under Delegated Authority • (Manage to Payroll) 	<ul style="list-style-type: none"> • Provide advice and guidance • Apply new classification standards • Make Environmental / Hazardous Duty determinations 	<ul style="list-style-type: none"> • Provide Position Classification Services • Prepare classification appeals packages
Staffing	<ul style="list-style-type: none"> • Determine recruitment requirements and methods 	<ul style="list-style-type: none"> • Provide advice and guidance • Prepare RIF requests • Prepare SIP/VERA requests 	<ul style="list-style-type: none"> • Perform recruitment • Manage Priority Placement Program (PPP) • Execute pay determinations • Execute RIF • Administer Mobilization Program • Administer VERA/SIP program
Equal Employment Opportunity Office	<ul style="list-style-type: none"> • Act as Equal Employment Opportunity Officer (EEOO) • Ensure compliance with Merit Principles in HRM decisions • Identify EEO affirmative action objectives 	<ul style="list-style-type: none"> • Provide advice and guidance • Provide DEEO function • Publicize EEO Program • Process informal individual complaints • Process formal individual complaints • Prepare EEO Accomplishment Reports • Manage activity EEO Affirmative Action Plans • Analyze work force data to recommend strategies to managers • Provide/ensure EEO training requirements • Implement local Affirmative Dispute Resolution Program 	<ul style="list-style-type: none"> • Provide regional AEP EEO reports analyses • Process informal class complaints • Process formal class complaints • Administer ADR Process • Participate/advise in reasonable accommodation determinations • Implement and market EEO programs
Training	<ul style="list-style-type: none"> • Identify activity training needs 	<ul style="list-style-type: none"> • Provide technical advice • Provide career counseling 	<ul style="list-style-type: none"> • Provide technical advice • Provide advice and guidance on career and/or executive development programs • Manage regional training plan • Manage generic training requirements and sources • Manage VRA/UMP/Student Employment training • Purchase training / select vendors • Operate resource library
Automation	<ul style="list-style-type: none"> • Maintain HRO LAN • Identify/fund information systems for managers/staffs outside HRO 	<ul style="list-style-type: none"> • Provide internal system support 	<ul style="list-style-type: none"> • Provide internal systems support • Provide personnel data rpts • Maintain HRSC information systems • Maintain Help Desk • Implement database updates / changes

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HR Functional Area	Local Commands/ Managers	HRO	HRSC
Processing	<ul style="list-style-type: none"> • Initiate Personnel Action Requests 	<ul style="list-style-type: none"> • Provide advice and guidance • Indoctrinate new employees 	<ul style="list-style-type: none"> • Provide reports • Process personnel actions • Maintain the Official Personnel Folders (OPF) • Interface with payroll offices
Benefits	<ul style="list-style-type: none"> • Administer FECA • (G-1) 	<ul style="list-style-type: none"> • Provide advice and guidance 	<ul style="list-style-type: none"> • Provide retirement counseling • Provide benefits counseling • Administer retirement program • Administer health/life insurance programs • Process performance appraisals • Process awards
Labor Employee Relations	<ul style="list-style-type: none"> • Set bargaining objectives • Appoint bargaining team • Oversee bargaining process 	<ul style="list-style-type: none"> • Provide advice and guidance • Process union grievances/represent in arbitration • Process performance based actions • Process disciplinary and adverse actions • Conduct I&l bargaining • Conduct or support team bargaining • Manage Alternative Dispute Resolution (ADR) Process • Administer leave programs • Administer unemployment compensation • Represent in EEO / MSPB hearings 	<ul style="list-style-type: none"> • Provide FLRA case representation (settlement / hearing / exceptions) • Provide advice and guidance to major claimants and HROs on precedent-setting cases (Labor-Employee Relations and EEO) • Process representation petitions • Respond to congressional correspondence • Review impasse issues • File PFRs or responses to PFRs to MSPB or EEOC

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CHAPTER 1

OFFICIAL PERSONNEL FOLDERS (OPF's)

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CHAPTER 1

OFFICIAL PERSONNEL FOLDERS (OPF's)

1000. PURPOSE. To establish procedures for custody of an OPF and requesting information from OPF's.

1001. BACKGROUND. The OPF is the file that contains records covering an individual's employment history. OPF's will reside at the HRSC-E. Documents are filed in the OPF per federal regulations. Requests for information will be handled per Freedom of Information Act (FOIA) and Privacy Act Regulations. Information from the OPF is available from several sources. DON has an integrated database that serves as an electronic personnel data record. This application will display a wide range of individual employee data and provide standard reports. Data elements available include most information contained in the OPF such as basic payroll information, salary, leave balance, work schedule, premium pay and costs, training history, benefits (health, life, Thrift Savings Plan (TSP)), awards, and education. Designated managers and administrative personnel have access to this data. Access to information via this system can reduce or practically eliminate the necessity to request the actual OPF.

1002. RESPONSIBILITIES. Access to and control of OPF's will be as follows:

1. Management/Employee. Managers and employees should ensure that the data needed from an OPF is not readily available via other alternative means (electronic data systems, internal files, etc.) before submitting a request to HRSC-E for information. If the information is not available, the requester should contact CHRO-E at (252) 466-2109 and describe specifically what is needed.

2. HRSC-E

a. OPF Document Search. If a specific document or information is needed from an employee's OPF, a member of the HRSC-E staff will access the OPF and provide the requested information. Information from the OPF will normally be provided within 3 working days of the request via fax or mail according to employee instructions.

b. OPF Request. The activity or employee may request to review an OPF by calling (252) 466-2109. The OPF will normally be mailed within 3 working days to CHRO-E for review by the employee. OPF's will remain in the custody and under the surveillance of a CHRO-E employee at all times.

3. CHRO-E. CHRO-E will sign a receipt for delivery of the OPF's and accept full responsibility for the security of the folder until it is returned to HRSC-E. The OPF should be returned to HRSC-E within 3-5 working days unless arrangements are made to keep it longer. When OPF's arrive CHRO-E will notify the requester and set a time for review.

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CHAPTER 2

PREPARATION AND SUBMISSION OF REQUEST FOR PERSONNEL ACTION (RPA)

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CHAPTER 2

PREPARATION AND SUBMISSION OF REQUEST FOR PERSONNEL ACTION (RPA)

2000. PURPOSE. To establish procedures for documenting and submitting an RPA in the Modern Defense Civilian Personnel Data System (MDCPDS) to HRSC-E, via G-1 and/or CHRO-E.

2001. BACKGROUND. The RPA is used to initiate action concerning an employee, a position, or both. It is also used to officially report the death of an employee. The automated system will be used to electronically transmit an RPA from management to HRSC-E, via CHRO-E and/or G-1.

2002. RESPONSIBILITIES. The RPA is submitted by management to HRSC-E via G-1 or CHRO-E. The following responsibilities are:

1. Management

a. Activities will prepare the RPA and submit it to G-1.

b. If the purpose of the RPA is to recruit for a vacancy, the applicable information listed in figure 2-1 must be completed and attached to the RPA. Figure 2-2 provides instructions on completing the form. Figure 2-3 contains procedures for attaching the form to the RPA. This ensures that HRSC-E has the information necessary to fill the vacancy.

c. Distribute Notification of Personnel Action (NPA) forms to employees upon receipt from HRSC-E.

d. Print resignation/retirement RPA, have the employee sign, and forward the printed RPA to HRSC-E, via G-1.

2. CHRO-E

a. Review RPA as submitted by management. Transmit completed RPA to HRSC-E via the automated system with required attachments.

When attachments are not available through electronic means, annotate the associated RPA request number on the document and forward it to HRSC-E.

b. Forward signed resignation/retirement RPA to HRSC-E.

c. Provide advice and assistance in the completion of the RPA and required attachments and/or documentation.

3. Employee

a. For employee initiated actions such as resignation, retirement, request for leave without pay (LWOP), name change, etc., ensure applicable documentation is provided.

b. Provide a forwarding address for resignations, retirements, or LWOP actions.

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HRSC EAST RECRUIT REQUEST FORM (attachment to RPA)	
1. REQUEST FOR PERSONNEL ACTION (RPA) NUMBER:	
2. HIRING MANAGER CONTACT INFORMATION	
Name:	
Email:	
Phone:	
DSN Prefix	
Fax:	
3. PD Number(s)	
4. POSITION TITLE:	
5. PAY PLAN:	SERIES:
6. RECRUIT AT	GRADE LEVEL(S)
7. TARGET GRADE (If different from Recruit at level):	
8. DUTY LOCATION (Enter City and State):	
9. GEOGRAPHIC LOCATOR CODE:	
10. UIC:	
11. ORG CODE:	
12. PAYROLL ORG CODE (COST CENTER ID):	
13. TYPE AND DURATION OF APPOINTMENT (PERM/TERM NTE/TEMP NTE) :	
14. IF TEMPORARY APPOINTMENT, STATE REASON:	
IF TEMPORARY APPOINTMENT CERTIFY: <input type="checkbox"/>	
Activity certifies that this position meets the requirements of CFR 316.401(b) & (c) and has not previously been filled by temporary appointment for an aggregate of 2 years within the preceding 3 year period.	
15. POSITION IS NEW: <input type="checkbox"/> YES OR VICE (State Name):	
16. WORK SCHEDULE:	
17. RECRUITMENT INCENTIVE (See instructions for options) :	
18. RECRUITMENT SOURCE (See instructions for options):	
19. NAME REQUEST? LIST NAME AND SOURCE HERE:	

Figure 2-1.--HRSC-E Recruit Request Form.

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<p>20. DESIRED SKILLS:</p> <p>21. REQUIRED SKILLS (INDICATE PRIORITY 1ST, 2ND ETC. :</p> <p>22. SELECTIVE PLACEMENT FACTORS:</p> <p>23. FOR TRADITIONAL/DEU RECRUITMENT, KSA'S LISTED ON NOTES OF RPA <input type="checkbox"/> YES</p> <p>24. DURATION OF ANNOUNCEMENT: (IF APPLICABLE)</p> <p>25. SPECIAL REQUIREMENTS: (CHECK ALL THAT APPLY)</p> <ul style="list-style-type: none"><input type="checkbox"/> FINANCIAL DISCLOSURE REQUIRED.<input type="checkbox"/> DRUG TEST REQUIRED.<input type="checkbox"/> MOBILITY AGREEMENT REQUIRED.<input type="checkbox"/> POSITION HAS MAXIMUM ENTRY AGE.<input type="checkbox"/> OVERTIME IS REQUIRED.<input type="checkbox"/> POSITION IS EMERGENCY ESSENTIAL.<input type="checkbox"/> SHIFT WORK IS REQUIRED.<input type="checkbox"/> TDY REQUIRED. SPECIFY PERCENTAGE OF TRAVEL .<input type="checkbox"/> WEEKEND/HOLIDAY WORK IS REQUIRED.<input type="checkbox"/> UNIFORM REQUIRED.<input type="checkbox"/> STATE CRIMINAL REPOSITORY CHECK REQUIRED.<input type="checkbox"/> POSITION IS DAWIA. SPECIFY CERTIFICATION LEVEL .<input type="checkbox"/> CREDENTIALING REQUIRED.<input type="checkbox"/> ACCESS TO FIREARMS/PASSING A RANGE TEST REQUIRED.<input type="checkbox"/> PHYSICAL EXAM REQUIRED (FORWARD SF-78).<input type="checkbox"/> LICENSES/CERTIFICATIONS REQUIRED: LIST HERE:<input type="checkbox"/> QUALIFIED TYPIST REQUIRED.<input type="checkbox"/> SECURITY CLEARANCE REQUIRED. STATE TYPE OF CLEARANCE HERE:<input type="checkbox"/> OTHER: LIST HERE: .
<p>26. RE-PROMOTION LIST CLEAR? <input type="checkbox"/> YES</p> <p>27. PRIORITY CONSIDERATION LIST CLEAR? <input type="checkbox"/> YES</p> <p>28. PPP:</p> <p><input type="checkbox"/> THIS POSITION IS AN EXCEPTION TO PRIORITY PLACEMENT PROGRAM (STOPPER). CITE APPLICATION EXCEPTION FROM PPP MANUAL.</p> <p>PPP OPTION CODE(S) (SEE PPP MANUAL, CHAPTER 10):</p> <p>IF POSITION IS GS-12 OR ABOVE, DO YOU WANT TO SEE RESUME OF PPP MATCHES? <input type="checkbox"/> YES</p> <p>POSITION IS UNDER A CA STUDY? <input type="checkbox"/> YES</p>
<p>29. ADDITIONAL INFORMATION OR INSTRUCTION? :</p>

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1. Purpose. To establish a standard method for receiving required information for recruits and fill actions.

2. Procedures.

a. All RPA's for recruit and fill actions must have figure 2-1 attached. If figure 2-1 is not received as an attachment to the RPA, the RPA will be returned without action.

b. Figure 2-1 is a fill in the blank, on-line form. Instructions for completing the form:

(1) RPA NUMBER.

(2) ACTIVITY POINT OF CONTACT. The name of the person who can make decisions on final skills used for recruitment.

(3) PD#/PD number(s). If PD is being classified by EAST leave blank. Send copy of PD by attachment to RPA or by fax.

(4) POSITION TITLE. If EAST is classifying PD, put recommended title.

(5) PAY PLAN, SERIES. If EAST is classifying PD, put recommended Pay Plan and Series.

(6) RECRUIT AT GRADE LEVELS. i.e. GS-11 or 9 KPP 11.

(7) TARGET GRADE. Full performance level of the position. (If EAST is classifying PD, put recommended grade level).

(8) DUTY LOCATION. City, State where employee will be working.

(9) GEOGRAPHIC LOCATOR CODE. 9 Digit MODERN Code for Duty Station for individual RPA.

(10) UIC. 5 Digit MODERN Code for Activity.

(11) ORG CODE. MODERN numerical organizational code, not name of department.

Figure 2-2.--Instructions for use of HRSC-E Recruit Request Form.

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(12) PAYROLL ORG CODE (COST CENTER ID). MODERN Cost Center Identification Code for individual RPA.

(13) TYPE AND DURATION OF APPOINTMENT. Permanent, Term, or Temporary. Specify the length of appointment if temporary or term (e.g. TEMP NTE 1 YEAR).

(14) IF TEMPORARY APPOINTMENT. Must state reason (i.e. CA Study, Temporary Workload) and must also check the temporary appointment certification block.

(15) POSITION IS NEW OR VICE. Select checkbox for new or state name of person leaving.

(16) WORK SCHEDULE. Full-time, Part-time (state number of part-time hours per pay period) Intermittent, Seasonal, Rotating Shifts.

(17) RECRUITMENT INCENTIVES. State all that apply. Highest Previous Rate, PCS Costs, Relocation Costs, Relocation Bonus, Recruitment Bonus, Superior Qualifications.

(18) RECRUITMENT SOURCE. Select all that apply from the following:

- (a) Current Activity Employees (Org and/or UIC).
- (b) Current DON/USMC civilian employees.
- (c) Current DoD civilian employees.
- (d) Current Federal Employees.
- (e) Reinstatement Eligibles.
- (f) Interchange Agreement Eligibles (e.g. NAF, CIPMS, CDIPS).
- (g) Interagency Career Transition Assistance Program (ICTAP) eligibles.
- (h) Executive Order 12721 eligibles.

Figure 2-2.--Instructions for use of HRSC-E Recruit Request Form--
Continued.

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(i) Spouses of relocating military member or DoD civilian.

(j) Veteran's Readjustment and/or 30 percent or more disabled veteran.

(k) Persons with Disability.

(l) Other (please specify on form).

NOTE: A recruitment source beyond DoD automatically includes eligible displaced Federal employees and veterans covered under VEOA.

(19) NAME REQUEST. Type Name and Source of Recruitment (e.g. VRA eligible).

(20) DESIRED SKILLS. Analyze the position to determine four to eight skills important to position performance. Do not include required skills in this block.

(21) REQUIRED SKILLS. List Required Skills in order of priority (e.g. First = highest priority). Total number of required and desired skills normally does not exceed eight skills.

(22) SELECTIVE PLACEMENT FACTORS. List any skills the applicant must have to successfully perform the duties of the position (i.e. minimum qualifications).

(23) KSA's. If recruitment requires submission of KSA's, check the YES box and include KSA's in the notes of the RPA.

(24) DURATION OF ANNOUNCEMENT. Use of announcements should be rare. Most positions are filled through inventory and do not require a specific announcement. If applicable, indicate length of announcement (i.e. 5 days, 7 days, 2 weeks, etc.).

(25) SPECIAL REQUIREMENTS. Please check ALL that apply.

(26) RE-PROMOTION LIST CLEAR. Fill in if HRO is responsible for this list.

(27) PRIORITY CONSIDERATION LIST CLEAR. Fill in if HRO is responsible for this list.

Figure 2-2.--Instructions for use of HRSC-E Recruit Request Form--
Continued.

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(28) PPP. Fill in all the blanks that apply to your position.

(29) ADDITIONAL INFORMATION OR INSTRUCTION. Use this block for any thing else that applies to the recruit and fill action (i.e. background info, funding concerns, etc.).

Figure 2-2.--Insructions for use of HRSC-E recruit Request Form--
Continued.

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1. Create the recruit/fill RPA within MCDPS (you must have a committed RPA with an RPA number assigned to attach a document).
2. Save the RPA (preferably save and route to your personal inbox).
3. Open the RPA from your personal inbox and select "Respond".
4. Select the "attachment" icon on the tool bar at the top of the screen (looks like a paperclip).
5. Within the Attachment Menu place cursor in block marked "Category" and select the List of Values ("LOV") button icon on the tool bar at the top of the screen.
6. From the pull down menu, select "Miscellaneous" and depress "OK".
7. Within the Attachment Menu place cursor in block marked "Description" and type "Recruit Request Form".
8. Within the Attachment Menu place cursor in block marked "Data Type" and select the "LOV" button icon on the tool bar at the top of the screen.
9. From the pull down menu, select "OLE" and click "OK".
10. Right click on mouse and select "Insert Object".
11. From Insert Object pull down menu, select "Create from File".
12. Within the insert object pull down menu, either type in full directory location and file name or select "Browse" to locate your file to be attached.
13. Within the insert object pull down menu, select "Display as Icon" and click "OK".
14. Select the "Save" icon on the tool bar at the top of the screen (looks like a floppy disk). Close window.
15. Save and route RPA to next person in your normal routing sequence.

Figure 2-3.--Steps for Attaching the HRSC-E Recruit Request Form to an RPA.

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CHAPTER 3

DETAILS

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FIGURE

3-1	DETAIL CHART.	3-5
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CHAPTER 3

DETAILS

3000. POLICY

1. Managers may use a detail to meet a temporary need generated by an abnormal workload, special projects, change in mission or organization, unanticipated absences, or pending position classification or security clearance. Additionally, details can allow employees an opportunity to try new work experiences. These experiences not only enhance an employee's qualifications and opportunities for promotion, but also allow managers an opportunity to increase the skills, which may be needed to meet future mission requirements. Details also provide the opportunity to improve and balance the representation of minorities, women, and handicapped individuals in all job categories.

2. Except for an emergency detail of 30 days or less, an employee may not be detailed within 90 days of receiving a competitive appointment from an OPM register (this will normally be the employee's first career conditional appointment to the government).

3. Temporary employees may be detailed to another position provided the position meets the criteria and is appropriate for temporary employment. Details of temporary employees are subject to the same time limits and documentation as details of permanent employees. A detail does not extend the expiration date of a temporary appointment.

3001. DEFINITION. A detail is the temporary assignment of an employee to a different position or set of duties for a specified period of time. No change in base pay occurs and the employee returns to his/her regularly assigned duties at the conclusion of the detail.

3002. RESPONSIBILITIES

1. Management

a. Complete the RPA and forward to G-1 via the automated system.

For unclassified duties, management must write a brief description of the duties to be performed. If required, receive classification advisory on duties.

- b. Satisfy union contract requirements.
2. CHRO-E
 - a. Review duties to be performed.
 - b. Certify that the duties are not higher-grade level.
 - c. Advise management as necessary.
 - d. Forward RPA to HRSC-E for processing.
 3. HRSC-E. Process RPA and file in OPF.

3003. DOCUMENTATION. Documentation and competitive requirements vary with each situation.

1. Details of 31-120 days or more to the same or lower grade or to unclassified duties require that an RPA be forwarded to HRSC-E. The effective date is the date the employee was assigned to the detailed position. A new RPA must be submitted for each extension of 120 days. The RPA will be filed in the employee's OPF and a copy provided to the employee. For details to unclassified duties, management officials are required to prepare a brief task list or paragraph describing the duties associated with the detail and submit the list with the RPA.
2. Details to a higher grade or to a position with more promotion potential require that an RPA be forwarded to HRSC-E. If the detail will last 120 days or more, the detail must be competitive and the RPA should request advertisement.
3. Details of less than 30 days do not require documentation, however it is the recommendation of CHRO-E that Light Duty/On-the-Job Injury details be documented.

3004. DETAIL CHART. Figure 3-1 depicts options of length of details, the documentation required, and the requirement for competitive procedures.

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DETAIL TO: _____

Lower Grade, Same Grade Or Unclassified Duties

	DOCUMENTATION REQUIRED	COMPETITIVE PROCEDURES
30 days or less	NO	NO
31 - 120 days	YES	NO
120 days or more, consecutive 120- day increments up to one year	YES	NO

Higher Grade Or Position With More Promotion Potential

	DOCUMENTATION REQUIRED	COMPETITIVE PROCEDURES
30 days or less	NO	NO
31 - 120 days	YES	NO
In excess of 120 days or more, consecutive 120-day increments up to one year	YES	YES

Details in an organization undergoing a contracting-out study or closure may be extended for up to two years.

NOTE: Many negotiated agreements require that an employee be temporarily promoted if he/she is assigned, for a period in excess of 30 calendar days, to unit positions classified at a grade level higher than his/her regular position. Check your negotiated agreement and contact your Human Resources Specialist if you have questions.

Figure 3-1.--Detail Chart.

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CHAPTER 4

RESERVE STATUS OF MCAS AND NAVAL HOSPITAL CIVILIAN EMPLOYEES

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CHAPTER 4

RESERVE STATUS OF MCAS AND NAVAL HOSPITAL CIVILIAN EMPLOYEES

4000. PURPOSE. To publish local policy for updating the reserve status of civilian employees.

4001. BACKGROUND. In order to plan for mobilization, CHRO-E needs accurate data on employees who are members of a reserve component.

4002. ACTION. Employees who join a reserve component must immediately notify CHRO-E of the type of reserve commitment and branch of service. Managers and supervisors will ensure that employees comply with this requirement.

STATION CHRM

CHAPTER 5

VETERANS RECRUITMENT APPOINTMENT (VRA)

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STATION CHRM

CHAPTER 5

VETERANS RECRUITMENT APPOINTMENT (VRA)

5000. PURPOSE. Federal agencies have the responsibility to provide maximum employment and job advancement opportunities to eligible veterans who are qualified for such employment and advancement.

5001. POLICY. DON activities will utilize the VRA authority to provide employment opportunities to eligible veterans. These appointments should be made in support of the Navy's overall mission and in support of its total Equal Employment Opportunity (EEO) program.

5002. DEFINITIONS

1. Veteran. Meaning given in 38 USC 4211(2)(A), (3) and (4).
2. Veteran of the Vietnam Era. An eligible veteran any part of whose active military, naval, or air service was during the Vietnam era (August 5, 1964 - May 7, 1975).
3. Disabled Veteran. A veteran who is entitled to compensation (or who, but for the receipt of military retired pay, would be entitled to compensation) under laws administered by the Department of Veterans Affairs; or a person who was discharged or released from active duty because of a service connected disability.
4. Eligible Veteran. A person who served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge; or was discharged or released from active duty because of a service connected disability; or as a member of a reserve component under an order to active duty pursuant to 10 USC 672(a), (d), or (g); 10 USC 673 or 673(b), served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.
5. Post Vietnam-Era Veteran. An eligible veteran who first became a member of the Armed Forces or first entered on active duty after May 7, 1975.

5003. PROGRAM COVERAGE. The VRA is a special authority by which agencies may appoint an eligible veteran without competition. The candidate does not have to be on a list of eligibles, but must meet the basic qualification requirements for the position. The VRA is a convenient method for appointment for both the agency and the veteran. However, use of the authority is entirely discretionary, and no one is entitled to a VRA appointment. Employees with VRA appointments who satisfactorily complete 2 years of substantially continuous coverage under the VRA program, including training, when required, shall be converted to career conditional or career employment as applicable.

5004. RESPONSIBILITIES

1. Management. Responsible for providing opportunities to veterans for employment in support of this program. Examples include:

- a. Expanded areas of consideration.
- b. Job restructuring where feasible.
- c. Other actions deemed appropriate in support of this program. Develop training plans as required.

2. CHRO-E. Provide administrative and technical support to management officials in support of the VRA program.

3. HRSC-E. Administer VRA recruitment actions, provide advice and consultation to management in training plan development, provide assistance in job restructuring, and provide reports.

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CHAPTER 6

EMPLOYMENT OF RELATIVES

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STATION CHRM

CHAPTER 6

EMPLOYMENT OF RELATIVES

6000. PURPOSE. To provide information concerning restrictions on the employment of relatives.

6001. POLICY. In addition to the restrictions in paragraph 6003 below, it is policy of this command that relatives will not be allowed to work in any superior-subordinate relationship or the same organizational unit or element except in rare or unusual circumstances. Requests for exceptions to this policy should be submitted to AC/S G-1.

6002. DEFINITIONS

1. Relative. Father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

2. Public Official. An officer, a member of the uniformed services, an employee, and any other individual in whom is vested or delegated the authority by law, rule, or regulation, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement.

3. Chain of Command. The line of supervisory personnel that runs from a public official to the head of his or her agency.

6003. RESTRICTIONS

1. Public officials shall not advocate their relatives for appointment, employment, promotion, or advancement to a position in their agency or in an agency over which they exercise jurisdiction or control.

2. Public officials shall not appoint, employ, promote, or advance to a position in their agency or in an agency over which they

exercise jurisdiction or control:

a. One of their relatives.

b. The relative of a public official of their agency, or of a public official who exercises jurisdiction or control over their agency, if the public official has advocated the appointment, employment, promotion, or advancement of that relative.

3. For the purpose of this section, a public official who recommends a relative, or refers a relative for consideration by a public official standing lower in the chain of command, for appointment, employment, promotion, or advancement is deemed to have advocated the appointment, employment, promotion, or advancement of the relative.

6004. EXCEPTIONS. This section does not prohibit the appointment in the competitive service of a preference eligible if, his or her name is within reach for selection from an appropriate certificate of eligibles and an alternative selection cannot be made from the certificate without passing over the preference eligible and selecting an individual who is not a preference eligible. Exceptions can also be granted to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency as defined in 5 CFR 230.402(a)(1).

6005. REMEDIES AND PENALTIES

1. Termination of Payments. An individual appointed, employed, promoted, or advanced in violation of this section is not entitled to pay and money may not be paid.

2. Recovery of Funds. Payments in violation of this section are subject to recovery.

3. Disciplinary Remedies and Legal Penalties. Public officials that violate the law and regulations governing employment of relatives are subject to applicable penalties.

6006. RECORDS. Activities should document all situations where superior/subordinate relationships of relatives exist and rationale supporting why other options such as reassignment of one or the other could not be effected.

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CHAPTER 7

PLACEMENT ASSISTANCE PROGRAMS

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CHAPTER 7

PLACEMENT ASSISTANCE PROGRAMS

7000. PURPOSE. To define policy and outline responsibilities in the operation of mandatory placement programs including the Interagency Career Transition Assistance Plan (ICTAP), the Reemployment Priority List (RPL), and the DoD Program for Stability of Civilian Employment (Priority Placement Program (PPP)).

7001. BACKGROUND. The filling of vacancies may be subject to requirements of Federal or DoD mandated placement assistance programs.

1. The ICTAP and RPL are federal programs. ICTAP requires that well qualified, displaced applicants from non-DoD agencies in the commuting area be afforded selection priority in certain instances. The RPL requires those qualified, separated DoD employees in the commuting area of a vacancy be given consideration and restricts filling of a position from sources outside DoD.

2. The DoD Program for Stability of Civilian Employment is part of the Civilian Assistance and Reemployment (CARE) Program and serves as the primary placement tool for displaced DoD employees. It consists of a number of different programs designed to enhance the placement of DoD employees or their spouses who are affected by base closures, reorganizations, downsizing, relocations, etc. These programs are administered via the Automated Stopper and Referral System (ASARS).

3. Accurate and timely handling of eligibles in these programs are essential to maximize employee placement opportunities and to meet management needs in downsizing or filling of positions.

7002. RESPONSIBILITIES

1. Activity Heads. Responsible for ensuring that managers, supervisors, and staff officials comply with the policies and procedures of these programs.

2. CHRO-E. Responsible for ensuring Activity Heads and key managers are kept informed of and comply with program requirements.

7003

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3. HRSC-E. Responsible for maintenance of the RPL and administration of the ASARS system for the PPP.

7003. DOCUMENTATION/RECORD KEEPING. HRSC-E will maintain a record of each ICTAP, RPL and PPP action per OPM, DoD and DON policy.

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CHAPTER 8

EXPANDED VOLUNTARY SEPARATION INCENTIVE PAY (VSIP)

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CHAPTER 8

EXPANDED VOLUNTARY SEPARATION INCENTIVE PAY (VSIP)

8000. PURPOSE. VSIP is offered to encourage civilian employees to separate voluntarily from the federal government thereby creating a vacancy for a DoD employee scheduled for separation. Employees have no entitlement to VSIP. DoD currently has Voluntary Early Retirement Authority (VERA) approved for use with this program. The Expanded VSIP program is in effect until further notice.

8001. POLICY. All activities serviced by CHRO-E, Cherry Point are participating in the Expanded VSIP Program. The Expanded VSIP Program will be administered by activity, CHRO-E Cherry Point and HRSC-E officials in a fair and equitable manner.

8002. RESPONSIBILITIES

1. Activity Heads. Ensure their activities participate in the Expanded VSIP program as mandated by DoD. Responsible for implementation of program policies to ensure the program is administered in a fair and equitable manner.
2. Managers and Supervisors. Maintain accurate PD, review resumes on PPP registrants in a timely manner, and ensure fair and equitable Expanded VSIP actions are taken for their activities.
3. CHRO-E. Provides program oversight, information and guidance to management officials and employees. Assists HRSC-E in accomplishing Expanded VSIP matches. Notifies manager(s) of successful matches.
4. HRSC-E. Administers the Expanded VSIP program for serviced activities to include:
 - a. Maintaining a master listing of all employees volunteering for the Expanded VSIP program.
 - b. Querying the PPP for a match.
 - c. Receiving resumes of PPP registrants and reviewing qualifications with management officials; concurrently notifying

employee of potential Expanded VSIP match; employee should submit VSIP application as soon as possible after receipt of computation for retirement/VSIP.

d. Obtaining a VSIP Phase II Program application from employees authorizing HRSC-E to offer the employee's position to the PPP registrant.

e. Contacting the PPP registrant's servicing personnel office to offer the position.

f. Notifying the CHRO-E if the potential VSIP match was successful or not.

g. Negotiating release dates for the PPP registrant to report for duty.

h. Notifying appropriate officials of action taken and completing paperwork.

i. Computing VSIP payment to be received by employee.

j. Obtaining funds citation for VSIP payments from losing activity.

5. Employee. File a VSIP application as soon as possible after receipt of computation for retirement and VSIP.

8003. DOCUMENTATION/RECORD KEEPING. HRSC-E maintains records and documentation on the VSIP program.

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CHAPTER 9

MERIT PROMOTION PROGRAM

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CHAPTER 9

MERIT PROMOTION PROGRAM

9000. PURPOSE. To provide guidance for promotion and internal placement of civilian employees through the Merit Promotion Program.

9001. COVERAGE. Provisions of collective bargaining agreements must be followed in effecting actions under the Merit Promotion Program.

1. The following are subject to the Merit Promotion Program:

a. Promotion to a higher-grade level (based on comparison of representative rates) than that held or previously held on a permanent basis.

b. Temporary promotion of more than 120 days and detail in excess of 120 days to a higher grade or to a position with promotion potential (or a cumulative 120 days of details and/or temporary promotions in a 12-month period).

c. Time Limited Promotion up to 5 years.

d. Transfer to a higher-grade position.

e. Reinstatement to a permanent or temporary position at a grade higher than that last held on a permanent basis in the competitive service.

f. Reassignment, demotion, or transfer to a position with higher promotion potential than that held or previously held on a permanent basis.

g. Selection for training which is part of an authorized training agreement, part of a promotion program, or required before an employee may be considered for a promotion.

2. The following are exceptions to the Merit Promotion Program:

a. Promotion resulting from the upgrading of a position without significant change in duties and responsibilities due to issuance of a new classification standard or the correction of an initial classification error.

b. Position change permitted by Reduction in Force (RIF) regulations.

c. Career ladder promotion without current competition when an employee was previously selected from a civil service register or under competitive promotion procedures when the fact that the position had promotion potential was made known to all candidates.

d. Promotion resulting from an employee's position being classified at a higher grade because of additional duties and responsibilities when:

(1) The major duties of the old position are absorbed into the new position and the former position is canceled.

(2) The new position has no known promotion potential.

(3) The additional duties do not adversely affect another encumbered position.

e. Career-ladder promotion following noncompetitive conversion of a Student Career Experience Program (SCEP) student per the provisions of the SCEP agreement.

f. Promotion, demotion, reassignment, or transfer to a position having no higher promotion potential than that held or previously held on a permanent basis in the competitive service (except when demoted for cause).

g. Temporary promotion or detail to a higher-grade position, or one with known promotion potential, for not more than 120 days.

h. Temporary promotion or detail for more than 120 days to a grade level previously held on a permanent basis (except when the employee was demoted from that grade for cause).

i. Re-promotion of a current federal employee in the competitive service to a grade (or equivalent level in another pay system or intervening grade) previously held on a permanent basis in the competitive service, except when demoted from that grade for cause.

j. Promotion of a candidate who was not given proper consideration in a previous Merit Promotion action.

9002. POLICY. Promotions will be based on fair and open competition; and selections will be made based upon merit factors without regard to race, national origin, age, sex, marital status, ethnic group, non-disqualifying physical handicap, nepotism, personal relationships, or favoritism. The Merit Promotion Program is but one means of filling vacancies. Any staffing source may be used concurrently with or in lieu of this program.

