

**SUPERVISOR'S
HANDBOOK
FOR NAF EMPLOYEES**

**G-1, CP,
Nonappropriated Fund
Human Resources
Policy and Programs**

FOREWORD

Contents

	Page
Chapter I. Civilian Personnel Program	5
Purpose	5
Applicability	5
References	5
Civilian Personnel Policy	5
Civilian Personnel Advisory Center (CPAC) Functions	7
Chapter II. Supervisory Responsibilities	10
Employee Orientation	10
Delegation of Authority	10
Personnel Management	10
Labor Relations	11
Equal Employment Opportunities (EEO)	11
Chapter III. Employee Records and Files	12
General	12
Records and Files Maintained by the Supervisor	12
Official Personnel Folder	13
Medical Records	13
Chapter IV. Employee Rights and Responsibilities	14
General	14
Standards of Conduct	14
Political Activity	16
Employee Organizations (Unions)	16
National Guard and U.S. Army Reserve	16
Visits to the Civilian Personnel Advisory Center (CPAC) and Equal Employment Opportunity Office (EEOO)	16
Charitable Contributions	16
Clearing Post	17
Chapter V. Employment	18
Job Search Information	18
NAF Appointment	18

	Page
Special Hiring Authorities and Programs	18
Probationary Periods	19
Conditions of Employment	19
Physical Fitness Requirements	19
Pay Setting	20
Chapter VI. Employee Benefits and Services	21
Eligibility	21
General	21
Health Benefit Plans	21
Group Life Insurance Plan	21
Retirement Plan	22
NAF 401 (k) Savings Plan	22
Group Long Term Care Insurance Plan	23
Death Benefits	23
Chapter VII. Hours of Work, Pay and Leave	24
Hours of Work/Tours of Duty	24
Overtime/Compensatory Time	25
Compensatory Time Off for Official Travel	26
Holiday Pay	26
Night Differential	27
Retained Grade and Pay	27
Leave Benefits	28
Restoration of Forfeited Annual Leave	33
Chapter VIII. Placement and Staffing	34
How Vacancies Are Filled	34
Details	34
Temporary Promotions	35
Interviewing Candidates	35
Selection and Release of Employees	35
Employee Complaints	35

	Page
Chapter IX. Business Based Actions	37
Policy	37
When BBA Procedures Are Used	37
Responsibilities	37
Advance Notice	37
Employees Rights and Entitlements	37
Chapter X. Labor Management Relations	38
Policy	38
Local Labor Organizations, Bargaining Units, and Negotiated Agreements	38
Union/Employee Rights and Responsibilities	39
Management Rights and Responsibilities	40
Arbitration and Unfair Labor Practices	41
Chapter XI. Performance Evaluation System	43
Purpose	43
Objectives	43
Applicability	43
Responsibilities	43
System Requirements	44
Chapter XII. Effective Discipline	45
Constructive Discipline Policy	45
Responsibilities for Discipline	46
Types of Disciplinary Actions	47
Procedures for Taking Disciplinary Action	47
Related Actions	48
Chapter XIII. Grievances	49
Policy	49
Grievances	49
Chapter XIV. Incentive Awards Program	50
Policy	50
Approving Officials	50
Monetary Awards	50
Honorary Awards	52
Length of Service Recognition	56

	Page
Table 14-2 Eligibility for Awards	57
Chapter XV. Position Management and Classification	58
Policy	58
Program Objectives	58
Position Management Responsibilities	59
Job Descriptions	59
General Responsibilities	60
Employee Rights	61
Classification Appeals	61
Chapter XVI. Training and Development	62
Policy	62
Training at Government Expense	62
Determining Training Needs	62
Types of Training	62
Training Emphasis	63
Self-Development	63
Chapter XVII. Equal Employment Opportunity	64
Purpose	64
Policy	64
Responsibilities of Supervisors	64
Chapter XVIII. Health and Safety	66
Policy	66
Safety Office	66
Preventive Medicine Services	66
Supervisory Responsibilities	66

Chapter I

NONAPPROPRIATED FUNDS CIVILIAN PERSONNEL PROGRAM

1. **Purpose.** This handbook is designed as an authoritative guide for supervisors and managers of nonappropriated fund (NAF) civilian personnel. The information herein supplements guidance in the Personnel Management Information and Support System (an automated support system at www.cpol.army.mil/permis) on specific areas of Army civilian personnel management. Supervisors are, however, cautioned that changes may occur in policies and regulation, which will supersede the information provided. Therefore, coordination with the servicing Civilian Personnel Advisory Center (CPAC) is encouraged to ensure that personnel actions comply with current regulations and your local policies.

2. **Applicability.** This pamphlet applies to all nonappropriated fund civilian employees who are administered under the provisions of Army Regulation 215-3.

3. **References.**

- a. DoD 1400.25-M, DoD Civilian Personnel Personnel Manual
- b. AR 215-3, Nonappropriated Funds Personnel Policy
- c. CAC & FT LVN Reg 690-6, CAC & FT LVN Flexi time Plan
- d. FLSA, Fair Labor Standards Act
- e. Title 5, Administrative Personnel, Code of Federal Regulations
- f. AR 672-20, Incentive Awards
- g. Joint Travel Regulation (JTR) Volume 2

4. **Civilian Personnel Policy.**

a. **Human Relations Principles.** Efficient productivity is achieved and maintained by adherence to the basic principles of human relations. The following policies are the basis for the civilian personnel program.

- (1) **Employees** shall be treated with full regard for their dignity as individuals.
- (2) There shall be no discrimination because of race, sex, marital status, age, color, religion, national origin, lawful political affiliation, labor organization membership, or physical or mental disability.
- (3) Selection to fill positions shall be made impartially on the basis of merit and fitness.
- (4) Training required for productive job performance and individual development shall be provided.
- (5) Employees' work performance shall be evaluated fairly and objectively on a continuing basis against written performance standards/objectives. Employees' performance will be discussed with them at least twice annually (i.e., at the beginning and at the middle of the rating period), and more often, if necessary.
- (6) Employees shall receive similar pay for work of substantially similar difficulty and responsibility within the applicable pay schedule.

(7) Working conditions shall be as safe and healthful as possible. Employees shall be required to adhere to safety procedures to avoid unnecessary injury or damage to property.

(8) At the earliest possible date, management should consult with labor organizations regarding plans and policies affecting bargaining unit employees. Such plans and policies will be implemented in an open, forthright manner.

(9) Employees shall be encouraged to suggest how to improve work methods and working conditions.

(10) Employees shall have the right to join or refrain from joining any lawful labor organization or employee association without interference, coercion, restraint, or reprisal. Where employees are represented by a recognized labor organization, management officials shall endeavor to build a relationship with that organization based on mutual respect and trust.

(11) Unless proscribed in the parties negotiated grievance procedure employees with grievances or complaints shall be given a fair and prompt discussion with the supervisor immediately concerned and, failing prompt and satisfactory adjustment, shall have the right to pursue the matter under an agency or negotiated grievance procedure. When presenting a grievance, employees shall be free from interference, restraint, or reprisal, and may be accompanied and assisted by representatives.

(12) Employees shall have the right in accordance with applicable policies, regulations and agreements, to discuss their problems with their CPAC representative, equal employment opportunity (EEO) officer or counselor, labor organization representative, persons designated to provide guidance on questions of conflict of interest, or supervisors or management officials of higher rank or level than the immediate supervisor.

(13) Employees shall have the right to participate or not participate in voluntary fund-raising campaigns and to purchase U.S. Savings Bonds without compulsion, coercion, or reprisal.

b. The Role of the Supervisor. The supervisor is an essential part of the management team, responsible for contributing to the formulation of policy as well as implementing and administering policy and labor-management agreements. Supervisors will adhere to the spirit and principles of the personnel management program in their use of the authority delegated to them by the commander. They will provide progressive and constructive leadership and will ensure that all employees understand what is expected of them and to whom they are responsible.

c. Employee Responsibilities. Supervisors can ensure good management-employee relations only with the full support and cooperation of their employees. The information in this pamphlet should be used to inform and counsel employees as necessary regarding their responsibilities. Supervisors must require reasonable and proper behavior in order to achieve a productive work environment and high employee morale. Therefore, employees will be expected to:

(1) Render a full day's work for a full day's pay.

(2) Perform at a level of efficiency that is commensurate with their aptitude, training, and experience.

(3) Conduct their public and private affairs according to ethical standards and in a manner that will not reflect unfavorably on the Army.

(4) Serve as an example that Army employees are loyal to the fundamental democratic principles in the Constitution and the laws of the United States.

(5) Conduct themselves in a manner which shows respect toward those vested with responsibility for direction of their work.

(6) Observe the spirit as well as the letter of the laws and regulations issued to govern their conduct.

5. Civilian Personnel Advisory Center (CPAC) Functions. The CPAC NAF Division is the staff office charged with supporting managers at all levels, from commanders to the first-line supervisors, with advice and assistance. The CPAC seeks to ensure that management actions affecting civilian employees are taken in such a manner as to enhance the activity's reputation as a good and fair employer, ensure employee productivity, support equal opportunity, and maintain effective community relations.

a. The Civilian Human Resources Advisory Center Director is responsible for:

(1) Directing and coordinating the civilian personnel program, and advising serviced commanders and staff on matters related to civilian personnel administration and management, to include position management and classification, recruitment and placement, management-employee relations, and training and development of employees.