9003. DEFINITIONS

1. Promotion. Assignment to a higher-grade level (based on comparison of representative rates) than that held or previously held on a permanent basis.
2. Reassignment. Assignment to a position with the same representative rate as the employee's existing pay plan and grade.
3. Demotion. Assignment to a position with a representative rate lower than the employee's existing pay plan and grade.
4. Reinstatement. Re-employment of a former career/career-conditional employee in the competitive service.
5. Non-Competitive Eligibles. Those applicants not required by law or regulation to compete for a vacancy, (e.g. VRA Eligibles, 30 percent Compensable Disabled Veterans, Executive Order Eligibles, Handicapped Eligibles), and applicants having attained the same grade level or equivalent on a non-temporary basis.
6. Priority Consideration Eligibles. Individuals who are entitled to consideration as a result of a legal, regulatory, procedural, or collective bargaining agreement provision.
7. Area of Consideration (AOC). The geographic and/or organizational area from which applicants are being sought to fill a job.
8. Certificate. A referral listing of eligible candidates.

9004. RESPONSIBILITIES

1. Management. Managers and supervisors are responsible for ensuring the success of the Merit Promotion Program in meeting

its goals, both in terms of high quality employee selections and EEO. Managers must ensure that areas of consideration are broad enough to allow for competition and that selections are based on meaningful, job related criteria. If a relative of a selecting official applies for a vacancy, nepotism provisions apply and assistance should be sought from the servicing human resources specialist.

2. CHRO-E. The Director and staff of CHRO-E provide advice and assistance to managers regarding the administration of activity Merit Promotion Programs. Additionally, CHRO-E/HRSC-E provides program oversight and effect mandatory placements where applicable. CHRO-E will maintain documentation for Management Identification of Candidates (MIC) actions.

3. HRSC-E. HRSC-E maintains records to allow for reconstruction of Merit Promotion actions per 5 CFR 335, DoD and DON policy. HRSC-E will provide reports regarding the Merit Promotion Programs for the activities serviced as requested. HRSC-E will announce jobs, receive applications and issue certificates.

9005. PRIOR CONSIDERATION. Individuals who are entitled to consideration as a result of a legal, regulatory, procedural or collective bargaining agreement provision will be referred before other competitive or noncompetitive actions are taken to fill the position. Such individuals will be referred in the following order:

1. Individuals entitled to priority consideration or similar remedy as a result of a legal, regulatory, or statutory right.
2. Employees on retained grade/pay.
3. Individuals who were granted prior consideration because they did not receive proper consideration for promotion due to a procedural, regulatory, or program violation. Prior consideration is granted for the next substantially similar vacancy occurring within the activity serviced by CHRO-E. To be substantially similar:
 - a. The position must be in the same pay plan and occupational series.
 - b. The position must have no higher promotion potential than the position for which consideration is missed.

c. The applicant would be included in the AOC to be used in announcing the vacancy.

9006. ADMINISTRATION. When Merit Promotion procedures are utilized, the following guidelines will be followed.

1. Vacancies may be filled through the use of an automated referral system, published vacancy announcements/flyers, or through MIC. The AOC should be broad enough to provide for a sufficient number of well-qualified candidates.

NOTE: Regardless of the area of consideration specified in an announcement, resumes will be accepted from appointable spouses of relocating active duty military members and DoD civilian employees during the period beginning 30 days prior to and 6 months following their sponsor's relocation to the commuting area where the vacancy is located.

2. When MIC procedures are to be used, activities must:

(a) Provide the servicing CHRO-E Specialist with advance notification of the MIC action.

(b) Develop procedures to document the evaluation and consideration process to be used. This will allow CHRO-E officials to conduct a cursory review of the proposed action to ensure program compliance. If the MIC action proceeds, the activity submits a MIC recruitment RPA to HRSC-E to access the DoD PPP in a timely manner. Failure to provide advance written notification can result in a requirement to reconstruct the MIC action and delay filling of the vacancy.

3. Resumes are required when applying for vacancies advertised under this program. For bargaining unit positions only, the provisions of any negotiated agreements must be followed. Applicants must ensure they provide the information required in the announcement or they may lose consideration.

4. When applicable, deadlines for submitting resumes will be specified on the vacancy announcement. Pertinent information on "How to Apply" is also included on the vacancy announcement.

5. Qualification standards prescribed by OPM and activity evaluation criteria will be used to evaluate applicants' qualifications. All qualification and eligibility requirements, including time-in-grade, must be met by either:
 - a. The closing date of the announcement when used.
 - b. The date of issuance of an automated referral listing. For open-continuous announcements, qualifications must be met at the time of filing.
6. Candidates will be evaluated against job related criteria.
7. An appropriate number of qualified promotion eligible candidates will be certified to selecting officials on a certificate. Non-competitive eligibles may be referred at any time in the recruitment process. If interviews or selection panels are to be conducted, assistance may be obtained from the servicing human resources specialist.
8. Employees selected for promotion should be promptly released within 2 weeks of notification of selection, to the next later pay period, except in unusual circumstances, and not later than 30 days.

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CHAPTER 10

TEMPORARY PROMOTION

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CHAPTER 10

TEMPORARY PROMOTION

10000. PURPOSE. Managers may use temporary promotions to meet temporary needs generated by an abnormal workload, special projects, change in mission or organization, or unanticipated absences. Temporary promotions can allow employees an opportunity to try new work experiences in a related career field or in a supervisory position. These experiences not only enhance an employee's qualifications and opportunities for promotion, but also allow managers an opportunity to increase the skills needed to meet future mission requirements and to improve the representation of minorities, women, and handicapped individuals in all job categories.

10001. POLICY

1. Employees assigned to perform higher level duties for more than 30 days will be either detailed or temporarily promoted, as appropriate, or as specified in a collective bargaining agreement. Temporary promotions should be rotated among qualified employees where practical.

2. Employees must be given written notice of the conditions of the time limited promotion, including the time limit of the promotion; the reason for a time limit; the requirement for competition for promotion beyond 120 days, where applicable; and that the employee may be returned at any time to the position from which temporarily promoted, or to a different position of equivalent grade and pay.

10002. DEFINITION. A temporary promotion is the temporary assignment of an employee to a higher graded position with pay for a specified period. The employee returns to his/her regularly assigned position at the conclusion of the temporary promotion.

10003. RESPONSIBILITIES

1. Managers and Supervisors. Assign work, including effecting and terminating temporary promotions. They also have responsibility for complying with negotiated agreement provisions concerning temporary

promotions and ensuring fair and equitable distribution of temporary promotions. Managers and supervisors are to submit an RPA in a timely manner to ensure that appropriate processes can be completed prior to effecting any temporary promotions.

2. CHRO-E. Provide advice and assistance to managers regarding temporary promotions.

3. HRSC-E. Ensure that employees meet all legal and regulatory requirements for the temporary promotion. Process RPA's in a timely manner to effect the action.

10004. RESTRICTIONS AND TIME LIMITS

1. Time After Competitive Appointment. Except for emergency situations, an employee may not be temporarily promoted to a different position for at least 90 days after a competitive appointment from an OPM register (this will normally be the employee's first career-conditional appointment to the government).

2. Noncompetitive Temporary Promotions. Limited to 120 days or less during any twelve-month period.

3. Competitive Temporary Promotions. Temporary promotions scheduled for more than 120 days will normally be filled through competitive procedures. (Employees eligible for noncompetitive promotion to the higher grade can be temporarily promoted without using competitive procedures).

10005. DOCUMENTATION. The RPA will be used to effect temporary promotions.

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CHAPTER 11

PLACEMENT OR SEPARATION OF MEDICALLY DISQUALIFIED CIVILIAN EMPLOYEES

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CHAPTER 11

PLACEMENT OR SEPARATION OF MEDICALLY DISQUALIFIED CIVILIAN EMPLOYEES

11000. PURPOSE. To establish guidance and procedures for accommodation and placement of physically and mentally impaired civilian employees. When accommodation or placement is not possible, provide procedures for separation of employees.

11001. BACKGROUND. 5 CFR 339 provides the regulatory framework for seeking medical documentation from an employee when there is a question about his/her ability to perform the duties of his/her position.

11002. POLICY. It is DON policy to retain employees who become physically and mentally disqualified for their positions whenever possible regardless of whether the impairment is a result of an on-the-job injury or occurred off the job. Reasonable accommodation of an employee's disability is required unless the accommodation would be an undue hardship on the operation of the activity. Reasonable accommodation includes job restructuring when an employee is unable to perform essential functions of his/her position. When an employee is temporarily disabled (less than 120 days) from performing the duties of his/her job, the employee will provide a written statement from his/her physician indicating the nature of the limitations and the expected duration of the disability. The activity will assign limited duty, if available. The need to provide temporary duty does not require an activity to create work for an employee. If a limited duty assignment is not available, the employee should request leave.

11003. DEFINITIONS

1. Accommodation. Means reasonable accommodation as described in 29 CFR 1613.704.

2. Arduous or Hazardous Positions. Positions that are dangerous or physically demanding to such a degree that an incumbent's medical condition is necessarily an important consideration in determining ability to perform safely and efficiently.

3. Medical Condition. Health impairment, which results from injury or disease, including psychiatric disease.
4. Medical Documentation or Documentation of a Medical Condition. A statement from a licensed physician or other appropriate practitioner, which provides information the agency considers necessary to enable it to make an employment decision. To be acceptable, the diagnosis or clinical impression must be justified according to established diagnostic criteria and the conclusions and recommendations must not be inconsistent with generally accepted professional standards.
5. Medical Evaluation Program. A program of recurring medical examinations or tests established by written agency policy or directive, to safeguard the health of employees whose work may subject them or others to significant health or safety risks due to occupational or environmental exposure or demands.
6. Medical Standard. A written description of the medical requirements for a particular occupation based on a determination that a certain level of fitness or health status is required for successful performance.
7. Physical Requirement. A written description of job-related physical abilities, which are normally considered essential for successful performance in a specific position.
8. Physician. A licensed Doctor of Medicine or Doctor of Osteopathy, or a physician who is serving on active duty in the uniformed services and is designated by the uniformed service to conduct examinations.
9. Practitioner. A person providing health services who is not a medical doctor, but who is certified by a national organization and licensed by a state to provide the service in question.

11004. RESPONSIBILITIES

1. Management

- a. Department/Directorate requests employee qualifications determination in writing to CHRO-E.

b. Upon receipt of qualification determinations the Department/Directorate will search for any positions matching the employee's qualifications. The Department/Directorate will then submit figure 11-1, Request for Job Search/Placement per the outcome.

c. The request should include relevant medical documentation along with an explanation of what duties the employee can no longer perform due to the medical condition. Management should describe what actions have been taken to restructure the employee's position or to accommodate the employee's medical condition.

d. If possible, obtain an updated application or resume from the employee and submit it with the Job Search/Placement request.

e. If a continuing job search is necessary, monitor activity recruitment requests for potential positions to which the employee may be assigned. If a position is identified to which placement may be possible contact CHRO-E for further assistance.

f. Maintain documentation of job searches conducted, reasonable accommodation attempts, and job restructuring efforts to support placement offer or to support separation of the employee if reasonable accommodation/placement of the employee is not possible.

g. If the employee cannot be placed, initiate a disability-separation action and contact the servicing Human Resources Specialist (Labor and Employee Relations Division) for assistance.

2. CHRO-E

a. Assists management in preparing the request for job search/placement.

b. Requests OPF from HRSC-E. Reviews the employee resume/application, OPF and medical documentation to identify positions the employee may qualify for and can perform. Prepares Qualification Determinations and forwards to the Department/Directorate.

c. If the Department/Directorate has a vacant position that may be suitable for the employee, CHRO-E will if needed, provide the Occupational Health Clinic with a Standard Form (SF) 78 for determination of employee placement in the position.

d. Assists management in preparing a job offer letter if a suitable vacant position is available.

e. Conducts job search to identify vacant position(s) and provides a synopsis of the job search results to the activity manager who requested the job search. If a suitable position is not available, notify the activity of its obligation to continue the job search until either:

(1) A disability-separation is effected.

(2) Other accommodations or avenues are utilized that negate the need for continuing the job search. Ensures that the employee's current position cannot be accommodated with assistance from the Safety Office when needed.

f. Assists management in effecting disability-separation if the job search/placement efforts fail to identify a reasonable accommodation/position for the employee.

3. HRSC-E

a. Process placement or a separation action as appropriate.

STATION CHRM

LETTERHEAD

SSIC
Code/Serial
Date

From: Activity Manager
To: Director, Civilian Human Resources Office-East, Cherry Point
Subj: REQUEST FOR JOB SEARCH/PLACEMENT
Encl: (1) Medical Documentation
(2) Updated Application/Résumé from Employee

1. The employee identified below has been medically disqualified from performing the duties of his/her position. Enclosure (1) is the physician's statement that clearly shows that the employee is unable to perform the essential functions of his/her job. In addition, there are no reasonable accommodations that can be made which would allow the employee to perform the essential functions/OR there are reasonable accommodations that can be made. Please initiate a job search/OR placement search to determine whether or not positions are available in the commuting area in which the employee may be permanently placed. Enclosure (2) is provided to assist you in making your review.

EMPLOYEE: (NAME)
CURRENT POSITION: (POSITION TITLE/PAY PLAN/SERIES/GRADE)

2. Please advise me as soon as possible whether or not there are vacant position(s) available for which the employee is qualified and capable of performing.

3. By the signature below, I certify that restructuring the employee's position to accommodate his/her disability is/is not possible. (Explain what attempts have been made to restructure employee's job or what attempts were made to accommodate the employee such as modifying work schedule, which were not successful in alleviating or overcoming the medical situation. If no attempts were made or there is no way to reasonably accommodate the employee, explain why.)

ACTIVITY MANAGER

Copy to:
CHRO-E - Human Resources Specialist (Labor Relations)

Figure 11-1.--Example of Request for Job Search/Placement Letter.

STATION CHRM

CHAPTER 12

REDUCTION IN FORCE (RIF)

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CHAPTER 12

REDUCTION IN FORCE (RIF)

12000. PURPOSE. Agencies are required to establish procedures for the release of civilian employees. Actions, which may necessitate the use of RIF procedures, are reorganizations, consolidation of functions, shortage of funds, lack of work, or when the authorized number of personnel has been reduced.

12001. COVERAGE

1. RIF procedures must be used when both the action to be taken and the cause of the action meet the criteria below:

a. The action to be taken will release an employee from a competitive level by:

- (1) Separation.
- (2) Furlough for more than 30 days.
- (3) Demotion.
- (4) Reassignment requiring displacement of another employee.

b. The cause of the action is:

- (1) Lack of work.
- (2) Shortage of funds.
- (3) Insufficient personnel ceiling.
- (4) Reorganization.
- (5) An employee's exercise of reemployment or restoration rights.
- (6) Reclassification of an employee's position due to erosion of duties when such action will take effect after an activity has formally announced a RIF in the employee's competitive area and when the RIF will take place within 180 days.

2. The following actions are not covered by RIF procedures.
 - a. The termination of a temporary promotion or term promotion.
 - b. A change to lower grade based on the reclassification of an employee's position due to the application of new classification standards or the correction of a classification error.
 - c. A change to lower grade based on reclassification of an employee's position due to erosion of duties except when the requirements of paragraph 12001.1b(6) are met.
 - d. Placement of an employee serving on an intermittent, part-time, on-call or seasonal basis, in a non-pay and non-duty status per conditions established at the time of appointment.

12002. POLICY. DON policy is to accomplish required civilian personnel reductions through attrition whenever possible. Where involuntary separations or furloughs are clearly unavoidable, they will, upon approval, be carried out following the provisions of 5 CFR 351.

12003. DEFINITIONS

1. Voluntary Early Retirement Authority (VERA). VERA allows civilian employees to retire from federal service prior to meeting the minimum age and/or years of service normally required for retirement eligibility. The employee's annuity is reduced accordingly. VERA is used to avoid involuntary RIF actions.
2. Voluntary Separation Incentive Pay (VSIP). VSIP is payment up to \$25,000 to employees who volunteer to retire or resign from federal service by a fixed date. VSIP is an effective RIF avoidance tool for the DON.
3. Reduction in Force (RIF). RIF is an objective system, which determines how employees compete to stay in the organization in their current or new position. Management identifies positions to be eliminated, and employees compete for remaining positions based on Veterans Preference, tenure group, and length of service (LOS), adjusted for performance.

12004. RESPONSIBILITIES

1. Management. Responsible for determining when a RIF is necessary. Specific management responsibilities include:

a. Notifying CHRO-E, Cherry Point when they first become aware that downsizing or RIF may be necessary.

b. Participating in developing a RIF strategy and options with CHRO-E.

c. Requesting through CHRO-E via G-1 VSIP, VERA and RIF approval as necessary.

d. Conducting VERA/VSIP interest survey and providing results to CHRO-E. Upon receipt of approved VSIP offers, issue approval/disapproval VERA/VSIP Agreement Form.

2. CHRO-E. Provides advice and assistance to activities by performing the following:

a. Ensures HRSC-E is notified of any downsizing or impending RIF situations.

b. Provides initial consultation services to management regarding downsizing options and potential RIF. Ensures management has information on the mechanics of the RIF process to include: VSIP requirements; required authorizations for VSIP, VERA, RIF, notification to labor organizations; estimated timelines; and possible alternatives. Assists management in identifying positions to be abolished.

c. Participates in the development of RIF strategies and options with management, HRSC-E RIF Team and appropriate labor organizations. Issues to be addressed normally include: timeline for RIF; applicable classification issues; use of vacancies for placement; waiver/modification of qualifications; incentives/buyouts; PPP; and performance appraisal issues.

d. Reviews competitive levels and retention registers to ensure correct assignment of the positions.

e. Assists management in requesting major claimant approval for RIF, VSIP, and VERA and monitors receipt of authorizations. Forwards copies of authorizations to HRSC-E RIF Team.

f. Assists HRSC-E in conducting employee briefings regarding the various processes involved in conducting a RIF and associated entitlements. These include: VSIP (and survey process); verification of MDCPDS data sheets; updated applications; RIF mechanics; grade/pay retention; PPP RPL; severance pay; and benefits (including Discontinued Service Retirement), etc.

g. Prior to issuance of specific RIF notices, ensures HRSC-E RIF Team has accurate information regarding signature authority, appropriate letterhead, serialization, etc. Ensures receipt copies of acceptance/declination letters to RIF job offers are returned to HRSC-E.

h. Delivery of RIF Notices.

i. Briefs affected employees, management, and unions on the RIF results.

j. Assists the activity in responding to RIF related grievances, appeals and congressional inquiries with the assistance of HRSC-E.

k. Assists the activity in administering VSIP and VERA offers.

l. Assists with registration in PPP.

m. Registers employees on local Prior Consideration List (PCL).

n. Discuss RIF results with management, employees and union officials.

3. HRSC-E

a. Designates an HRSC-E RIF Team/Coordinator.

b. Participates in developing RIF/downsizing Plan of Action and Milestones (POA&M).

c. Distributes and collects employee data sheets verifying RIF retention factors. Assists employees in resolving any discrepancies cited in review of their SF-50's or employee data sheets and forwards any required corrections to the HRSC-E RIF Team.

d. Reviews competitive levels and retention registers for commands that have delegated classification authority to HRSC-E to ensure correct assignment of positions.

- e. Notifies outside parties (OPM, DoD, unemployment offices, etc.).
- f. Executes the RIF process.
- g. Provides reports to CHRO-E on status of RIF action.
- h. Prepares and/or delivers RIF notices electronically for downloading and activity signature or sends via Federal Express.
- i. Briefs affected employees, management, and unions on the RIF results.
- j. Registers employees in PPP according to POA&M.
- k. Effects RIF, VSIP and VERA actions and completes final RIF/VSIP/VERA reports as required.
- l. Provides documents, data and processing information as appropriate to assist in responding to grievances, appeals and congressional inquiries.
- m. Discusses RIF results with management, employees and union officials.
- n. Advises employees of grievance/appeal rights.

12005. DOCUMENTATION. HRSC-E will maintain records of all RIF actions per applicable laws and regulations.

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CHAPTER 13

UPWARD MOBILITY PROGRAM (UMP)

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CHAPTER 13

UPWARD MOBILITY PROGRAM (UMP)

13000. PURPOSE. The purpose of the UMP is to assist employees in dead-end jobs, or who lack experience and/or education to qualify for advancement in civilian service positions at MCAS Cherry Point.

13001. POLICY

1. The UMP was developed to meet the requirements of Executive Order 11478 and the Equal Employment Opportunity Act of 1972. Upward Mobility is an integral part of the Federal Equal Opportunity Recruitment Program (FEORP) and must provide a systematic management effort to provide a variety of upward mobility initiatives.

2. The UMP is a means of entering higher graded occupations through on-the-job and formal training assignments. There are 2 types of UMPs:

a. Those for which applicants must meet the basic qualification requirements for the entry position to be considered.

b. Those which are restricted to applicants who do not meet the basic qualification requirements for the entry position.

3. Each UMP announcement specifically identifies the qualification requirements for the position(s) to be filled, and whether or not applicants who meet the basic requirements will be considered. In addition, regardless of the basic eligibility requirements, eligible applicants are evaluated on the basis of their potential to perform in the target position.

13002. ADMINISTRATION

1. When a position, or group of positions, is identified to be filled through the UMP, there will be a number of distinct differences from normal Merit Promotion procedures, which include:

a. How applicants qualify to be eligible.

b. How eligible applicants are evaluated.

- c. Supervisory evaluation.
- d. Forms used to apply for positions.

2. One very important difference in UMP announcements is that applicants must be permanently employed in positions at or below GS-09 or WG-09 level to apply for these positions. Employees in these grade levels, who are currently on career, career-conditional, VRA or handicapped appointments, are eligible to apply.

3. Training plans will be developed for each employee selected under the UMP to make up the difference in qualifications between the experience and training the selectee brings to the position, and qualification requirements for the target position.

4. Training period will be for a minimum of 6 months and a maximum of 24 months. At least 50 percent of the training period must consist primarily of on-the-job training in the target area or in functions closely related to the target position.

5. If the selectee is currently in a position where his/her current rate of pay exceeds the pay scale of the training position, the selectee will be eligible for retained pay.

13003. RESPONSIBILITIES

1. Management. Managers and supervisors are responsible for supporting and promoting the success of UMP and meeting its goals. Managers must ensure the AOC is broad enough to allow for competition and that selections are based on meaningful, job-related duties. Managers identify positions for UMP and develop PDs/JDs for each upward mobility level.

2. CHRO-E. The Director and staff of CHRO-E provide advice and assistance to managers regarding the identification of appropriate positions, development of formalized training plans, and administration of UMP.

3. HRSC-E. HRSC-E will maintain records, provide applicable reports as requested, announce job(s), receive applications and issue certificates per UMP/Merit Promotion procedures.

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CHAPTER 14

PERFORMANCE MANAGEMENT PROGRAM

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CHAPTER 14

PERFORMANCE MANAGEMENT PROGRAM

14000. SCOPE. The Performance Management Program applies to all civilian appropriated fund employees of MCAS and Naval Hospital in the excepted and competitive services in grades GS-1 through GS/GM-15 and prevailing rate employees. The Performance Management Program does not apply to employees serving on temporary appointments for less than one year, who agree to serve without a performance evaluation, and who will not be considered for reappointment or for an increase in pay based in whole or in part on performance.

14001. DEFINITIONS

1. Acceptable Performance. Performance of an employee which meets the established performance requirement(s) or standards at the "Acceptable" level in all critical elements of an employee's position.
2. Activity. MCAS or Naval Hospital, Cherry Point.
3. Additional Performance Requirement. Specific provisions of law, regulation, and DoD policy that require certain matters to be considered in the performance evaluation of some employees (i.e. protection of classified information, EEO, acquisitions, safety, etc., as addressed in MCO 12430.2).
4. Appraisal. The act or process of reviewing and evaluating the performance of an employee against the described performance standard(s).
5. Appraisal Period. The period of time for which an employee's performance will be reviewed. The current appraisal period will run from 1 June through 31 May.
6. Closeout Rating. A written "summary rating" conducted when an employee or supervisor leaves a position after the employee has been under established performance standards for 90 days or more. Closeout ratings are interim appraisals and although they do not normally serve as the annual rating of record, in some cases, they may become the rating of record.

7. Critical Element. A work assignment or responsibility which contributes toward accomplishing organizational goals and objectives and which is of such importance that unacceptable performance of the element would result in a determination that the employee's overall performance in the position is unacceptable. Non-critical elements will not be used.
8. Element Rating. The rating assigned to each critical element in the performance plan. The rating assigned to each critical element will be either "Acceptable" or "Unacceptable".
9. Interim Appraisal. Any progress review, training appraisal, or closeout rating conducted throughout the annual performance appraisal period.
10. Opportunity Period. This may also be referred to as the Performance Improvement Period. This period is designed to give the employee an opportunity to bring his or her performance up to an acceptable level. It is also the supervisor's opportunity to clearly express expectations and consequences of not meeting those expectations.
11. Performance. An employee's accomplishment of assigned work as specified in the critical elements and standards of the employee's position.
13. Performance Improvement Plan (PIP). The process by which the supervisor assists the employee in bringing his/her performance to the "Acceptable" level. This will be accomplished through counseling, closer supervision, on-the-job training and/or formalized training, as appropriate, and identification of specific written expectations. The PIP is the official written notification to the employee that performance is "Unacceptable" in one or more critical elements. The PIP will normally cover a period of not less than 30 days but not more than 90 days.
14. Performance Plan. The aggregate of all written critical elements and performance standards that describe the expected performance of an employee.
15. Performance Rating. The results of a comparison between actual performance standards for each critical element on which there has been an opportunity to perform for the minimum period. A performance

rating will include the assignment of a summary rating of either "Acceptable" or "Unacceptable".

16. Performance Standard. A statement of the expectations or requirements established by management for a critical element at a particular rating level. A performance standard may include, but is not limited to, factors such as quality, timeliness, and manner of performance.

17. Progress Review. A review of the employee's performance that may be conducted at any time during the performance appraisal period. There is only one documented progress review that is conducted midway through the appraisal period. Progress reviews do not require the assignment of a summary level rating, however, the first level supervisor shall sign and date the performance appraisal form and request the employee do the same for the midyear progress review.

18. Rating of Record. The annual summary rating required at the time specified by the activity unless a special rating is conducted to support a within-grade increase (WGI) determination, in which case the special within-grade increase rating becomes the rating of record. The rating of record is the official rating for pay, performance award, and retention purposes.

19. Reviewing Official. The individual appointed by the activity head to review "Unacceptable" performance appraisals. The Reviewing Official shall ensure standards have been applied equitably, a plan of improvement was provided by the supervisor to the employee in a timely manner, and ensure management made efforts to assist the employee to improve performance to an "Acceptable" level. The Deputy, Assistant Chief of Staff (DAC/S), G-1 has been designated as the Reviewing Official for MCAS and the Naval Hospital.

20. Summary Rating. The final result of the performance evaluation process when assigning a closeout rating or a rating of record. The two summary rating levels are "Acceptable" and "Unacceptable".

21. Training Appraisal. An appraisal conducted as part of a formal training program lasting more than 90 days and conducted under Civilian Personnel Instruction (CPI) 410. Training appraisals are interim appraisals and are not used as the annual rating of record.

22. Unacceptable Performance. Performance of an employee that fails to meet established performance standards in one or more critical elements.

14002. RESPONSIBILITIES1. Directorate/Department Heads

a. Ensure performance appraisals are completed on schedule for each eligible employee for the performance appraisal period.

b. Ensure each covered employee has received a rating of record and the rating has been properly submitted to the Performance Appraisal Review System (PARS) Administrator, CHRO-E.

c. Ensure supervisors, managers, and team leaders are aware of the importance of the reward system as a means of distinguishing employees' excellent performance from "Acceptable" performance of duty. Encourage supervisors, managers, and team leaders to nominate employees for awards that have shown an excellent standard of work performance.

2. First Level Supervisors

a. Develop a performance plan for each covered employee that will include a minimum of two critical elements concerning work performance and the "Acceptable" performance standard for each critical element.

b. Encourage employee participation and ensure that covered employees are involved in the development of performance plans. Final responsibility for ensuring establishment of performance plans rests with the supervisor.

c. Provide employees with a copy of their written performance plan within 30 days of the beginning of each appraisal period and for each detail or temporary promotion expected to last 120 days or longer.

d. Review and certify PD's/JD's as current and accurate when standards are set. If the PD/JD is not accurate, the supervisor must take action to rewrite within 60 days.

e. Provide employees with supervisory or managerial duties, a critical element for such responsibility.

f. Provide employees with EEO responsibilities, a critical element of EEO.

g. Discuss with those employees that normally meet or exceed the "Acceptable" level of performance, the many training opportunities available for developing as a leader. For GS-5 through GS-15 positions and Wage Grade (WG) equivalent, supervisors will discuss the mentor program available in Civilian Leadership Development (CLD).

h. Prepare a close-out rating when the supervisor leaves the position after the employee is under performance elements and standards for a minimum of 90 days; when an employee completes a detail or temporary promotion of 120 days or longer under established performance elements and standards; when an employee changes positions after being under established elements and standards a minimum of 90 days; or when an employee moves to a new agency or organization after being under established elements and standards a minimum of 90 days. The closeout rating will be forwarded to the employee's supervisor of record.

i. Conduct progress reviews as appropriate (but not less than one at mid-cycle). Progress reviews should be informative and developmental in nature and include discussions between the supervisor and team leader where applicable.

j. Solicit input for the progress review and final summary rating from team leaders and other personnel, both civilian and military, that have contact with the employee regularly.

k. Provide a copy of the final rating of record to each covered employee as soon as possible, but not later than 60 days after the end of the performance appraisal period.

l. Notify the second level supervisor when an employee's performance falls to an "Unacceptable" level. In addition, at any time during the appraisal period that an employee's performance falls to an "Unacceptable" level, in any critical element, contact the PARS Administrator at CHRO-E, Cherry Point.

m. Provide assistance to employees in improving their performance at any time during the appraisal period if the performance is determined to be "Unacceptable" in one or more critical elements per the requirements of 5 CFR 432. The supervisor will counsel the employee on improving performance and set a written plan of action for improvement. The written plan of action will be in the form of a PIP.

n. If upon review, and after completion of the PIP, the employee performance is still considered "Unacceptable", the supervisor will rate the employee as "Unacceptable" and initiate action to remove the employee from the position.

3. Reviewing Official (AC/S, G-1)

a. Upon review of "Unacceptable" performance appraisals, ensure performance standards have been applied equitably.

b. Ensure the supervisor provided a PIP to the employee in a timely manner.

c. Ensure management made efforts to assist the employee to improve performance to an "Acceptable" level.

4. Covered Employees

a. Participate in the development of their performance plan as required.

b. Participate in progress review(s).

c. Develop on a voluntary basis as part of CLD an Individual Leadership Development Plan (ILDLP) per MCO 12410.

d. Provide input on their performance accomplishments at the end of the appraisal period and participate in the final appraisal discussion with the supervisor.

5. CHRO-E

a. Advise supervisors and covered employees on PARS requirements and related performance management issues.

b. Provide employee performance-rating data on ratings of record to HRSC-E, for input into the MDCPDS database.

c. Maintain performance records and forms and have them available for pay, awards, RIF, and other performance actions.

14003. PERFORMANCE APPRAISAL REQUIREMENTS

1. Appraisal Period

a. The performance appraisal period will cover a yearly period from 1 June through 31 May.

b. An annual appraisal period is required for rating of record purposes for each employee. Employees who have served a minimum of 90 days in their position under an approved performance plan at the end of the appraisal period will receive a rating of record. When necessary, the appraisal period will be extended to allow the employee to complete a minimum 90-day appraisal period.

2. Performance Plan

a. Individual employee performance plans shall be in writing. Performance elements and standards will be prepared based on the requirements of the employee's position. The plan will cover the official appraisal period.

b. Employee participation is encouraged in establishing performance plans. This may be accomplished by means including, but not limited to, those cited below.

(1) Employee and supervisor discuss and develop the performance plan together.

(2) Employee provides a draft performance plan to supervisor.

(3) Employee comments on draft performance plan prepared by supervisor.

(4) Performance plan is prepared by a group of employees occupying similar positions. Final authority for establishing such plans rests with the supervising officials.

c. Individual performance plans will be provided to employees within 30 days after the beginning of each appraisal period, permanent assignment to a new position, and for each detail or temporary promotion expected to last 120 days or longer. Performance plans include all critical elements and related performance standards.

d. Each plan must include all critical elements and related performance standards. A minimum of 2 critical elements that address individual performance will be established for each position. In addition, the performance plans are to include additional performance requirements for specific types of positions as addressed in MCO 12430.2.

e. The "Acceptable" standard for each critical element must be in writing. Each critical element must be rated as "Acceptable" or "Unacceptable". An "Unacceptable" rating in any one critical element will result in a summary rating of "Unacceptable".

f. One of two summary rating levels must be used for the final performance rating, either "Acceptable" or "Unacceptable".

g. At the time performance standards are set, supervisors and employees must certify on the performance appraisal form that this has been done. Supervisors must also certify the employee's PD/JD is current and accurate at the time the elements and standards are set. If the PD/JD is not accurate, the supervisor must take action to rewrite the PD/JD within 60 days.

3. Monitoring Performance

a. Progress Review. A review of the employee's performance is expected at least once midway through the appraisal period. At a minimum, a comparison will be made with the performance elements and standards established. To the maximum extent possible, progress reviews will be informative and developmental in nature and will focus on future performance. No written comments will be indicated; however, the supervisor and the employee must sign and date the performance appraisal form to indicate the review was conducted.

b. Interim Appraisals. Interim appraisals include progress reviews, training appraisals, and closeout ratings and shall be conducted throughout the annual performance appraisal period as required. Interim appraisals are considered in determining the annual rating of record.

c. Training Appraisal. These ratings are conducted under CPI 410. When training appraisals cover "Individual Development Plans" of at least 90 days, they will be considered in the annual performance rating process. Training appraisals shall not serve as closeout ratings or as ratings of record.

d. Close-out Ratings. The supervisor and the employee will sign and date the performance appraisal form. (Note: Employee's signature does not necessarily constitute agreement with the rating, it merely signifies that the employee has seen it). A copy of the appraisal form shall be forwarded to the appropriate supervisor who will consider the closeout rating when preparing the rating of record.

(1) A written closeout rating must be conducted when:

(a) An employee completes a detail or temporary promotion of 120 days or longer under established performance standards. This requirement also applies to employees on "loan" from another activity/agency for 120 days.

(b) An employee changes positions after being under established standards a minimum of 90 days.

(c) An employee moves to a new agency/activity or organization after being under established standards a minimum of 90 days.