(2) Developing local civilian personnel management policy.

(3) Informing serviced commanders, managers, and line officials on the status of civilian personnel management.

(4) Coordinating personnel management implications of mission changes, technology and methodology changes, mobilization plans, and manpower and budget decisions with other staff elements.

(5) Coordinating civilian personnel functional elements with overall program planning and evaluations, mobilization planning, community aspects, and special problems and projects.

(6) Developing and recommending plans, policies, and procedures for local administration of the labor relations program.

(7) Serving as adviser on labor negotiations and participating in the resolution of grievances and un fair labor practice complaints.

b. Classification and Staffing is responsible for:

(1) Performing, administering, and evaluating effectiveness of civilian personnel recruitment and placement actions.

(2) Evaluating trends in missions, technology, manpower and fiscal resources, and other trends influencing labor needs.

(3) Forecasting work force trends based on analysis of promotions, reassignments, losses, and other employee movement.

(4) Analyzing sources for potential employees, including evaluation of short and long term availability of applications, competition for employees, qualification requirements, and other factors influencing potential intake.

(5) Advising management on in-service placement, including promotions, reassignments, and details.

(6) Advising employees regarding opportunities for advancement and development.

(7) Coordinating special placement programs.

(8) Providing information on employment opportunities.

(9) Advising management and staff elements on establishment and maintenance of a sound and efficient position structure.

(10) Participating in the development of tables of distribution and allowances (TDA), Personnel Requirement Document (PRD) mobilization TDA, and budgets with regard to organizational and position structure.

(11) Providing advice to management on the classification of civilian positions to ensure accuracy and consistency with position management and classification regulations.

(12) Providing advice and assistance to employees, managers, and supervisors on classification complaints and appeals.

(13) Planning and conducting locality wage surveys.

c. Labor Relations is responsible for:

(1) Establishing and maintaining effective relations with labor organizations.

(2) Training supervisors on their roles and responsibilities under the Federal Service Labor-Management Relations Statute.

(3) Assist management with negotiating and administering labor agreements.

(4) Providing guidance, consultation, and staff assistance to management on all labor relations matters.

(5) Receiving, investigating, and resolving unfair labor practice allegations against management.

(6) Assisting in the administration of the labor relations Statute and any applicable collective bargaining agreement.

d. Management-Employee Relations is responsible for:

(1) Developing and evaluating effectiveness of local policies on constructive discipline, adverse personnel actions, grievances and appeals, and employee-management communications.

(2) Providing assistance to managers, supervisors and employees in evaluating workplace issues and strategizing for optimum resolutions for mutual benefit of all parties.

(3) Advising managers and supervisors of their basic responsibilities for counseling employees, and providing guidance and information to employees regarding a variety of employment concerns.

(4) Providing guidance on the interpretation and application of civilian personnel statutes and regulations.

(5) Administering the Performance Management System and the Incentive Awards (IA) programs.

(6) Providing advice and assistance to employees and management officials to determine entitlement for and ensure proper and timely receipt of employee benefits, to include health benefits, life insurance, retirement, compensation for disability and death, unemployment compensation, and permanent change of station expenses.

e. Automation Services is responsible for:

(1) Advising supervisors and managers on use of automated databases, which support civilian personnel actions and provide accurate information and historical files.

(2) Installing Personnel Process Improvements (PPI) software in activities. Providing training and ongoing system support for PPI programs.

(3) Serving as Network Administrator and CPAC Information Management Officer.

(4) Maintaining the CPAC website for disseminate of civilian personnel information to employees and supervisors.

f. Training & Development is responsible for:

(1) Developing, coordinating, and administering the employee training and development program to support mission accomplishment and to meet long-range training needs.

(2) Providing guidance and technical advice to supervisors, employees, and the installation training committee in planning job-related and career development training.

(3) Ensuring that the annual civilian training survey is accomplished and coordinated for manpower, funds, and facility requirements.

(4) Coordinating with higher echelons, Army education activities, other governmental agencies, civilian education institutions, and industrial firms to locate and utilize resources to meet training needs.

(5) Providing technical guidance to all levels of management in evaluating the training process and results.

(6) Assisting employees in locating and enrolling in courses desired for their own program of self-development.

(7) Serving as upward mobility coordinator, providing career opportunity counseling to employees who are eligible for the upward mobility program (UMP).

g. The Civilian Pay Service Representative is responsible for:

(1) Providing liaison between employees and the NAF Financial Services in matters relating to civilian pay.

(2) Entering various employee financial documents into the pay system.

(3) Establishing activity access to the automated timekeeping system.

Chapter II

SUPERVISORY RESPONSIBILITIES

1. Employee Orientation. Demonstrating a sense of welcome for a new employee is essential to a successful working relationship.

a. The CPAC NAF Division provides a checklist for a planned and systematic orientation, which should be completed by the supervisor and retained in the employee's official personnel folder. The supervisor should keep a copy in the supervisor's file of the employee's records.

b. Matters to cover in the orientation include the physical workplace, schedule of work and breaks, leave scheduling and approval procedures, office policies and safety procedures, Army values, standards of conduct, supervisory and coworker organizational structures, job responsibilities and procedures, and performance expectations and evaluation procedures.

c. Employees serving a probationary or trial period should be clearly informed that satisfactory performance and conduct during the probationary period is required for them to continue in Nonappropriated Fund employment.

2. Delegation of Authority. The commander has given each supervisor the authority to carry out personnel management responsibilities as directed by law, regulation, local policies and procedures, and negotiated agreements. This authority includes the responsibility for planning, programming, and budgeting the resources provided to accomplish the assigned mission. The supervisor is the employee's daily contact with management and it is essential that supervisors remember that their actions represent the organization and the entire command.

3. Personnel Management. A critical element of every supervisory job is personnel management. In order to accomplish their mission, supervisors must effectively utilize employees to complete the tasks required. Supervisors must also set a good example of the high level of productivity, moral character, and ethical conduct expected of subordinates. Every action and decision reflects a supervisor's ability to manage human resources. The following is a partial list of supervisory personnel management responsibilities to accomplish with the assistance of the CPAC NAF Division:

a. Assign duties and responsibilities to positions, and determine rate of pay.

b. Provide general orientation and training.

c. Assign work and ensure quality products.

d. Establish performance plans and counsel employees about their performance in accordance with current performance management regulations and policies.

e. Select employees to fill vacancies.

f. Evaluate employees for promotion, training, awards, and performance ratings.

g. Assist and encourage employees to reach full potential.

h. Cooperate with employees and local labor union representatives to resolve complaints and grievances on matters concerning personnel policies, practices, and working conditions.

I. Take disciplinary and/or corrective action for misconduct.

j. Approve and disapprove leave.

4. **Labor Relations**. Supervisors should be intimately aware of the provisions of the negotiated agreements with local labor organizations. It is the supervisor's responsibility to administer the contract(s). Not only must management adhere to the provisions of the contract, but employees and their representatives are also required to follow contractual procedures. Labor relations are discussed in more detail in Chapter 10, and are accomplished with advice and assistance from the CPAC Labor Relations Officer.

5. **Equal Employment Opportunity (EEO)**. Another critical element of every supervisory job is promoting EEO. The supervisor should ensure that all decisions affecting employees are made solely on the basis of merit and without consideration of non-merit factors covered by the EEO program (race, color, religion, national origin, sex, physical or mental disability, or age). All NAFIs will conform to the Government's policy as expressed in AR 690-12 and applicable executive orders.

Chapter III

EMPLOYEE RECORDS AND FILES

1. General. Establishment, maintenance, and disposition of civilian personnel records and files are covered by AR 215-3 and the **Privacy Act of 1974**. Supervisors may maintain records and access other personal information regarding employees for purposes of accomplishing their official duties. Procedures must be observed, however, to safeguard this information against improper use.

a. Collection and Maintenance of Information on Individuals. Only information, which is relevant and necessary to a lawful agency purpose, may be gathered and maintained. If possible, the information should be obtained directly from the individual. The individual must be informed of the authority for the collection of the information, whether disclosure is mandatory or voluntary, the purpose for which the information is intended, the routine uses which may be made of the information, and the effects on the individual of not providing any or all of the requested information.

b. Access to Records. Generally, an employee has a right to review and obtain a copy of all or any portion of any recorded information pertaining to them, and to request amendment of any information contained in the record. Certain information may be exempt from the employee's right to access under the Privacy Act. Such information includes investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for employment. However, such information is exempt only to the extent that disclosure would reveal the identity of a confidential source. Supervisors are entitled to access such records only for purposes of accomplishing their official duties.

c. Disclosure of Information. The following information is in the public domain and may be released to the public without the prior written consent of the employee: the employee's name; the employee's present and past position title, job description, grade, salary, and duty stations. Requests for additional information cannot be granted without the employee's prior written consent. Such requests should be referred to the Civilian Personnel Advisory Center (CPAC) for coordination with the local Directorate of Information Management.