(d) The first level supervisor leaves the position after the employee is under established standards a minimum of 90 days. In this situation, the employee would continue under the same performance plan under the new supervisor.

(2) Close-out ratings may become the rating of record if the following criteria are met:

(a) There is insufficient time (90 days) to establish a new performance plan and rate the covered employee in their assigned position before the end of the appraisal period.

(b) The supervisor takes into consideration any other closeout ratings conducted during the appraisal period.

e. Rating of Record

(1) Normally within 30 days after the end of the appraisal period, a written rating of record will be prepared for each employee, unless the employee has not completed the 90 day minimum period of performance.

(2) When a rating of record cannot be prepared at the time specified, the appraisal period will be extended to insure the minimum 90-day period.

(3) The rating of record or performance rating for a disabled veteran will not be lowered because the veteran has been absent from work to seek medical treatment.

f. Summary Level Rating. A summary level rating must be

assigned when a performance rating is prepared as part of a rating of record.

(1) Ratings are based on a comparison of performance against written standards.

(2) Each critical element is rated at the "Acceptable" or "Unacceptable" level.

(3) An "Unacceptable" summary rating level is assigned if, and only if, performance on one or more critical elements is rated as "Unacceptable".

g. Recording the Results

(1) The performance appraisal rating shall be signed and dated by the employee and immediate supervisor. The employee's signature does not constitute agreement with the rating, it merely signifies that the employee has received it.

(2) Employees will be provided copies of their ratings of record within 60 days of the end of the annual appraisal period.

14004. "UNACCEPTABLE" PERFORMANCE

1. At any time during the appraisal period that performance is determined to be "Unacceptable" in one or more critical elements, employees are to be formally notified in writing, by a PIP. This PIP must include:

- a. The critical element(s) determined to be "Unacceptable".
- b. The performance requirement(s) and "Acceptable" standards that must be attained to demonstrate "Acceptable" performance.
- c. A reasonable opportunity to demonstrate "Acceptable" performance.
- d. Assistance in improving performance which may include, but is not limited to, formal training and/or on-the-job training, counseling, closer supervision, or other appropriate measures.
- e. Notice to the employee that unless performance in the critical element(s) improves and is sustained at the "Acceptable"

level, the employee will be reassigned, reduced in grade, or removed.

2. A rating of record of "Unacceptable" shall be reviewed and approved by the Reviewing Official.

3. A rating of record of "Unacceptable" may not be assigned until the above requirements have been met. If, at the conclusion of the opportunity period/performance improvement period, the employee's performance continues to be "Unacceptable", action must be initiated to reassign, reduce-in-grade, or remove the employee.

14005. GRIEVANCES AND APPEALS. Covered employees may grieve issues relating to the performance appraisal process through either the administrative grievance procedure or, where applicable, the appropriate negotiated grievance procedure. Appealable issues may be submitted to the Merit Systems Protection Board (MSPB). Guidance on grievable/appealable matters is as follows:

1. Contents of the individual performance plan are neither grievable nor appealable.

2. Failure to inform employees of critical elements and standards within the required time frame is grievable.

3. Ratings on individual elements and standards are grievable.

4. Performance-based demotions and removals may be grieved through the appropriate negotiated grievance procedure or appealed to MSPB, but not both.

5. Awards are not grievable under the administrative grievance system.

14006. PERFORMANCE RECOGNITION

1. Awards. Awards may be used as tools to acknowledge and motivate employees by recognizing and rewarding significant individual, team, or organizational achievements or contributions. Examples of awards include special act awards, time-off awards, and on-the-spot awards.

2. Quality Step Increase (QSI). The purpose of the QSI is to provide appropriate incentives and recognition for excellence in performance by granting faster than normal step increases; therefore,

Careful consideration should be given before granting a QSI. An employee is eligible for only 1 QSI within any 52-week period. To be eligible for a QSI, GS employees must meet the following criteria:

- a. Receive a rating of record of "Acceptable".
- b. Demonstrate a sustained performance of high quality significantly above that expected at the "Acceptable" level, depicting unusually good or excellent quality, or higher quantity of work provided ahead of schedule and with less than normal supervision.
- c. Make a significant contribution to the organization's mission.
- d. There must be an expectation that the high quality performance will continue in the future.

14007. RELATIONSHIP TO OTHER PERSONNEL ACTIONS

1. Within-Grade Increases (WGI's)

- a. Federal Wage System (FWS). Employees receive WGI's when eligible and if their performance is satisfactory. Satisfactory performance equates to an "Acceptable" rating of record.
- b. General Schedule (GS). Employees covered by this instruction will receive WGI's, when eligible, if their performance is at an acceptable level of competence. Acceptable level of competence equates to an "Acceptable" rating of record.
- c. FWS and GS. When a WGI decision is not consistent with the employee's most recent rating of record, a new rating of record must be prepared. The rating of record used as the basis for an acceptable level of competence determination for a WGI must have been assigned no earlier than the most recently completed appraisal period. The notice of negative WGI determination must state the "Acceptable" standard for any element evaluated at the "Unacceptable" level.

2. Promotions

- a. Career-Ladder Promotions. Performance appraisals shall be used as the basis for determining eligibility for career-ladder

promotions. To be promoted, an employee must be performing at the "Acceptable" level in all critical elements. A written rating of record will not be conducted as part of the career-ladder promotion appraisal process.

b. Merit Promotion Actions. The rating of record will be used in merit promotion evaluations and by selecting officials to the extent it is relevant to the position to be filled.

3. Probationary Period

a. Initial Probationary Period. Evaluation of the employee's performance, as well as other considerations will serve as a basis for the decision to retain or remove the employee from federal service during the probationary period.

b. Supervisory and Managerial Probationary Period. Evaluation of the employee's performance of supervisory or managerial elements of the position will serve as a basis for the decision to retain or remove the employee from the supervisory or managerial position.

4. Removal, Demotion and Reassignment

a. Employees whose performance is "Unacceptable" must be removed, reassigned or reduced in grade, but only after the employee has had an opportunity to demonstrate acceptable performance.

b. If, at the conclusion of the "opportunity period", the employee's performance continues to be "Unacceptable", the activity must initiate reassignment, reduction in grade, or removal. Employees who are to be recommended for removal or reduction in grade must be given a 30 day written notice which specifies the specific instance(s) of unacceptable performance upon which the proposal is based. The critical performance elements must be identified and the employee must be advised of his/her right to representation and given 10 calendar days to respond orally and/or in writing.

c. A decision to retain, remove, or reduce in grade must be made within 30 days after the expiration of the notice period. This decision will be in writing and signed by a higher official than the one who proposed the action. The decision must state the specific instances upon which the action is based and explain the employee's appeal rights. The Labor and Employee Relations Office, CHRO-E, is available to assist supervisors in this regard.

5. Training and Development

a. Identification of training requirements to improve performance is a significant element in the appraisal process. The Performance appraisal process shall clearly identify areas where training and development may be appropriate. Whenever it is determined that an employee's performance is "Unacceptable" the supervisor is responsible for assisting the employee in bringing his/her performance to the "Acceptable" level. This will be accomplished through counseling, closer supervision, on-the-job training and/or formalized training, as appropriate.

b. Performance appraisals conducted as part of the employee's individual training plan or other specialized training plan will be considered in the annual performance rating process. Such appraisals are categorized as interim appraisals and shall not serve as the rating of record.

6. Transfer of Rating. When an employee retires, resigns, or is transferred or reassigned to another agency/activity, CHRO-E will forward all performance plans and ratings of record on file to the appropriate receiving office.

14008. PLANS OF OTHER ACTIVITIES AT CHERRY POINT. Any performance rating plan that may be developed and implemented by other activities serviced by CHRO-E, Cherry Point will have precedence over this plan to the extent that there are any differences.

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CHAPTER 15

REDUCTION IN GRADE AND REMOVAL BASED ON UNACCEPTABLE PERFORMANCE

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STATION CHRM

CHAPTER 15

REDUCTION IN GRADE AND REMOVAL BASED ON UNACCEPTABLE PERFORMANCE

15000. PURPOSE. To establish procedures for effecting removal or reduction in grade based solely on unacceptable performance as required by 5 CFR 432.

15001. DEFINITIONS

1. Activity. MCAS or Naval Hospital, Cherry Point.
2. Critical Element. A work assignment or responsibility that contributes toward accomplishing organizational goals and objectives and which is of such importance that unacceptable performance of the element would result in a determination that the employee's overall performance in the position is unacceptable.
3. Days. Calendar days.
4. Official. An employee who has been delegated authority to propose or decide an action under this instruction.
5. Opportunity to Demonstrate Acceptable Performance. A reasonable chance for the employee whose performance has been determined to be unacceptable in one or more critical elements to show that he/she can meet the acceptable standards for the critical elements of the position/job.
6. Reasonable Time. An amount of time commensurate with the duties and responsibilities of the employee's position/job which is sufficient to allow the employee to show whether or not the individual can meet minimum performance standards.
7. Reduction in Grade. The involuntary assignment of an employee to a position at a lower classification or job grading level. For purposes of this instruction, a reduction in grade is always to the first step or entry salary level of the grade to which the employee is reduced.
8. Removal. The involuntary separation of an employee from employment with an activity except when taken as a RIF action.

9. "Unacceptable" Performance. Performance of an employee that fails to meet the established performance standards in one or more critical elements of the employee's position.

15002. COVERAGE. This Instruction applies to all appropriated fund employees of the activity.

15003. EXCLUSIONS

1. An action initiated under authority of the Special Counsel.
2. An action taken in the interest of national security.
3. An action taken under a provision or statute, other than one codified in 5 USC, which excepts the action from the provisions of 5 USC.
4. A RIF action.
5. A voluntary action initiated by the employee.
6. An adverse action for cause.
7. An action which terminates a temporary promotion within a maximum of 2 years and returns the employee to the position from which the employee was temporarily promoted, or reassigned or demoted the employee to a different position that is not at a lower grade or pay than the position from which the employee was temporarily promoted.
8. An action which terminates a term promotion at the completion of the project or specified period, or at the end of a rotational assignment in excess of 2 years but not more than 5 years, and returns the employee to the position from which promoted or to a different position of equivalent grade and pay.
9. An involuntary retirement because of disability.
10. A termination made per the terms specified at the time the appointment was made.
11. An action against a reemployed annuitant.

12. A reduction to the grade previously held by a supervisor or manager who has not completed the supervisory or managerial probationary period.

13. The reduction in grade or removal of an employee in the competitive service who is serving a probationary or trial period under an initial appointment or who has not completed 1 year of current continuous employment under other than a temporary appointment limited to 1 year or less.

14. The reduction in grade or removal of an employee in the excepted service who has not completed 1 year of current continuous employment in the same or similar position.

15004. DELEGATION OF AUTHORITY. Heads of activities are delegated authority to propose and decide reduction in grade and removal under this instruction. Authority to propose such action is redelegated to Directorate/Department heads. Higher-level officials may propose the action when it is not feasible for the department head to do so. Authority may not be delegated below the department head level.

15005. TIMING

1. An employee may be reduced in grade or removed at any time during the performance appraisal cycle, which the employee's performance in one or more critical elements of the position/job becomes unacceptable.

2. An advance notice of proposed action may not be given until the employee has been informed of the unacceptable performance on the critical element(s) of the position/job and been given a reasonable time to demonstrate acceptable performance. The amount of time deemed reasonable might vary depending upon the complexity of the job; however, it should be consistent with similar job categories.

3. No instance of unacceptable performance more than 1 year old at the time of the advance notice may be used as a basis for a proposed removal or reduction in grade.

4. The decision to retain, reduce in grade, or remove must be made within 30 days after the expiration of the notice period.

5. The decision on a notice of proposed action must be delivered to the employee before the effective date of the action.

15006. PROCEDURES

1. An employee whose reduction in grade or removal is proposed is entitled to:

a. Thirty days advance written notice of the proposed action that identifies:

(1) Specific instances of unacceptable performance by the employee on which the proposed action is based.

(2) The critical element(s) of the employee's position involved in each instance of unacceptable performance.

(3) The name and title of the official designated to hear an oral and/or receive the written reply.

(4) The number of days, normally 10 days, within which the employee is allowed to answer orally and/or in writing.

b. Be represented by an attorney or other representative.

c. A reasonable amount of official time to prepare an answer to the advance notice, if the employee is otherwise in duty status.

d. A reasonable time, not less than 10 calendar days, to answer orally and/or in writing.

e. A written decision that:

(1) In the case of reduction in grade or removal specifies the instances of unacceptable performance by the employee on which the reduction in grade or removal is based.

(2) Is signed by an official in a higher position than that of the official who proposed the action.

(3) Specifies the employee's right of appeal to MSPB and the right, when applicable, to file a grievance under the appropriate negotiated grievance procedure, but not both.

(4) Provides the time limits for filing an appeal to MSPB, the address of the appropriate Board Office for filing the appeal, a copy of the Board's regulations, and a copy of the Board's appeal form.

2. Activity heads are authorized to extend the notice period for not more than 30 days. This authority is redelegated to the department heads. The notice period may be extended for an additional 30 days with prior approval of OPM. If this additional time is desired, division heads should contact the CHRO-E, Labor and Employee Relations Office prior to the expiration of the first 30 days.

3. Employees in receipt of an advance notice may request additional time to respond orally and/or in writing. The official designated to accept the response shall make a decision regarding such request subject to the time limitations set in paragraph 15005.1.

4. An employee's choice of representative may be disallowed if such representation would result in a conflict of interest or position, a conflict with the priority needs of the activity, or would give rise to unreasonable cost to the Government. The terms of any applicable bargaining agreement govern representation for employees in an exclusive bargaining unit:

a. Division heads are delegated the authority to make a determination to disallow the choice of an employee's representative.

b. If a grievant's representative is disallowed, the issue may be grieved to the next higher level of management. Processing of the original appeal will be held in abeyance pending resolution of the question of representation.

15007. ROLE OF CHRO-E

1. CHRO-E will provide advice and guidance to individuals involved in reduction-in-grade or removal actions based on unacceptable performance.

2. CHRO-E, Labor and Employee Relations Office shall maintain records required by paragraph 15008 below.

15008. RECORDS

1. When an action is effected, all relevant documentation concerning a reduction-in-grade or removal based on unacceptable performance will be available for review by the affected employee and the employee's representative. At a minimum, these records shall consist of:

- a. A copy of the notice of proposed action.
- b. A copy of the employee's written reply, if one was made.
- c. A summary of the employee's oral reply, if one was made.
- d. A copy of the notice of decision and the reasons therefore.
- e. Copies of any supporting material, including documentation regarding the opportunity afforded the employee to demonstrate acceptable performance.

2. CHRO-E, Labor and Employee Relations Office, shall maintain the record for a minimum of 1 year or until an appeal or complaint arising from an action under this instruction is finally adjudicated, whichever is longer.

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CHAPTER 16

CIVILIAN AWARDS PROGRAM

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CHAPTER 16

CIVILIAN AWARDS PROGRAM

16000. PURPOSE. To provide for various awards, to establish guidelines and procedures, and to govern how awards are distributed in order to ensure uniformity, equity, and effectiveness in the administration of the Civilian Awards Program (CAP) across the MCAS Cherry Point Command for civilian employees who are paid from appropriated funds.

16001. OBJECTIVES

1. The CAP promulgates command policy, guidelines, and criteria for the granting of civilian awards for appropriated fund civilian employees per 5 CFR 451, 5 CFR 430, MCO 12451, MCO 1650, and DoD 1400.25M; and will provide for equitable program administration across the organization through Command oversight.
2. The CAP will serve to enhance morale, to motivate and encourage the civilian workforce to strive for performance levels above that normally expected, and will stimulate the workforce to participate in the common task of seeking improvements to current operations and functions that will achieve greater quality, efficiency, economy, and effectiveness.
3. The CAP will provide directorate principals and other principal staff officers with a variety of awards for recognizing individual and group accomplishments of varying degree for the civilian employees of MCAS Cherry Point under their charge.

16002. AUTHORITY AND RESPONSIBILITY

1. Commandant of the Marine Corps (CMC). CMC has delegated to the Commanding General/Commanding Officer (CG/CO) the authority to approve payment of awards up to and including \$5000/\$1000 respectively. Recommendations involving cash awards in excess of \$5000/\$1000 will be forwarded to CMC (MPC) for consideration.
2. Chief of Staff (C/S)/Executive Officer (XO). The C/S/XO is the principal staff officer responsible for overall effectiveness of the

CAP across the Command. The C/S/XO serves as final authority over CAB recommendations and is also authorized to approve payment of Special Act awards up to and including \$5000/\$1000 respectively.

3. Manpower Directorate

a. Director, Manpower. Serves as the Administrator of the Civilian Awards Program. The Director is responsible for providing advice, developing policy recommendations, monitoring to ensure an equitable program by tracking and analyzing award trends and distribution, assessing results to determine whether program adjustments are required to improve the effectiveness of the CAP. The Director also serves as the chairperson of the CAB that reviews nominations for Special Act Awards, Beneficial Suggestion Awards, and other awards requiring approval above the directorate level.

b. Director, CHRO-E. Will designate a CHRO-E employee to serve as the Civilian Awards Administrator.

c. Civilian Awards Administrator (CAA). The CAA will ensure regulatory correctness and compliance with the references in paragraph 16002.5. The CAA will provide guidance to managers, supervisors, and eligible employees on the administrative procedures and requirements and will provide administrative assistance to the CAB. The CAA will maintain records and files of Beneficial Suggestions, ensure availability of certificates, plaques and appropriate informal recognition items; ensure proper approval, authorizations, endorsement and time frames are met; and coordinate and attend the CAB meetings. The CAA will notify directorates/special staff of the final disposition (approval/disapproval) of all award recommendations submitted to the CAB for review.

4. Comptroller. The Comptroller will establish each directorate's cash award ceiling for each fiscal year. Each ceiling will be set at a level that is not more than 1 percent of the aggregate base salaries of the directorate's onboard strength as of 1 October to be spent at the discretion of the Commanding General/Commanding Officer based upon availability of funds. Cash award ceilings will be provided to each directorate not later than 31 October each fiscal year.

5. Civilian Awards Board (CAB)

a. Guidance for the CAB is derived from the following: 5 CFR 451, 5 CFR 430, MCO 12451, MCO 1650, and DoD 1400.25M. The role of the CAB is not perfunctory. It is responsible for ensuring that award recommendations are fully supported, based solely on merit, and granted commensurate with the value of the employee's or group's overall contribution or accomplishment.

b. The CAB will review all awards requiring approval above the directorate level. However, this does not include awards whose amounts are within published guidance elsewhere herein that are submitted by Directors and Special Staff Officers who are acting as the Recommending Official (these awards will be forwarded to the C/S/XO via the Director, Manpower). The CAB will meet as required to facilitate timely processing of awards. CAB recommendations will be forwarded to the C/S/XO for approval/disapproval.

c. The CAB consists of incumbents in the following positions:

Director, Manpower	Director, Telecommunications
Director, Facilities	Comptroller
Director, Operations	Director, MCCS
Director, Supply	

d. No CAB member shall submit or vote on awards related to persons in their own Directorate or Chain of Command where they have endorsement authority.

e. No CAB member shall submit or vote on awards for family members.

f. All CAB members are eligible voting members. The CAB shall use majority/consensus voting procedures and must have a simple majority of eligible voting members present to make a quorum.

6. Directors and Special Staff Officers. May motivate, recognize, and reward eligible employees' accomplishments and contributions throughout the year. They are authorized to approve performance awards in accordance with published boundary limits in conjunction with the employee's annual performance rating and On-the-Spot awards during the course of the annual performance period. Funds for awards are charged to the respective civilian awards budget. This also includes funds for awards approved at the directorate level for employees of other directorates. Directors and Special Staff

Officers are responsible for ensuring that recommended awards do not exceed the budgetary limit allocated to their directorate. In consonance with sensible management control practices, the C/S/XO will be the Approving (Granting) Official when the directorate principal or special staff officer principal is the Recommending Official for annual performance awards (Cash, Time-Off, combination of both, or QSI) and On-the-Spot awards during the course of the annual performance period.

16003. POLICY

1. The CAP shall be administered in a uniform and consistent manner that is impartial and fair, based solely on the basis of merit under systematic and equitable procedures commensurate with the value of the employee's contribution or accomplishment.

2. Supervisors will recognize individuals and/or groups for their suggestions, inventions, and efforts that exceed normal position requirements and result in improved productivity and/or services in support of this Command.

3. To be meaningful to the recipient Annual Performance Awards must be awarded judiciously only to those who have consistently demonstrated truly exceptional performance throughout the entire annual performance period. Wholesale recognition of employees on some other basis than performance is counterproductive and undermines the objective of the CAP. Due diligence will be exercised to avoid the perception that the Annual Performance Award is merely routine in nature nor raise expectation that it is a part of regular compensation.

4. All awards shall include written justification to describe the reason for recommending and/or granting the award.

5. The CAP shall be administered consistent with Equal Employment Opportunity and Affirmative Employment Program policies and shall be free from bias and discrimination regardless of race, color, religion, age, sex, national origin, or disability.

16004. GENERAL LIMITATIONS

1. Award threshold amounts are limited in accordance with this chapter of the CHRM. Award recommendations that exceed established

limits herein will be submitted to the Civilian Awards Board (CAB) for recommendation. The C/S/XO will exercise final decision authority.

2. Employees will not be awarded more than once for the same performance act (i.e., more than one form of performance award). In other words, the specific act of performance as a basis in support of one performance award may not also be included as part of the justification in support of another performance award. For example, an individual who receives an On-The-Spot Award cannot have the same act of performance included as part of the justification in support of an Annual Performance Award.

3. Issuance of Challenge Coins is not authorized. MCO 7042.6C grants such authority only to General Officers in Command.

16005. HONORARY AWARDS. Honorary Awards are the Navy Distinguished Civilian Service Award (DCSA), the Superior Civilian Service Award (SCSA), and the Meritorious Civilian Service Award (MCSA).

1. Nomination information packages for the DCSA are forwarded to CMC (MPO-34) for review by the Marine Corps CAB and Program Manager before approval by CMC. They are then forwarded to the Secretary of the Navy for final approval. Nominations for these awards are sent via the CAA to the CAB for recommendation before going to the C/S/XO for approval.

2. The SCSA is the highest-level award that CMC may bestow on a civilian employee. The format and procedures for this award are the same as for the DCSA.

3. The MCSA is the third highest honorary award under the DON CAP. It is conferred for a contribution that applies to a smaller area of operation or a project of lesser importance than one that would warrant consideration for the DCSA or the SCSA. Recommendations for this award are forwarded via the CAA to the CAB for recommendation before going to the C/S/XO for approval. Approving authority is the Commanding General/Commanding Officer. [Note: This award should not be used as a Retirement Award, however, if significant accomplishments occurs close to retirement, it may be used in conjunction with retirement.]

4. The combination of Cash and/or Time-Off is not authorized for Honorary Awards.

16006. PERFORMANCE AWARDS

1. Annual Performance Awards. Performance awards include monetary awards; Time-Off Awards (not to exceed 40 hours); combination of monetary and Time-Off; and directorate/special staff level Certificates of Appreciation or Commendation.

a. Quality Step Increase (QSI)

(1) Paragraph 16004.2 governs the awarding of performance QSIs as part of the annual rating of record. It is a faster than normal within-grade increase to reward General Schedule employees who have demonstrated excellence through sustained high quality performance significantly above that expected. QSIs will be awarded only in conjunction with an Annual Performance Appraisal based on sustained high quality performance throughout the appraisal period that is significantly above that expected.

(2) As with all awards, it is important that Directors/Special Staff Officers recognize the increased cost implications to the Command. Because a QSI increases an employee's rate of basic pay, it represents an increased cost to the Command on a recurring basis (i.e., compounded salary cost over the remaining employment period), unlike lump-sum cash awards. QSIs increase life insurance, retirement, and Thrift Savings Plan expenses as well.

(3) Given the nature and impact of QSIs, they must be kept to an absolute minimum. To be eligible for a QSI, employees must: (1) currently be paid below step 10 of their grade level; (2) have received an Annual Performance rating of record of "Acceptable"; (3) have demonstrated throughout the annual period sustained performance of high quality significantly above that expected; (4) made a significant tangible contribution (i.e., resource savings that can be measured), or intangible benefit (i.e., savings that cannot be measured in terms of resources); (5) the expectation that the high quality performance will continue in the future; and (6) not have received a QSI within the preceding 156 consecutive calendar weeks (3 years).

(4) Term, temporary, CCCT, summer hire (including SCEP/STEP), employees in probationary status, and employees with disciplinary actions are not eligible for a QSI.

(5) Cash or Time-Off awards are not authorized in combination with QSIs.

(6) The immediate supervisor of the employee recommended for a QSI will initiate such recommendation in conjunction with completion of the annual performance appraisal. Directors will forward the QSI recommendation to the CAB via the CAA for C/S/XO approval/disapproval. The award nomination will identify the performance standard for each element and specify how the employee has exceeded those standards.

NOTE: QSIs are charged to the directorates' allocated civilian award funds for current year and against the out years until such the employee departs (is reassigned to another directorate or command, or retires).

b. Monetary and/or Time-Off. Directorates may approve recommendations by subordinate supervisors for monetary awards or a combination monetary and time-off award not to exceed total cash value equal to 3 percent of the employee's base salary (locality pay excluded). Awards above the preceding 3 percent threshold will be forwarded to the CAB via the CAA for approval (forward via CAA). Also the C/S/XO will be the Approving (Granting) Official when the directorate or special staff principal is the Recommending Official. Performance awards requiring CAB approval will be forwarded to the CAA not later than 31 July of each year. Directorates/Special Staff will ensure that all performance awards include the following:

(1) The year-end performance appraisal for each awardee.

(2) A short narrative justification explaining how the employee's performance exceeded the "Acceptable" level criteria.

(3) Verification that payment of the award will not exceed the directorate's fiscal year cash ceiling authorized for awards.

c. Certificates of Appreciation or Commendation. Directorate/special staff level Certificates of Appreciation or Commendation may also be used to recognize civilian employees for their performance through the rating of record. Directors and special staff officers are encouraged to include these among the available group of annual performance recognition.

2. Other Performance Awards

a. On-the-Spot Award

(1) The On-the-Spot Award is designed to recognize quick one time and short-term efforts by employees that result in services of an exceptionally high quality or quantity. These awards may provide either monetary or non-monetary recognition of employees. The monetary (cash) award ranges in value from \$25 to \$750. Examples for this type of award include situations where employees produce exceptionally high quality work under tight deadlines, perform added or emergency assignments in addition to their regular duties, and demonstrate exceptional courtesy or responsiveness in dealing with customers. This award is for employees that "go the extra mile" or "perform above and beyond the call of duty".

(2) For various recurring annual award recognition programs where the scenario/emphasis on the outcome is to always select a winner on the basis of the best choice from among the candidates (i.e., an assumed winner), the adding of monetary "kicker" (Cash or Time-Off) is not authorized.

(3) On-the-Spot awards are limited to \$750 or 8 hours Time-Off. Combination of Cash and Time-Off will not exceed \$1,000 aggregate value.

(4) Term, temporary, and CCT employees are eligible to receive Cash or Time-Off Awards.

(5) Summer hire students (including SCEP/STEP) are only eligible to receive performance Cash awards not to exceed \$250.

(6) On-the-Spot Awards will be approved at the directorate/special staff level.

(7) When the directorate or special staff principal is the Recommending Official the C/S/XO will be the Approving (Granting) Official. The recommendation will be forwarded to the C/S/XO for approval/disapproval via the CAA.

b. Time-off Award

(1) Time-off from duty may be granted without loss of pay or charged leave in recognition of superior accomplishments or other personal efforts that contributed to the quality, efficiency, or economy of government operations. Time-off Awards can be used alone or in combination with monetary or non-monetary awards to recognize the same employee contributions. Examples of achievements that may be considered for a Time-off Award are:

(a) Making a high quality contribution involving a difficult or important assignment.

(b) Displaying special initiative and skill in completing an assignment or project before the deadline.

(c) Using initiative and creativity in making improvements in a product, activity, program, or service.

(d) Ensuring the mission of the unit is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining the employee's own workload.

(e) Accomplishing a specific, one time, or special assignment that required extra effort or resulted in the organization receiving recognition for responsiveness to improving requirements.

(2) The total amount of time-off that may be granted to a civilian employee during one leave year is 80 hours. For part time employees or those with an uncommon tour of duty, the total time that may be granted during any calendar year is the average number of work hours in the employee's biweekly scheduled tour of duty. The maximum amount of time that may be granted for any single contribution is 40 hours. For part time employees or those with an uncommon tour of duty, the maximum award for any single contribution will be one half the maximum amount of time that could be granted during the year.

(3) Summer hire students (including SCEP/STEP) are not eligible to receive Time-Off Awards.

(4) Time-off granted as an award must be scheduled and used within 1 year from the effective date the award is approved as identified on the Notice of Personnel Action (NPA), SF-50. Any award hours not used within 1 year will be forfeited and cannot be restored. A Time-off Award does not convert to cash under any circumstances. Time-off Awards shall not be granted to create the effect of a holiday or treated as an administrative excuse for leave. See figure 16-4 for Time-off Award Scale for a single contribution.

(5) Immediate Supervisors are authorized to grant a Time-off Award without further review for periods not to exceed 1 workday. For periods of more than 1 workday, the decision must be reviewed and approved by an official one level above the recommending official and no lower than the directorate/special staff principal.

16007. OTHER AWARDS

1. Special Act or Service Award. Special Act or Service Awards are generally used to recognize nonrecurring contributions by an individual or a group of employees for an effort that goes beyond expected job performance and may be presented at any time. The Civilian Award Recommendation Form (figure 16-1) will be used to process this award and will be forwarded via the CAA to the CAB for recommendation before going to the C/S/XO for approval. The appropriate amount awarded to employees for special acts or service will be based on the intangible and/or tangible benefits of a contribution per the scale award amounts found on figures 16-2 and 16-3. This award provides individual or group recognition either within or outside normal job responsibilities, such as an exemplary accomplishment, scientific or research achievement, act of heroism, or courageous handling of an emergency situation related to official employment. Generally, the immediate supervisor originates an award nomination; however, other persons who are familiar with or have knowledge of the individual or group achievement may initiate the action. The Special Act and Service Awards are charged to the directorates' allocated civilian award funds.

2. Federal Length of Service (LOS) Award. Federal LOS Awards are granted in recognition of years of federal service and are not based on specific job performance. Other forms of monetary or non-monetary awards linked to LOS Awards are not authorized. The emphasis is on the length of federal service without basis/merit to quality of performance. When eligibility for LOS recognition is computed, employees will receive credit for total federal service, including civilian (appropriated and non-appropriated) and all honorable military service. Employees are awarded a Federal LOS certificate and pin beginning with 10 years of federal service and thereafter in 5-year increments. The certificate for 40 and 50-year awards will be signed by the Secretary of the Navy. LOS Awards for 20 years or more will be presented by the Commanding General/Commanding Officer. The CAA will ensure awards for 10 through 45 years are prepared. The CAA forwards the certificates to the Director, Manpower for signature by the CG/CO. The CAA obtains awards for 40 and 50 years of service from HQMC. The CAA will coordinate distribution and/or presentation at the Federal Length of Service awards ceremony. The combination of Cash or Time-Off is not authorized.

3. Sick Leave Awards. Sick Leave Awards recognizes employees who have accrued sick leave balances in amounts of 500, 1,000, 1,500, 2,000, 2,500, or 3,000 hours. Awards will be granted once in each

category based upon the employee's leave balance at the end of each calendar year. Other monetary or non-monetary awards in combination with and linked to Sick Leave Awards are not authorized. The emphasis is on the amount of sick leave accrued without basis or merit to the quality of performance. The combination of Cash or Time-Off is not authorized. Using the Leave Usage Report at the end of the leave year, directorates will determine which of their employees accrued enough sick leave hours to qualify for an award and will forward a list of eligible employees to the CAA by the end of January each year.

4. Beneficial Suggestion Award

a. A Beneficial Suggestion is a constructive idea submitted in writing by an individual or a group, civilian or military, proposing a course of action which would benefit the facility through cost avoidance or cost savings. Awards for Beneficial Suggestions are not charged against the funds allocated to each directorate for awards. Management at all levels should encourage employee participation and motivate employees and groups of employees to improve the operation of the agency through suggestions. Beneficial Suggestion Awards may be inappropriate if it is determined that the contribution is within or a part of the employee's job responsibilities. Suggestions should be submitted to the CAA utilizing the DON Suggestion Form (OPNAV 5305/1 (rev. 5/80)). The suggestion must:

(1) Concisely state the problem, difficulty, or circumstance that promoted the suggestion.

(2) Identify the suggested change.

(3) State where and how it can be used, what it will accomplish, and how it will benefit the agency in terms of tangible savings, if any.

b. The CAA will forward the suggestion with all documentation to the appropriate directorate. The Director will designate an evaluator to review, investigate, and analyze the suggestion to determine potential benefit to the command and to make a recommendation regarding adoption/non-adoption of the suggestion. The evaluator will utilize the Contribution Investigative Report (NAVS0 5303/5) for the recommendation or evaluation, which will be included in the suggestion file.

c. The evaluator will provide a detailed computation and explanation of the benefits of the suggestion when an award is based on tangible benefits and a complete description of intangible benefits, if any, and specific information to clarify the reasons for the action, favorable or unfavorable, which were taken by reviewing authorities. If recommended for adoption, the evaluator will include how the suggestion qualifies for an award. If recommended for non-adoption, the evaluator will include reasons for non-adoption. The documentation must be sufficiently complete to withstand the audit of the CAB. Evaluations should be completed within 30 days and returned to the CAA with recommended action. Should additional evaluation time be needed, extensions should be requested, in writing, including the reason(s) for the extension, from the CAA. Upon completion, the CAA will submit the suggestion to the CAB for action/recommendation. If suggestions are recommended for adoption, figures 16-2 and 16-3 will be utilized to determine the appropriate award. A beneficial suggestion will be considered as adopted and eligible for award consideration when it is actually put into effect (actual operation or a written commitment to place it in operation).

d. Suggestions recommended for non-adoption by the CAB will be returned to the CAA. A letter of appreciation will be forwarded from the Chairperson, CAB, to the suggestor and will advise the suggestor that he or she has 30 days to appeal the non-adoption of the suggestion, in writing, to the CAB. Appeals will be reviewed by the CAB, and the CAA will forward final results to the suggestor(s). The evaluator for the suggestion and the suggestor may be asked to provide additional information to the CAB to resolve pending issues related to the suggestion. The CAA will maintain all records and files for the Beneficial Suggestion Program.