2. Records and Files Maintained by the Supervisor.

a. Job Description/Position Guides. Supervisors should maintain a file of current job descriptions/position guides for all the positions under their direct control. Job descriptions should be reviewed periodically to ensure continuing accuracy.

b. DA Form 4017 (Request for Personnel Action). Requests for personnel action are initiated on a DA Form 4017 through the appropriate resource management office to the CPAC NAF Division for review and action. Some actions may require higher-level review and approval from the Regional Installation Management Agency. The supervisor maintains a file copy of DA Form 4017 for actions being processed. When the employee's copy of the completed DA Form 3434 (Notification of Personnel Action), is forwarded to the employee through the supervisor, the supervisor's copy of the DA Form 4017 may be removed from the file and destroyed. It is desirable that a request for resignation or retirement be forwarded to the CPAC NAF Division at least two weeks prior to the effective date.

c. Record of Orientation. The CPAC NAF Division provides the supervisor with an orientation checklist at the time of the appointment of a new employee. After the employee and supervisor have reviewed, signed, and dated the checklist, a copy is maintained by the supervisor and the original is returned to the CPAC.

3. Official Personnel Folder (OPF). OPFs remain the property of the U.S. Government and are maintained by the CPAC NAF Division for NAF Employees. The OPF serves as the official repository for records

affecting an employee's rights and benefits and contains permanent records of qualifications and experience, health and life insurance enrollment, position descriptions, and awards. The OPF is used to determine an employee's qualifications for other positions, to determine rights under business-based actions (BBA), and to effect other actions impacting on the employee. Employees are responsible for ensuring that their OPFs are current and accurate, and supervisors should encourage employees to do so. Upon employee request, the CPAC NAF Division will make available the OPF for employee review in the NAF HRO at a time, which is mutually agreed upon with the supervisor. In fulfilling their supervisory duties, supervisors may request to review the OPFs of their employees. Employees are provided copies of most documents, which are placed in the OPF and should maintain the copies in a personal file. Requests for additional copies may be made orally or in writing to the NAF HRO, but may result in a monetary charge to the employee. Only one OPF is maintained throughout an employee's career in NAF service. It is forwarded to the new servicing office for a transferring employee or retired to the National Archives and Records Administration, St. Louis, Missouri, upon termination from NAF or Federal service.

4. Medical Records. The Occupational Health Nurse (OHN) establishes and maintains a medical file for each civilian employee. This record is used for recording information concerning pre-employment physical examinations, treatment for minor illnesses and on-the-job injuries, and other medical information, which may impact on current or future duty assignments. A supervisor who receives information from an employee on a specific medical condition, which may impact their ability to safely perform assigned duties, should solicit the advice of the OHN as well as MER.

Chapter IV

EMPLOYEE RIGHTS AND RESPONSIBILITIES

1. General. Supervisors should be familiar with the rights and responsibilities associated with Federal / NAF employment in order to effectively balance employees' rights with expectations of high level of conduct and performance. Traditionally, the public expects all Federal employees to maintain high levels of moral character, ethical conduct, productivity and effectiveness in their assigned duties. It is the supervisor's responsibility to enforce these standards by setting a good example, by clear and frequent communication of these expectations to employees, and by judicious use of disciplinary methods. The information contained in this chapter is appropriate to share with subordinates as needed. Questions concerning any of the information should be directed to your Civilian Personnel Advisory Center, Management-Employee Relations (MER).

2. Standards of Conduct.

a. Standards of Ethical Conduct for Employees of the Executive Branch. To ensure that every citizen can have complete confidence in the integrity of the Federal government, each employee shall respect and adhere to the highest principles of ethical conduct. Employees shall:

- (1) Place loyalty to the Constitution, laws and ethical principles above private gain.
- (2) Avoid holding financial interests that conflict with performance of duty.
- (3) Avoid using nonpublic government information for private gain.
- (4) Avoid soliciting or accepting gifts from anyone whose interests may be affected by performance of the employees' duties.
- (5) Put forth honest effort in performance of duties.
- (6) Avoid making unauthorized commitments purporting to bind the government.
- (7) Avoid using public office for private gain.
- (8) Avoid giving preferential treatment to any private organization or individual.
- (9) Protect and conserve government property and use it only for authorized activities.
- (10) Avoid engaging in outside employment or activities that conflict with government duties and responsibilities.
- (11) Disclose waste, fraud, abuse, and corruption.
- (12) Satisfy in good faith obligations as citizens, especially those imposed by law.
- (13) Adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
- (14) Avoid any actions that create appearance of violating the law or ethical standards in 5 CFR 2635.

b. Additional Standards. Employees are expected to:

(1) Report promptly to work in a condition, which will permit performance of assigned duties, i.e., in appropriate clothing, with required tools or equipment, and in a sober condition.

(2) Render full, efficient, and industrious service in the performance of assigned duties. If insufficient work is assigned to occupy employees fully at any given time, they are expected to notify the supervisor so that additional work may be assigned.

(3) Give ready response and enthusiasm to directions and instructions received from supervisors.

(4) Exercise courtesy and tact in dealings with fellow workers and the public.

(5) Safeguard public information.

(6) Actively support the mission, goals and plans of their work section or organization.

c. Dress and Appearance. Employees are expected to comply with reasonable dress and grooming standards based on comfort, productivity, health, safety, and type of position occupied. Any requirement for specific civilian dress and appearance must be based on a clear showing that the requirement contributes to a safe, healthy, productive, and effective work environment. Disagreements with styles, modes of dress, and grooming are not usually adequate criteria for making such a determination. Employees who wear standard uniforms may be expected to comply with grooming and appearance standards that are more stringent than those required of other employees. Such standards must be in line with job requirements.

d. Indebtedness. Employees are expected to discharge their private financial obligations and maintain a reputation in the community for honoring debts. Except for court-ordered payments, the government will not serve in the collection of employee debts. If the supervisor receives a complaint of employee indebtedness, they should inform the employee of the complaint, remind them of their responsibilities in meeting just financial obligations, and advise them of available financial counseling through the local Army Community Service, Consumer Affairs / Financial Planning Office and other local financial institutions. Employees should be made aware that the salaries are subject to garnishment for alimony, child support, and commercial indebtedness when ordered by the court. Further action will not be taken unless a clear nexus exists between the efficiency of the service and the debt complaint.

e. Outside Employment. Employees may not engage in private outside employment, with or without compensation, which interferes with the performance of their official duties, which may reasonably be expected to bring discredit upon the Department of the Army as their employer, or which is inconsistent with the ethical principles stated above. Supervisors must ensure that the accomplishment of the organizational mission is not impaired by outside employment of employees in the organization. All civilians are prohibited from using their civilian titles or positions in connection with any private gain.

f. Dual Compensation. A NAF employee is subject to the prohibition against dual pay and employment in the Federal service. NAF civilian employees are not entitled to receive basic pay from more than one position, whether an APF or NAF position, for more than an aggregate of 40 hours of work in 1 calendar week (Sunday through Saturday). Installation commanders may approve exceptions to this requirement in special circumstances when personal services otherwise cannot be readily obtained for the position in question. Restrictions are statutory (5 USC 5533); exceptions must meet the following requirements:

- Position to be filled has been vacant for some time and recruiting has been conducted continuously during that time.
- All logical recruiting sources have been tapped and the position has been publicized through all appropriate media, including paid advertising when appropriate.
- Satisfactory candidates other than Federal employees have not been located. Records of exceptions must be retained and be available for audit for a 2-year period; a copy of the exception will be provided to the Deputy Chief of Staff, G-1 ATTN: DAPE-CP-NAF, within 30 days of approval.

3. Political Activity.

a. Employees have the right to express their opinions on all political subjects and candidates and, as a citizen, have the right and duty to vote as they choose. Generally, under 1993 amendments to the Federal Hatch Act, Federal employees **may be candidates for public office in nonpartisan** elections; assist in voter registration drives; attend political fundraising functions, political rallies, and meetings; campaign for or against candidates in partisan elections; contribute money to political organizations; or make campaign speeches for candidates in partisan elections. Employees **may not**, however, use their official authority or influence to interfere with an election, solicit or receive political contributions, be **candidates for public office in partisan** elections, or engage in political activity while on duty.

b. The US Office of Special Counsel (OSC) is responsible for enforcing the Hatch Act. In order to preclude unintentional violation, it is recommended that employees contact the Ethics Counselor, Staff Judge Advocate, or the OSC, 1-800-854-2824, with questions regarding the appropriateness of political activity.

4. Employee Organizations (Unions).

a. An "employee organization" (also known as a union) is a lawful organization in which employees participate, and which exists for the purpose of dealing with agencies concerning grievances, personnel policies and practices, or other matters affecting the working conditions of represented employees. When an employee organization has exclusive recognition it is entitled to act for and to negotiate agreements covering all employees in the unit and shall represent the interest of all such employees without discrimination and without regard to employee organization membership. See chapter 10 for information concerning labor relations responsibilities.

b. Internal management of an employee organization, such as membership meetings, membership solicitation, campaigning for organization officers, conducting elections for union offices, and other types of internal union business shall be performed during the time the employee(s) is in a nonduty status. Consultation and negotiations with management normally will be conducted during regular working hours, with specified time being granted employee organization representatives without charge to leave. The lunch period is considered nonduty status.

5. National Guard and U.S. Army Reserve. It is the policy of DA to grant leave of absence for the periods required to perform active or inactive duty training in the armed forces (see chapter 5 of AR 215-3). Entitled employees are entitled to return to work with the same seniority, status, pay, and vacation they would have had if they had not been absent for military training.

6. Visits to the Civilian Personnel Advisory Center (CPAC) and Equal Employment Opportunity Office (EEOO). Supervisors should assist employees when they have questions on personnel actions, promotions, or their rights and responsibilities. As necessary, employees should be allowed a reasonable amount of duty time to secure information from the local servicing CPAC and EEOO. Upon an employee's request to visit the CPAC or EEOO, the supervisor should establish a time, which is mutually convenient.

7. Charitable Contributions. Contributing to a charitable institution through the Combined Federal Campaign (CFC), or to any other officially designated fund drive is an opportunity for employees to exercise their preference to support or not to support a particular charitable organization.

8. Clearing Post. Employees who leave employment at their post through resignation, transfer, or termination are required to contact the CPAC NAF Division prior to separation to schedule an appointment for out-processing counseling. Supervisors should contact the CPAC NAF Division to obtain the out-

processing checklist. Employees are permitted time during duty hours to visit the CPAC NAF Division and other offices necessary to clear post.

Chapter V

EMPLOYMENT

1. Job Search Information.

a. Supervisors are sometimes approached by individuals seeking NAF or civil service employment. Such inquiries are complex in nature and should be referred to the Civilian Personnel Advisory Center (CPAC).

b. Prior to competitive recruitment, all vacant positions are subject to the provisions of the Department of Defense (DoD) for individuals who have been separated by BBA within the last year and have re-employment priority, or by an individual holding a legal or statutory entitlement for assignment to the vacancy.

c. Competition for Federal / NAF jobs, initial employment, and subsequent promotion is keen. Consistent with appropriate regulation, military spouses have the top preference for positions (NF-3 and below and all wage grade) announced under competitive staffing procedures. The Involuntarily and certain voluntarily separated military and their dependents, and, family members in foreign areas are next and their preference extends to all competitive vacancies.

2. NAF Appointments.

Most employees enter NAF service by applying and being selected for appointment from referral lists containing qualified eligible candidates. Unlike Civil Service employment, NAF employees do not hold Career Conditional or Career Appointments. Our appointment categories are identified below. Employees who leave NAF service for any reason other than for cause (due to disciplinary action) have non-competitive reinstatement eligibility for three years after the date of their separation to another position that is either the same or equivalent, or having a lower rate of pay. This eligibility is not an employee entitlement and does not imply mandatory placement.

a. Full and Part-time employment is for a scheduled tour of duty that is 40 hours per week for full-time and not to exceed 39 hours or is not less than 20 hours per week for part-time, exclusive of meal times. Annual and sick leave is accrued on a prorated basis based on the number of hours the employee is paid for during the week (not to exceed 40 hours of work) Employees are eligible for health benefits, life insurance, and retirement coverage. Full and part-time employees may be designated as limited tenure or seasonal depending on the work requirements or operation of the activity.

b. Flexible employment may or may not have a scheduled tour of duty, and hours worked may be 40 hours per week. It is used to hire employees on an as needed basis. Unscheduled tours are used when there is no guarantee of how many hours of work will be performed. Flexible employment can lead to regular status as the mission or work requirements change. Flexible employees are not eligible for retirement, life insurance or health benefits and do not accrue annual or sick leave.

c. All employees Army wide, except non-U.S. citizens in foreign areas, are encouraged to enroll in the Career Referral Program (CRP) if they are paid from NAF; servicing in regular NF positions and eligible for managerial, professional, technical and administrative positions in pay level NF-4 and above. The CRP was established to attract and retain qualified employees by providing greater career opportunity for promotion, transfer and reassignments. To accomplish these objectives, central rosters of eligible candidates will be established. The most qualified applicants or employees will be issued to selecting officials by Community Family and Support Center (CFSC). If employees do not wish to participate, they must opt out in writing. Documentation is placed in their official personnel folder.

d. Persons with disabilities, may be employed when they can perform the essential functions of the

position in with or without reasonable accommodation, without endangering the health and safety of themselves or others. Statement “Department of the Army provides reasonable accommodation to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, notify the servicing CPAC NAF Division. Requests for reasonable accommodation are made on a case-by-case basis.”

4. Probationary Periods.

a. Initial Appointment. Employees initially appointed to a RFT or RPT with NAF are required to complete a 1-year probationary period. The probationary period is to afford a final test of the employee’s ability and fitness for the position as demonstrated by actual performance on the job. Service in a DoD position paid from Federal service/Appropriated Fund is counted toward completion of the probationary period only if the NAF appointment was without a break in service of more than 3 calendar days. The requirement for and length of the probationary period is annotated in the remarks section of the DA Form 3434 effecting the appointment.

(1) Supervisory Responsibility. During the probationary period, the supervisor observes the employee's job performance and fitness for retention in NAF service. Supervisors must orient, train, and counsel employees to ensure that the probationary or trial period is a fair test of abilities and fitness. If an employee does not perform satisfactorily or displays conduct, which is unacceptable to continued service, removal should be effected through coordination with CPAC Management-Employee Relations. Such removals have fewer administrative requirements and do not afford the same appeal rights given to employees who have completed the probationary or trial period.

(2) Notice of Decision. The decision to terminate the appointment of an employee on a probationary appointment can be made for performance or conduct deficiencies any time during the probationary period. Advance written notice is usually provided by the CPAC to the rater that a decision to retain or remove the employee must be made. See Chapter 11 for procedural information.

b. Supervisory or Managerial Probation. Employees placed in initial civilian supervisory or managerial positions are required to complete a 1-year probationary period. This probationary period is designed to test an employee's ability to handle the supervisory or managerial duties of the new position, and management will assist a new supervisor or manager by providing orientation, counsel, and training, in accordance with current DA requirements and guidance. Failure to satisfactorily complete this probation will result in separation or return of the employee to a non-supervisory or non-managerial position.

5. Conditions of Employment. Some positions or appointments have special requirements, which establish conditions of employment that individuals must accept prior to appointment. The vacancy announcements advise potential candidates of these requirements and their impact. Examples of such conditions of employment include requirements for rotating shift work or a high degree of travel. Depending on individual circumstances, failure to comply with a previously accepted condition of employment may be cause for disciplinary action or separation from Army NAF employment.

6. Physical Fitness Requirements.

a. Initial Employment Examinations. All positions have medical standards, which an applicant must meet as part of the qualification process. For positions with light duty physical requirements, a DA Form 3666 (Statement of Physical Ability for Light Duty Work) is filled out by the applicant. Some appointments, however, are subject to satisfactory completion of a medical examination. Failure to meet the medical standards results in disqualification for the position.

b. Resolving Disability Questions. Whenever an employee's job performance, reliability, or safety appear to be unacceptable due to the employee's medical condition or limitations, and the situation appears to be

long-term or permanent, the supervisor should request assistance from the CPAC NAF Division, to determine appropriate actions. As a minimum, the employee will be asked to provide medical documentation from a physician which clearly establishes the likelihood of the employee's return to full productivity, and identify specific medical limitations and recommended work accommodations, if any. Whenever possible, accommodation should be made if it will allow an employee to continue successful work performance without causing undue hardship to the accomplishment of the mission. If such accommodation is not possible, and if justified by available medical documentation, the employee may be removed from the position and reassigned to an available position or duties, which will not be a health, risk, or considered for removal from employment. An eligible employee will also be advised of the opportunity and procedures for applying for disability retirement.

7. Pay Setting. The installation's pay setting policy should be outlined in some local regulation or SOP. While most pay setting policy is fixed by regulation, some decisions are discretionary and the supervisor is responsible for informing the CPAC NAF Division of the organization's decision. Examples of discretionary pay setting are position changes and reemployment actions where an employee's pay may be set to the maximum payable rate received **prior to the effective date** of the employment action. Questions regarding pay setting policy should be directed to the CPAC NAF Division.

Chapter VI

EMPLOYEE BENEFITS AND SERVICES

1. Eligibility. All regular full time and part time NAF employees working a 20 hour regularly scheduled workweek are eligible to participate in the NAF Employee Benefit Programs. Non US citizens working abroad, who are not working under US conditions, and employees on temporary or FLEX appointments are generally excluded. Questions on eligibility should be referred to the NAF Employees Benefits Office.

2. General. The following paragraphs provide a brief description of the Benefit Plans available to eligible NAF employees. Complete details of all NAF Employee Benefit Plans are contained in the Summary Plan Descriptions for each plan. Plan descriptions are available on the NAF Employee Benefits web site, www.NAFBenefits.com. Information is also available from the servicing CPAC NAF Division.

3. Health Benefit Plans.

a. Enrollment. Eligible employees may enroll in the DoD NAF Employee Health Benefit Plan or any of the HMOs available in some areas within 31 days of their hire date. There are no waiting periods or exclusions for pre-existing conditions to enroll in the health plans. Employee contributions to the plans in which they enroll are made by payroll deduction. The NAF employer contributes a 70% share for the DoD Health Benefit Plan and 50% for HMOs. If an employee fails to enroll during their first 31 days of employment, their next opportunity to enroll will occur during the next bi-annual open season.

b. Temporary employees who have been appointed for more than one year are eligible to enroll in the NAF Health Benefit Plans under the same employee/employer premium share as regular employee.

c. Changes in Enrollment. Cancellation of health insurance is not permitted during the plan year if the employee is making pre-tax premium payments under the Section 125 Pre-Tax Premium Plan. Other changes in enrollment may be effected when certain qualifying life events occur, such as a change in marital status, loss of coverage as a family member, etc. Employees may change enrollment during the open season period. The open season, which is conducted from mid-October to mid-November in odd numbered years, is well publicized and employees should be encouraged to seek information and assistance from the CPAC NAF Division for any contemplated changes in their enrollment.