5. Group Awards. Group Awards are authorized to recognize exceptional achievements or contribution of a group of employees. The certificate is presented to the group. Group Awards are approved at the directorate level. The combination of Cash or Time-Off is not authorized. Prior notification of Group Awards will be forwarded from the directorate to the CAA for certificate preparation.

16008. CERTIFICATES/LETTERS. Certificates/letters are non-monetary awards that are of symbolic value (an honor bestowed) rather than monetary worth.

1. Letters/Certificates of Appreciation. Letters/Certificate of Appreciation may be awarded to employees for their personal efforts

that exceed normal position requirements. Any customer, supervisor, employee or military member who wishes to thank and recognize an employee may give this award. These letters/certificates should be sent to the employee through the first line supervisor. This type of recognition can be given directly and does not require processing through the CAA. The combination of Cash or Time-Off is not authorized. This award is not maintained in the OPF.

2. Certificates of Commendation. Certificates of Commendation are awarded at the discretion of the directorates to recognize employee achievements or contributions that are considered to be over and above job requirements. They can also be used in conjunction with Special Act/Service or Achievement awards that are granted by the CG/CO.

3. CG's/CO's Letter/Certificate of Commendation. CG's/CO's Letter/Certificate of Commendation is given to civilian personnel whose contributions are above and beyond job requirements. This award can be given at any time during the year and may be recommended by the first line supervisor. Recommendations for this award will be forwarded to the CAB via the CAA.

16009. RETIREMENT AWARDS/CERTIFICATES

1. Retirement awards are optional for civilian employees who are retiring with less than 30 years of Federal Service.

2. Retirement Certificates are presented to all employees retiring from federal government. Certificates are prepared by CHRO-E, forwarded to the CG/CO for signature, and then forwarded to the directorates for presentation to the employee.

3. Employees who retire after 40 years of service are eligible for a retirement certificate signed by the Secretary of the Navy and a personal letter from the Commandant of the Marine Corps. The CHRO-E will forward such requests to CMC (MPO-34) 3 months in advance of the planned presentation date.

4. Civilians of all grades will receive a generic CMC retirement letter if they retire with more than 30 but less than 40 years of Federal service.

5. GS-15 civilians with regard to length of Federal civilian service, as well as civilians who attain 40 years of service, will

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receive a personalized CMC letter upon retirement. The CHRO-E will provide a brief statement describing the highlights of the employee's career/accomplishments extracted from the Official Personnel File, to the CMC (MPO 34) 3 months in advance of the planned presentation date.

6. The combination of Cash and/or Time-Off is not authorized for Retirement Certificates.

16010. PROCESSING

1. Directorates will generate a RPA for each award recommended and approved. The completed RPA will be routed (coordinated) through the CAA and forwarded electronically to the HRSC-E by the Civilian Manpower Management office, Manpower Directorate.

2. Directorates will generate the RPA for approved Beneficial Suggestion Awards and forward to the CAA. The CAA will follow-up with the appropriate directorate to ensure the suggestion has been adopted before processing the RPA.

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EMPLOYEE NAME <i>(For multiple awards, attach a list of names with SSN and amount of each award.)</i>		SSAN									
ACTIVITY NAME		UIC									
Honorary Award	Type: MCSA SCSA Other: <i>(Submit required nomination package to approving authority.)</i>										
Quality Step Increase	From Grade/Step: To Grade/Step:										
Performance Award	Performance Rating Period Start: End:	Amount: \$									
Special Act Award	Period of Special Achievement Start: End:	Amount: \$									
<p>A. TANGIBLE BENEFITS. Approximate tangible value of benefit or savings: \$ _____</p> <p>B. INTANGIBLE BENEFITS <i>(See full table on reverse.)</i></p> <p>(1) Value ___ Moderate ___ Substantial ___ High ___ Exceptional</p> <p>(2) Extent of Application ___ Limited ___ Extended ___ Broad ___ General</p>											
On-the-Spot Award <i>(Special Act or Service, \$25 - \$750)</i>	Amount: \$										
Time Off Award	Number of hours:										
<p style="text-align: center;">Value to Organization: <i>(See table on reverse.)</i> Time off awards must be used within 1 year after the date of the award.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">___ Moderate</td> <td style="width: 25%;">1 to 10 hours</td> <td style="width: 25%;">___ Substantial</td> <td style="width: 25%;">11 to 20 hours</td> </tr> <tr> <td>___ High</td> <td>21 to 30 hours</td> <td>___ Exceptional</td> <td>31 to 40 hours</td> </tr> </table>				___ Moderate	1 to 10 hours	___ Substantial	11 to 20 hours	___ High	21 to 30 hours	___ Exceptional	31 to 40 hours
___ Moderate	1 to 10 hours	___ Substantial	11 to 20 hours								
___ High	21 to 30 hours	___ Exceptional	31 to 40 hours								
JUSTIFICATION STATEMENT (attach separate statement if additional space is needed):											
FUNDING SOURCE: <i>(Required only if recommending official's UIC is different from employee(s), provide appropriation code)</i>											
Name & Title of Recommending Official		Name & Title of Approving Official									
Signature Date		Signature Date									

Figure 16-1.--Civilian Award Recommendation Form.

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VALUE OF BENEFIT	EXTENT OF APPLICATION			
	LIMITED	EXTENDED	BROAD	GENERAL
	Affects functions, mission, or personnel of one facility, installation, regional area, or an organizational element of headquarters. Affects small area of science or technology.	Affects functions, mission, or personnel of an entire regional area, command, or bureau. Affects an important area of science or technology.	Affects functions, mission, or personnel of several regional areas or commands, or an entire department or agency. Affects an extensive area of science or technology.	Affects functions, mission, or personnel of more than one department or agency, or is in the public interest throughout the Nation and beyond.
<i>MODERATE</i> Change or modification of an operating principle or procedure with limited use or impact.	\$25 - \$500	\$501 - \$750	\$751 - \$1,000	\$1,001 - \$1500
<i>SUBSTANTIAL</i> Substantial change or modification of procedures. Important improvements to the value of a product, activity, program, or service to the public.	\$501 - \$750	\$751 - \$1,000	\$1,001 - 1,500	\$1,501 - \$3,150
<i>HIGH</i> Complete revision of a basic principle or procedure; a highly significant improvement to the value of a product or service.	\$751 - \$1,000	\$1,001 - \$1,500	\$1,501 - \$3,150	\$3,151 - \$6,300
<i>EXCEPTIONAL</i> Initiation of a new principle or major procedure; a superior improvement to the quality of a critical product, activity, program, or service to the public.	\$1,001 - \$1,500	\$1,501 - \$3,150	\$3,151 - \$6,300	\$6,301- \$10,000

Figure 16-2.--Scale of Award Amounts Based on Intangible Benefits.

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Up to \$10,000 in benefits: 10 percent of benefits.

Between \$10,000 and \$100,000: \$1,000 plus 3 percent to 10 percent of benefits over \$10,000.

More than \$100,000 in benefits: \$3,700 to \$10,000 for the first \$100,000 in benefits, plus 0.5 percent to 1.0 percent of benefits above \$100,000 up to \$25,000, with the approval of the OPM via the Office of the Secretary of Defense.

Presidential approval is required for all awards of more than \$25,000
Maximum approval by Command is \$5,000 Award.

Figure 16-3.--Scale of Award Amounts Based on Tangible Benefits.

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Value to Organization	Number of Hours
<p>Moderate:</p> <p>(1) A contribution to a product, activity, program, or service to the public, which is of sufficient value to merit formal recognition.</p> <p>(2) Beneficial change or modification of operating principles or procedures.</p>	<p>1 to 10</p>
<p>Substantial:</p> <p>(1) An important contribution to the value of a product, activity, program, or service to the public.</p> <p>(2) Significant change or modification of operating principles or procedures.</p>	<p>11 to 20</p>
<p>High:</p> <p>(1) A highly significant contribution to the value of a product, activity, program, or service to the public.</p> <p>(2) Complete revision of operating principles or procedures, with considerable impact.</p>	<p>21 to 30</p>
<p>Exceptional:</p> <p>(1) A superior contribution to the quality of a critical product, activity, program, or service to the public.</p> <p>(2) Initiation of a new principle or major procedure, with significant impact.</p>	<p>31 to 40</p>

Figure 16-4.--Time-off Award Scale.

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CHAPTER 17

POSITION CLASSIFICATION FOR MANAGING TO PAYROLL (MTP) ACTIVITIES

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RESPONSIBILITIES	17001	17-3

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CHAPTER 17

POSITION CLASSIFICATION FOR MANAGING TO PAYROLL (MTP) ACTIVITIES

17000. PURPOSE. To establish the classification program procedures for activities with delegated managing to payroll authority. Locally this includes MCAS, and the Naval Hospital, Cherry Point.

17001. RESPONSIBILITIES

1. Management

a. Develop PD's/JD's.

b. Identify a primary point of contact on each classification action. The point of contact is responsible for providing additional information requested by CHRO-E or HRSC-E regarding the position, organization, memorandum of agreements, grievance/settlement decisions, FECA accommodations, etc.

c. Provide complete information on the PD cover sheet relevant to the position and annotate any other appropriate information such as financial disclosure requirements, drug testing, bargaining unit status, DAWIA, etc.

d. Ensure classification request is submitted for any classification action (includes amendments, pen and ink changes and redescriptions). Any information relative to the classification request is submitted (e.g. updated organization charts, advisory classification determinations, etc.) and attached to the RPA. Preference is to attach information to the RPA electronically. If this is not done, information can be submitted in hard copy or fax. Submit hard copy updates to organization charts or manuals as they occur.

e. Ensure copies of completed classified descriptions are distributed pursuant to local instructions or bargaining agreements.

f. Advise CHRO-E of any changes in organization, mission, structure, major claimant instructions or policies, etc., that affect classification decisions.

g. Process classification appeals. Complete the administrative portion of the appeal package and forward the complete package to the appropriate office.

h. Apply new classification standards to existing PD's/JD's and provide comments on draft classification stations as appropriate. Participate in consistency reviews.

2. CHRO-E

a. Ensure advisory services to managers have been completed and any barriers to classification resolved prior to submission to HRSC-E.

b. Coordinate with HRSC-E to ensure they are kept informed of significant issues. Provide any background information requested.

c. Perform cursory review of classification, e.g. proper format, correct organization information, proper classification and codes.

d. Review Fair Labor Standards Act (FLSA) determination.

e. Conduct a desk audit if necessary.

f. Prepare classification advisory in unique and unusual circumstances.

g. Assist/advise in classification appeals.

h. Forward RPA with appropriate documentation to HRSC-E for processing.

3. HRSC-E

a. Process requests to establish positions.

b. Process actions associated with MTP.

c. Distribute NPA's.

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CHAPTER 18

DEVELOPMENT OF POSITION DESCRIPTIONS (PD'S) FOR MTP ACTIVITIES

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CHAPTER 18

DEVELOPMENT OF POSITION DESCRIPTION (PD'S) FOR MTP ACTIVITIES

18000. PURPOSE. To establish a standard procedure covering the development of PD's and JD's for appropriated-fund GS and FWS jobs.

18001. BACKGROUND

1. Activity managers are responsible for determining how a position will be structured and for the specific duties and responsibilities to be assigned to positions under their cognizance. PD's/JD's do not control assignments. Instead they report the current assignment at the time it is described. Line managers may add, remove, or change assignments at any time per applicable contracts and when classification and qualifications are not impacted and are responsible for ensuring that PD's/JD's reflect current work assignments. It is important to note that PD's/JD's describe major duties and responsibilities of a position. They do not necessarily describe each individual task associated with those duties and responsibilities.

2. It is essential that PD's/JD's are kept current and accurate since they serve not only to document the current assignment of duties and responsibilities, but also serve as the basis for payment of public funds, recruitment and placement, RIF and transfer-of-function, performance evaluation, and identifying training requirements. PD's/JD's should reflect the special requirements of the position including any physical requirements. Special requirements identified in the PD/JD must be supportable by the duties and responsibilities described therein. Military and civilian management officials and supervisors are tasked with ensuring that the PD's/JD's in their organizations are current and accurate. As a minimum, PD/JD reviews are required during annual performance evaluations.

18002. RESPONSIBILITY. Basic responsibility for the development of PD's/JD's rests with activity line management. Actual development of PDs/JDs may be accomplished per mutual agreement between the activity and CHRO-E. Identification, assignment, and documentation of duties to be performed are the responsibility of the manager or supervisor.

The PD/JD may be prepared by the immediate supervisor, or any competent individual who has knowledge of the position. PD's must be prepared in one of the following formats:

1. Nonsupervisory General Schedule positions: Factor Evaluation System (FES) format. Guidance on writing PD's in FES format is contained in figure 18-1.
2. Supervisory General Schedule positions: FES format. PD's for supervisory positions must adequately address supervisory duties and responsibilities. As a minimum, supervisory GS Positions must address the specific factors identified in figure 18-2.
3. Nonsupervisory FWS jobs: FWS format. Guidance on writing FWS JD's in FWS format is contained in figure 18-3.
4. Supervisory FWS jobs: FWS format. Guidance on writing supervisory FWS JD's in FWS format is contained in figure 18-4.

18003. SPECIAL PROVISIONS. Figure 18-5 provides guidance on shortcut methods for writing PD's or JD's that may be used in some cases. All PD's and JD's must include special conditions applicable to the position.

18004. UNIQUE CONDITIONS. Examples of unique conditions, which must be documented, include security clearance requirements, licensing/certification requirements, identification as a Testing Designated Position (TDP) under the Drug Free Workplace Program, and designation as an Acquisition Workforce Program (AWP) position under the Defense Acquisition Workforce Improvement Act (DAWIA). DAWIA PD's must include the certification level and the specific acquisition position category.

18005. TOOLS FOR PD/JD PREPARATION. CHRO-E has resources available to assist in preparing PD's and JD's. The classification advisor is available to assist managers and supervisors in PD/JD preparation.

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1. All new supervisory and nonsupervisory General Schedule PD's not in COREDOC should be written in FES format as described below. Supervisory GS positions must also address the supervisory factors described in figure 18-2.

a. Introduction. Give the complete organizational location of the position, as well as the purpose of the position. (Note: If the location involves a reorganization or change in title of the organization, so state in an attached memo).

b. Major Duties. Describe the nonsupervisory duties assigned to the position. Approximate the percentage of time required for each major duty described.

c. Factors

(1) Factor 1 - Knowledge Required by the Position. Kind or nature of knowledge and skills needed. How these knowledges and skills are used in doing the work.

(2) Factor 2 - Supervisory Controls. Specify how the work is assigned, the employee's responsibility for carrying out the work, and how the work is reviewed.

(3) Factor 3 - Guidelines. The nature of guidelines for performing the work and judgment needed to apply the references or develop guides.

(4) Factor 4 - Complexity. Nature of the assignment, difficulty in identifying what needs to be done, and difficulty and originality involved in performing the work.

(5) Factor 5 - Scope and Effect. Purpose of the work and impact of the work product or service.

(6) Factor 6 - Personal Contacts. People with whom and conditions under which contacts are made.

Figure 18-1.--Guide for Writing PD's in the FES Format.

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(7) Factor 7 - Purpose of Contacts. Reasons for contacts described in Factor 6 and level of skill needed to accomplish work through person-to-person activities.

(8) Factor 8 - Physical Demands. If there are unusual physical requirements identify the nature, frequency, and intensity of physical activity.

(9) Factor 9 - Work Environment. The kind of environments in which the work is performed (e.g. office setting, warehouse, aboard ship, etc.).

d. Special Demands. Any special requirements of the position, such as the need for other than incidental travel, a motor vehicle operator's license, etc., should be identified in this section. Position sensitivity, clearance requirements, requirement for drug testing, and designation as an Acquisition Workforce Program position should also be documented here.

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1. All new supervisory GS PD's should be written in FES format as described below, if the series is not in COREDOC.

a. Introduction. Give the complete organizational location of the position, as well as the purpose of the organization and position. (NOTE: If the location involves a reorganization or change in title of the organization, so state in an attached memo).

b. Major Duties. Describe the specific supervisory duties assigned to the position. Identify all subordinates (military and civilian). Specify the percentage of time required for supervisory duties. Describe the nonsupervisory duties assigned to the position. Approximate the percentage of time required for each major duty described.

c. Supervisory Factors

(1) Factor 1 - Scope and Effect. The general complexity, breadth, and impact of the program areas and work directed, including organizational and geographic coverage. The impact of the work, the products and/or programs on the mission and programs of the customer, the activity, or other activities in or out of government, the agency, other agencies, the general public or others.

(2) Factor 2 - Organizational Setting. The organizational situation of the supervisory position in relation to higher levels of management.

(3) Factor 3 - Supervisory and Managerial Authority Exercised. The delegated supervisory and managerial authorities, which are exercised on a recurring basis.

(4) Factor 4 - Personal Contacts. The nature and the purpose of personal contacts related to supervisory and managerial responsibilities. Nature of contacts and purpose of those contacts must be based on the same contacts.

(5) Factor 5 - Difficulty of Typical Work Directed. Measures the difficulty and complexity of the basic work most typical of the organization(s) directed, as well as other line, staff, or contracted

Figure 18-2.--Guide for Writing Supervisory GS PD's in the FES Format.

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work for which the supervisor has technical or oversight responsibility.

(6) Factor 6 - Other Conditions. Conditions affecting work for which the supervisor is responsible if they increase the difficulty or complexity of carrying out assigned supervisory or managerial duties and authorities.

Figure 18-2.--Guide for Writing Supervisory GS PD's in the FES
Format --Continued.

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1. Supervisory and non-supervisory FWS job descriptions are to be written in the standardized format described below if the series is not available in COREDOC. Supervisory FWS jobs must also address the supervisory factors described in figure 18-4.

Part I	Job Summary
Part II	Typical Work Performed
Part III	Factor Statements
Part IV	Working conditions

Guidance for developing each part of the JD is as follows:

Part I. Job Summary. The job summary typically is no more than 1 or 2 sentences long and covers the scope of the work performed, the principle work methods used, and the purpose of the work.

Part II. Typical Work Performed. This part of the JD gives a brief list of the major duties, which are typical of the job. This part should identify what task(s) the employee performs, how he/she performs them, and why the work is done. Describe only those duties, which will be expected of all employees who will be covered by the JD. Exclude assignments made only to specifically qualified employees or assignments of a temporary or emergency nature outside the normal scope of the job being described.

Part III. Factor Statements. To adequately describe each factor, information included in Part II, Typical Work Performed is often expanded when describing the factors. It is important, however, to ensure that the factor statements are directly related to the duties described.

a. Factor 1 - Knowledge and Skills. This factor contains 2 elements.

(1) Knowledge. Under FWS, knowledge is described, as the extent of information or facts employees must know to do acceptable work. Knowledge includes procedures, processes, rules, regulations, theories, concepts, and/or principles.

Figure 18-3.--FWS JD Format.

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(2) Skills. Under FWS, skill is described as the level of ability required to perform a task and meet acceptable work standards.

b. Factor 2 - Responsibility. This factor contains 3 elements:

(1) Level of Supervision or Instruction Required. Includes the level of supervision or instruction an employee receives in performing the work, or the level/type of supervision or instruction the employee gives other employees including:

(a) Who the employee supervises or instructs (i.e. coworkers, subordinates, etc.).

(b) How many employees or other persons the employee supervises or instructs.

(c) Under what conditions the employee supervises or gives instruction.

(2) Guidelines. Describes the type or level of guidelines available and the extent to which the employee uses them to successfully accomplish work. While some guidelines specifically delegate the method to accomplish a task, other guidelines provide general instructions and require the employee to use judgment to accomplish a task.

(3) Accountability. Describes the extent of responsibility the employee assumes as well as the type and extent of work review the employee performs.

c. Factor 3 - Physical Demands. This factor contains 2 elements.

(1) Strenuous Bodily Exertion. Describes the amount and type of strenuous bodily exertion required by the employee to successfully accomplish work, including:

(a) Average and heaviest weights handled.

(b) How the weight is handled (i.e. by dollies or cranes).

Figure 18-3.--FWS JD Format--Continued.

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(c) If the work is an individual or group effort.

(d) Type of work pace.

(e) Strenuous work positions or conditions (i.e. stooping, kneeling, holding vibrating tools, etc.).

(f) Special physical attributes required (i.e. color vision, dexterity).

(2) Hazards. Describes the specific or unique dangers to which the employee is exposed, including:

(a) How often the employee is exposed to danger.

(b) How long the employee is exposed to danger.

(c) What type of potential injuries can result from exposure to danger (i.e. cuts, bruises, occupational diseases, etc.).

Part IV. Working Conditions. This part describes the actual work environment where the employee works. Briefly describe the actual or typical work sites (i.e. indoors, outdoors, all weather conditions). Also describe any unusual work situations (i.e. extreme temperature, smoke, poor ventilation) and how often the employee is exposed to such situations.

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1. Supervisory FWS JD's are to be written in this standardized format.

Part I. Introduction. Give the complete organization location of the position, as well as the purpose of the organization and position.

Part II. Description of Duties

a. Planning (Emphasize a few points)

- (1) Day-to-day or project-by-project basis.
- (2) Week-to-week or month-to-month basis.
- (3) On a quarterly or longer basis.
- (4) Allocate resources and distribute work.
- (5) Provide advice to higher-level officials on long-range plans.

b. Work Direction

- (1) Assign work, provide technical direction.
- (2) Investigate work related problems and implement corrective action.
- (3) Assign and explain work assignments and operating instructions to subordinate supervisors.
- (4) Help develop work standards.
- (5) Coordinate work operations with supervisors of other organizations.
- (6) Evaluate completed work to ensure standards are met.

Figure 18-4.--Guide for Writing FWS JD's.

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c. Administration

(1) Support and explain programs to subordinates.

(2) Recommend performance ratings, training, disciplinary actions.

(3) Set performance standards, evaluate performance, and initiate recommendations for promotion, etc.

(4) Act as management representative at hearings, meetings, etc.

(5) Recommend promotion and reassignment, schedule leave, and evaluate performance of subordinate supervisors.

Part III. Level and Scope of Work Supervised. Describe the level and complexity of the work operations supervised and their effect on the difficulty and responsibility of the supervisor's job.

Part IV. Qualifications Required. Describe the knowledge, skill, and ability requirements.

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1. The following methods of PD preparation may be used to reduce the amount of time required to prepare and review PD's/JD's. Line managers are encouraged to utilize these methods whenever possible.

2. Identical-Additional (IA) Position. When a new position is identical to another position in the same activity, and the workload warrants, it can be established as an IA. An IA position is usually established when workload increases and additional personnel are required to perform the function. For positions classified by HRSC-E, a request for the establishment of an IA position may be made by completing an RPA. The same RPA may also be used to request recruitment action to fill the IA. Attach a copy of the basic PD to which the IA is identical and indicate the PD number on the RPA (Refer to chapter 2 of this Manual for information on preparation and submission of the RPA).

3. Statement of Difference Position. When a new position is substantially similar, but not identical, to another position in the same activity, the differences need be described on a single sheet and attached to a completed PD cover sheet (OF-8). Use the following statement: "This position is substantially similar to PD No., except for the following differences: (i.e. location, or additional duties or fewer duties)". Describe what those differences are and make sure you adjust factor information if appropriate.

Note: It is not necessary to develop a statement of difference to describe the different levels of a developmental position. Simply indicate in the remarks section of the OF-8 that the position is at the entry level, intermediate level, or full performance level. OF-8's for developmental levels must also indicate the PD numbers for positions to which they have progression.

Figure 18-5.--Guidance on Using Shortcut Methods in PD Preparation.

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CHAPTER 19

PREPARATION OF OPTIONAL FORM 8 (OF-8), PD COVER SHEET

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CHAPTER 19

PREPARATION OF OPTIONAL FORM 8 (OF-8), PD COVER SHEET

19000. PURPOSE. The OF-8 is a formal document used as the cover sheet for PD's and JD's. It specifies the current position data such as location, organizational structure, supervisory certification and approval signatures, the classifier's signature, and other significant position data. The organization information on the OF-8 must agree with the organization information on the RPA and in the PD/JD. The supervisor certification contained on the OF-8 is the formal official certification that the attached PD/JD is an accurate statement of the major duties and organizational relationships.

19001. PROCEDURES. The OF-8 will be completed by the activity and submitted as follows:

1. Positions classified by the activity under MTP authority. The activity is responsible for completing the following blocks of the OF-8:

Block 2	Reason for Submission.
Block 3	Service.
Block 4	Employing Office Location.
Block 5	Duty Station.
Block 7	FLSA.
Block 8	Financial Statement Required.
Block 9	Subject to IA Action.
Block 10	Position Status.
Block 11	Supervisory/Managerial Designation.
Block 12	Sensitivity.

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- Block 14 Remarks: Enter Bargaining Unit Status Code.
- Block 15d Officially classified title, series and grade of the position; the classifier's initials; and date of classification.
- Block 16 Organization Title.
- Block 20 Supervisory Certification.
- Block 21 Classification/Job Grading Certification.
- Block 22 Position Classification Standards used.

2. The activity is responsible for establishing and maintaining command PD files and providing copies of the PD/JD to the employee or others per internal policies and/or negotiated agreements.

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CHAPTER 20

POSITION DESCRIPTION (PD) PEN AND INK CHANGES/AMENDMENTS

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CHAPTER 20

POSITION DESCRIPTION (PD) PEN AND INK CHANGES/AMENDMENTS

20000. PURPOSE. To establish procedures for making pen and ink changes and amending PD's/JD's.

20001. BACKGROUND

1. Pen and Ink Changes. This procedure includes pen and ink changes and amendments to existing PD's/JD's. Pen and ink changes do not affect title, series or grade levels. Pen and ink changes are minor changes involving the addition, deletion, or revision of a few words or other limited information.

2. Amendments. An amendment is a major change in a PD/JD. Extensive changes must be processed as a PD/JD rewrite. When the major duties of a position have undergone changes, which are material, but not sufficient to warrant a complete rewriting of the PD's/JD's (i.e. 1 or 2 paragraphs), the changes are reported by the preparation of an amendment explaining the changes to the position. This requires a separate sheet describing the desired additions, deletions, and/or replacement information to be attached to the PD/JD and annotation to the existing OF-8 in the remarks.

20002. PROCEDURE FOR PEN AND INK CHANGES FOR MTP ACTIVITIES

1. Management Responsibilities

- a. Submit PD/JD pen and ink changes to CHRO-E.
- b. Satisfy union contract requirements.
- c. Provide employee a copy of the changes upon completion.

2. CHRO-E Responsibilities. Advise managers on processing pen and ink changes.

20003. PROCEDURES FOR AMENDMENTS FOR MTP ACTIVITIES1. Management Responsibilities

a. Compare classification standards with PD/JD and amendment to determine if there is impact on title, series, grade and pay plan.

(1) If no changes to the official classification are required, attach the amendment to the PD and forward to CHRO-E for review.

(2) If the amendment changes the official classification, i.e. title, series or grade, re-write the PD and submit it for classification. Once it is classified, submit it with an RPA via CHRO-E to HRSC-E.

b. Satisfy union contract requirements.

c. Provide employee a copy of the changes.

2. CHRO-E Responsibilities

a. cursory review of manager's classification, e.g. proper format, correct organization, properly classified and coded.

b. Contact manager if classification is improper, explaining problem area.

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CHAPTER 21

PROCESSING REORGANIZATIONS AND/OR REALIGNMENTS

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CHAPTER 21

PROCESSING REORGANIZATIONS AND/OR REALIGNMENTS

21000. PURPOSE. To establish a standard procedure for reviewing and processing actions resulting from reorganizations and/or realignments.

21001. BACKGROUND. Reorganization is the planned elimination, addition, or redistribution of functions or duties within an organization. Reorganizations often occur as the result of line management's efforts to streamline work in order to manage increasing workload or diminishing resources. Reorganizations can have significant position management, classification and staffing implications and may result in revised organizational structures, position upgrades or downgrades, transfer of function (TOF) and/or RIF's. It is important that line managers consult their CHRO for advice on the effects, options, and alternatives associated with proposed reorganizations in advance of submitting reorganization packages to the Position Management Board. Classification and/or staffing options may exist which would make implementation of the reorganization less difficult.

21002. RESPONSIBILITIES

1. Management

a. As soon as management begins to consider a possible reorganization, involve CHRO-E in the preplanning efforts to assess the effects of the movement of work on organizational structures, positions and employees.

b. In cases where work may be moved across activity lines, consult in advance with CHRO-E as to whether the reorganization constitutes a Transfer of Function or a Transfer of Work.

c. In cases where a RIF is a likely result of the reorganization, consult with CHRO-E in advance as to viable alternatives and, if necessary, request RIF, VSIP, and/or VERA approval from the major claimant per downsizing operating procedures.

- d. Consult with labor organizations as appropriate.
- e. Prepare the reorganization package, to include organizational charts/manual, functional statements, proposed reclassification actions, proposed organizational and position changes, projected staffing actions, proposed PPP exceptions, etc.
- f. Following completion of preplanning efforts, develop revised/new PD's reflecting mission changes.
- g. Submit reorganization package to the Position Management Board.
- h. After approval by the Position Management Board, transmit PD's/JD's with appropriate RPA's electronically through CHRO-E to HRSC-E for processing.

NOTE: Organizational changes must be completed in MDCPDS before electronic RPA's can be processed.

2. CHRO-E

- a. Provide advice and guidance.
- b. Review reorganization package.
- c. Review classifications.
- d. Forward to HRSC-E.

3. HRSC-E

- a. Process all actions associated with the reorganization, e.g. create organizational changes in MDCPDS, establish PD's, forward to staffing any recruitment, change to lower grade, reassignment, or realignment actions.
- b. Distribute completed RPA's to the activities.

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CHAPTER 22

ACCRETION OF DUTIES

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CHAPTER 22

ACCRETION OF DUTIES

22000. PURPOSE. To ensure competitive procedures are used to the maximum extent possible and that accretion promotions occur only when an appropriate basis exists for an exception to competitive procedures.

22001. POLICY. Accretion of duties promotions historically have been utilized in those circumstances where a position naturally has evolved over time based on the unique abilities and qualifications of the individual and/or the gradual increase in the complexity and range of responsibility associated with the specific program/duty area which is already under the cognizance of the incumbent. Accretions are non-competitive promotions resulting from an employee's position being classified at a higher grade because of additional duties and responsibilities. Accretions are exceptions to competitive procedures and are expected to occur infrequently. Proposed accretion actions must follow guidance, which is stated in 5 USC 2301(b)(1), 5 CFR 335.103, and OCPM Guidance/Advice Memorandum #63. Specifically, the following criteria must be satisfied:

1. The major duties of the employee's old position are absorbed into the new position, and the former is canceled. Major duties are those which represent the primary reason for the position's existence and which govern the qualification requirements. Typically, they occupy most of the employee's time. Non-competitive promotions are appropriate when the new position is classified at a higher grade due to the addition of higher-grade duties directly related to the primary purpose of the former position and the former major duties are absorbed into the new position. The employee's position is redescribed incorporating the additional duties and responsibilities and the former PD is canceled.

2. The new position has no known promotion potential. The new position should not be identified in any way as having potential for a higher-grade level. In determining this, one should examine the organization's career ladder or journeyman level for similarly classified positions, and prior promotion pattern for similar positions in the organization.

3. The additional duties do not adversely affect another encumbered position. There is an adverse effect when higher-level duties are taken from an encumbered position resulting in a downgrade of that position or a RIF.
4. A non-competitive promotion of an individual, based on assignment of additional duties and responsibilities, is not appropriate if it conflicts with the principles of open and fair competition as required by 5 USC 2301. If there are other employees in the same unit, under the same supervisor, who are officially assigned the same duties, before the addition of higher graded duties, special care is required to ensure compliance with 5 USC 2301. When generic or standard PD's are used, there must be sufficient documentation to differentiate among seemingly identical positions. Examples of such documentation may include PD addendum, different performance standards, and assignment to different competitive levels with rationale to support such assignment. Accretions from identical additional positions are strictly prohibited.

22002. PROCEDURES. The following processes are required for preparation of accretion actions:

1. Figure 22-1 identifies information for managers and supervisors to propose and certify accretion situations. Figure 22-2 provides documentation that regulatory criteria has been satisfied and must be completed and approved by CHRO-E before an accretion promotion is effected.
2. Position management and high-grade billet approval must be obtained per applicable guidelines. Approval documentation should be forwarded to CHRO-E with the RPA.
3. The servicing personnel advisor must review all documentation supporting a proposed accretion of duties promotion. This review will include the PD, management justification (figure 22-1), classification standards, organizational structure and past practices, and practices in parallel organizations, both inside and outside the immediate organization, as appropriate. Fact-finding should include desk audits with the supervisor and/or the incumbent under most circumstances. The servicing personnel advisor will document findings using figure 22-2.

4. The PD that was superceded by the new PD will be abolished and will not be available for activation for at least one year from the date it was abolished.

22003. RESPONSIBILITIES

1. Management. Managers and supervisors are responsible for developing accretion of duties package using enclosure (1), a copy of the old and new PD's and any other supporting documentation. A classified position description and the proposed accretion of duty promotion package will be submitted by the Payroll Manager to CHRO-E.

2. CHRO-E. Provides advice and assistance to managers and supervisors regarding accretion issues, reviews enclosure (1) and completes enclosure (2). After CHRO-E approves the accretion action, RPA will be prepared by management, submitted to the Position Management Board for approval, and forwarded to CHRO-E.

3. HRSC-E. The HRSC-E will maintain records, files and process RPA personnel actions.

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ACCRETION INFORMATION FROM MANAGERS	
Management is responsible for summarizing information detailed below. This information may be provided in memorandum form if desirable. The accretion action must be approved by the Payroll Manager or designee.	
Employee Information	
1. Name:	
2. Classification of current position:	
3. How long has incumbent been performing the current work assignment?	
4. If there are other employees in the same organization at the same grade level, why has this position grown in grade worthwhile the others have not?	
5. If there are other employees in the same organization at the grade level of the proposed position, why were these duties not assigned to one of these employees?	
Position Information	
1. Identify the primary purpose for the current official position along with a brief description of its duties and responsibilities. Have duties been removed from this position? If so, why? Who is performing them now (if applicable)?	
2. Identity the primary purpose for the successor position along with a brief description of its duties and responsibilities.	
3. Does the new position contain other significant duties or responsibilities not included in the old job? Describe them.	
4. What makes the work of this position more difficult or complex than that of the position being replaced?	
5. Does the position change result from the addition of supervisory or leader duties to a non-supervisory or non-leader position?	
Accretion Information	
What caused the increased duties and responsibilities?	