4. Group Life Insurance Plan.

a. Enrollment. Eligible employees may elect life insurance coverage during their initial 31 days of employment. During that initial period they may elect basic coverage, as well as optional life insurance and optional dependent life insurance without evidence of insurability, unless the amount of optional life insurance exceeds \$100,000. Employees may also elect Life insurance under those conditions during the bi-annual open season. Changes in coverage outside of open season may be requested only with evidence of insurability. Cancellation of life insurance may be made at any time by an employee.

b. Amount of Coverage. The amount of basic and optional life insurance is based on employee's income. Employees may elect one or two times their basic salary and an amount of optional insurance up to twice the amount of basic insurance they have elected. Employees share of the premium is withheld from their bi-weekly salary. The employer pays 50% of the basic life premium. Optional insurance premiums are age rated and paid by the employee. Accidental Death and Dismemberment and Dependent Insurance in the amount of \$5000 for spouse and \$2500 for dependent children is included with basic insurance at no additional cost. Optional Dependent insurance is available up to \$25,000 spouse and \$12,500 dependent children for an additional premium. Life insurance may be carried into retirement under certain conditions at no cost to the retiree. Retiree life insurance reduces 25% per year starting at age 66 until it is reduced to 25% of the face amount at age 68. Information on the more specific aspects of the Group Life Insurance Plan may be obtained from the Employee Benefits office.

5. Retirement Plan.

a. Automatic Coverage. All regular NAF employees are automatically enrolled in the NAF Retirement Plan for their first six months of employment. Thereafter, they may elect to cancel their participation. If not cancelled, participation will automatically continue. Employees contribute two percent of their salary to the Retirement Plan. NAF Employers contribute 6.5% of employee salary to the plan.

b. Computing the Annuity. The amount of annuity is based on length of creditable service, Hi-3 average annual salary, based on the highest 36 consecutive months of salary, and other elective factors (such as a decision to leave a survivor annuity). Employees approaching retirement eligibility who desire an estimation of retirement should contact Employee Benefits.

c. Retirement Eligibility. There are five basic categories of retirement eligibility available to all regular NAF employees who are participating in the Retirement Plan.

- (1) **Normal (Unreduced) Retirement.** An employee may elect to retire after meeting minimum age and service combinations, as follows: age 62 with five years of creditable service; age 60 with 20 years of creditable service; or age 55 with 30 years of creditable service. An employee retiring under normal unreduced retirement is eligible for an immediate annuity.
- (2) **Early (Reduced) Retirement.** An employee may elect an early-reduced retirement if they are age 52 with five or more years of creditable service or age 50 with twenty years of creditable service. An employee retiring under early-reduced retirement will receive an immediate annuity, reduced 4% for each year they are under the age of 62.
- (3) **Discontinued Service Retirement.** An employee whose position is eliminated under a Business Based Action may qualify for Discontinued Service Retirement if they are age 50 with twenty years of creditable service or at any age with twenty-five years of creditable service. An employee retiring under DSR will retire on an immediate annuity, reduced 2% for each year they are under the age of 55.
- (4) **Disability Retirement.** Employees who are totally and permanently disabled may request disability retirement if age 52 with twelve months participation or at any age with five or more years participation. Disability retirement is not reduced for age.
- (5) **Deferred Retirement.** Employees with five years of creditable service who separate from NAF service or transfer to an ineligible position may elect deferred retirement. Employees electing deferred retirement may receive an early reduced annuity at age 52 or a normal unreduced annuity at age 62.

6. NAF 401(k) Savings Plan. The NAF 401(k) Savings Plan is a voluntary individual retirement savings and investment plan. Employees may contribute any percentage of their salary to the Plan on a tax-deferred basis, provided they do not exceed the IRS annual maximum dollar contribution limit. The NAF Employer will match up to 3% of salary if the employee contributes 4% of salary. Employees may enroll, cancel enrollment, and change deferral percentage or change investment options at anytime. There is no open season for the 401(k) Plan. Employees may invest their contributions in any of the nine funds available under the plan. There is also a loan program, which permits employees to borrow from their accounts and repay the loans by payroll deduction. Employee who leaves NAF service may roll their funds over to an IRA or another employer's savings plan without tax liability.

7. Group Long Term Care Insurance Plan. Eligible employees as defined in paragraph 1. above may enroll in the Group Long Term Care (LTC) Plan within 31 days of hire without evidence of insurability or at

anytime with evidence of insurability. Spouses, parents, grandparents and in-laws are also eligible. The LTC Plan offers a wide range of features and coverage options at reasonable group rates. Premiums, which are based on age, are paid by payroll deduction. Once enrolled, employees may continue coverage for life, even after separation or retirement. Rates do not increase due to age or change in employment status. A unique feature of the LTC Plan is that benefits are payable in foreign countries, as well as in the United States.

8. **Death Benefits.** Upon death of an employee, the supervisor should immediately notify the servicing CPAC NAF Division for assistance in compiling necessary documentation and information regarding survivors. Death benefits for survivors of a current employee or annuitant range from an annuity to a lump sum payment, depending upon length of service and other factors. These benefits will be awarded in accordance with designation of beneficiary (for retirement, life insurance, and unpaid compensation) or, in the absence of such designation, to the estate or in accordance with the standard order of precedence for survivors.

Chapter VII

HOURS OF WORK, PAY AND LEAVE

1. Hours of Work/Tours of Duty.

a. The Administrative Workweek. The normal administrative workweek begins at 0001 Thursday through 2400 Wednesday. The basic workweek for full-time employees is five eight-hour days, and for part-time employees an established tour of duty of not less than 20 or more than 39 hours per administrative workweek, with no more than eight hours per day. Workdays will normally be limited to 8 hours and should never exceed 10 hours except for unusual circumstances beyond the control of management. Changes to tours of duty are normally scheduled two weeks in advance of the administrative workweek and cover periods of not less than two weeks. Flexible employees work on a schedule or on an as needed basis. Some other employees, by specific written agreement may work compressed work schedules of 80 hours biweekly scheduled during less than ten workdays.

b. Flexi time. Within established guidelines and procedures and / or applicable negotiated labor agreements, activity directors or supervisors (refer to local policies) may authorize use of flexi time. Flexi time refers to work schedules, which begin or end the employee's workday before or after the normally scheduled business hours of operation.

(1) The supervisor must ensure office coverage during the normal business hours. Upon employee request, the supervisor may establish a flexi time tour of duty, attempting to accommodate the employee's preference. The flexi time workday may be from 0600 to 1800 or from 0630 to 1800 hours (refer to local operating procedures).

(2) All employees on flexi time tours must be at work during the **core hours of 0900 to 1500**. All meetings requiring attendance by civilian employees will normally be scheduled during these hours.

(3) The supervisor may change a flexi time tour of duty after giving proper notice, usually a two-week advance notice, unless emergency conditions exist.

(4) Employees must have advance supervisory approval to flex their hours. Although not required, supervisors should try to accommodate such requests when made in advance. Employees who arrive for work after their scheduled times are tardy, and supervisors may charge them as being absent without leave (AWOL), grant excused absence for periods of less than one hour, or approve requests for leave.

c. Compressed Work Schedules. The director of an activity may, by written agreement, permit employees to voluntarily work 80 hours biweekly, scheduled during less than ten workdays. Because of unique, case-by-case requirements established for initiating and implementing compressed work schedule agreements, activities must seek guidance from the CPAC NAF Division prior to approving any request for compressed work schedule.

d. Rotating Shift Work. Some organizations require performance of duties around-the-clock, necessitating rotating shifts for employees. Rotating tours of duty will be posted at least two weeks in advance and the notices will cover a minimum of two weeks. Pay band employees working between the hours of 1800 and 0600 will receive night differential for that period. Where three eight-hour shifts are in operation and an overlapping of shifts to permit time off for lunch is not possible, a lunch period of 20 minutes or less may be included as paid duty time, and employees must spend the lunch period close to their work stations.

e. Lunch/meal periods. Lunch/meal periods during which employees are entirely free of duty are not considered part of the tour of duty. They will be no less than 30 minutes or more than 1 hour. No employee

will be required to work more than 6 hours in any workday without a meal period. An employee may not shorten the workday by working through lunch nor lengthen a lunch by not taking rest periods. When the nature of the duties requires that an employee remain at the duty station, an on-the-job lunch/meal period may be established. The employee will be paid for an on-the-job lunch/meal period not in excess of 20 minutes.

f. Rest Periods. At the discretion of the activity manager, employees may be allowed a 15-minute rest period during each 4 hours of continuous work, in a place and manner which does not interfere with efficiency of work operations. A rest period is granted during paid duty time and employees are expected to comply with the limitations set by the supervisor.