MANAGEMENT CERTIFICATION

Recommending Supervisor/Manager

(Date)

PAYROLL MANAGER

Date)

Figure 22-1.--Accretion Information from Managers Form.

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Section I: REVIEW OF OBJECTIVE FACTORS

A	Incumbent:	
B	Organization Code:	
C	Current Title, Series, Grade:	
D	Proposed Title, Series, Grade:	
E	Position Audit Date, if applicable (incumbent): Position Audit Date, if applicable (supervisor):	
F	Years and months on current PD:	
G	How was the incumbent placed into the current official (also referred to as the former) Position?	
	Action From (Career Ladder, Accretion, Series & Grade) (Series & Grade) merit, reassignment, etc) _____	Effective To Date (Series & Grade) _____
		YES/NO
H	Do the additional duties adversely affect another encumbered position in the same organization?	
I	Does the successor position have known promotion potential beyond the new successor grade level?	
J	Are there other employees in the same organizational entity in positions classified the same as the former position?	

SECTION II: SUMMARY OF NARRATIVE DOCUMENTATION

(Management Accretion Information, position descriptions, Official Personnel Folder, etc.)

YES/NO

A	Review of documentation provides sufficient information to identify the primary purpose of the current official position.	
B	Review of documentation provides sufficient information to identify the primary purpose for the successor position.	
C	Review of documentation provides sufficient information to determine that the primary duties of the current official position are absorbed into the successor position and that the former position can be abolished.	

Figure 22-2.--Accretion Verification Form.

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YES/NO

D	Review of documentation provides sufficient information to determine how long the incumbent has been performing the new duties. Length of Time: Years: _____ Months: _____	
E	Review of documentation provides sufficient information to determine the cause and/or the source of the increased duties and responsibilities.	
F	Does the position change result from the addition of supervisory or leader duties to at non-supervisory or non-leader position?	
G	Are there any adverse implications in regard to EEO?	

Section III: CERTIFICATION

Recommendation:

This action meets the appropriate classification and accretion of duties criteria.

_____ Date
Human Resources Advisor/Specialist

_____ Date
Site Human Resources Director

The PD evaluation statement and other appropriate documentation must be attached to the form.

This approval should be retained with the PD as official documentation.

Figure 22-2.--Accretion Verification Form--Continued.

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CHAPTER 23

PROCESSING CLASSIFICATION APPEALS

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CHAPTER 23

PROCESSING CLASSIFICATION APPEALS

23000. PURPOSE. To establish procedures and identify responsibilities for processing classification appeals.

23001. PROCEDURES

1. GS Employees may file a classification appeal with DoD. Instructions for filing an appeal can be found at the following site: www.cpms.osd.mil/fas/class/pages/cl_filing.htm or go directly to OPM: www.opm.gov/classapp/. Employees are encouraged to file within DoD since a decision by OPM is final. Should the employee file his/her appeal through DoD and receive an unfavorable decision, he/she may still file a classification appeal with OPM.

2. FWS Employees must first file his/her appeal with DoD prior to filing with OPM. Instructions on filing an appeal can be found at the following site: www.cpms.osd.mil/fas/class/pages/cl_filing.htm. DoD will adjudicate the appeal and issue a decision. If the decision is unfavorable, the employee may exercise his/her rights to appeal to OPM.

3. Appealable Issues. The employee may seek a change in the following matters:

- a. Grade.
- b. Occupational Series.
- c. Position Title - appealable only when the standard does prescribe a title.
- d. Inclusion in or exclusion from the General Schedule.

4. Non-Appealable Issues. The following issues are among those that may not be appealed by an employee; however, they may be reviewed under agency administrative or negotiated grievance procedures, if applicable.

- a. The accuracy of the official PD/JD including the inclusion or exclusion of a major duty in the official PD/JD.

- b. An assignment or detail outside the scope of normally performed duties outlined in the official PD.
- c. The accuracy, consistency, or use of agency supplemental classification guides.
- d. The title of the position unless a specific title is authorized in a published OPM classification standard or guide, or the title reflects a qualification requirement or authorized area of specialization.
- e. The series, grade, pay system, or title of a position to which the employee is not officially assigned by an official personnel action.
- f. An agency's proposed classification decision.
- g. The series, grade, pay system, or title of a position to which the employee is detailed or promoted on a time-limited basis, except that employees serving under time-limited promotions for two years or more may appeal.
- h. The classification of the employee's position based on position-to-position comparisons and not standards published by OPM.
- i. The accuracy of grade level criteria contained in an OPM classification guide or standard.
- j. A classification appeal decision previously issued by OPM unless there has been a subsequent change in the government classification standards or the major duties of the position.

23002. RESPONSIBILITIES. A classification appeal package is divided into 2 parts. Part 1 is provided by the employee who is initiating the appeal with DoD/OPM and must include all of the information listed below. Part 2 is provided by Management and the servicing CHRO-E.

1. Employee

- a. Include in the appeals package:

- (1) Employee's name, mailing address and office phone number.

(2) Location of the employee's installation, activity, and office.

(3) Exact location of the employee's position in the organization.

(4) A copy of the employee's official PD, along with a statement concerning its accuracy.

(5) Employee's "present" title, series, and grade.

(6) Employee's "requested" title, series and grade.

(7) Arguments supporting the "requested" title, series, and grade. Employee should refer to the applicable Position Classification Standard.

(8) Statement directing the appeal to DoD or OPM.

b. Forward Part 1 of the appeal package to CHRO-E via the Activity Head.

2. CHRO-E

a. Advise the employee of appeal rights.

b. Review Part 1 of the appeal package submitted by the employee for completeness.

c. Should the employee disagree with the accuracy of his/her PD/JD of record, management will take the necessary steps to resolve any differences.

d. Prepare a complete evaluation statement for the appealed PD with a response to any classification issues presented in the employee's appeal.

e. If the appealed position is supervisory, review and provide complete evaluation statements for the subordinate's position descriptions used for determining the base level of work. If subordinate positions include military or contract employees determine and include the equivalent GS/FWS grades. If the GS supervisor has subordinate FWS employees determine and include the equivalent GS grades.

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CHAPTER 24

APPLICATION OF DRAFT AND NEW CLASSIFICATION STANDARDS

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CHAPTER 24

APPLICATION OF DRAFT AND NEW CLASSIFICATION STANDARDS

24000. PURPOSE. To establish policy and identify responsibilities for the timely application of draft and newly issued OPM Position Classification and Job Grading Standards.

24001. BACKGROUND. Draft classification standards originate at OPM. The purpose of the review is to test the application of the standard in order to determine the probable impact and consequences of its application. This is also a time in which further comments/suggestions are forwarded to OPM for consideration. New classification standards must be reviewed and applied to positions as appropriate within 6 months after receipt, or as determined by DoD/OPM.

24002. RESPONSIBILITIES

1. Draft Standards. HRSC-E will develop a summary of changes found in the draft standard, then forward the standard and summary along with a list of applicable positions and specific information requested by DON, DoD, and/or OPM to CHRO-E, Cherry Point. Upon receipt of this information, CHRO-E will provide information and assistance relevant to the application of the standard to activity officials as appropriate. Information requested may include the accuracy/relevance of the standard to the actual types of work performed, improvements if needed, the overall impact of its application and other comments/concerns that the standard may raise.

a. Management

- (1) Review PD's.
- (2) Conduct trial application of draft standards.
- (3) Forward potential impact information to CHRO-E.

b. CHRO-E

- (1) Provide advice and assistance.

(2) Gather information and provide input from commands.

(3) Consolidate results/comments and forward to HRSC-E.

2. New Standards. HRSC-E will notify CHRO-E of the receipt of a new classification standard, the time frame for review and revision of PD's, and a summary of the significant changes contained in the new standard.

a. Management

(1) Review PD's for accuracy.

(2) Rewrite descriptions as necessary.

(3) Apply the new standard within the required timeframes.

(4) Prepare an RPA to implement required changes, attach classified PD's and forward to HRSC-E through CHRO-E.

(5) Satisfy union and EEO notification requirements.

(6) After the application of a new standard, the OF-8 must be annotated accordingly with a copy provided to the employee.

b. CHRO-E

(1) Coordinate information with activity managers in commands.

(2) Provide activity advice and assistance.

(3) Follow-up delinquent requests for rewritten PD's.

(4) Annotate OF-8 (date of application, standard number, applicable changes, and initials of classifier).

(5) Review RPA for accuracy and completeness and forward to HRSC-E.

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CHAPTER 25

PAY SETTING

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CHAPTER 25

PAY SETTING

25000. PURPOSE. To establish a standard procedure covering the setting of pay for civilian employees. The standard procedure outlines basic responsibilities for submission of actions requiring pay determinations to HRSC-E for processing. The references for setting pay are: 5 CFR 531, 5 CFR 532, 5 CFR 536, 5 CFR 575, OPM Operating Manual for the Federal Wage System, and DASD (CPP) memos of 13 Feb 87 and 2 Nov 90.

25001. BACKGROUND. Unless controlled by law, regulations, or negotiated agreement, the setting of pay is a line management responsibility. The actual pay setting process will be accomplished per local policy between the activity, the servicing CHRO-E and HRSC-E. Whenever a personnel action requires a pay determination, the appropriate pay will be identified and communicated to the employee by HRSC-E. The determination of the appropriate rate of pay will be based on controlling law, regulation, or negotiated agreement and/or line management decision/activity policy where flexibility exists.

25002. RESPONSIBILITIES

1. Management. The activity's pay setting determination will be included with the RPA or completed selection certificate when it is submitted to HRSC-E via CHRO-E for processing. When the pay determination is known at the time the RPA is prepared, the rate of pay, as well as any special pay requests, such as a recruitment bonus or supervisory differential, will be documented in the remarks section (Part D). When the pay determination has not been made at the time the RPA is prepared, i.e. when recruitment action is requested, the pay determination will be attached to the completed selection certificate. Any required or appropriate documentation to support the pay determination must be attached to the RPA or selection certificate. Specifically, the activity will inform HRSC-E (via CHRO-E) whenever:

a. Pay will be set above the minimum required by law or regulation (i.e. whenever pay will be based on highest previous rate per 5 CFR 531, 5 CFR 532, and OPM Operating Manual for the Federal

Wage System). If the activity wishes to offer a rate above the minimum allowable, but does not know what the employee's highest previous rate is (i.e. it is not identified until HRSC-E receives the SF-75, Request for Preliminary Employment Data), the activity may request in advance that HRSC-E offer the highest previous rate once it has been determined. Use figure 25-1 for this purpose.

b. The activity wishes to offer a superior qualifications appointment per 5 CFR 531. Figure 25-2 should be used for this purpose.

c. Other situations that involve setting pay above the minimum rate required by law, regulations, or negotiated agreement.

2. CHRO-E. Provide advice and guidance as requested regarding the setting of pay. Ensure proper documentation on RPA before forwarding to HRSC-E.

3. HRSC-E

a. Prior to extending an official offer to a selectee, HRSC-E will set pay per the activity determination as documented on the RPA or attached to the completed selection certificate. If no instructions regarding the setting of pay are provided by the activity, pay will be set at the minimum rate permitted by law, regulation, and activity policy or negotiated agreement. HRSC-E will notify the activity if the selectee requests HPR, a higher rate of pay than initially offered, or any other salary/incentives. Requests for pay actions must be received by HRSC-E prior to the proposed effective date; there will be no backdated actions.

b. Pay adjustments for current employees, including within-grade increases, comparability increases, and locality pay increases and special salary rate increases will be processed as required.

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EMPLOYEE

NAME: _____ SSN: _____

ACTIVITY: _____ ORGANIZATION/CODE: _____

POSITION

(TITLE/SERIES/GRADE: _____)

It is the policy of the Department of the Navy to set pay at the minimum step required by law or regulation unless a higher rate is permissible and in the interest of the Government. Whenever a higher rate is permissible, activity management will review the rate to be set on the basis of the needs of the activity, assessment of the qualifications of the employee, equity among employees, and availability of funds. In no case will there be an automatic placement in the highest rate permissible.

The applicant listed above is eligible for a step above the minimum step as follows:

Step _____ of Grade _____ based on the highest previous rate of \$_____ per annum/per hour as a(n) _____

(Title, Series and Grade)

from _____ to _____
(Date) (Date)

Justification: I have reviewed the HPR criteria identified above, and the following factors are applicable to this position (Mark with an X and attach any necessary additional justification.

- _____ Needs of the Activity
- _____ Quality of the employee
- _____ Pay equity among employees
- _____ Availability of Funds

I have reviewed the policy stated above and have given careful consideration to overall pay alignment within the organization and other salary management considerations, including availability of funds. I have determined that it is in the best interest of the government to set the salary as indicated below:

Figure 25-1.--Highest Previous Rate (HPR) Justification Form.

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_____ Minimum Rate
_____ Highest Previous Rate
_____ Other
Step 1
Step _____
Step _____

Supervisor's Signature and Code

Date

Approving Official's Signature and Code

Date

Funding Approval Official

Date

HRO Review

Date

Figure 25-1.--Highest Previous Rate (HPR) Justification Form--
Continued.

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EMPLOYEE NAME: _____ SSN: _____
ACTIVITY: _____ ORGANIZATION/CODE: _____
POSITION _____
(TITLE/SERIES/GRADE: _____)

I have reviewed the criteria for making superior qualifications appointments as outlined in 5 CFR 531 and have determined that its use is necessary to meet the needs of this Activity. In arriving at this determination, I fully considered each of the following factors as is described in my narrative justification below: The nature of the superior qualifications (i.e. professional experience, unique/specialized skills, academic achievements, publications, etc.) of the candidate or of the Activity's special need which justifies use of this authority. The factors considered in determining the candidate's existing pay and reason for setting pay at a rate higher than that needed to match existing pay, and the reasons for authorizing an advanced rate instead of or in addition to, a recruitment bonus.

Narrative Justification:

Upon examination of this candidate's qualifications for the position, I find his/her qualifications to be markedly superior to those of other well-qualified applicants. The candidate's current salary is \$_____ per annum/per hour. I recommend approval of a superior qualifications appointment at step _____ of grade _____. This is the minimum salary that I believe the candidate will accept and is consistent with overall Federal pay policies. In requesting this approval, I have given careful consideration to overall pay alignment within the organization and other salary management considerations and have determined that this superior qualifications appointment is in the best interest of the government.

Supervisor's Signature and Code

Date

Approving Official's Signature and Code

Date

Funding Approval Official

Date

HRO Review

Date

Figure 25-1.--Superior Qualifications Appointment (Advanced In-Hire Rate) Justification Form.

STATION CHRM

CHAPTER 26

ESTABLISHING BONUSES AND ALLOWANCES FOR CURRENT AND
PROSPECTIVE CIVILIAN EMPLOYEES

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STATION CHRM

CHAPTER 26

ESTABLISHING BONUSES AND ALLOWANCES FOR CURRENT AND
PROSPECTIVE CIVILIAN EMPLOYEES

26000. PURPOSE. To implement parts of the Federal Employees Pay Comparability Act of 1990 that pertains to the use of recruitment bonuses, relocation bonuses and retention allowances. This policy is being issued per the provisions of 5 USC 5753, 5 USC 5754, 5 CFR 531, and 5 CFR 575. This policy pertains to individuals being considered for their first employment with Federal Civil Service; returning to Federal employment after a break in service of 90 days or more; and current employees. Activities may use these authorities as management recruitment and retention tools.

26001. PROCEDURES

1. Recruitment Bonuses are to be used only for candidates not previously employed by Federal Civil Service or for former federal employees with at least a 90 day break in service. They may be used to pay the candidate a bonus up to 25 percent of the base pay that has been offered and is paid in a lump sum. The bonus is used for positions determined to be difficult to fill or an occupation that is critical to the organization's mission. Using the criteria listed in paragraph 4a below, management officials can propose these bonuses/allowances and the command designee has final authority for authorization.

2. Relocation Bonuses are to be used for current Federal Civil Service employees as an incentive to accept a difficult to fill position in a different commuting area. They may be used to pay a bonus of up to 25 percent of the base salary that has been offered and is paid in a lump sum. Using the criteria listed in paragraph 4a below, management officials can propose these bonuses/allowances and the Command designee has final authority for authorization.

3. Retention Allowances are to be used for current Federal Civil Service employees with 1 or more years of continuous service as an incentive to remain in the employ of the organization. They may be used to pay an allowance of up to 25 percent of the employee's current base salary; the allowance will not be a lump sum, but will be paid at the same time as basic pay and is not considered part of the basic pay for any purpose. It must be certified in writing that,

absent the allowance, the employee would be likely to leave Federal Civil Service for employment outside government. The employee must occupy a position requiring unusually high or unique qualifications; or there is a special need for the employee's services, which makes it essential to retain the employee. The retention allowance can be paid for as long as the conditions warranting the allowance continue to exist. At least annually, the determination for payment of the retention allowance must be reviewed and certified in writing by the Activity that payment is still warranted.

4. Recruitment/Relocation Bonus Service Agreement is an agreement to remain in the specific organization's employ for a specified period of time (minimum 6 months) and is required for recruitment and relocation bonuses (see figures 26-1 to 26-3).

a. If the employee terminates the service agreement by separation, transfer to another organization, or because of misconduct the employee will be required to refund the bonus amount on a pro rata basis (i.e. credit is given for each full month of employment completed under the agreement).

b. If the employee is involuntarily separated during the period of the agreement, there will be no requirement for the employee to refund the bonus.

Note: "Repayment of Relocation Bonus" does not apply when the head of the agency provides a written determination that it is necessary to relocate the employee to a position in a different commuting area.

26002. RESPONSIBILITIES

1. Managers and Supervisors

a. When proposing the use of Recruitment or Relocation Bonus or a Retention Allowance, the proposal must be in writing (see figures 26-1 to 26-3) and done on a case-by-case basis and must state the reasons for the proposed appointment, bonus, or allowance.

b. In determining whether these authorities should be utilized, managers and supervisors shall consider the following factors:

(1) The success of recent efforts to recruit high quality candidates for similar positions, including indicators such as offer

acceptance rates, the proportion of positions filled, the length of time to fill similar positions, etc.

(2) Recent turnover in similar positions.

(3) Labor market factors that may affect the ability of the organization to recruit high quality candidates for similar positions now or in the future.

(4) Special qualifications needed for the position.

c. Annually, after the implementation of the general pay increase for GS employees, conduct a survey of retention allowances to determine whether there continues to be a need for them. A determination will also be made as to whether the allowance should be recomputed based on the higher salary resulting from the pay increase.

2. CHRO-E. Advise managers and supervisors concerning information necessary for the establishment of a bonus or allowance and determine the eligibility of candidates to receive a bonus or allowance.

3. Comptroller. Certify as to the availability of funds for payment of bonuses and allowances.

26003. DOCUMENTATION AND RECORDS. Each approving official is responsible for ensuring that the basis for any recruitment or relocation bonus is documented. Documentation shall be available for review and submission upon request. In addition, on a fiscal year basis, each delegating approving official shall compile and maintain the following information:

1. The number of recruitment or relocation bonuses offered and the number accepted.

2. The percentage of salary offered and accepted in each individual case.

3. A summary statement assessing the effect of the bonus authority on the ability to fill key positions with qualified candidates in a timely manner.

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EMPLOYEE NAME: _____ SSN: _____
ACTIVITY: _____ ORGANIZATION/CODE: _____
POSITION _____
(Title/Series/Grade: _____)

I have reviewed the criteria for offering recruitment/relocation bonuses as outlined in 5 CFR 575 and my command policy. I have determined that its use is necessary based on an analysis of the following factors (Mark applicable factors with an X and provide narrative justification).

- ___ Results of recent efforts to attract quality candidates for similar positions, as evidenced by offer/acceptance rates, the proportion of positions filled, and/or the length of time required to fill similar positions.
- ___ Recent turnover in similar positions.
- ___ Labor-market factors that may affect the organization's ability to recruit quality candidates for similar positions now or in the future.
- ___ Special qualifications needed for the position.
- ___ The practicality of using a superior qualifications appointment, separately-or in conjunction with a recruitment bonus (recruitment bonuses only).

Narrative Justification:

I certify that absent payment of this recruitment/relocation (circle one) bonus, this Activity would encounter difficult in filling the position.

The applicant is being appointed to/selected for (circle one) a _____ (Pay Plan (i.e. GS/WG)) _____ (Grade Level), Step _____ position. I recommend approval of a recruitment/ relocation (circle one) bonus in the amount of which is equivalent to ____% of the candidate's salary.

In requesting this approval, I have given careful consideration to overall pay alignment within the organization and other salary management considerations and have determined that payment of this recruitment/relocation (circle one) bonus is in the best interest of the government.

Figure 26-1.--Recruitment/Relocation Bonus Justification Form.

STATION CHRM

Supervisor's Signature and Code

Date

Approving Official's Signature and Code

Date

Funding Approval Official

Date

CHRO-E Review

Date

Figure 26-1.--Recruitment/Relocation Bonus Justification Form--
Continued.

STATION CHRM

EMPLOYEE NAME: _____ SSN: _____

ACTIVITY: _____ ORGANIZATION/CODE: _____

POSITION

(Title/Series/Grade: _____)

I have reviewed the criteria for offering retention allowances as outlined in 5 CFR 575 and my activity policy. I have determined that its use is necessary based on the unusually high and unique qualification of this employee and/or a special need of this Activity for the employee's services, which makes it essential to retain the employee. In arriving at this determination, I fully considered each of the following factors as is described in my narrative justification below:

1. The extent to which the employee's departure would affect this Activity's ability to carry out an activity or perform a function that is deemed essential to the Command's mission.

2. The success of recent efforts to recruit candidates and retain employees with qualifications similar to those possessed by the employee for positions similar to the position held by the employee; and

3. The availability in the labor market of candidates for employment who, with minimal training or disruption of service to the public, could perform the full range of duties and responsibilities assigned to the position held by the employee.

Narrative Justification:

I certify that absent payment of this retention allowance, this employee would likely leave Federal service and that the employee's skills are essential for accomplishing the Activity's mission.

I request that a retention allowance in the amount of \$_____, which is equivalent to _____% of the candidate's salary, be approved for a period of _____ months.

In requesting this approval, I have given careful consideration to overall pay alignment within the organization and other salary management considerations and have determined that payment of this recruitment/relocation (circle one) bonus is in the best interest of the government.

Figure 26-2.--Retention Allowance Justification Form.

STATION CHRM

Supervisor's Signature and Code

Date

Approving Official's Signature and Code

Date

Funding Approval Official

Date

CHRO-E Review

Date

Figure 26-2.--Retention Allowance Justification Form--Continued.

STATION CHRM

I AGREE TO THE TERMS OF THIS AGREEMENT:

EMPLOYEE:

WITNESS:

Signature

Signature

Name (Print or Type)

Name (Print or Type)

Date

Date

SSN

SSN

Figure 26-3.--Recruitment/Relocation/Retention Bonus Service Agreement Form--Continued.

STATION CHRM

5 USC 5753 and 5754 and 5 CFR 575 provide, under certain conditions, that the bonuses/allowances indicated below can be offered to certain categories of employees. Accordingly, the following agreement will be used to establish eligibility for these bonuses/allowances.

This agreement is for:

- _____ RECRUITMENT BONUS
- _____ RELOCATION BONUS
- _____ RETENTION ALLOWANCE

I, _____ have accepted the bonus AND/OR allowance indicated above for the position of _____. I understand that the bonus AND/OR allowance will be _____% of my base pay. For recruitment/relocation bonuses only: By accepting this bonus, I agree to remain in government service for a minimum period of _____ months beginning on _____ (Date). I understand that the recruitment/relocation bonus must be recovered if I fail to complete the period of employment established by this Service Agreement, or if I am removed for cause before expiration of the required minimum service period. The amount of the repayment will be determined in accordance with the policy of my new activity. I understand that the government may withhold any final pay due to me to apply against or liquidate any indebtedness arising from my violation of this agreement. For retention allowances only: I understand that the payment of this allowance will be reviewed annually and may be reduced or terminated at any time, in accordance with my activity policy.

I AGREE TO THE TERMS OF THIS AGREEMENT:

EMPLOYEE:

WITNESS:

Signature

Signature

Name (Print or Type)

Name (Print or Type)

Date

Date

SSN

SSN

Figure 26-3.--Recruitment/Relocation/Retention Bonus Service Agreement Form--Continued.

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CHAPTER 27

ALTERNATE WORK SCHEDULES (AWS)

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CHAPTER 27

ALTERNATE WORK SCHEDULES (AWS)

27000. PURPOSE. To establish policies and procedures regarding implementation of AWS at MCAS Cherry Point.

27001. OBJECTIVES. AWS programs are human resource management tools intended to improve morale and increase efficiency. AWS can offer many advantages to directorates such as reduction of short-term absence and tardiness; increased service provided by longer office hours; and increased productivity as employees have more "quiet" time and increased job satisfaction. Advantages to employees include the ability to adjust working hours to their own personal needs; to avoid rush hour traffic and facilitate carpool arrangements; and to schedule working hours around family, social, recreational, and/or physical training activities.

27002. AUTHORITY AND RESPONSIBILITY

1. Directors. Directors are authorized to establish AWS within their directorates. Directors may elect to approve AWS for all employees or a small branch of employees as determined will serve the best interests of management from the standpoint of efficiency and productivity. AWS should not be implemented until possible consequences are thoroughly considered. If at any time an AWS is found to cause a reduction in productivity, a diminished level of services furnished to the public or an increase in the cost of activity operations, the AWS should not be implemented, or if already in effect, should be terminated. Directors may not require employees to participate in the AWS.

NOTE: Establishment and termination of any AWS for bargaining unit employees represented by an exclusive representative shall be subject to the provisions of 5 USC 6130, 5 USC 7100, and the terms of the bargaining agreements between MCAS Cherry Point, and the exclusive representatives.

27003. TYPES OF AWS:

1. Compressed Work Schedule (CWS). CWS allows employees to increase

the number of hours worked each day and thereby reduces the number of days worked each week or each pay period. Full time employees must still work 80 hours a pay period and part time employees must work the lesser number of hours agreed upon when hired. Two types of CWS that may be authorized aboard MCAS Cherry Point: the 4 day workweek and the 5-4/9 plan.

a. Four Day Workweek. Under this schedule, the employee works 10 hours a day, 4 days a week. The employee may select Monday or Friday off, subject to supervisory approval. Managers and supervisors must ensure that adequate personnel are on duty each day to effectively meet their operational requirements.

b. 5-4/9 Plan. Under this plan, the employee works 8 9 hour days, 1 8-hour day, and has 1 day off during each bi-weekly pay period, for a total of 80 hours each pay period. The employee may select every other Monday or Friday as the day off, subject to supervisory approval. Managers and supervisors must ensure that adequate personnel are on duty each day to effectively meet their operational requirements.

2. Flexible Work Schedules (FWS). FWS permit employees, within certain constraints, to select the starting and ending times of their basic workday. Under such a system, the workday is split into to distinct kinds of time, i.e. core time and flexible time. Core time is that portion of the day, designated by management, during which all employees must be present for work or approved leave. Flexible time is that portion of the day, designated by management, during which employees may choose the times of arrival and departure. Although the specific schedules may vary from pay period to pay period, a full time employee is still obligated to work 8 hours a day and 40 hours a week, or a lesser number of hours in the case of a part time employee. In no case is it appropriate to determine that core hours include the whole 8 hour work schedule and that the flexible time is before or after the 8 hour day and for the sole purpose of accruing credit hours.

27004. CREDIT HOURS. Only employees on FWS may work credit hours. Employees on CWS are not permitted to earn or use credit hours. Credit hours are hours in excess of the basic work requirement, but within the tour of duty. The tour of duty is the core time plus the flexible bands.

1. Credit hours are hours of work performed at the employee's option; they are distinguished from overtime hours in that they do not constitute overtime work that is officially ordered in advance by management.
2. Credit hours may not be earned on a day that is not a regularly scheduled workday for the employee. For instance, if the employee's work schedule is Monday through Friday, he/she may not elect to work Saturday to earn credit hours.
3. An employee has the right to use earned credit hours, subject to management's authority to approve the time at which they may be used.
4. An employee may accumulate no more than 24 credit hours during a pay period. The number of credit hours employees may carry over from pay period to pay period is also limited to 24 hours. Directors may establish directorate level policy that further limits the amount of credit hours that may be earned in a pay period or carried over from one pay period to another.

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CHAPTER 28

ANNUAL LEAVE

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CHAPTER 28

ANNUAL LEAVE

28000. ADDITIONAL INFORMATION. Additional information on annual leave including accrual rates, advance annual leave, restoration of annual leave, and lump-sum payments may be found by referring to an OPM fact sheet on annual leave at the following address:
www.opm.gov/oca/leave/HTML/ANNUAL.HTM.

28001. RESPONSIBILITY AND COVERAGE

1. The CG has responsibility for the administration of leave regulations and policy. However, authority to approve leave is delegated to the Directorate/Department Heads and should be re-delegated to the immediate supervisor whenever feasible.

2. These instructions apply to all civil service employees of MCAS and Naval Hospital, Cherry Point.

28002. ACCRUING LEAVE

1. Accrued leave is that which is earned by an employee during the current leave year and shall accrue while the employee is in a pay status.

2. Accumulated leave is that which remains to the credit of an employee at the beginning of the first complete leave period in any calendar year.

3. Annual leave shall accrue to an employee during each full biweekly pay period while in a pay status, or in a combination of pay and non-pay status.

4. Each pay period when an employee's absence in a non-pay status reaches 80 hours, no leave is accrued for that pay period; 80 hours are subtracted from the total non-pay hours, and the difference becomes the new starting balance of non-pay status. The employee will continue to accrue leave at the normal rate until such total again reaches 80 hours, when the process is repeated. No leave shall accrue to the credit of any employee who is in a non-pay status for an entire leave year.

28003. ACCRUAL RATES

1. Annual Leave is earned in the following increments:

Length of Service Based on Service Computation Date For Leave	Hours of Annual Leave Earned		
	Full Time Employee: For Each 80 Hours In A Pay Status	Part Time Employee	
	<i>Annual leave hours earned</i>	<i>Hours in a pay status</i>	<i>Annual leave hours earned</i>
Less than 3 years	4	20	1
3 years but less than 15 years	6	13	1
15 years or more	8	10	1

NOTE: A change in the earning rate for annual leave; e.g. moving from the 4 to 6 hour earning category, takes effect at the beginning of the pay period after the pay period in which the employee completes the prescribed period of service. (For example, an employee has 3 years of service on 1 May; the next pay period begins on 12 May. The employee would begin earning 6 hours of annual leave on the pay period beginning 12 May).

2. Employees will be advised on a biweekly basis of their current leave balances. This will be accomplished in writing through use of a leave and earnings statement (LES) and will show the annual leave accrual rate, annual leave taken and available, and sick leave taken and available. The LES is the method by which employees will be informed when their leave accrual rates are increased after 3 years and after 15 years of service.

28004. CHARGING LEAVE

1. Annual and sick leave are processed in tenths of hours (6-minute intervals).

2. Leave shall be charged only for absences on days on which an employee would otherwise work and receive pay. However, when a holiday is declared by administrative order to be a workday, an

employee who is absent from work on that day without permission shall be subject to loss of a day's pay.

28005. LEAVE IN UNFORESEEN CIRCUMSTANCES

1. When an employee cannot anticipate the period of an absence due to unforeseen circumstances such as personal illness, illness or death in the family, transportation accident, or urgent personal business, the employee shall notify the immediate supervisor or other appropriate person on the first day of absence. Most unforeseen circumstances do not justify failure of an employee to give proper notification promptly, nor is there an automatic entitlement to leave on the sole basis that such circumstances, in the employee's opinion, require absence from duty. A report of absence will not be sufficient basis for approval of leave. Appropriate leave (annual, sick, leave without pay) may be granted based upon consideration of the following:

a. Workload requirements.

b. Upon return to work of the employee, submission of sufficient justification (as determined by the leave approving official) to require absence from duty.

c. The employee's leave record. The decision as to whether or not to grant requested leave that was not approved in advance rests with the official designated to approve other leave requests for the employee involved.

28006. GRANTING ANNUAL LEAVE

1. Annual leave may be granted to an employee at any time during the year. Leave that will accrue during the leave year may be granted in advance of the actual accrual date upon written application in individual cases. Leave should be scheduled with due consideration for the needs of the activity, but supervisors are cautioned to avoid conveying the impression that forfeiture of leave is desirable or commendable. The granting of annual leave should not be restricted to the extent that an employee forfeits earned leave because of the restrictions on leave accumulated. (Examples for using annual leave include: vacations, personal and emergency purposes; illness of the employee or a family member; obtaining a driver's license; and other

personal business, which can be disposed of only during the time in which an employee would ordinarily be working).

2. A liberal leave policy shall be maintained throughout MCAS and Naval Hospital in circumstance such as, but not limited to, the following:

a. Death in an employee's family.

b. Illness in the immediate family when the employee's care and attendance is required, but where the illness is not of a nature to permit the use of sick leave.

c. Religious observance and Holy days.

d. When an employee under notice of separation by RIF requests annual leave to seek other employment, such leave should be granted whenever feasible; and an employee under notice of separation by RIF who desires to resign to accept private employment should be granted annual leave for the purpose of setting a resignation date at the expiration of the notice period in order to protect reemployment rights.

3. Employees are entitled to payment, on separation, for annual leave equal to the carry over balance of the previous year plus accrued and unused annual leave credited to the employee during the current year multiplied by the employee's pay rate at separation.

28007. REQUIRING USE OF ANNUAL LEAVE

1. The Comptroller General has ruled that it is within administrative discretion to place an employee on annual leave, with or without the employee's consent, whenever it is deemed expedient to do so for administrative reasons.

2. In cases of interrupted or suspended operations resulting from conditions that cannot reasonably be foreseen (i.e. power or equipment failure, weather conditions affecting only certain types of work, but not the activity as a whole), the advance notice requirements specified below must be met before requiring the use of annual leave. In all cases every effort shall be made to assign affected employees to other work within the employing department or in other departments within the appropriate command before they are placed on leave.

a. When 24 hours advance notice can be given, employees who cannot be assigned to other work will be required to use annual leave.

b. When 24 hours advance notice cannot be given, employees who cannot be assigned to other work will be required to use annual leave only if proper notice can be given before the end of their shift immediately preceding the shift in which they are to be placed on leave. Such involuntary use of leave shall not exceed 5 days in any leave year.

c. When neither 24 hours notice, nor notice before the end of the immediately preceding shift can be given, employees who cannot be assigned to other work shall be excused not to exceed 8 hours and will then be placed on enforced annual leave for subsequent continuous absence required beyond 8 hours, provided 24 hours advance notice can be given.

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CHAPTER 29

SICK LEAVE

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CHAPTER 29

SICK LEAVE

29000. ADDITIONAL INFORMATION. Additional information can be found by referring to an OPM fact sheet on sick leave at the following OPM address: www.opm.gov/oca/leave/HTML/sicklvy.htm. Information on sick leave for family care or bereavement Purposes can be found by referring to an OPM fact sheet at the following OPM address: www.opm.gov/oca/leave/HTML/sickfam.htm.

29001. DEFINITIONS

1. Sick Leave for Family Care or Bereavement. Allows employees to use sick leave to care for the medical needs of a family member, for bereavement, or for adoption of a child.
2. Family Members. Employees' parents; spouse and his/her parents; children, including adopted children, and their spouses; brothers and sisters, and their spouses; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
3. Care. That which is required for physical or mental illness; injury; pregnancy; childbirth; medical, dental, or optical examinations or treatments; and to arrange for or attend funerals of family members.
4. Serious Health Condition. The term "Serious Health Condition" has the same meaning as used in OPM's regulations for administering FMLA. That definition includes such conditions as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, and childbirth. The term "serious health condition" is not intended to cover short-term conditions for which treatment and recovery are very brief. The common cold, the flu, earaches, upset stomach, headaches (other than migraines), routine dental or orthodontia problems, etc., are not serious health conditions unless complications arise. The agency may require medical certification of a serious health condition.

29002. ACCRUAL AND CREDIT

1. Full time employees accrue and will be credited with sick leave on the basis of four hours for each full biweekly pay period. There is no fixed limit on accumulation of sick leave and any amount to an employee's credit at the end of a leave year will be retained and carried forward to the next leave year.
2. Part time employees earn 1 hour of sick leave for each 20 hours in a pay status.
3. Firefighters paid premium compensation will be credited and charged with sick leave on the basis of each 12 or 24 hour workday within the regularly scheduled workweek. Accrual rates are the same as those for annual leave based on service up to 3 years.

29003. GRANTING SICK LEAVE

1. Sick leave shall be granted to employees in the following circumstances:
 - a. They are incapacitated for the performance of their duties by sickness, injury, pregnancy, and confinement.
 - b. For medical, dental, or optical examination or treatment.
 - c. The employee provides care for a family member who is incapacitated as the result of physical or mental illness, injury, pregnancy, or childbirth or receives medical, dental or optical examination; (subject to the limits defined in 5 CFR 630.401).
 - d. The employee makes arrangements necessitated by the death of a family member or attends the funeral of a family member (subject to the limits defined in 5 CFR 630.401).
 - e. The employee would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease.
 - f. The employee must be absent from duty for purposes relating to the adoption of a child, including appointments with adoption

agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed.

g. Sick leave, if available, shall be granted to disabled veterans for the purpose of receiving medical treatment or for the time required for making appointments; otherwise, annual leave or leave without pay shall be granted, if requested. The grant is obligatory, provided appropriate evidence of necessity for treatment or examination is presented, and the veteran gives prior notice of definite days and hours of absence required.

h. An employee who becomes ill during a period of annual leave may have the period of illness charged to sick leave and the charge to annual leave reduced accordingly, provided application is made within 2 days after return to duty and it is substantiated in the same manner as other requests for sick leave. This does not apply to illness during periods of extended leave without pay since it is the policy of DON not to grant sick leave in such cases.

i. Time for physical examinations for military training duty and/or promotions in a reserve component is chargeable to sick leave.

j. Requests for sick leave for medical, dental or optical examination or treatment shall be submitted in writing on an OPM Form 71 for approval in advance of the appointment.

k. In cases of approved disability retirement or separation due to disability, employees shall be granted all sick leave to their credit prior to separation. Application for sick leave in these cases should be made on an OPM Form 71. This procedure does not, however, take precedence over other types of separation action (i.e. removal for cause, RIF) that may intervene.

l. It is the responsibility of each supervisor authorized to approve leave to ascertain whether the circumstances justify approval of sick leave. Any written information (including medical certification) submitted in support of a sick leave request is submitted only as evidence, and the authorizing official must take this and all other information into consideration before rendering a decision. The decision to approve or disapprove a request for sick leave rests with management.

2. In cases of personal illness, employees must make application for sick leave within two days after return to duty. Application must be

in writing on an OPM Form 71 if the absence exceeds three workdays. For periods of personal illness for three days or less, written application is at the discretion of the individual supervisor authorized to approve sick leave. Employees are allowed a period of 15 days for filing a medical certificate or other acceptable evidence required for periods of absence in excess of 3 workdays, or shorter periods as required in individual cases. In lieu of a medical certificate, the employee's signed statement explaining the nature of the illness may be accepted when circumstances in the individual case make it unreasonable to require a medical certificate.

29004. SUBSTANTIATING REQUEST FOR SICK LEAVE

1. It is not the policy of MCAS or the Naval Hospital to require a medical certificate to support an application for sick leave when the absence is for a period of 3 workdays or less. However, in individual cases if a supervisor has reason to believe an employee is abusing sick leave privileges, a medical certificate may be required to support application for sick leave for three workdays or less providing the requirements below have been met. (Also see appropriate labor-union agreement).

2. A medical certificate is a written statement signed by a registered practicing physician, or other practitioner, certifying to the incapacitation, examination, treatment, or period of disability of the patient while receiving professional treatment.

3. An employee who is suspected of abusing sick leave privileges shall be advised by personal interview that because of the questionable leave record, a medical certificate may be required for each subsequent absence on sick leave. If this interview does not bring about an improvement in the individual's leave record, the employee will be advised in writing that all future requests for sick leave must be supported by medical certificate. The written notice will also explain fully why the employee is suspected of abusing sick leave.

4. Failure of an employee to comply with the requirement for a medical certificate may be considered a basis for denying sick leave, for charging the absence to AWOL and for proposing possible disciplinary action for unauthorized absence. Such failure shall not, however, be considered an offense justifying disciplinary action for failure to carry out orders, or similar offenses.

5. In cases where employees are required to submit medical certificates for each absence due to illness, the attendance record of those employees shall be reviewed at least annually and, if warranted, the requirement for the medical certificates shall be canceled in writing.

29005. ADVANCED SICK LEAVE

1. Sick leave, not to exceed 30 days at any time, may be advanced upon written application of the employee concerned in cases of serious illness or disability, supported by medical certification, when there is a reasonable expectation of return to duty; except that no such advance shall be made to:

a. An employee holding a limited appointment or one expiring on a specific date, in excess of the amount to accrue during the remainder of the appointment.

b. An employee contemplating retirement or resignation.

2. All available accumulated sick leave to the employee's credit must be exhausted prior to advancement of sick leave. Consideration should also be given to requiring the employee to exhaust all annual leave that would otherwise be forfeited at the end of the leave year.

3. Advanced sick leave previously approved may be terminated at any time that circumstances in the individual case warrant.

4. Beginning immediately upon the employee's return to duty, the advanced sick leave will be paid back charging sick leave granted against sick leave accrued, until such time as the amount of advanced sick leave is liquidated.

5. If the employee has excess annual leave that must be forfeited at the end of the leave year, the excess annual leave may be applied to pay back an equivalent amount of advanced sick leave. Such conversion of leave must be made before the actual forfeiture of annual leave occurs.

6. Approval of applications for advanced sick leave from MCAS employees is the responsibility of the head of the directorate; however, this approval authority may be delegated to the department head level. Approval of applications from employees of the Naval Hospital is the responsibility of the CO; however, this approval authority may be delegated to the department head level.

29006. SICK LEAVE FOR FAMILY CARE OR BEREAVEMENT. In the case of illness, the general rule is that employees can use sick leave to care for family members who have conditions for which an employee could use sick leave.

1. Full Time Employees. May not use more than 104 hours during a leave year. To use more than 40 hours in a leave year, a employee must retain a balance of at least 80 hours.

2. Part Time Employees or Employees With Uncommon Tours of Duty. May not use more sick leave than they normally accrue in a leave year. Employees who wish to use more than the average number of hours in their weekly tour, must retain a balance equal to twice that number.

29007. ENTITLEMENT TO SICK LEAVE TO CARE FOR A FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION. Most federal employees may use a total of up to 12 administrative workweeks of sick leave each leave year to care for a family member with a serious health condition. If an employee previously has used any portion of the 13 days of sick leave for general family care or bereavement purposes in leave year, that amount must be subtracted from the 12 week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, he or she cannot use an additional 13 days in the same leave year for general family care purposes. An employee is entitled to a total of 12 weeks of sick leave each year for all family care purposes.

29008. FORMS. Employees requesting Sick Leave should use OPM Form 71. Employees requesting sick leave for family care or bereavement purposes should check blocks 4 and 6. Employees requesting sick leave to care for a family member with a serious health condition should also check blocks 4 and 6. Administrative acceptable medical documentation may also be required to support the request.

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CHAPTER 30

LEAVE WITHOUT PAY (LWOP)

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CHAPTER 30

LEAVE WITHOUT PAY (LWOP)

30000. DEFINITIONS

1. Leave Without Pay (LWOP). A temporary non-pay status and absence from duty granted upon an employee's request. LWOP may be granted only for those hours of duty, which comprise an employee's basic workweek.
2. Absence Without Leave (AWOL). An absence from duty that is not authorized/approved (including leave not approved until required documentation is submitted), or for which a leave request has been denied.
3. Extended LWOP. A period of LWOP exceeding 30 days.

30001. ADDITIONAL INFORMATION. Additional information on LWOP, including the effects of LWOP on entitlements to or eligibility for certain Federal benefits, may be found in an OPM fact sheet at: <http://www.opm.gov/oca/leave/HTML/lwop.htm>.

30002. GUIDANCE ON GRANTING LWOP. In addition to the uses of LWOP mentioned by OPM, DON has approved granting of extended LWOP for the following:

1. Compensation Cases. LWOP will be granted to an injured employee for at least the first year the employee is receiving injury compensation under 5 USC 8101. Extensions of such leave may be granted based on a review of the individual case.
2. Military and Federal Employee Dependents. Up to 90 days of LWOP will be granted to employed dependents of transferring military personnel and to employees who are dependents of Federal employees who are required to move on rotation assignments or in a transfer of function or relocation of an activity, under certain conditions.
3. Examples of other proper cases for extended LWOP:
 - a. For educational purposes when the course of study or research

is in line with a type of work which is being performed by the activity and would contribute to the activity's best interests.

b. Recovery from illness or disability not of a permanent or disqualifying nature, when continued employment or immediate return to employment would threaten impairment of the employee's health or health of other employees.

c. While awaiting adjudication from OPM on a claim for disability retirement, after all sick and annual leave have been exhausted.

30003. PROCEDURES FOR REQUESTING LWOP. Employees should request LWOP on OPM Form 71 and attach any supporting documents via their chain of command. Authority for the approval/disapproval of requested LWOP of 80 hours or less is usually vested with the first level or second level supervisor. Requests for extended LWOP in excess of 80 hours may require higher-level approval.

30004. DOCUMENTATION/RECORD KEEPING

1. An OPM Form 71 will be used for LWOP periods of 30 calendar days or less.
2. An RPA will be used for LWOP periods of more than 30 calendar days, and for more than 80 hours when granted while the employee is receiving workers' compensation benefits.
3. Each OPM Form 71 and RPA should contain or have attached the reason for LWOP and an endorsement by the appropriate approving official.

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CHAPTER 31

MILITARY LEAVE

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FIGURE

31-1	ACCRUAL OF MILITARY LEAVE CHART	31-6
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CHAPTER 31

MILITARY LEAVE

31000. ADDITIONAL INFORMATION. Additional information on military leave may be found on an OPM fact sheet at the following website: www.opm.gov/oca/leave/HTML/military.HTM.

31001. COVERAGE. Any full-time Federal civilian employee whose appointment is not limited to 1 year is entitled to military leave. Military leave is prorated for part-time career employees and employees on an uncommon tour of duty.

31002. TYPES OF MILITARY LEAVE

1. Employees are provided 15 calendar days per fiscal year for active duty, active duty training, and inactive duty training.
2. Inactive duty training is authorized training performed by members of a Reserve component not on active duty and performed in connection with the prescribed activities of the reserve component. It consists of regularly scheduled unit training periods, additional training periods, and equivalent training. For further information, see DoD Instruction 1215.19, March 14, 1997; Uniform Reserve, Training and Retirement Category Administration; Enclosure 4, Definitions; E4.1.15.
3. Uniformed service includes active duty, active duty for training, inactive duty training (such as drills), and initial active duty training, as well as the period for which a person is absent from a position of employment for the purpose of an examination to determine fitness to perform any such duty.
4. Twenty-two workdays per calendar year are provided for emergency duty as ordered by the President or a State Governor. This can be for law enforcement or the protection of life and property.
5. Unlimited military leave is provided to members of the National Guard of the District of Columbia for certain types of duty ordered or authorized under Title 10 of the District of Columbia Code.

6. Reserve and National Guard Technicians only are entitled to 44 workdays of military leave for duties overseas under certain conditions.

7. There is a 5 year cumulative total on military service with a single employer, with certain exceptions allowed for call-ups during emergencies, for reserve drills and annually scheduled active duty for training, etc.

31003. ACCRUAL OF MILITARY LEAVE

1. Military leave should be credited to a full-time employee on the basis of an 8 hour workday. The minimum charge to leave is 1 hour. An employee may be charged military leave only for hours that the employee would otherwise have worked and received pay.

2. Employees who request military leave for inactive duty training (which generally is 2, 4, or 6 hours in length) will be charged only the amount of military leave necessary to cover the period of training and necessary travel. Members of the Reserves and/or National Guard will no longer be charged military leave for weekends and holidays, if not covering normally scheduled workdays, that occur within the period of military service.

3. A full time employee working a 40 hour workweek will accrue 120 hours (15 days x 8 hours) of military leave in a fiscal year, or the equivalent of three 40 hour workweeks. An employee can carry over a maximum of 15 days into the next fiscal year. Military leave will be prorated for part time employees and for employees on uncommon tours of duty based proportionally on the number of hours in the employee's regularly scheduled biweekly pay period.

4. Example of Computations: See figure 31-1.

31004. MILITARY DUTY COVERING MORE THAN ONE FISCAL YEAR. Military leave for a Federal employee on active military duty accrues according to the statute at the rate of 15 days for each fiscal year for as long as the individual remains a federal employee. Under the statute, a Federal employee would be permitted to use the third and subsequent years' accruals without returning to civilian status. An employee/reservist on continuous active duty theoretically would be eligible for military leave every fiscal year indefinitely, as long as he/she is not separated from his/her civilian position. (If an

employee is in a LWOP status, they are still considered a Federal employee).

31005. EFFECT ON CIVILIAN PAY. An employee's civilian pay remains the same for periods of military leave, including any premium pay an employee would have received if not on military leave. For military leave, employee's civilian pay is reduced by the amount of military pay for the days of military leave. However, an employee may choose not to take military leave and instead take annual leave in order to retain both civilian and military pay.

31006. SCHEDULING TIMING, FREQUENCY, AND DURATION OF TRAINING

1. The Agency may not question the timing, frequency, duration, and nature of the uniformed service, but employees are obligated to try to minimize the agency's burden. For example, DoD directives provide that it is DoD policy for reserve component members to give their employer as much advance written notice as practicable of any pending military duty.

2. When there is a conflict between the reserve duty and the legitimate needs of the agency, the agency may contact appropriate military authorities (typically, the unit commander) to express concern or to determine if the military service could be rescheduled or performed by another member. If military authorities determine that the service is necessary, the agency is required to permit the employee to go.

3. Essential personnel are covered by all provisions listed above. Management and personnel are encouraged to communicate in order to meet both the obligations of the Reservist and the command's mission.

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Hours in the Regularly Scheduled Biweekly Pay Period	Ratio of Hours in The Regularly Scheduled Pay Period to an 80-Hour Pay Period (# of hours in the Pay Period ÷ 80)	Hours of Military Leave Accrued Each Fiscal Year	Pay Periods of Military Leave Accrued Each Fiscal Year.
40	.5 (40 ÷ 80)	.5 x 120 = 60 hours	1.5 80-hour pay periods
106	1.325(106 ÷ 80)	1.325 x 120 = 159 hours	1.5 106-hour pay periods
120	1.5 (120 ÷ 80)	1.5 x 120 = 180 hours	1.5 120-hour pay periods
144	1.8 (144 ÷ 80)	1.8 x 120 = 216 hours	1.5 144-hour pay periods

Figure 31-1.--Accrual of Military Leave Chart.

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CHAPTER 32

COURT LEAVE

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FIGURE

32-1 COURT LEAVE CHART.		32-4
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CHAPTER 32

COURT LEAVE

32000. ADDITIONAL INFORMATION. Additional information on court leave may be found on an OPM fact sheet at the following website: www.opm.gov/oca/leave/HTML/courtlyv.HTM. Court Leave Guide, figure 32-4, is a synopsis of instruction on absences of employees in connection with court or court-related services. It indicates the varying conditions for absences and the proper time and attendance recording for each, together with the right to and retention of fees for services rendered.

32001. DEFINITIONS

1. Court Leave. Leave granted to an employee when summoned as a juror or witness to a judicial proceeding.
2. Judicial Proceeding. Any action, suit, or other proceeding of a judicial nature when the Federal, State or local government is a party, but does not include an administrative proceeding.
3. Summons. Written notification ordering an employee to appear at a judicial proceeding.

32002. EMPLOYEE ELIGIBILITY. Permanent and temporary employees, both full-time and part-time, who work a regularly scheduled tour of duty are entitled to court leave if otherwise in a duty status.

32003. ENTITLEMENT TO OVERTIME. Employees who are absent on court leave on a day when overtime is worked are entitled to compensation if the overtime is regular or scheduled overtime, and the employee would have been required to perform overtime work.

32004. FORMS. Employees requesting court leave should use the OPM Form 71, indicating in block 6 "Court Leave" and provide the appropriate supporting documentation.

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NATURE OF SERVICE	TYPE OF ABSENCE			FEES			GOV'T TRAVEL EXPENSES	
	COURT LEAVE	OFFICIAL DUTY	ANNUAL LEAVE OR LWOP	NO	YES - - RETAIN	YES - - TURN IN TO AGENCY	NO	YES *
I. JURY DUTY								
(A) U.S. or DC Court...	X	...	...	X	...	...	X	...
(B) State or local court...	X	...	...	...	...	X	X	...
II. WITNESS FEES								
(A) On behalf of U.S. or DC DC government...	...	X	...	X	...	...	...	X
(B) On behalf of State or Local government								
(1) In official capacity...	...	X	...	...	...	X	...	X
(2) Not in official capacity.	X	...	...	...	...	X	X	...
(C) On behalf of private party								
(1) In official capacity...	...	X	...	...	...	X	...	...
(2) Not in official capacity								
(c) When a party is U.S., DC, State or local Government...	X	...	...	...	...	X	X	...
(d) When a party is not U.S., DC, State or Local Government...	...	...	X	...	X	...	X	...

*Offset to the extent paid by the court, authority, or party which caused the employee to be summoned.

Figure 32-1.--Court Leave Chart.

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CHAPTER 33

EXCUSED ABSENCE AND ADMINISTRATIVE LEAVE

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CHAPTER 33

EXCUSED ABSENCE AND ADMINISTRATIVE LEAVE

33000. DEFINITIONS

1. Administrative Leave. Authorized time off without loss of pay or charge of leave to cover situations in which an activity head closes all or part of an activity and excuses the non-emergency employees.
2. Excused Absence. Authorized time off without loss of pay or charge to leave for absences deemed to be in the best interest of the government. Periods of excused absence are normally authorized on an individual case basis and are considered part of an employee's basic workday even though the employee does not perform his/her regular duties.

33001. COVERAGE

1. Administrative dismissals apply to all graded employees, and to all ungraded employees who have a regular tour of duty, except those whose appointments are limited to 90 days or less and who have not been continuously employed for 90 days under one or more appointments without a break in service.
2. Group dismissals will normally not exceed 3 consecutive workdays in a single period. The authority may not be used to create the effect of a holiday (to include activity down days and training days). Before group dismissal authority may exceed 3 consecutive workdays, CG/CO must consider using options such as details to other activities, the use of unscheduled leave and the use of furlough authority. In rare cases, when group dismissal is approved beyond 3 consecutive workdays, the administrative order must document why other alternatives could not be used and the reason(s) for the length of the anticipated dismissal.
3. In the event of mass excusals, absences of employees who are on scheduled annual leave or sick leave at the time of the excusal will remain charged to leave (employees must be either actually at their place of duty, or scheduled to report for duty in order to be excused). Employees who are on duty when formal notification of the scheduled early dismissal occurs, but request and are granted leave between notification and actual dismissal will be excused.

33002. INTERRUPTION OR SUSPENSION OF OPERATIONS

1. It is within the administrative discretion of the CG/CO to close all or parts of an activity, and to excuse administratively non-emergency employees during such closure, in situations involving interruption or suspension of operations due to conditions which cannot reasonably be foreseen, such as power or equipment failure, lack of material, or weather conditions affecting only certain kinds of work or jobs. Employees shall be excused only when the advance notice requirements set forth in this Manual cannot be met and the employees involved cannot be assigned to other work either within their employing department or in another work area. Before using the authority to excuse, department heads shall ascertain that there is no other work available for which the employee's services may be effectively utilized.

2. The authority to close all or part of an activity because of, but not limited to, unanticipated curtailment of operations based on extreme weather, natural disasters, and unforeseen interruptions of transportation or building service (potential health or safety risk) shall require issuance of an administrative order by the head of the activity.

33003. CHARGING LEAVE IN EMERGENCY SITUATIONS

1. Emergency Employees. Emergency employees who do not report for work as required, may be charged annual leave, sick leave, credit hours, compensatory time earned, LWOP, or AWOL, if appropriate.

2. Employees in Special Situations. Employees on LWOP pending disability retirement or while in receipt of Workers' Compensation, on military leave, suspension, or in a non-pay status the workday before and after a closure, shall be continued in that status.

3. Emergency Situations Occurring Before the Start of the Workday

a. When an activity is open and employees are expected to report to work on time, employees may be authorized use of annual leave, credit hours, LWOP, compensatory time earned, or excused for reasonable tardiness when they experience commuting delays.

b. When the activity is open but some employees might be prevented from reporting to work or returning home safely, an unscheduled leave policy may be instituted.

c. When an activity is closed, all affected non-emergency employees should be excused (placed on administrative leave) without loss of pay, whether or not other leave was previously approved.

4. Emergency Situations Occurring During the Workday

a. When an activity remains open and employees are expected to complete the day's tour, they may be granted annual leave, credit hours, compensatory time earned, or LWOP.

b. When an activity suspends operations, as much as practical, all non-emergency employees on duty at the time of dismissal should be excused (placed on administrative leave) without loss of pay, even if they were scheduled to take leave later in the day.

(1) Excused absence (administrative leave) may be granted to avoid hardship for employees who are authorized to leave after official notice of dismissal, but before official departure time, for the period remaining until official departure time. When an employee leaves after receiving official word of the pending dismissal but before the time set for dismissal (with supervisory approval) in a situation not involving a hardship, annual leave, credit hours, compensatory time earned, or LWOP may be charged as appropriate for the period remaining until the employee's official departure time, (i.e. the authorized dismissal time).

(2) Annual leave, credit hours, compensatory time earned, or LWOP may be granted, or AWOL may be charged, if appropriate, to employees who leave before official notice of dismissal, for the period remaining until the end of the regular workday.

(3) When an employee was scheduled to return from leave during the dismissal period, the activity should continue to charge leave for the absence until the time set for dismissal, then charge any continuing absence due to the emergency in the same manner as absences of other employees who were on duty at the time of dismissal, i.e. as an excused absence.

(4) Non-emergency employees who are scheduled to report for work before the dismissal, but who don't report, should be granted leave, compensatory time earned, credit hours or charged AWOL, if appropriate, for the entire workday.

33004. EXCUSED ABSENCE

1. Excused absence refers to an authorized absence from duty without loss of pay and without charge to other paid leave. Periods of excused absence are considered part of an employee's basic workday even though the employee does not perform his or her regular duties (e.g. an employee who performed duty for 36 hours and was granted 4 hours of excused absence would be paid for 40 hours even though the employee only performed 36 hours of regular duty). Consequently, the authority to grant excused absence must be used sparingly.

2. The head of a DoD Component (or designee) shall delegate, to the lowest practical level, authority to grant excused absence. Such delegations should be at levels where the budgetary and mission impact of excused absence decision can be fully realized.

3. Comptroller General decisions limit discretion to grant excused absence to situations involving brief absences. Where absences are for other than brief periods of time, a grant of excused absence is not appropriate unless the absence is in connection with furthering a function of DoD.

4. Listed below are the more common situations in which excused absence can be granted. Note: Time lines listed below do not exceed the authority of a negotiated contract currently in force.

a. Voting. Excused absence may be granted to permit an employee to report to work 3 hours after the polls open or leave work 3 hours before the polls close, whichever involves less time away from work. For example, if polls are open from 0700 to 1900, an employee with duty hours of 0900 to 1730 may report to work at 1000. The hour of excused absence would permit the employee to report to work 3 hours after the polls open.

b. Blood Donation. Employees who donate blood may be granted excused absence to cover travel to and from the donation site, the actual donation of blood, and recovery. This provision does not cover an employee who gives blood for his/her own use or receives compensation for giving blood.

c. Permanent Change of Station (PCS). Employees authorized PCS within DoD may be granted excused absence before departing the old duty station and following arrival at the new duty station to accomplish personal tasks resulting from the move (e.g. to close or open personal bank accounts; obtain a driver's license or car tags).

In similar situations, employees coming to DoD from other Federal agencies may also be granted excused absence after the employee is placed on DoD employment roll. This provision does not cover time involved in complying with PCS requirements such as obtaining passport and vaccinations, adhering to Government housing authority requirements, or being present for packing and receiving of household goods. The accomplishment of these tasks is conditional to the PCS and is considered to be an official duty.

d. Employment Interviews. Employees under notice of separation or change to lower grade for any reason except personal cause may be granted excused absence for searches and interviews. Employees competing for positions within DoD may also be granted excused absence for merit placement interviews. This provision does not cover travel time to job searches and interviews outside the commuting area.

e. Counseling. Excused absence may be granted to permit an employee to attend the initial counseling session resulting from a self-referral under CEAP. Employees may elect to use sick leave, annual leave, or LWOP for subsequent visits. An initial management referral to CEAP is considered to be an official duty and is therefore not covered by this provision.

f. Certification. An employee may be granted excused absence to take an examination (e.g. certified public accountant examination or professional engineer) in his/her functional area if securing the certification or license would enhance the employee's professional stature, thereby benefiting DoD. This provision does not cover the time spent preparing for such examinations.

g. Volunteer Activities. Excused absence may be granted to employees participating in management-sponsored volunteer projects (e.g. adopt a school). This provision does not cover volunteerism in general. Such activity should be promoted through established leave programs and the flexibility offered through AWS.

h. Emergency Situations. Excused absence may be granted to employees to assist in emergency situations. This provision does not cover employees who respond to emergencies in National Guard/Reserve status.

i. Physical Examinations for Enlistment or Induction. Excused absence may be granted to an employee to undergo medical examinations required by appropriate military authorities for enlistment or

induction into the United States Armed Forces. This provision does not cover travel time outside the commuting area or situations in which the employee receives military compensation; can use military leave; or undergoes additional tests, examinations, or treatment for conditions discovered or suspected as a result of the examinations.

j. Attendance at Conferences or Conventions. Excused absence may be granted to allow employees to attend conferences or conventions of professional organizations when it is determined that attendance will serve the interests of the government. Such excusals are limited to 5 workdays per calendar year. Excused absences should be limited to those employees who are official representatives of the organization or are scheduled participants in the program of the conference or convention. Excusal is not authorized for attendance at conferences or conventions of political parties or partisan political groups. Excused absence to attend union-sponsored training or conventions is governed by terms of the applicable collective bargaining agreement.

k. After Prolonged Overtime or Travel. When it is not possible or reasonable to reschedule an employee's duty or travel time and regular scheduling would require the employee to travel and/or serve in a duty status for more than 16 hours, the employee may be excused without charge to leave or loss of pay for a reasonable time to recuperate from fatigue or loss of sleep. In determining the time to be allowed, the adverse effect on work performance, health, or well-being, and any safety hazard, which might result from working, while fatigued, should be considered. Excusal under this authority will not normally exceed 4 hours.

l. Employee Representational Functions. Union officials are authorized excused absence (normally referred to as official time) to perform representational functions per the provisions of the Federal Service Labor-Management Relations Statute and the applicable collective bargaining agreement.

m. Organ/Bone Marrow Donation. An employee may be excused up to 7 workdays each calendar year to serve as a bone marrow donor. An employee may use up to 30 days of excused absence each calendar year to serve as an organ donor.

n. Adverse Actions. When retention of an employee in an active duty status may pose a threat to the employee or others, result in loss of or damage to government property, or otherwise jeopardize government interests, excused absence may be granted.

o. Funerals. Excused absence may be granted to an employee who is a veteran of a war, or of a campaign or expedition for which a campaign badge has been authorized, or a member of an honor or ceremonial group of an organization of those veterans to participate as an active pallbearer or as a member of a firing squad or a guard of honor in a funeral ceremony for a member of the armed forces whose remains are returned from abroad for final internment in the United States. Excused absence will not exceed 4 hours in any one day.

p. Congressional Medal of Honor holders. Invited Congressional Medal of Honor holders may be granted excused absence to attend or participate in events such as inauguration of the President of the United States; Congressional Medal of Honor Society conventions; and services on Memorial Day or Veterans' Day.

q. EEO Complaints. Employees are allowed a reasonable amount of time to meet with their representatives and gather information related to their complaint.

33005. TARDINESS AND UNAVOIDABLE ABSENCE

1. Under ordinary circumstances, tardiness (absence at the beginning of the workday) and necessary or unavoidable absence of less than 1 hour after reporting to work may be excused at the discretion of department heads concerned.

2. In excessive cases, tardiness and necessary or unavoidable absence of less than 1 hour after reporting for work may be charged to annual leave (if within the basic workweek) or LWOP (if annual leave is not available) in multiples of 1 hour. Employees may not be required to work during the hour charged to leave.

3. Tardiness or unavoidable absence, which has been excused or charged to leave, may not be used as a basis for disciplinary action. When tardiness is habitual, the proper action is to not excuse, but to carry the employee in an AWOL status. Disciplinary action may then be taken.

33006. NON-WORK TIME FOR OCCUPATIONAL MEDICINE DEPARTMENT VISIT

1. Any employee who sustains an injury on the job will be sent to the Occupational Medicine Department for determination of the degree of injury and/or ability to return to work. Time spent in securing

such management ordered examination and emergency treatment shall be regarded as time in a duty status and is compensable within the limits of scheduled regular or overtime duty. It will not be charged to or recorded as leave, nor should scheduled overtime for the day be reduced or extended for such purpose. Time, whether compensable or noncompensable, spent in securing management ordered examination and emergency treatment shall be fully documented by cognizant medical personnel and reported to both management and the payroll office in support of the payroll. A Dispensary Permit (form NAVSO 5100/9) may be used for this purpose.

2. Employees who are not returned to duty after examination and emergency treatment for a job-incurred injury should be:

a. Carried in a pay status for time spent in securing examination and emergency treatment to the extent of the scheduled regular or overtime tour in which the injury occurred.

b. Carried in a pay status for the duration of the period required for examination and/or treatment, but not to exceed 2 hours, when the injury occurs during an unscheduled overtime tour of duty.

c. Charged leave or have deducted from overtime, as appropriate, for any additional non-duty time from their scheduled regular or overtime tour which was at their request or on instruction from medical authority.

d. Carried in a duty status when sustaining a traumatic injury for the remainder of the shift in which injured.

3. Employees absent on sick leave for 5 or more consecutive work days are required to report to the Occupational Medicine Department for medical clearance before returning to duty. If found qualified for duty, time spent in the Clinic is charged to duty time. If the employee is found not medically qualified for duty and returned home, time spent in the Clinic is a continuation of sick leave and shall be charged as such.

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CHAPTER 34

FAMILY AND MEDICAL LEAVE ACT (FMLA) OF 1993

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CHAPTER 34

FAMILY AND MEDICAL LEAVE ACT (FMLA) OF 1993

34000. ADDITIONAL INFORMATION. Additional information on FMLA can be found on an OPM fact sheet at the following website:
www.opm.gov/oca/leave/HTML/fmlafac2.htm.

34001. PURPOSE. Most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period for the following purposes:

1. The birth of a son or daughter of the employee and the care of such son or daughter.
2. The placement of a son or daughter with the employee for adoption or foster care.
3. The care of spouse, son, daughter, or parent of the employee who has a serious health condition.
4. A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

34002. DEFINITIONS

1. Spouse. Husband, wife, or common-law spouse (if state recognized).
2. Son or Daughter. Biological, adopted, foster, stepchild, legal ward, or child of a person acting in the place of a parent. The child must be under age 18, or over 18 and physically or mentally incapable of self-care.
3. Parent. Biological parent or a person acting in the place of a parent. This term does not mean "in-laws".
4. Serious Health Condition. Includes an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential care facility and any subsequent treatment or care in connection with inpatient care. It

also includes continuing treatment by a health care provider or examinations and evaluations to determine if a serious health condition exists. It may include a period of incapacity of more than 3 consecutive calendar days or any period of incapacity due to pregnancy or childbirth or for prenatal care even if the affected individual does not receive active treatment from a health care provider during the period of incapacity or the period of incapacity does not last more than 3 consecutive calendar days. It also includes any period of incapacity or treatment due to a chronic condition or a period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective.

34003. ELIGIBILITY. Employees must have completed at least twelve months of service to be eligible for family and medical leave. The service need not be recent or consecutive.

34004. USAGE

1. Intermittent Leave. Employees may take FMLA leave in blocks of time or by reducing their normal weekly or daily work schedule. When FMLA is for birth or placement for adoption or foster care, use of intermittent leave requires approval of a management official.
2. Substitution of Paid Leave. Employees may choose to use accrued paid leave (such as sick or annual) to cover some or all of the otherwise unpaid FMLA leave. Substitution of paid leave must be requested and approved in advance.
3. Documentation. Supervisors may request medical documentation. Call your servicing labor relations specialist as required.