2. Overtime/Compensatory Time (Fair Labor Standards Act (FLSA) and Title 5).

a. Overtime. In order to meet mission requirements, supervisors may require employees to work overtime. Employees are expected to work overtime which has been assigned by their supervisors. However, when assigning overtime work to bargaining unit employees, supervisors must ensure compliance with overtime provisions of locally negotiated agreements. Pay band employees are entitled to overtime pay if they work more than 40 hours in one week. Wage System employees (NA, NL, and NS) are entitled to overtime pay if they work more than eight hours in one day or over 40 hours in one week.

b. Exempt or Nonexempt Status. The FLSA, for overtime pay purposes, distinguishes all pay band (NF and CC) and wage system (NA, NL NS) employees as either exempt or nonexempt from FLSA provisions. Overtime pay entitlements for employees differ according to the exempt or nonexempt status of their positions. The job descriptions / position guides for positions have been annotated to show exempt or nonexempt status.

(1) Employees who are exempt from the FLSA are not entitled to overtime compensation for working extra hours, which are not ordered and approved by their supervisors. Exempt positions are not covered by provisions of Title 5, U.S. Code, for overtime pay purposes. These positions are generally (although not without exception) NF-3 and above which are executive (supervisory), administrative (management advisory), or professional. The overtime rate of pay is an amount equal to the greater of one and one-half times the hourly rate of pay for GS-10 step 1, or the individual's hourly rate of basic pay.

(2) Employees who are identified as nonexempt from the FLSA must be compensated for all hours of work in excess of 40 hours per week. Only actual hours of work are counted toward the 40 hours in a workweek. Periods of paid leave or holiday leave are not included. If overtime work is either "suffered and permitted" or authorized in advance, compensation at 1 ½ times the employee's hourly rate of pay must be paid for the overtime hours.

(3) Paid absences, for FWS employees such as annual and sick leave, are considered hours of work and do not reduce overtime pay entitlements.

c. Compensatory Time Off. One hour of compensatory time off for each hour of overtime worked in lieu of overtime pay. Supervisors may require exempt employees to take compensatory time off in lieu of overtime pay. Wage system employees may request, but will not be required to take compensatory time off in lieu of overtime pay.

d. Use of Earned Compensatory Time. Compensatory time must be used by the end of the 26th pay period after that in which it was earned. If not used during the established time period, the employee will be paid at the overtime rate at which the compensatory time was earned. When an employee separates or transfers to another NAFI, unused compensatory time balances are paid at the same rate as earned.

e. Call-Back Overtime. If a supervisor must call off-duty employees to return for overtime work, the employees will receive not less than two hours of overtime pay. Simply designating employees to be

available for call-back or to carry a beeper does not entitle them to overtime compensation unless their freedom of off-duty movement is unduly restricted.

3. Compensatory Time Off for Official Travel.

- a. Supervisors will authorize compensatory time off for travel for NAF pay band employees who are exempt from FLSA. It does not apply to Federal Wage System (FWS) employees, non-exempt pay band employees (NF and CC) or NF-level 6 pay band employees. Compensatory time off for travel will not convert to overtime and will not be paid out as lump-sum payment.
- b. The supervisors/timekeepers need to manually track both the earned and used compensatory time for travel until the Time & Labor Management System (TLMS) is updated to accept the new codes. Tracking can be done by using a spreadsheet. The information to be maintained for each employee includes the pay period ending dates; the number of hours and date compensatory time earned, the number of hours and date compensatory time used; and the ending balance. The pay period is important in order to establish a forfeiture date.
- c. For active duty military in a leave without pay status or those employees paid by the Office of Workmen's Compensation due to an on-the-job injury, the compensatory time for travel balance must be retained to restore it upon the employees return to duty.
- d. If the employee separates under special circumstances during this interim period, the spreadsheet data containing the number of hours and dates for the separating employee must be forwarded to the payroll office for manual posting to the employee's record of leave data.
- e. Once TLMS is updated, all previously authorized T&A adjustments will be processed to update compensatory time earned, compensatory time used, and to compute the compensatory time balances (including the appropriate date of forfeiture).

3. Holiday Pay.

- a. **Legal Holidays.** The following days are set-aside as legal holidays by Federal statute or Executive Order:

New Year's Day, 1 January
Martin Luther King's Birthday, third Monday in January
President's Day, third Monday in February
Memorial Day, last Monday in May
Independence Day, 4 July
Labor Day, first Monday in September
Columbus Day, second Monday in October
Veteran's Day, 11 November
Thanksgiving Day, fourth Thursday in November
Christmas Day, 25 December

b. Holiday Pay for Regular Full and Part-time Employees - No Work Performed. The general rules defined below are applicable to all regular full-time employees and those part-time employees who have a 5-day work week. The rules apply for employees on both traditional and alternative work schedules, although locally negotiated work schedule agreements may include other special provisions, which must be followed. The rules do not apply to flexible pay band employees or Wage System employees who do not have a scheduled tour of duty, or employees in a non-pay status immediately before and after the holiday.

(1) When a holiday falls on an employee's regularly scheduled workday, that workday is the employee's holiday.

(2) When a holiday falls on an employee's regularly scheduled non-workday, the regularly scheduled workday immediately preceding or following the holiday as determined by the NAFI is designated as the employee's holiday in lieu of the actual Federal holiday. Part-time employees who have less than a 5-day workweek do not have entitlement to "in-lieu-of" holidays.

c. Pay for Work on Holidays.

(1) Generally, all employees (except flexible pay band employees or Wage System employees who do not have a scheduled tour of duty) are entitled to receive holiday premium rates of pay for work performed on a legal holiday.

(2) An employee who performs work on a holiday and is entitled to holiday premium pay will receive basic pay plus premium pay at a rate equal to the rate of basic pay for that holiday work that is not in excess of 8 hours.

(3) Compensatory time is not authorized for work performed on a legal holiday.

4. Night Differential. The following information is general in nature and should be used accordingly. Laws and regulations governing this subject matter provide authoritative guidance.

a. Pay Band (NF, CC) Employees.

(1) The night differential for Pay Band employees is ten percent of the basic, straight-time rates.

(2) Night differential is authorized for all work of 15 minutes or more which is actually performed between 1800 and 0600 hours and which constitutes regularly scheduled service. This includes holidays and periods of absence of less than 8 hours due to paid leave.

b. Wage Employees.

(1) A wage employee who has the majority of the regularly scheduled hours of work between 1500 and 2400 hours is entitled to a night shift differential of 7 1/2 percent of the regular hourly rate of pay for the entire shift.

(2) A wage employee who has the majority of the regularly scheduled hours of work between 2300 and 0800 hours is entitled to a night shift differential of ten percent of the regular hourly rate of pay for the entire shift.

(3) Night differential is payable to wage employees assigned to night shifts when absent on holidays or days of paid leave.

5. Retained Grade and Pay.

a. Eligibility. Employees whose grade or pay would otherwise be reduced as a result of an involuntary personnel action or other personnel action determined to be in the best interest of the Government, in some cases may have their grade or pay retained. Affected employees will be provided information in writing concerning their entitlements. Generally:

(1) An employee who is placed in a lower grade as a result of a business-based action or whose position is reduced in grade as a result of reclassification of the position is entitled to retain for a period of 2 years the grade held immediately before that placement or reduction.

(2) The law also provides the authority for granting indefinite pay retention.

(3) **Termination of eligibility** for retained grade and pay will occur if the employee has a break in service of one workday or more; is changed to a lower grade due to personal cause or request; is placed in or; declines a reasonable offer of a position at the same or higher grade as the retained grade, or elects in writing to terminate retained grade benefits.

6. Leave Benefits.

a. General Guidance. The following information is general guidance for all supervisors and employees. Additional specific leave policies included in negotiated agreements with local bargaining units must be followed by employees and management within activities covered by the agreements.

b. Eligibility for Annual and Sick Leave. Regular full and part-time employees are eligible to accrue and use annual leave and sick leave. Flexible employees do not accrue and are not eligible for leave discussed in this chapter.

c. Accrual and Accumulation of Leave. Accrued leave refers to leave earned by an employee during the current leave year that is unused at any given time in the year. Accumulated leave refers to unused leave remaining in the leave account of an employee at the end of a leave year and is carried over into the next leave year. Leave year is the period beginning with the first day of the first complete pay period of a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

(1) **Annual Leave.** Regular full-time employees accrue annual leave as follows:

<u>Length of Service</u>	<u>Accrual Per Pay Period</u>	<u>Total Days Per Year</u>
Less than 3 years	5%	13
3 but less than 15 years	7 ½ %	20
15 or more years	10%	26

Maximum carry-over of annual leave from one leave year to the next is 240 hours for employees in the United States (US) and for those outside the US not eligible for a higher amount. Employees recruited for overseas duty from the US and military members who are discharged overseas with a firm offer of overseas NAF employment prior to separation from military service accumulate 360 hours of annual leave under section 6404(b) of Title 5, United States Code (USC). The maximum accumulation for such employees on return from overseas to employment in the US is the amount carried over at the end of the leave year prior to the date of return to the US, not to exceed 360 hours. In subsequent years, the maximum carryover is the amount carried into the current year, or 240 hours, whichever is greater.