34005. FORMS. Employees requesting FMLA should use the OPM Form 71 indicating in Block 5 whether the leave is for family or medical reasons. In addition, employees should submit a Certification of Health Care Provider, Form WH-380, located at the following website: www.dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf or you may contact the Labor and Employee Relations Office at (252) 466-5047 for additional information. This leave usage should also be documented on the time and attendance record.

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CHAPTER 35

VOLUNTARY LEAVE TRANSFER PROGRAM

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CHAPTER 35

VOLUNTARY LEAVE TRANSFER PROGRAM

35000. DEFINITIONS

1. Available Paid Leave. Any annual or sick leave in an employee's regular or restored leave account but does not include advanced annual or sick leave.
2. Family Members. Employees' parents; spouse and their parents; children, including adopted children, and their spouses; brothers and sisters, and their spouses; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
3. Leave Donor. An employee who has voluntarily requested to transfer his/her annual leave to the annual leave account of a leave recipient. There are minimum and maximum limitations on the amount of leave donated.
4. Leave Recipient. An employee who has been approved to receive annual leave from the annual leave accounts of leave donors.
5. Medical Emergency. A medical condition of an employee or a family member of such employee that may require an employee's absence from duty for a prolonged period of time (24 work hours or more) resulting in a substantial loss of income to the employee.

35001. ELIGIBILITY. Written application to become a leave recipient or donor must be submitted through the appropriate management officials to the activity head or designee for approval. A leave recipient must have exhausted or be expected to exhaust all available paid leave to be eligible for this program.

35002. USAGE. Annual leave donated may be substituted retroactively for periods of leave without pay or used to liquidate indebtedness for advance annual or sick leave granted on or after the date the medical emergency began.

35003. TERMINATION OF MEDICAL EMERGENCY. A leave recipient's medical emergency ends when:

1. The leave recipient's Federal service is terminated.
2. At the end of the bi-weekly pay period in which the agency receives notice from the leave recipient.
4. At the end of the bi-weekly pay period in which the leave recipient's activity head or designee determines that the leave recipient is no longer affected by the medical emergency.
5. Receives notice that OPM has approved an application for disability retirement. The activity head or designee must submit written notification to the servicing personnel and payroll offices when one of the above situations occurs.

35004. FORMS

1. Employees requesting to become a leave recipient must use OF-630 (or facsimile) and include all supporting medical documentation.
2. Employees requesting to donate leave to a leave recipient within the same federal agency must use OF-630-A.
3. Employees requesting to donate leave to a leave recipient outside the agency must use OF-630-B.
4. OF-630, 630-A, and 630-B can be obtained from CHRO-E or can be accessed through FormFlow.

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CHAPTER 36

EQUAL EMPLOYMENT OPPORTUNITY (EEO) COMPLAINTS PROCESSING

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CHAPTER 36

EQUAL EMPLOYMENT OPPORTUNITY (EEO) COMPLAINTS PROCESSING

36000. PURPOSE. To provide basic information regarding the processing of EEO complaints under the traditional 29 CFR 1614 process including the Alternative Dispute Resolution (ADR) options.

36001. COVERAGE. These procedures apply to current and former civilian employees paid with appropriated and non-appropriated funds, reemployed annuitants, and applicants for employment who believe they have been discriminated against on the basis of race, color, religion, sex, national origin, age (40 and over), physical and mental disability or reprisal for prior EEO activity.

36002. RESPONSIBILITIES

1. Activity Head. Designated as the EEO Officer (EEOO) and is responsible for command implementation of the EEO discrimination complaints process.
2. Deputy EEO Officer (DEEEO). Services MCAS and Naval Hospital civilian employees and serves as the principal consultant to the EEOO on all matters related to EEO. The DEEEO has lead staff responsibility for all formal EEO Program components, which includes the EEO Complaints Process, the Affirmative Employment Program (AEP), FEORP, and the EEO Advisory Committee.
3. Military and Civilian Managers and Supervisors. Responsible for cooperating with EEO program officials, Counselors/Dispute Resolution Specialists (DRS), Investigators, and management representatives at every step of the complaint process; communicating discrimination complaint procedures to employees and supervisors; and seeking resolution of informal and formal complaints.
4. CHRO-E. Responsible for providing Counselors/DRS for all serviced activities and processing informal and formal complaints. The Director of EEO is the DEEEO for HRO serviced activities.
5. HRSC-E. Responsible for processing class action and conflict of interest complaints and providing requested data and documentation to the EEO Office.

6. Employees. Individuals who believe they have been discriminated against in an employment related matter must contact the EEO Office within 45 calendar days of the date the alleged act occurred, the effective date of the alleged discriminatory personnel action, or the date they knew or reasonably should have known that it occurred. At the initial counseling session, the aggrieved person may request to participate in an ADR Option in attempts to resolve their claim or they may proceed through the traditional EEO inquiry.

7. EEO Counselors/Intake Dispute Resolution Specialist. Advise individuals orally and in writing of the EEO complaint process and their rights and responsibilities; determine the issue(s) and basis (es) of the potential complaint; gather and analyze information relevant to the dispute; work closely with appropriate management officials and complainant to achieve resolution at the lowest level possible; document resolution efforts; prepare a report sufficient to determine that required counseling actions have been taken and resolve any jurisdictional questions that may arise; and advise complainant of their right to file a formal complaint if resolution fails.

8. Command Counsel. The agency representative is responsible for assisting and advising management officials during the informal and formal processing of any disputes. Command Counsel may be included on proposed settlement agreements or asked to actively participate during ADR sessions.

36003. PRE-COMPLAINT PROCESSING UNDER 29 CFR 1614

1. Traditional Inquiry. Employees will be assigned a counselor who will conduct a fact-finding to be completed within 30 calendar days. The limited inquiry will be based on the claims and basis (es) alleged by the employee. During the informal processing of the complaint, the employee has the right to remain anonymous. Prior to the end of the 30-day period, the aggrieved person may agree in writing to extend the counseling period for up to an additional 60 days. If no satisfactory resolution is reached, a signed written complaint may be submitted within 15 days to the CO or the DEEOO. Once the employee has filed a formal complaint, their anonymity is no longer protected.

2. ADR Options. Employees may request to participate in a form of ADR during the informal counseling stage. The Activity's current ADR Program allows employees to request to engage in either Mediation or Conciliation. If an employee elects an ADR Option, the Counselor is

allowed up to 90 days to complete the precomplaint phase. Due to the fact that management and the employee engage in face-to-face discussion of the issue(s), the employee cannot elect to remain anonymous and utilize ADR. The ADR core principle of ensuring fairness requires that participation be voluntary, that the process provides both neutrality and confidentiality, and that all terms of any resolution agreement achieved be enforceable. The final decision of whether to engage in ADR and the type of ADR utilized is at the discretion of management.

a. Mediation is a confidential process. No written record is maintained of the discussions that occur during the process. If agreement is reached between the parties, it is reduced to writing. If an agreement is not reached, the only written record will be that the session was held, the date it was held, and who was present.

b. Conciliation is similar to the mediation process in that it is also a confidential process. The neutral does not make a decision; however, they will prepare an oral statement of the process including the strengths and weaknesses of the dispute and evidence and documentation submitted by the parties. If a formal agreement is reached, it is reduced to writing. If no formal agreement is reached, the contents of the conciliation session will not be reported, except that conciliation was attempted, who participated, and date of the conciliation.

c. Right to File Formal Complaint. If the claim is not resolved, the individual will be informed in writing of his/her right to file a formal discrimination complaint within 15 calendar days of receipt of the final interview notice. The notice will advise the individual of names and addresses of officials designated to receive formal complaints.

d. Withdrawal. A complainant may withdraw his/her informal or formal complaint at any time by submitting a written statement requesting such.

36004. FORMAL COMPLAINT PROCESSING UNDER 29 CFR 1614

1. Accept/Dismiss. When the DEEOO accepts or dismisses the complaint, it will be processed per procedures and time frames established by the EEO Commission (EEOC). If the DEEOO dismisses the complaint, the complainant will be advised in writing of their right to file an appeal to EEOC.

2. Investigators. The Office of Complaint Investigations (OCI) will assign an EEO Investigator within 10 days of the request. When assigned will conduct an investigation and activity officials and employees are required to cooperate. Persons deemed to have knowledge of the complaint are required to testify under oath or affirmation without pledge of confidence. The investigator will complete the fact-finding and a written Report of Investigation (ROI) will be submitted to the DEEOO with a copy provided to the complainant, or the designated representative. Upon receipt of the ROI, the DEEOO will forward a notice to the complainant of his/her right to request a final agency decision by the Naval Office of Equal Employment Opportunity Complaints Management and Adjudication (NAVOECMA), with or without a hearing. If complainant does not respond within 30 calendar days of receipt of the notice, the case is still forwarded to NAVOECMA for an agency final order.

3. Consolidation of Complaints. If complainant files two or more complaints, the agency may consolidate them after appropriate notice to complainant. When a complaint has been consolidated with one or more earlier complaints, the agency shall complete its investigation within the earlier of 180 days after the filing of the last complaint or 360 days of the filing of the first complaint.

4. EEOC Administrative Judge. Complainant has 30 calendar days after receipt of the ROI to request a hearing before an Administrative Judge. The request must be submitted in writing directly to the EEOC District Office at the following address:

Equal Employment Opportunity Commission
129 Trade Street
Charlotte, NC 28202

A copy of the request for a hearing must also be provided to the DEEOO at CHRO-E, PSC Box 8032, CODE G1H6, Cherry Point, NC 28533-0032.

5. Agency Final Order. The Secretary of the Navy takes final action on the complaint by issuing a Final Order. Should the decision be unacceptable to the complainant, the final order will contain notice of the right to appeal the final action to the EEOC, the right to file a civil action in Federal District Court, and applicable time limits for appeals and lawsuits.

6. Civil Action. If the Secretary of the Navy has not issued a final decision on the complaint within 180 days of the date it was

filed, the complainant may file a civil action in an appropriate U. S. District Court.

7. Alternate Sexual Harassment Process. Sexual harassment complaints filed under Title VII, will be processed by the DEEOO per the 29 CFR 1614 process; however, 10 USC Sec. 1561: Complaints of Sexual Harassment, allows the complainant to file a complaint with the Inspector's Office. The CO or the next higher level officer with court martial convening authority is responsible for ensuring that Sexual Harassment complaints filed are investigated per 10 USC Sec. 1561.

8. Addressing Sexual Orientation Discrimination in Federal Civilian Employment. It is the policy of the Federal Government to provide equal opportunity to all of its employees regardless of their race, religion, color, sex, national origin, age, physical/mental disability, or sexual orientation. When applicants or employees believe that a prohibited personnel practice has been committed against them that constitute discrimination based upon SEXUAL ORIENTATION, they may seek assistance under certain circumstances from MSPB, Office of Special Counsel (OSC), a Negotiated Grievance Procedure, or the Agency's Administrative Grievance Procedure. Because sexual orientation is not a protected group under the provisions of Title VII, Civil Rights Act of 1964, an employee or applicant may not seek relief from the EEOC or file a discrimination complaint based upon their sexual orientation.

36005. REPRESENTATION

1. The complainant has the right to be accompanied, represented, and advised by a representative at every stage of the complaint process. The DEEOO may deny a particular representative when there is a conflict of interest or position such as an EEO Counselor, certain HRO employees, or complainant's supervisor. Denial of a selected representative must be in writing to explain the reason for the denial.

2. The complainant must provide written notification to the EEO Office or the DEEOO of the representative's name, address, and telephone number.

3. Witnesses have the right to be accompanied and advised by a representative at every stage of the complaint process.

4. If the complainant is an employee of the agency, he or she shall have a reasonable amount of official time (hours not days) to prepare the complaint and to respond to agency and EEOC requests for information. If the complainant designates another employee of the agency as his or her representative, the representative shall be allowed a reasonable amount of official time. The agency is not obligated to change work schedules, incur overtime wages, or pay travel expenses to facilitate the choice of a specific representative or to allow the complainant and representative to confer. The complainant and representative, if employed by the agency and otherwise in a pay status, shall be on official time, regardless of their tour of duty, when their presence is authorized or required by the agency or the Commission during the informal processing, any ADR session agreed to by the parties, the investigative stage by OCI, or for a hearing on the complaint.

36006. RELATIONSHIP TO OTHER APPELLATE PROCESS

1. If an allegation of discrimination is raised at any stage of the administrative grievance process, the employee will be notified in writing that introduction of the allegation will terminate the administrative grievance process.

2. An employee, covered by a collective bargaining agreement with a negotiated grievance process that does not exclude an allegation or complaint of discrimination, may pursue their claim through the negotiated grievance process or the discrimination complaint process, but not both.

3. An employee who elects to use the negotiated grievance process or the discrimination complaint process to resolve an EEO matter must indicate their election by filing a written grievance or a formal discrimination complaint. Use of precomplaint counseling does not constitute a formal discrimination complaint.

4. An employee covered under a negotiated grievance procedure who files a grievance in writing may not later file a discrimination complaint on the same matter regardless of whether the grievance raised an allegation of discrimination. Any such complaint filed after a grievance has been filed under a negotiated grievance procedure on the same claim shall be dismissed without prejudice to the complainant's right to proceed through the negotiated grievance procedure.

5. For employees not covered by a collective bargaining agreement or whose collective bargaining agreement excludes allegations of discrimination, 29 CFR 1614 is the only administrative process available for addressing allegations of discrimination.

6. If a discrimination complaint is dismissed based on an employee's prior election to use the negotiated grievance procedure, the letter dismissing the complaint will include rights and procedures concerning appeal of the dismissal.

36007. AGE DISCRIMINATION IN EMPLOYMENT. You may allege a violation of the Age Discrimination in Employment Act (ADEA) by filing a civil action in a U.S. District Court or you may file an administrative complaint with the activity under Title VII. If you file a civil action in a U.S. District Court under the ADEA against the Secretary of the Navy, you must give EEOC not less than 30 days notice of the intent to file such an action. The notice must be filed in writing with EEOC within 180 days of the occurrence of the alleged unlawful practice. The notice must be submitted to Equal Employment Opportunity Commission, Office of Federal Operations, ATTN: Hearing Programs Division, 1801 L Street, NW, Washington, DC 20507.

36008. SEX-BASED WAGE DISCRIMINATION. You may file a complaint of discrimination based on sex in the payment of wages under the administrative discrimination complaint process (Title VII) or you can go directly to U.S. District Court if you are alleging an Equal Pay Act violation, regardless of whether you have pursued any administrative complaint processing.

36009. SEXUAL HARASSMENT. The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

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.

4. There are two primary types of sexual harassment as defined by the Supreme Court:

a. Quid Pro Quo literally means "this for that." Items 1. and 2. in the previous paragraph encompass *quid pro quo* sexual harassment.

b. Hostile Work Environment is sometimes more difficult to identify because the deciding factor is not the INTENT of the harasser, but the IMPACT of the harasser's action upon the victim. The behavior must be so severe that a single occurrence can create an offensive, hostile or intimidating work environment or it must be so pervasive that it creates an offensive, hostile or intimidating work environment. To determine if the conduct is pervasive and a hostile work environment could exist, the answers to the following questions must be yes:

- (1) Is the conduct unwelcome?
- (2) Is the conduct repeated?
- (3) Is the conduct unsolicited?
- (4) Is the conduct of a sexual nature?

36010. MIXED CASE COMPLAINT. If the subject of a personnel action is appealable to MSPB (i.e. suspension of more than 14 days, removal, termination, or demotion), the complainant may file a complaint with the activity or an appeal to MSPB, but not both. Whichever is filed first will be considered an election to continue in that forum. If the employee files a mixed case appeal with MSPB instead of a mixed case complaint and MSPB dismissed the appeal for jurisdictional reasons, the employee has the right to contact their local EEO Office within 45 calendar days of receipt of the notice and to file an EEO complaint. The date on which the appeal was filed with MSPB will be deemed the date of the initial contact with the EEO Office. If the complainant files a timely appeal with MSPB from the activity's processing of a mixed case complaint, and MSPB dismisses for jurisdictional reasons, the complainant may have the right to a hearing before an EEOC Administrative Judge.

36011. CLASS COMPLAINTS

1. A class constitutes a group of employees, former employees, or applicants for employment who allege they have been or are being adversely affected by an agency personnel management policy or practice that discriminates against the group on the basis of their common race, color, religion, sex, national origin, age (40 and over) or physical/mental disability.
2. A class complaint is a written complaint of discrimination filed on behalf of a class by the agent of the class alleging the following:
 - a. The class is so numerous that a consolidated complaint of members of the class is impractical.
 - b. There are questions of fact common to the class.
 - c. The claims of the agent of the class are typical of the claims of the class.
 - d. The agent of the class, or the class representative, if any, will fairly and adequately protect the interests of the class.
3. An agent is a class member who acts for the class. Anyone who wishes to act as an agent in pursuing a class complaint and who believes they have been discriminated against, shall consult with an EEO Specialist, or Class Complaint Counselor within 45 calendar days of the matter giving rise to the allegation of individual discrimination, the effective date of a personnel action, or the date they knew or reasonably should have known of the discriminatory event or personnel action.
4. Upon being notified, the DEEOO will contact the EEO Office, HRSC-E located in Portsmouth, Virginia, who will immediately contact the employee or applicant who is representing the "class" and coordinate all complaint processing. A "Class Complaint Counselor", who has been trained to counsel such complaints, will be assigned to conduct a limited inquiry into the alleged dispute; work closely with management to attempt resolution at the lowest possible level; document the resolution or advise the "agent" or "class representative" of their right to file a formal discrimination complaint if resolution fails; and prepare a report sufficient to determine that required counseling actions have been taken and resolve any jurisdictional questions that may arise.

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CHAPTER 37

EMPLOYMENT OF SEVERELY HANDICAPPED INDIVIDUALS AND DISABLED VETERANS

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CHAPTER 37

EMPLOYMENT OF SEVERELY HANDICAPPED INDIVIDUALS AND DISABLED VETERANS

37000. PURPOSE. To provide information, policies, procedures and responsibilities applicable for administering the employment program for severely handicapped individuals and disabled veterans.

37001. POLICY. Selecting officials and appointing officials and all others in a position to influence appointments or advancement will give full consideration to the employment and advancement of handicapped individuals and disabled veterans. DON has established a goal of employing handicapped individuals with targeted disabilities in at least two percent of civil service jobs.

37002. DEFINITIONS

1. Handicapped Person. Any individual who:

a. Has a physical, mental, or emotional impairment, which substantially limits one or more of such person's major life activities.

b. Has a record of such impairment.

c. Is regarded as having such impairment.

2. Disabled Veteran. An individual who is entitled to compensation administered by the Veterans Administration or who was discharged or released from active duty because of a service-connected disability

37003. REASONABLE ACCOMMODATION. Organizations must make reasonable accommodations to enable qualified handicapped employees to perform their work. Reasonable accommodation is a logical adjustment made to a job and/or the work environment that enables a qualified handicapped person to perform the duties of the position in question.

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CHAPTER 38

DISCIPLINE ADMINISTRATION AND ADVERSE ACTIONS

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CHAPTER 38

DISCIPLINE ADMINISTRATION AND ADVERSE ACTIONS

38000. POLICY. Discipline is a tool intended to correct deficiencies in employee behavior and attitudes, correct situations, which interfere with efficient operations, maintain high standards of government service, and maintain public confidence in DON. Disciplinary measures are not for the sole purpose of punishing employees. The penalty imposed shall be the minimum, which may reasonably be expected to correct the employee and maintain general discipline and morale. Formal disciplinary action is not necessary when non-disciplinary measures such as oral admonishments, or letters of caution or requirement will serve to correct an offending employee.

38001. PRE-ACTION INVESTIGATIONS. Prior to the issuance of a letter of reprimand or a notice of proposed disciplinary action or adverse action, a thorough investigation must be conducted to determine and document the facts. A prima facie case must exist before a disciplinary action or adverse action is initiated. A thorough investigation will bring the issue into sharp focus, afford the employee an opportunity to explain the position to the appropriate official, and possibly remove any necessity for initiating formal disciplinary or adverse action. Pre-action investigations will normally be conducted by the supervisor. A prima facie case exists where the information is adequate to establish a fact or raise a presumption of fact unless refuted.

38002. DELEGATION OF AUTHORITY. The CG/CO is delegated authority to propose and decide adverse actions. Authorization to propose and decide such actions is re-delegated as indicated in figure 38-1.

38003. DEFINITIONS

1. Activity. MCAS or Naval Hospital, Cherry Point.
2. Appealable Adverse Action. A removal, suspension for more than 14 days, reduction in grade or pay, or furlough for 30 days or less.
3. Days. Calendar days unless otherwise specified as workdays.

4. Employee

a. For the purpose of grievable adverse actions, an individual in the competitive service who is not serving a probationary or trial period under an initial appointment or who has completed one year of current continuous employment under other than a temporary appointment limited to one year or less.

b. For the purpose of appealable adverse actions:

(1) Those employees listed in paragraph 38004 below.

(2) A preference eligible in the excepted service who has completed one year of current continuous service in the same or similar position.

5. Furlough. The placing of an employee in a temporary non-pay, non-work status because of a lack of work or funds or other non-disciplinary reasons.

6. Grade. A level of classification under a position classification system.

7. Grievable Disciplinary Action. A letter of reprimand or a suspension for 14 days or less.

8. Letter of Caution. A written correction by a superior official of an employee's improper conduct.

9. Letter of Reprimand. A written remedy by a superior official for an employee's improper conduct.

10. Non-contestable Action. An oral admonishment or a letter of caution, i.e. an action not recorded in an employee's OPF.

11. Official. An employee who has been delegated the authority to propose or decide a disciplinary or adverse action under this instruction.

12. Oral Admonishment. An oral (non-written) correction by a superior official of an employee's improper conduct.

13. Pay. The rate of basic pay fixed by law or administrative action for the position held by an employee.

14. Removal. The involuntary separation of an employee from the activity except when taken as a RIF action.

15. Suspension. The placing of an employee in a temporary non-pay, non-work status for disciplinary reasons.

38004. COVERAGE. The instruction applies to all employees as defined in paragraph 38003 except:

1. An employee of a non-appropriated fund instrumentality.
2. Schedule B accepted service employees without competitive status.
3. For letters of reprimand and suspension of 14 days or less, employees as defined by paragraph 38003.4b(2).

38005. EXCLUDED ACTIONS

1. A suspension or removal taken in the interests of national security (5 USC 7532).
2. A RIF action.
3. The reduction in grade of a supervisor or manager who has not satisfactorily completed the probationary period if such reduction is to the grade held immediately before becoming a supervisor (5 USC 3321).
4. A reduction in grade or removal based solely on unacceptable performance (5 USC 4304).
5. An action initiated under authority of the Special Counsel or taken at the direction of the MSPB (5 USC 1213, 1214, 1215).
6. An action taken under provision of statute, other than one codified in 5 USC, which excepts the action from 5 USC Chapter 75, Subchapter II.
7. An action, which entitles an employee to grade retention and an action to terminate this entitlement (5 USC 5362).
8. A voluntary action initiated by the employee.

9. An action taken or directed by the Office of Personnel Management for suitability reasons (5 USC 7543 and 731.303).
10. Involuntary retirement because of disability.
11. Termination of appointment on the expiration date specified as a basic condition of employment at the time the appointment was made.
12. Action that terminates a temporary position within a maximum period of two years and returns the employee to the position from which temporarily promoted, or reassigns or demotes the employee to a different position not at a lower grade or level than the position from which temporarily promoted.
13. An action that terminates a term promotion at the completion of the project or a specified period, or at the end of a rotational assignment in excess of two years but not more than five years, and returns the employee to the position from which promoted or to a position of equivalent grade and pay.
14. Cancellation of a promotion to a position not classified prior to the promotion.
15. Placement of an employee serving on an intermittent, part-time, or seasonal basis in a non-duty, non-pay status per conditions established at the time of appointment.
16. Reduction of an employee's rate of pay from a rate, which is contrary to law, or regulation to a rate which is required or permitted by law or regulation.
17. An action against a reemployed annuitant.

38006. STANDARDS FOR ACTION

1. Activities shall take an adverse action against an employee only for such cause as will promote the efficiency of the service.
2. Activities may not take an adverse action against an employee on the basis of any prohibited personnel practice (5 USC 2302).

38007. PROCEDURES FOR NON-CONTESTABLE ACTIONS

1. An oral admonishment will not be counted as a prior offense when determining remedy under the standard DON Schedule of Disciplinary Offenses and Recommended Remedies. An oral admonishment will not be made a matter of record in an employee's OPF. An oral admonishment is neither grievable nor appealable.
2. A letter of caution will:
 - a. Specify the reasons for its issuance.
 - b. Specify that the letter of caution is neither grievable nor appealable. (Unless specifically included as a grievable issue under a negotiated grievance procedure).
 - c. State that it will not be made a matter of record in an employee's OPF.
 - d. State that it will not be counted as a prior offense when determining a remedy under the standard schedule of disciplinary offenses.

38008. PROCEDURES FOR GRIEVABLE DISCIPLINARY ACTIONS

1. A letter of reprimand will:
 - a. Specify the reasons for its issuance.
 - b. Specify the employee's right to file a grievance under the DON Administrative Grievance System (AGS) or under a negotiated grievance procedure, as appropriate.
 - c. State the length of time, not less than one or more than two years, that it will be made a matter of record in the employee's OPF.
 - d. State that it may be counted as a prior offense when determining a remedy under the standard schedule of disciplinary offenses.
2. An employee against whom a suspension of 14 days or less is proposed is entitled to:
 - a. An advance written notice stating:

(1) The specific reasons for the proposed action.

(2) The name and title of the official designated to hear an oral reply and/or receive the written reply (the official so designated must have authority to either make or recommend a final decision on the proposed action).

(3) The amount of time, normally 5 working days, in which the employee is allowed to answer orally and/or in writing.

(4) The right of the employee or the employee's representative to review the material that is relied upon to support the reasons given in the notice.

b. A reasonable amount of official time to review the material relied upon to support the proposal, to prepare an answer, and to secure affidavits if the employee is otherwise in an active duty status.

c. A reasonable time, normally 5 working days, to answer orally and/or in writing and to furnish affidavits and other documentary evidence in support of the answer.

d. Be represented by an attorney or other representative.

e. A written decision at the earliest practicable date which:

(1) Considers only the reasons specified in the notice of proposed action.

(2) Specifies the reasons for the decision.

(3) Considers any answer the employee and/or the employee's representative made to a designated official.

(4) Is signed by an official in a higher position than the official who proposed the action (if the activity head signed the advance written notice, the next higher level of management in the chain of command must sign the written decision).

(5) Specifies the employee's right of appeal, which is to file a grievance under the DON AGS or under a negotiated grievance procedure, as appropriate.

(6) Is delivered to the employee on or before the effective date of the action.

3. Employees in receipt of an advance notice may request additional time to respond orally and/or in writing. The official designated to accept the response will make the decision regarding such request.

4. An employee's choice of an employee representative may be disallowed if such representative would result in a conflict of interest or position, conflict with the priority needs of the activity, or would give rise to unreasonable costs to the Government. The terms of any applicable bargaining agreement govern representation for employees in an exclusive bargaining unit.

38009. PROCEDURES FOR APPEALABLE ADVERSE ACTIONS

1. An employee against whom an appealable adverse action is proposed is entitled to:

a. At least 30 days advance written notice (unless there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed) stating:

(1) The specific reasons for the proposed action.

(2) The name and title of the official designated to hear an oral reply and/or receive the written reply (the official so designated must have authority to either make or to recommend a final decision on the proposed adverse action).

(3) That the employee is allowed to answer orally and/or in writing within 10 calendar days.

(4) The right of the employee or the employee's representative to review the material, which is relied upon to support the reasons given in the notice.

(5) If appropriate, the basis of selecting a particular employee for furlough, when some but not all employees in a given competitive level are being furloughed, and the reason for the furlough.

b. A reasonable amount of official time to review the material relied upon to support the proposal and to prepare an answer, and to

secure affidavits if the employee is otherwise in an active duty status.

c. A reasonable time, but not less than 10 calendar days, to answer orally and/or in writing, and to furnish affidavits and other documentary evidence in support of the answer, including medical documentation as defined in 5 CFR 339 if the employee wishes the activity to consider any medical condition alleged to contribute to the reasons for the proposed actions.

d. Representation by an attorney or other representative.

e. A written decision at the earliest practicable date that:

(1) Considers only the reasons specified in the notice of proposed action.

(2) Specifies the reason for the decision.

(3) Considers any answer of the employee and/or the employee's representative made to a designated official and any medical documentation furnished by the employee and/or the employee's representative. This must include awareness of the affirmative obligations that require reasonable accommodations of a qualified handicapped employee.

(4) Is signed by an official in a higher position than the official who proposed the action.

(5) Specifies the employee's right of appeal to MSPB or the right, when applicable, to file a grievance under a negotiated grievance procedure, but not both.

(6) Provides the time limits for filing an appeal to MSPB, the address of the appropriate Board office for filing the appeal, a copy of the Board's regulations, and a copy of the Board's appeal form.

(7) Is delivered to the employee on or before the effective date of the action, or per applicable negotiated agreements.

2. When the crime provision is invoked, the activity may effect an action in less than 30 days following the written notice. The activity may require the employee to furnish any answer to the

proposed action and affidavits and other documentary evidence in support of the answer within 10 calendar days. When the circumstances require immediate action, the activity may place the employee in a non-duty status with pay for such time, not to exceed 30 days, as is necessary to effect the action.

3. The advance written notice and opportunity to answer are not necessary for furlough without pay due to unforeseen circumstances such as sudden breakdowns of equipment, acts of God, or sudden emergencies requiring immediate curtailment of activities.

4. Under ordinary circumstances, an employee whose removal has been proposed shall remain in a duty status in his/her regular position during the advance notice period. In those rare circumstances where the activity determines that the employee's continued presence in the workplace during the notice period may pose a threat to the employee or others, result in loss or damage to government property, or otherwise jeopardize legitimate government interests, the activity shall consider whether any of the following alternatives is feasible:

a. Assigning the employee to duties where he/she is no longer a threat to safety, the mission of the activity, or to government property.

b. Placing the employee on leave with his/her consent.

c. Placing the employee on involuntary sick or other leave when the activity has medical documentation demonstrating physical or mental incapacitation.

d. Carrying the employee on appropriate leave (annual, sick, LWOP, or AWOL) if he/she is absent for reasons not originating with the activity.

e. Curtailing the notice period when the activity can invoke the "crime provision". This provision may be invoked when there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed. (If none of these alternatives is available, the activity may place the employee in a paid, non-duty (administrative leave) status during all or part of the advance notice period).

5. Employees in receipt of an advance notice may request additional time to respond orally and/or in writing. The official designated to accept the response may make a decision regarding such request.

6. An employee's choice of an employee representative may be disallowed if such representation would result in a conflict of interest or position; conflict with priority needs of the activity, or would give rise to unreasonable costs to the government. The terms of any applicable bargaining agreement govern representation for employees in an exclusive bargaining unit.

38010. ROLE OF CHRO-E

1. The Labor and Employee Relations Office, CHRO-E will provide advice and guidance to employees and managers involved in adverse actions.

2. The Labor and Employee Relations Office, CHRO-E shall maintain records required by paragraph 38011 below.

38011. RECORDS

1. A record shall be maintained which, at a minimum, shall contain copies of:

- a. The proposed action.
- b. The employee's written answer, if any.
- c. A summary of the employee's oral reply, if any.
- d. The notice of decision and the reasons therefore.
- e. Any supporting material.
- f. Any order effecting the decision.

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<u>NATURE OF ACTION</u>	<u>OFFICIAL AUTHORIZED TO:</u>	
	Issue Advance Notice*	Issue Decision
1. Reprimand	(Does not apply)	Immediate Supervisor
2. Suspension for 14 calendar days or less	Branch Head / Department Head	Division Head/ Department Officer
3. Suspension for MORE than 14 calendar days	Division Head / Department Officer	Department Head/ Directorate Head
4. Demotion	Division Head / Department Officer	Department Head/ Directorate Head
5. Removal	Division Head / Department Officer	Department Head/ Directorate Head
Termination	Division Head / Department Officer	Department Head/ Directorate Head

Higher supervisory levels may effect the action when it is not feasible for the designated level of supervision to do so. Authority to effect disciplinary action, except reprimands, may not be delegated below the division level.

*The advance notice and the decision will not be signed "By direction". In the absence of the designated authority, the "Acting" official is authorized to sign.

Figure 38-1.--Delegation of Authority to Effect Suspensions, Demotions, Removals, and Separations.

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CHAPTER 39

ADMINISTRATIVE GRIEVANCE PROCEDURE

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CHAPTER 39

ADMINISTRATIVE GRIEVANCE PROCEDURE

39000. PURPOSE. To describe the process employees use to ask for review of personal concerns including letters of reprimand and suspensions of 14 days or less.

39001. POLICY. Employees and supervisors are encouraged to resolve work related problems informally and at the lowest level possible. Employees can expect careful, fair, objective and timely review of grievances. Employees may designate in writing a representative to advise them in the presentation of their grievance as long as there is no conflict of interest or position. The employee and the designated representative are authorized a reasonable amount of official time to prepare and present a grievance. It is the policy of MCAS and Naval Hospital to treat all employees in a fair and impartial manner, and to ensure freedom from restraint, interference, coercion, discrimination, or reprisal action in initiating appeals and grievances. This policy also extends to employees who appear as witnesses for the employee engaged in a grievance or appeals proceeding. Discriminatory or reprisal action on the part of the supervisor shall be considered an offense subject to discipline.

39002. ADMINISTRATIVE GRIEVANCE PROCEDURE

1. This grievance procedure is established per SECNAVINST 12771; Navy Guide 771-01; 5 CFR 771; DoD Administrative Grievance System Memo of March 1994; and DoD Manual 1400-25-M, Subchapter 771. This is the procedure under which covered employees of MCAS and Naval Hospital may seek redress of matters of personal concern and dissatisfaction and grieve letters of reprimand and suspensions of 14 days or less. It is the policy of these commands that such matters be given objective consideration and disposed of promptly. The procedures set forth in this section are designed to achieve these objectives. Covered employees are entitled to present grievances and to communicate with supervisors or managers and officials in their servicing CHRO-E without restraint, interference, coercion, discrimination or reprisal. A grieving employee and his or her representative shall have full access to relevant information and shall be permitted a reasonable amount of official duty time, if otherwise in a duty status at the employing activity, to present a

grievance and to communicate with management and personnel officials. They also may be given official time to prepare a grievance.

2. In all cases, ADR techniques are strongly encouraged. These techniques include, but are not limited to, problem solving, mediation, facilitation, conciliation, early-neutral evaluation, fact-finding, settlement conferences, ombudsman, peer review, and arbitration.