(2) **Sick Leave.** Full-time employees accrue four hours of sick leave credit per pay period with no restriction on the amount of leave that can be accumulated. Part-time employees accrue sick leave on a pro rata basis.

d. Management Responsibility. Managers and activity heads will establish and publish a local operating procedure which will ensure that work schedules provide employees who have annual leave to their credit an opportunity to use their leave for vacations or personal business. Authority for approving leave should be delegated to the lowest practicable supervisory level within the activity.

e. Supervisory Responsibilities. To ensure clear, fair, and consistent leave administration, supervisors may provide the leave information in this chapter to their subordinate employees to ensure that they fully understand their rights and responsibilities, to include:

- (1) The methods by which an employee should request leave in advance for anticipated absences;
- (2) The time frame during which requests for emergency leave must be made (i.e., the first two hours of the tour of duty);
- (3) Requirements for requesting leave personally and directly from the supervisor or a designated alternate management official;
- (4) The situations when documented reasons for absence may be required; and
- (5) The procedures for receiving the various leave benefits.

f. Employee Responsibilities. Employees have the responsibility to cooperate with management in scheduling vacation periods and other absences during periods when their services can best be spared. They must follow the procedures for requesting leave specified by the supervisor and must not assume approval of a leave request unless approval is clearly granted by the supervisor.

g. Annual Leave Requests. Annual leave is provided to allow employees to conduct personal business, take care of emergency situations, and take an extended vacation from work for rest and relaxation. Employees may also choose to use annual leave rather than sick leave for conditions authorized for sick leave use.

(1) **Approval of Annual Leave.** Generally, the use of annual leave is subject to prior approval, although retroactive approval may be given under extenuating circumstances. When an employee initiates a request for annual leave, the supervisor must decide when and how much leave will be granted. The established policy is to grant annual leave as requested when local conditions and operating requirements permit. However, employees must not assume that a request will automatically be approved. Denial or cancellation of leave requests may occur if based on a need for the employee's services or on other reasonable, equitable, and nondiscriminatory factors. If this occurs, employees and supervisors should attempt to reschedule the leave at another mutually agreeable time. Failure of an absent employee to first secure proper approval of leave may result in a charge of unauthorized absence without leave (AWOL), even though the employee may have a leave balance available.

(2) **Advancing Annual Leave.** In order to minimize loss of pay to employees who have insufficient annual leave to cover periods of approved absence, and who would otherwise be in non-pay status, annual leave may be advanced not to exceed the amount that will be earned during the remainder of the leave year. No leave will be advanced for employees serving on temporary, time-limited appointments. When it is known, or reasonably expected, that an employee is to be separated from the workforce, advance annual leave should not be granted beyond the amount the employee will accrue by the separation date.

h. Sick Leave Benefits. Sick leave is provided, upon request and approval, when supervisors confirm that employees are incapacitated for work because of injury, illness, pregnancy or confinement, or have medical, dental, or optical appointments. Sick leave is also provided when an employee is involved with matters relating to adoption of a child; when an employee gives care and attendance to a family member (or other person of equivalent relationship) who is incapacitated and/or needs medical care; and when an employee attends a funeral of a family member (or other person of equivalent relationship). Limitations on use of this sick leave are discussed below.

(1) **Approval of Sick Leave.** Approval of all requests for sick leave is subject to the determination by the supervisor that a situation exists for which sick leave can properly be used. Generally, sick leave of three

days or less requires only the supervisor's approval for a personal request from an employee. Sick leave in excess of three days because of the employee's personal or family needs may require an employee to present to the supervisor a medical certificate which meets the criteria described below. Exceptions to this requirement are made when sick leave is used for adoption purposes. Exceptions may also be made in cases where the employee's sick leave does not require the attention of a doctor, such as a case of flu. When an employee anticipates the need for sick leave for routine medical or dental appointments or other scheduled treatment, sick leave should be requested as far in advance as possible. If an employee has an emergency sick leave situation and fails to report to work without requesting leave in advance, emergency sick leave should be requested not later than two hours after the start of the employee's tour of duty.

(2) Limitation on Sick Leave. For adoption purposes, sick leave is justified for activities necessary to allow an adoption to proceed, as shown by documentation provided by the employee. There is no limit on the amount of properly documented sick leave, which can be approved for adoption purposes. However, approval of sick leave for bereavement or to attend the needs of family members (or equivalent) is limited to 40 hours in a 12-month period, and an additional 64 hours within the same 12-month period if the employee's balance of accumulated sick leave does not fall below 80 hours. For non-adoption sick leave, the sick leave request and approval procedures described above will apply. To comply with annual reporting requirements, supervisors must record all use of FFLA sick leave.

(3) Medical Certificate. Whenever the supervisor requires a medical certificate for an employee's absence for personal or family medical reasons (other than adoption), it must be a written statement signed by a health care provider or practicing physician. For personal medical reasons, the statement should certify to the examination, treatment, specific physical and work limitations, and period of incapacity while the employee was or is expected to be under professional medical care. For family care reasons, the statement should certify as to the duration of leave and the specific reasons, which support use of sick leave.

(4) Advancing Sick Leave. When an employee has need for sick leave because of personal serious illness, but has exhausted or expects to exhaust all accrued and accumulated sick leave prior to recovery and return to work, the employee may request advance sick leave for the period of incapacity. All requests for advance sick leave will be in writing and submitted by the employee, in advance whenever possible to the supervisor for approval prior to sending to the CPAC NAF Division for action. Requests must include the amount of sick leave to be advanced (which may not exceed 240 hours at any time); the reason the request could not be made in advance, if applicable; the reason for advancement; a statement by the supervisor of reasonable assurance that the employee will return to duty; and supporting medical certification signed by a health care provider or practicing physician (See paragraph 6 (3) above). Additional details concerning advancement of sick leave may be obtained from the CPAC, Management-Employee Relations (MER). Advance sick leave may be approved for sick leave usage not to exceed the limitations discussed in paragraph 6 (4) above.

(5) Abuse of Sick Leave. If an employee has demonstrated a history of potential abuse by excessive requests for sick leave, a medical certification of incapacitation for duty for each absence may be required regardless of the duration. This requirement is communicated to the employee in advance, in writing, and with the guidance of the CPAC, MER.

i. Family and Medical Leave Act (FMLA). All regular employees and regularly scheduled flex employees in a continuing position who have completed at least 12-months of NAF or APF civilian service, are eligible under the FMLA to receive a total of 12 administrative workweeks of unpaid leave during any 12-month period for one or more of the following purposes:

- (1) the birth of a son or daughter of the employee, including 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 a spouse, son, daughter, or parent of the employee who has a serious health condition; or

(4) serious health conditions of employees that render them unable to perform the essential functions of their positions.

The intent to take FMLA leave must be given by the employee at least 30 days in advance, or as soon as is practicable. Proper documentation, including medical certification (See paragraph 6 (3) above), must be provided to support the reasons for requesting FMLA leave. Approved requests for FMLA leave will be documented on timecards according to type of leave approved (paid or unpaid). For leave without pay (LWOP) requests in excess of 30 days, a DA 4017 (Personnel Action Request) must be submitted for approval and processing. Under some circumstances, FMLA leave may be taken intermittently, or the employee may work under a reduced work schedule in combination with FMLA leave. An employee may elect to substitute appropriate paid time off, such as sick or annual leave, for the same number of hours of unpaid FMLA leave.

j. Leave for Childbirth. Absence related to pregnancy is charged to sick leave, annual leave, LWOP, or a combination thereof. The employee may also apply to receive donated leave under the Voluntary Leave Transfer Program (See paragraph 6k). Requests for sick leave for maternity reasons are treated the same as any certified temporary medical disability. Sick leave is not authorized for absence due solely to the employee's responsibility for infant care. Mission permitting, the supervisor may approve additional annual leave or LWOP for such purposes. The employee may also be eligible for leave under the FMLA (See paragraph 6i).

k. Voluntary Leave Transfer Program.

(1) An employee who is expected to suffer a substantial loss of income because of the unavailability of paid leave to cover an absence due to a medical condition, or due to a medical emergency of a family member (or person of equivalent relationship), may request to participate in the Voluntary Leave Transfer Program. To be eligible for leave transfer, the employee must expect to be absent without both available sick and annual leave.

(2) Employees, or their personal representatives such as a supervisor or coworker, may submit a written request through the supervisory chain to the CPAC, to become leave recipients (refer to local policies and procedures). Certification of the medical emergency from a physician or other appropriate medical professional is required.

(3) Only annual leave, not sick leave, can be transferred. Only NAF employees may donate to NAF employees. Donations cannot be accepted by or given to APF employees.