39003. DEFINITIONS

1. Activity. MCAS and Naval Hospital, Cherry Point.
2. Agency. DON.
3. Bargaining Unit Employee. An employee included in an appropriate bargaining unit for which a labor organization has been granted exclusive recognition.
4. Day. Calendar day.
5. Deciding Official. The CG/CO or subordinate official designated by the CG/CO to make the final decisions on grievances. The deciding official must be at a higher organizational level than any employee involved in any phase of the grievance, except when the Secretary of the Navy is/has been involved.
6. Employee. A present non-bargaining unit employee, an employee in a bargaining unit which does not have a negotiated contract in effect, or any former employee of DON for whom a remedy can be provided.
7. Fact-Finder. An individual appointed by a deciding official to conduct an investigation into a grievance. The fact-finder must be a person who has not been involved in the matter being grieved and who does not occupy a position subordinate to any official who recommended, advised, made a decision on, or who otherwise is or was involved in the matter being grieved. The fact-finder may be an employee of the activity, an employee of another activity, or an individual contracted for this purpose.
8. Grievance. A written request by an employee or a group of employees acting as individuals for personal relief in a matter of concern or dissatisfaction relating to the employment of the

employee(s) which is subject to the control of the head of the activity.

9. Personal Relief. A specific remedy directly benefiting the grievant(s). A request for disciplinary or other action affecting another employee is not an acceptable form of personal relief.

39004. EMPLOYEE COVERAGE. This grievance procedure applies to all current appropriated fund non-bargaining unit DON employees of MCAS and the Naval Hospital. Covered employees include former employees of the DON with respect to matters arising during their employment at the activity or command, provided a remedy is available consistent with applicable law and regulation. The AGS covers bargaining unit employees when a matter covered by the AGS cannot be grieved under a Negotiated Grievance Procedure (NGP), either because an NGP is not in effect at the relevant time, or because it does not cover the matter being grieved. Exceptions to employee coverage are:

1. Reinstatement and transfer eligibles that have applied for a position under a merit promotion program.
2. Non-citizens recruited overseas and appointed to overseas positions.
3. A bargaining unit employee covered by a negotiated agreement.
4. Nonappropriated fund (NAF) employees.
5. An applicant for employment who is not a present or former DON employee for whom a remedy can be provided.

39005. GRIEVANCE COVERAGE. This grievance procedure applies to matters described in paragraph 39002 except for:

1. The content of published agency regulations and policy.
2. Any matter covered by an NGP or subject to formal review and adjudication by MSPB, OPM, FLRA, or EEOC; or any matter that the employee files under another review or reconsideration procedure, or dispute resolution process within DoD.
3. Non-selection for promotion from a group of properly ranked and

certified candidates or failure to receive a noncompetitive promotion.

4. A preliminary notice of an action that, if effected, would be covered under the grievance system or excluded from coverage by paragraph 39005.2.

5. The substance of an employee's critical performance elements, standards, or work objectives.

6. Determinations concerning awards, additional step increases, recruitment or relocation bonuses, retention allowances, physician's comparability or additional pay allowances, supervisory differentials, critical position pay or dual compensation waivers.

7. For Senior Executive Service (SES) employees, performance evaluations and awards (including meritorious or distinguished executive rank awards), reassignment following receipt of an unsatisfactory rating, return to another pay system during the one year period of probation or for less than fully successful executive performance or for failure to be recertified, conditional recertification, or termination during probation for unacceptable performance.

8. Termination of a probationary employee, return of an employee serving supervisory or managerial probation to a non-supervisory or non-managerial position, or separation or termination of an employee during a trial period.

9. Termination or expiration of a time-limited excepted appointment, a term or temporary appointment or promotion, or an SES limited emergency or limited term appointment, on the date specified as a condition of employment at the time the appointment or promotion was made.

10. The termination of a temporary or term promotion at a time other than in paragraph 39005.9 above, provided the employee was informed in advance of the temporary nature of the appointment or promotion and the employee was returned to his or her former position from which temporarily promoted or to a different position of equivalent grade and pay.

11. Any action taken under the terms of a voluntary, formal agreement entered into by an employee which either:

a. Assigns the employee from one geographical location to another.

b. Returns an employee from an overseas assignment.

12. A letter of admonishment, letter of caution, or oral admonishment.

13. A decision to include an employee's position in the pool of activity positions subject to random drug testing.

14. A matter covered under a negotiated grievance procedure.

15. Any additional exclusions as requested by MCAS and approved by DoD.

39006. DELEGATION OF AUTHORITY. Department heads are hereby delegated authority to act as deciding officials on all grievances on matters of personal concern and dissatisfaction and letters of reprimand filed by employees in their respective departments except when the department head is personally involved in the events giving rise to the grievance. If the department head has been involved, the next higher level of management in the chain of command will be designated the deciding official. The CG/CO will be the deciding official on grievances concerning suspensions of 14 days or less; however, the authority to act as the deciding official may be delegated to a subordinate official as deemed appropriate by the CG/CO on each individual case. In no case will the delegation be lower than the department head level or to an individual involved in the matter being grieved.

39007. TIME LIMITS. When calculating time limits under the AGS, the day of an action or receipt of a document is not counted. The last day of the time limit is counted unless it is a Saturday, a Sunday, a legal holiday, or a day on which the employee is not regularly scheduled to work. In those cases, the last day of the time limit shall be moved to the next regularly scheduled workday. All time limits are counted in calendar days. (SECNAV GUIDE 771-01; DoD 1400.25-M, Subchapter 771, D.4).

39008. GRIEVANCE FILE. CHRO-E shall establish and maintain a separate file for each written grievance filed under the AGS and

retain it for 4 years per applicable laws, regulations, and records retention schedules. The file shall contain all documents or copies of documents related to the grievance.

39009. RESPONSIBILITY OF THE DECIDING OFFICIAL. The deciding official is responsible for:

1. Determining whether to accept, reject, or remand all or part of a grievance.
2. Determining which issues, if any, will be investigated if the grievance is accepted.
3. Determining whether to allow the grievant's choice of representative.
4. Determining a reasonable amount of time to be afforded the grievant and representative to present the grievance.
5. Giving fair and objective consideration to the grievance.
6. Determining which of the following methods will be used to resolve the grievance. These include:
 - a. Utilizing the facts presented in the written grievance.
 - b. Personally conducting a fact-finding inquiry.
 - c. Initiating third party fact-finding with a report of the findings of facts submitted to the deciding official. The deciding official may request the fact finder to make recommendations.
 - d. Initiating a hearing to be conducted by a hearing examiner. The examiner will provide the deciding official with a report of findings and recommendations.
7. Issuing a final decision.

39010. RIGHTS OF GRIEVANTS AND REPRESENTATIVES

1. Grievants have the right to be accompanied, represented, and advised by a representative of their own choice in processing a

grievance under this procedure. The deciding official may disallow the choice of an individual as a representative which would result in a conflict of interest or position, a conflict with the priority needs of the activity, or would give rise to unreasonable cost to the government. If a grievant's representative is disallowed, the issue may be grieved to the next higher level of management. Processing of the original grievance will be held in abeyance pending the resolution of the question of representation.

2. Grievants have the right to communicate with and seek the advice of CHRO-E, an EEO Counselor, or a Civilian Employee Assistance Program (CEAP) Counselor.

3. Grievants and their representatives are entitled to freedom from restraint, interference, coercion, discrimination, or reprisal in presenting a grievance.

4. Grievants and their representatives are entitled to a reasonable amount of official time, as determined by the deciding official, to present the grievance of an employee of the agency and otherwise in a duty status.

39011. PROCESSING OF GRIEVANCES

1. Problem Solving Process

a. An employee may informally present a work-related problem to his or her immediate supervisor before filing a formal grievance. If the problem involves a matter or action directly involving that supervisor, the employee may present it to the next higher-level supervisor. The problem must be presented within 15 days following the date of the act or event creating the problem, or the date the employee became aware of (or reasonably should have become aware of) the act or event. The employee may present a matter of concern regarding a continuing practice or condition at any time.

b. A supervisor must consider the employee's problem and attempt to resolve it within 15 days, and not later than 30 days from the date the problem is first brought to the supervisor's attention, even though it may not be covered by the grievance process. Where appropriate, the use of a neutral party (e.g. conciliator, facilitator, or mediator) is encouraged. If the employee presents the problem orally, the supervisor's determination may be oral or written. If the problem is presented in writing, the determination

must be in writing. If the problem was not resolved, the supervisor shall inform the employee of the time limits for filing a grievance. If the supervisor believes the matter is not covered by the grievance process, the supervisor shall so inform the employee and advise the employee of the appropriate process, if any, for resolving the problem.

c. The above time limit for resolving the problem may be extended by mutual agreement to accommodate resolution of the dispute.

2. Formal Grievance Process

a. An employee may file a formal, written grievance with the deciding official (or any official designated to accept grievances on behalf of the deciding official) when a problem is not resolved during the problem-solving process, or where the employee chooses to bypass the process and invoke the grievance process. All formal written grievances must be first filed through the Labor and Employee Relations Office, CHRO-E, Cherry Point. If the employee used the problem-solving process, the employee must file a grievance no later than 15 days from the conclusion of that process. Where the employee does not use the problem-solving process but raises the matter initially as a grievance, the employee must present the grievance within 15 days following the date the employee became aware of (or reasonably should have become aware of) the act or event. The employee may present a grievance regarding a continuing practice or condition at any time.

b. An employee's grievance must be signed, dated, and contain a sufficiently detailed statement of the specific issue(s) and the specific, personal remedy sought; copies of any documents in the employee's possession related to the grievance; and, the name, address, and telephone number of the employee's representative, if any. The remedy must be personal to the employee and may not include a request for disciplinary or other action affecting another employee. An employee may not grieve the same matter raised in any other grievance, appeal, complaint, or other dispute resolution process or forum.

c. The deciding official shall determine whether to join similar or identical grievances; whether to require, and how to conduct an investigation; whether to allow the grievant's requested representative; and how much official time shall be granted to the employee and the employee's representative. The deciding official

may also designate an impartial individual to examine a grievance and, when authorized, to make recommendations concerning its disposition.

d. The deciding official shall fully and fairly consider the grievance and issue a decision with supporting rationale for the decision. The deciding official shall issue the decision as soon as possible but normally not later than 60 days from the filing of the grievance. The deciding official may extend time frames when warranted by special circumstances (e.g. when those involved are geographically dispersed or where a fact-finder is used in the process). However, a grievance decision should be rendered not more than 90 days from the filing of the grievance absent mutual agreement to extend this time limit to accommodate resolution of the dispute. If the deciding official fails to render a decision within 90 days absent such mutual agreement, the grievant may request review by the next higher management level, if any, within the covered commands.

e. Whenever possible, the deciding official should rule on the merits of a grievance. However, the deciding official may cancel or temporarily suspend a grievance, or the appropriate portion of a grievance, if:

- (1) The grievant requests such action.
- (2) The grievant or grievance is excluded from coverage.
- (3) The grievant fails to provide sufficient detail to identify clearly the matter being grieved or specify the personal relief requested.
- (4) The grievant fails to comply with applicable time limits or procedural requirements or requests actions be taken against another employee.
- (5) The grievant raises the same matters under another formal dispute resolution process.

f. A deciding official's decision on the merits of the grievance is final and not subject to further review; however, an employee may request that an individual at the next higher management level within the command, if any, review a decision to cancel a grievance. The employee's request for review of a decision to cancel a grievance must be submitted within 15 days from the date of receipt of the decision to cancel the grievance.

39012. COMBINING GRIEVANCES. When two or more employees have identical grievances (i.e. the dissatisfaction expressed and the relief requested are the same), the grievances may be joined and they may be processed as one group grievance. The employees will be so notified and required to designate one representative for the group.

39013. GRIEVANCES AGAINST ANOTHER ACTIVITY. An employee of one activity may present a grievance to the head of another activity that took the action being grieved. Travel expenses and per diem are not authorized in the pursuit of a grievance against another activity. The grievance will be processed per the procedures of the activity against which the grievance is filed.

39014. ALLEGATIONS OF DISCRIMINATION. If an allegation of discrimination because of race, color, national origin, sex, age, religion, or handicap (physical or mental) is raised at any stage of the grievance procedure, the deciding official will inform the grievant in writing that introduction of the allegations will serve to terminate processing of the matter under this procedure. The grievant must be given the opportunity to withdraw the allegation and continue under the administrative grievance system procedure or proceed under the discrimination complaint procedure commencing with the counseling stage. The grievant's decision must be documented and made a part of the case file. If the grievant chooses the complaint procedure, the grievance shall be cancelled, the grievant notified, and the grievance file forwarded to CHRO-E.

39015. GRIEVANCE ON RATINGS UNDER MERIT PROMOTION PROGRAM. Ratings assigned under the Merit Promotion Program may be grieved as follows:

1. Informal Process. The employee and/or the employee's representative may, at his or her option, informally present his/her concerns to the HRSC-E recruiter who completed the requisition, within 15 calendar days after receipt of the notice. The employee may present the issue verbally, via telephone, or in writing, and will reference the announcement number for the position. The HRSC-E recruiter will respond within 15 calendar days. If the employee presented his/her grievance in writing, the response must be in writing.

2. Formal Grievance. The employee and/or the employee's representative may file a formal grievance in writing, only after

completion of the informal step outlined above. Formal grievances should be sent to the Director of Customer Services, HRSC-E, Code 50, within 15 calendar days of completion of the informal step. The grievance can be submitted by electronic mail to: DirCode50@east.hroc.navy.mil or by fax to (757) 396-7818. The grievance must contain sufficient detail to identify and clarify the basis for the grievance, and state the personal relief requested. Grievances will be decided on the resume/application submitted and additional information will not be considered in the grievance process. Code 50 or his/her designee, will issue a written decision within 15 calendar days of receipt of the grievance.

3. The Formal Step 2 decision constitutes the final decision on the grievance under the HRSC-E administrative grievance procedure.

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CHAPTER 40

CIVILIAN EMPLOYEE ASSISTANCE PROGRAM (CEAP)

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CHAPTER 40

CIVILIAN EMPLOYEE ASSISTANCE PROGRAM (CEAP)

40000. GENERAL INFORMATION. The world we live in today is changing at a rapid pace. At work, we are faced with frequent changes in how we do our jobs and concerns about contracting out, and downsizing. Family issues frequently cause us additional stress. We are running to take the kids to after-school activities or helping them with homework. Some of us must provide care for a sick child or spouse while trying to maintain a normal work schedule. Others are trying to cope with parents who are aging and need more attention than we can afford to give. Recognizing that such problems can affect job performance, CEAP makes counseling services available to all employees at no cost. All employees of MCAS Cherry Point are covered under a contract with Assessment and Counseling Services, 249 Craven Street, New Bern, NC, or phone (252) 636-2713. When calling for an appointment, employees should identify themselves as employees of MCAS Cherry Point. The first diagnostic visit is free. Costs for additional treatments are the responsibility of the employee. All Federal Employees Health Benefits (FEHB) Plans provide coverage for counseling. Job effectiveness can be adversely affected when employees are faced with mental or emotional problems, family responsibilities, financial or legal difficulties, dependent care needs, or drug and/or alcohol abuse. CEAP can be extremely important in the prevention of, and intervention in, workplace violence incidents; and providing assistance to employees during agency restructuring. Supervisors who have employees whose job performance may be affected should contact the CEAP Coordinator at (252) 466-3143 for assistance and additional information. OPM's Employee Assistance Program website is www.opm.gov/ehs/Eappage.htm. The OPM "Handbook for Supervisors on Alcoholism in the Workplace" can be accessed at the following website: www.opm.gov/ehs/alcohol.htm.

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CHAPTER 41

WORKERS' COMPENSATION

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CHAPTER 41

WORKERS' COMPENSATION

41000. PURPOSE. To explain how to report an on-the-job injury.

41001. COVERAGE. Appropriated-fund civilian employees.

41002. POLICY. All DON activities strive to maintain safe working environments, minimize injuries, administer the program within the spirit of the law, prevent fraud/abuse and provide employment for injured workers.

41003. ON-THE-JOB INJURY. An injury which occurs while performing official duties; a recurrence of an injury; or a medical condition related to official employment, but not a specific event.

41004. RESPONSIBILITIES

1. Employee

a. Report an on-the-job injury immediately to the supervisor and may complete form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation.

b. Keep the supervisor informed regarding his/her condition and any medical restrictions at all times.

2. Supervisor

a. Send the employee for medical treatment with a Dispensary Permit (OPNAV 5100/0, REV. 11-76). Day-shift employees go to the Occupational Health Clinic. Night-shift employees go to the Naval Hospital Emergency Room. If DON facilities are not available or an employee prefers, he/she may go to a local facility or private physician. The employee may contact the activity Workers' Compensation Office for an authorization form.

b. On the date of notice (when the CA-1 is received), the supervisor will complete the supervisory section of the claim form 12810 and forward it to the activity Workers' Compensation Office; and report the mishap to the activity Safety Office. The activity head will be notified if claims are received late.

c. Provide light duty as necessary.

3. Activity Worker's Compensation Office. Process claims to Department of Labor; provides information to employees and supervisors; tracks costs; coordinates the efforts of care providers and case workers, as appropriate; assists in fraud prevention; and manages the return to duty program.

4. Department of Labor. Administer the Workers' Compensation Program and adjudicate all claims.

41005. DOCUMENTATION/RECORD KEEPING. Official records are maintained by the Department of Labor. G-1 maintains activity compensation records.

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CHAPTER 42

RETIREMENT

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CHAPTER 42

RETIREMENT

42000. PURPOSE. To establish the procedures for determining benefits under the Civil Service Retirement System (CSRS) and the Federal Employees' Retirement System (FERS), and processing of retirement benefits as outlined in 5 CFR 831 and the CSRS and FERS Handbook for Personnel and Payroll Offices.

42001. BACKGROUND. CSRS and FERS are contributory retirement plans administered by OPM. Employees and the Government each contribute to funds from which benefits are paid. The nature of an employee's appointment determines the retirement system under which he/she is covered. Eligibility for retirement benefits (other than disability) is based on a combination of an employee's age and creditable service. Under certain circumstances, employees may enhance their eligibility for retirement benefits by making service credit payments (deposit/redeposit, military service deposit, voluntary contributions). Basic benefits depend primarily upon an employee's length of service and "high-3" average pay. CSRS and FERS also provide for disability retirement benefits if an employee is unable to perform useful and efficient service in his/her position because of disease or injury. While CSRS is considered a stand-alone retirement plan, FERS is a three-tiered retirement plan, which consists of Social Security benefits, TSP benefits, and a Basic Benefit Plan. Numerous publications/fact sheets are available from HRSC-E that explain the benefits available. Forms and information are available at the OPM website: www.opm.gov/retire/index.htm.

42002. COVERAGE/ELIGIBILITY. CSRS employees must have at least five years of civilian service and must have at least one year of civilian service under the retirement system within the two year period preceding the separation upon which the retirement is based. For optional CSRS retirement the employee must meet minimum age and length of service requirements to be eligible. Requirements are age 62/5 years, age 60/20 years, or age 55/30 years. The requirement for an immediate annuity under FERS is age 62/5 years; age 60/20 years, minimum retirement age/30 years or minimum retirement age/10 years with reduced benefits. The minimum retirement age (MRA) is 55 for employees born before 1948 and increases by two months each year for those born between 1948 and 1969. The MRA for those born in 1970 and

after is 57 years old. Employees in firefighting, law enforcement, and air traffic control functions have mandatory retirement at age 50 and 20 years of service.

42003. RESPONSIBILITIES. Retirement information and assistance will be provided as follows:

1. Employee

a. Request retirement benefits information and forms by contacting the HRSC-E benefits representative at:

Director-HRSC East
Attn: Code 43 Benefits Division
Norfolk Naval Shipyard Bldg 17
Portsmouth, VA 23709-5000

Phone: (757) 396-7842 (DSN: 386)

Fax: (757) 396-7826 (DSN: 386)

E-mail: hrsceast.benefits@navy.mil

b. Request retirement estimate by completing request form and returning it via mail or fax to HRSC-E.

c. Complete forms and mail to HRSC-E.

d. Advise supervisor of intent to retire and effective date.

e. Forward request for special retirement coverage if eligible along with supporting documentation to CHRO-E.

f. Forward requests for exemption from mandatory retirement provisions to CHRO-E.

2. Management

a. Submit an RPA upon notification from the employee of intent to retire.

b. For special retirement coverage, provide a statement describing any official duties and responsibilities not listed in the employee's PD.

c. If warranted, request an exemption from mandatory retirement age, by submitting a request with supporting data to HRSC-E via G-1/CHRO-E.

3. CHRO-E

a. Refer employees to HRSC-E for information on retirement and forms.

b. Notify HRSC-E of the retirement of an employee.

c. Coordinate job accommodations/searches with HRSC-E when an employee applies for disability retirement.

d. Receive special retirement coverage requests. Attach a copy of the employee's PD and a statement from the supervisor describing any other official duties and/or qualifications. Forward the package to HRSC-E.

4. HRSC-E

a. Respond to employee inquiries on retirement benefits.

b. Validate eligibility/entitlement and prepare retirement estimates. Estimates can be requested by faxing or mailing request form to the number or address on the form.

c. Mail appropriate forms/information concerning retirement benefits to employees upon request.

d. Counsel and provide assistance to employees in completing forms.

e. Receive completed retirement/disability packages and other forms. Review for accuracy and completeness. Return incomplete forms to employee by mail. Forward forms to appropriate office for processing.

f. Process an RPA and complete FEGLI and FEHB program forms. Forward completed forms to the Defense Finance and Accounting Service (DFAS) Office and file copies of the forms in the employee's OPF.

g. Coordinate with CHRO-E in the certification of reassignment and accommodation efforts and conduct a job search, if necessary, in the case of disability retirements.

h. Receive notification of disability retirement approval/disapproval from OPM. If disability retirement is approved, determine effective date.

i. Mail benefits information package to employee. Counsel employee and employee's spouse if requested. Mail appropriate forms to OPM.

j. Initiate any action to correct employee's retirement coverage/status error.

k. Receive requests for special retirement coverage for Firefighters and Law Enforcement Officers from CHRO-E. Ensure appropriate supporting documentation is included and mail the package to the DASN/DoD for determination. Receive approval notices and process an NPA (SF-50) documenting the new retirement coverage. Forward copies of the approval/disapproval notice to CHRO-E.

l. Monitor mandatory retirement ages of employees in special retirement groups and notify employees approaching mandatory retirement of their options in writing, with a copy to CHRO-E. Notify management of upcoming retirement for planning and processing of personnel actions. Coordinate requests for exemption from mandatory retirement and forward package to DASN/DoD. Receive decision and forward to CHRO-E.

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CHAPTER 43

FEDERAL EMPLOYEES' GROUP LIFE INSURANCE (FEGLI)

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CHAPTER 43

FEDERAL EMPLOYEES' GROUP LIFE INSURANCE (FEGLI)

43000. ADDITIONAL INFORMATION. FEGLI Handbook for Personnel and Payroll Offices is available online at the following OPM website: www.opm.gov/insure/life/handbook/index.htm.

43001. PURPOSE. To establish procedures and assign responsibility for administering FEGLI.

43002. BACKGROUND. FEGLI is term insurance and, as such, builds no cash or loan value, or paid-up or extended insurance. Employees have limited opportunities to elect or increase FEGLI coverage. However, employees may reduce FEGLI coverage or cancel enrollment at any time.

43003. ELIGIBILITY. All federal appropriated-fund employees, except those excluded by law or regulation, are eligible to participate in FEGLI. Employees serving in an appointment limited to one year or less and employees on intermittent appointments are among the type of appointments that are generally excluded from FEGLI coverage.

43004. RESPONSIBILITIES. Life insurance information and assistance will be provided as outlined below:

1. Employee

a. Form, booklets, and brochures will be accessed via www.opm.gov/insure/life/.

b. Direct questions concerning FEGLI coverage to the Benefits Line at 1-888-320-2917.

c. Utilize the Employee Benefits Information System (EBIS) to enroll, change or cancel FEGLI coverage.

d. Review appointment NPA and any subsequent NPA's received after a change has been made to ensure FEGLI is correct. Notify HRSC-E immediately of incorrect FEGLI information.

2. Management. Submit extended LWOP RPA to HRSC-E via G-1/CHRO-E when required.

3. CHRO-E

a. Provide general information regarding entitlements and refer employees to the appropriate personnel for information on FEGLI and forms.

b. Forward the RPA from the manager to HRSC-E when an employee enters an extended LWOP.

c. Assist employees and managers in accessing official internet sites concerning benefits.

4. HRSC-E

a. Respond to employee inquiries on FEGLI benefits, including the Living Benefits provision and Assignment of Life Insurance.

b. Notify employee, in writing, of approval/disapproval of FEGLI coverage after SF-2822 is received from the FEGLI Office. If approved, advise employee of the window for election of FEGLI coverage.

c. Review FEGLI forms for accuracy and completeness. Certify completed FEGLI forms and record date of receipt.

d. Determine effective date of coverage.

e. Process NPA to reflect FEGLI coverage.

f. Forward copies of the SF-2817 to the appropriate DFAS office. File a copy in the OPF.

g. Make determinations on belated FEGLI elections. HRSC-E may accept and make belated FEGLI election determinations, if in the judgment of an HRSC-E official an employee was prevented from making an election within the prescribed time limits due to circumstances beyond the employee's control.

h. Notify employees in writing of a denial of belated election, giving a reason for the denial and including a statement of the employees' right to request reconsideration from DoD.

i. Mail an information packet to employees on extended LWOP, which explains LWOP, and its impact on their FEGLI deductions. Extended LWOP is defined as LWOP for 80 hours or more due to an on-the-job injury or LWOP, which is scheduled for 30 calendar days or more for other reasons.

j. Assist employees in the preparation of forms to elect Living Benefits or the Assignment of Life Insurance.

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CHAPTER 44

FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM

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CHAPTER 44

FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM

44000. ADDITIONAL INFORMATION. The FEHB Program Handbook for Personnel and Payroll Offices is available at the following OPM website: www.opm.gov/insure/handbook/FEHB01.htm - INTRODUCTION.

44001. PURPOSE. To establish and assign responsibility for administration of benefits under the FEHB Program.

44002. BACKGROUND. The FEHB program is administered by OPM. The FEHB program provides Federal employees the opportunity to enroll or change plans each year during an open season. Typically FEHB open season occurs during the months of November and December with any election effective the following January. Other opportunities to enroll or change enrollment are limited. The FEHB program also offers continued FEHB coverage for: an employee and his/her family when he/she retires from Federal service; the employee's former spouse if he/she divorces and has a qualifying court order; the employee's family if the employee dies; or for an employee and his/her family when the employee moves, transfers, goes on LWOP, or enters military service. Under certain circumstances, employees, their children, and/or former spouses may be eligible for FEHB Temporary Continuation of Coverage (TCC) for up to 36 months.

44003. COVERAGE/ELIGIBILITY. All Federal appropriated-fund employees except those excluded by law or regulation are eligible to participate in the FEHB. Temporary employees who have worked less than one year and employees on intermittent appointments are among those who are generally excluded.

44004. RESPONSIBILITIES. Health insurance information and assistance will be provided as outlined below:

1. Employee

a. Utilize the EBIS website or contact the Benefits Line to enroll, change, or cancel FEHB coverage.

b. Review Leave and Earnings Statements to ensure that the FEHB code and deductions are correct and immediately notify HRSC-E of any incorrect deductions.

c. Notify insurance carrier of any additions or deletions of family members.

2. Management

a. Submit an RPA to HRSC-E via CHRO-E when an employee enters an extended LWOP status stating the reason for the LWOP. Extended LWOP is defined as LWOP of 80 hours or more for an on-the-job injury or LWOP which is scheduled for 30 calendar days or more for other reasons.

b. Publicize Open Seasons and assist with distribution of materials.

c. Coordinate Health Fair activities, if desired.

3. CHRO-E

a. Provide general information and direct managers and employees to the appropriate personnel for further guidance on FEHB.

b. Assist HRSC-E in notifying customers of program changes and publicizing Open Season. Forward HRSC-E announcements to activities for publication.

c. Assist employees and managers in accessing government internet sites concerning benefits.

4. HRSC-E

a. Respond to employee inquiries on FEHB and TCC concerns.

b. Provide counseling on health insurance benefits.

c. Provide FEHB forms to new employees as part of the pre-employment package. Upon request, mail Health Benefits Registration Forms (SF-2809) to employees.

d. Coordinate open season with CHRO-E. Publicize the open season through established communications networks.

e. Determine eligibility for coverage.

f. Review SF-2809 for completeness and accuracy.

g. Determine effective date of change. In all cases, the SF-2809 must be received by the last day of the eligibility period. In open season, the changes must be postmarked by the final day of the open season. Open season changes are generally effective on the first day of the first pay period beginning on or after 1 January. Mail completed copies of the SF-2809 to employees at their address of record. Forward copies of the SF-2809 to the appropriate carrier headquarters and file a copy in the employee's OPF.

h. Enter FEHB information into the automated personnel data system.

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APPENDIX A

HELPFUL INTERNET ADDRESSES

SUBJECTS AND TYPES OF INFORMATION	SOURCE	WEBSITE
Full range of personnel related information with links to Office of Personnel Management and Navy Human Resources Service Centers	DoN Human Resources Community	www.donhr.navy.mil/
Full range of personnel information; links to OPM and Navy	CHRO-E, Cherry Point	http://www.cherrypoint.usmc.mil/ chroe/hro_index.asp
Full range of personnel information: information linked by topical index	OPM	www.opm.gov.html/topics.htm
DoD personnel information; DoD regulations, reference guides, information on benefits and entitlements, classification, labor relations, pay and hours of work	Defense Civilian Personnel Management Service	www.cpms.osd.mil/fas
Workers' Compensation	Department of Labor	www.dol.gov/
Scholarships for Federal employees, their spouses and dependents	Federal Employees Educational Assistance	www.feea.org
Information of Navy's workplace safety and health program and initiatives, links to other federal agencies and Department of Labor/FECA website.	Naval Occupational Health and Safety	http://www.navosh.net/initiatives /compensation.cfm
Air Station Orders and Bulletins	MCAS, Cherry Point	https://intranet.cherrypoint.usmc .mil
5 CFR	Office of Personnel Management	www.opm.gov/cfr

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APPENDIX B

ACRONYMS

ADR	Alternative Dispute Resolution
AEP	Affirmative Employment Program
AGS	Administrative Grievance System
AGS	Administrative Grievance System
AOC	Area of Consideration
ASARS	Automated Stopper and Referral System
AWOL	Absence Without Leave
C/S	Chief of Staff
CAA	Civilian Awards Administrator
CAB	Civilian Awards Board
CARE	Civilian Assistance and Reemployment
CEAP	Civilian Employee Assistance Program
CFR	Code of Federal Regulations
CHRM	Civilian Human Resources Manual
CHRO-E	Civilian Human Resources Office-East
CLD	Civilian Leadership Development
CMC	Commandant of the Marine Corps
CO	Commanding Officer
CPI	Civilian Personnel Instruction
CSRS	Civilian Service Retirement System
CWS	Compressed Work Schedule
DAC/S, G-1	Deputy Assistant Chief of Staff
DAWIA	Defense Acquisition Workforce Improvement Act
DCSA	Distinguished Civilian Service Award
DEEOO	Deputy Equal Employment Opportunity Officer
DFAS	Defense Finance and Accounting Service
DoD	Department of Defense
DON	Department of the Navy
DRS	Dispute Resolution Specialist
EAP	Employee Assistance Program
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
EEOO	Equal Employment Opportunity Officer
FECA	Federal Employees' Compensation Act
FEGLI	Federal Employees' Group Life Insurance
FEHB	Federal Employees Health Benefits
FEORP	Federal Equal Opportunity Recruitment Program
FERS	Federal Employees Retirement System
FFLA	Family Friendly Leave Act
FLRA	Federal Labor Relations Authority

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FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act of 1993
FOIA	Freedom of Information Act
FWS	Federal Wage System
FWS	Flexible Work Schedules
GS	General Schedule
HQMC	Headquarters Marine Corps
HRSC	Human Resources Service Center
HRSC-E	Human Resources Service Center-East
ICTAP	Interagency Career Transition Assistance Program
ILDLP	Individual Leadership Development Plan
LES	Leave and Earnings Statement
LOS	Length of Service
LWOP	Leave Without Pay
MCAS	Marine Corps Air Station
MCSA	Meritorious Civilian Service Award
MDCPDS	Modern Defense Civilian Personnel Data System
MIC	Management Identification of Candidates
MRA	Minimum Retirement Age
MSPB	Merit Systems Protection Board
MTP	Managing-To-Payroll
NAF	Nonappropriated Fund
NAVOECMA	Naval Office of Equal Employment Opportunity Management and Adjudication
NGP	Negotiated Grievance Procedure
NPA	Notification of Personnel Action
OCI	Office of Complaint Investigations
OPF	Official Personnel Folder
OPM	Office of Personnel Management
OSC	Office of Special Counsel
PARS	Performance Appraisal Review System
PCL	Prior Consideration List
PCS	Permanent Change of Station
PD	Position Description
PIP	Performance Improvement Plan
POA&M	Plan of Action and Milestones
PPP	Priority Placement Program
QSI	Quality Step Increase
RIF	Reduction in Force
ROI	Report of Investigation
RPA	Request for Personnel Action
RPL	Reemployment Priority List
SCEP	Student Career Employment Program
SCSA	Superior Civilian Service Award
SES	Senior Executive Service
SF-50	Notification of Personnel Action (NPA)

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SF-52	Request for Personnel Action (RPA)
SIP	Separation Incentive Pay
TCC	Temporary Continuation of Coverage
TSP	Thrift Savings Plan
ULP	Unfair Labor Practice
UMP	Upward Mobility Program
USC	United States Code
VEOA	Veterans Employment Opportunity Act
VERA	Voluntary Early Retirement Authority
VLTP	Voluntary Leave Transfer Program
VRA	Veteran's Readjustment Appointment
VSIP	Voluntary Separation Incentive Pay
WG	Wage Grade
WGI	Within-grade Increase

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APPENDIX C

CHRO-E PHONE LISTING

DIRECTOR	252-466-3035
EMPLOYMENT INFORMATION	252-466-2109
STAFFING / CLASSIFICATION	252-466-2066
LABOR & EMPLOYEE RELATIONS	252-466-5047
EQUAL EMPLOYMENT OPPORTUNITY	252-466-3438