(4) Leave recipients, or representatives acting on their behalf, must provide the supervisor with advance, written notification of expected termination date of the medical emergency and anticipated date of return to duty. The supervisor will forward the notification to the CPAC NAF Division so that the payroll office may be advised to terminate further leave transfer.

l. Court Leave. Absence from work for jury duty or to serve, as a witness in a court action in which the United States or a state or local government is a party, is not charged to leave and does not result in a loss of pay. The employee should be instructed to accept court fees, if any, and contact the CPAC NAF Division, Civilian Pay Customer Service Representative (CSR) for instructions as to their disposition. Employees are required to provide certification from the court clerk to verify the reason for their absence. An employee who is on annual leave when called for jury duty may be charged court leave instead. Appearance in court for other private matters will be charged to annual leave or LWOP, as requested and approved.

m. Military Leave. Generally, members of the Armed Forces Reserve or National Guard are entitled to military leave for active duty without loss of pay or time or adverse impact on performance rating. Full-time permanent employees earn 15 calendar days per fiscal year, credited at the beginning of the fiscal year. Civilian employees who are members of the Reserves or National Guard who have been called to active

duty in support of a contingency operation are entitled to 22 additional days of military leave. The individual is not authorized to retain both military and civilian pay for the 22 days. Military pay received, other than travel, transportation or per diem, must be credited against the pay the individual received from his or her civilian job. Part-time employees earn on a pro rata basis. Temporary employees appointed for less than one year are not eligible for military leave. Unused military leave can be carried into the next fiscal year, not to exceed a total account of 30 days. In addition, annual leave and LWOP may be requested for extended periods of active duty training. Military leave is charged in increments of full calendar days regardless of the number of hours the employee is on active duty. It may be taken one day at a time or in a block. A copy of the military orders must be provided to the payroll office in support of the use and carry-over of military leave. Inactive duty for training is not chargeable to military leave; however, annual leave or LWOP may be requested and approved.

n. Home Leave. Employees in an overseas area who are eligible for a 360 hour annual leave carryover earn home leave. Home leave may be used only in the U.S., the Commonwealth of Puerto Rico, or the territories and possessions of the U.S. An employee is eligible to use home leave after he/she has completed 24 months of continuous service abroad. When home leave is used, an employee is entitled to leave free travel time to and from the US, but not more than once during each renewal tour. Home leave may be used in combination with other types of leave, but cannot be used as terminal leave or if the employee is not returning overseas for duty. Employees who return for duty in the US retain their home leave and it may be used on subsequent overseas assignments. There is no limit on accumulation of home leave, but there is no lump sum payment for unused home leave on separation from employment.

o. Leave Without Pay (LWOP). LWOP is an approved temporary absence from work in a non-pay status. Employees may request LWOP to cover any period of absence. As with any leave request, LWOP requests must be made personally by the employee to the supervisor, unless an alternative procedure is approved by the supervisor due to unusual circumstances. LWOP cannot be imposed as a penalty nor can an employee demand that LWOP be granted. Approval of LWOP should be given only after consideration of factors such as the current balance of paid leave available for the employee to use, the reason for the request, the effect the employee's absence may have on the mission, and the employee's history of prudent or imprudent leave usage. LWOP for 30 days or less may be approved by the supervisor on the time and attendance report. Approval of all requests for more than 30 days of LWOP must be submitted on a DA Form 4017 with a written request from the employee which states in detail the reasons for the request, and a supervisory recommendation for approval or disapproval. Extended LWOP will be approved only when the value to the government or the serious needs of the employee are sufficient to offset administrative costs and inconvenience of retaining an employee in LWOP status. The supervisor will submit a DA Form 4017 to the CPAC NAF DIVISION to return an employee to duty from LWOP in excess of 30 days.

p. LWOP to Accompany Head of Household. NAF employees who anticipate the need to resign their positions to accompany the family or the head-of-household moving from the area may apply for LWOP not to exceed 1 year for the purpose of seeking further Federal / NAF employment near the new location. At the time of the application, the employee must submit a resignation to be effected at the end of the LWOP period. Approval of such requests for LWOP will be reserved for those employees whose change of residence is motivated by factors outside their control. Any such requests for LWOP should be forwarded promptly to the CPAC NAF DIVISION on a DA Form 4017.

q. Absence Without Leave (AWOL). Failure of an absent employee to secure prior approval for annual leave, or failure to notify the immediate supervisor as soon as possible when absence is due to an emergency or illness, may result in the absence being charged to AWOL. It is the responsibility of the immediate supervisor to ensure that all absences properly charged as AWOL are so indicated on the time and attendance report.

r. Excused Absence. Excused absence from duty assignments, sometimes called "administrative leave", may be granted an employee without charge to any type of leave such excused absences will be administered on an impartial basis. Supervisors should use such discretionary approval sparingly, equitably, and

consistently with other supervisors within the same organization. Supervisors will also grant excused absence, with certain limitations, for participation in officially sanctioned activities or conducting officially sanctioned business such as the following: voter registration and voting, agency conducted medical examinations, blood or bone marrow donation, retirement and award ceremonies, special emphasis programs and events, authorized consultation with agency or union officials, and other officially sanctioned activities which promote the best interests of the Federal government.

7. Restoration of Forfeited Annual Leave.

a. Forfeiture of Annual Leave. Accumulation of annual leave normally may not exceed 30 days (240 hours) at the end of each leave year. Unused annual leave in excess of 240 hours will be automatically forfeited. Supervisors should ensure that employees in a "use or lose" category schedule this leave for use during the leave year to avoid forfeiture. If management cancels an employee's scheduled leave, it should be rescheduled as soon as practicable, using approved application for leave documentation for all scheduling, cancellation, and rescheduling actions. Normally, employees will not be denied use of annual leave, which would otherwise be forfeited. Any denials must be based upon factors that are reasonable, equitable, and nondiscriminatory.

b. Procedures for Restoration. Forfeited annual leave may be restored if it was forfeited for any of the following reasons: Administrative error, exigencies (necessity) of the public business when such leave was scheduled in advance, or sickness of the employee when such leave was scheduled in advance. The following procedures will be used:

(1) The employee must submit a written request for restoration through supervisory channels along with proper supporting documentation. Approving officials will review the request and upon determination that documentation is complete will authorize the CPAC NAF DIVISION to restore the leave.

(2) The supporting documentation must include: evidence that the annual leave was scheduled in writing and in advance at least three biweekly pay periods prior to the end of the leave year (it can be scheduled for use during those last three pay periods); the calendar date the leave was scheduled and approved; the dates for which the leave was scheduled for use and the total amount of leave scheduled; the reasons for subsequent cancellation of approved leave (if because of an exigency of the public business, documentation must include the beginning and ending dates of the exigency and a copy of the written decision to cancel the leave); the date(s) during which the leave was rescheduled for use; and the total amount of leave that was rescheduled. The Application for Leave form should be used to provide the documentation, along with any other supporting documents.

Chapter VIII

PLACEMENT AND STAFFING

1. The basic principles of staffing are to: select and promote on the basis of relative knowledge, skills, and abilities; and use fair and open competition to ensure equal opportunity.
2. Responsibility for effectively carrying out the civilian placing and staffing functions lies with the CPAC, management officials and supervisors, employees, and the Equal Employment Opportunity (EEO) Office.

3. How Vacancies Are Filled.

a. Initiating the Request. When an activity desires to fill a position, a request will be entered on a DA Form 4017 (Request for Personnel Action) and routed through appropriate channels of the activity to the CPAC.

b. Position Review. A personnel specialist in the CPAC NAF Division ensures the accuracy of the job description/position guide and proper classification of the position.

c. Mandatory Priority Consideration. The Department of Defense (DoD), and Department of the Army (DA) have requirements for mandatory priority consideration of employees that must, in certain situations, be satisfied prior to other recruitment action. Mandatory priority consideration may include, but is not limited to: employees entitled to restoration after military service; employees affected by BBA or functional transfer.

d. Management-Initiated Reassignments. If there are no available candidates from mandatory sources, the activity's management has the option to initiate within the NAFI of current employees under certain criteria to meet their needs. The activity should discuss the feasibility of such reassignment with the CPAC NAF Division prior to making any verbal or written commitment to an employee.

e. Recruitment. If there are no mandatory considerations or management-initiated reassignments, recruitment is initiated in accordance with local operating policies and AR 215-3. An HR specialist, with the assistance of subject matter experts, determine job requirements and may establish criteria for determining highly qualified candidates. Next, a vacancy announcement is prepared by the CPAC NAF Division containing the qualifications and any special criteria.

4. Details. A detail is the temporary assignment of an employee to a different position or function for a specified period, with the employee returning to the regular position at the end of the detail. Officially, the employee continues to hold the position from which detailed and keeps the same status and pay. Various mission requirements may be satisfied by the use of details when other action is inappropriate or a more permanent action cannot be made in a timely manner.

a. Details for 30 calendar days or less can be made informally without submitting a personnel action to the CPAC NAF Division. However, a supervisor will not make a series of short-term assignments to circumvent the intent of governing regulations.

b. Details for more than 30 days require a DA Form 4017 be submitted to the CPAC NAF Division. Supervisors are responsible for properly detailing employees, providing reasons for details on the DA Form 4017, and ensuring that employees are returned promptly to their official duties when a detail ends.

c. Details to positions at the same or lower grade may be made for up to a total of 1 year. However, details should be limited to the shortest practicable time limits and must not be used in lieu of taking other proper personnel actions.

d. Details to an unclassified set of duties may also be made for up to 60 days. Such details may not be extended unless the duties have been assigned a tentative grade evaluation, which is at the same or lower grade as the employee's regular position.

5. Temporary Promotions. Employees can be temporarily promoted to higher-grade positions when a permanent action is not possible or is not desired. Employees must meet all qualification and regulatory requirements for the positions before they can be noncompetitively or competitively temporarily promoted. Temporary promotions may not exceed 120 days and may not be extended or converted to permanent status without competition.

6. Interviewing Candidates.

a. While interviews are not mandatory, if you interview one candidate you should offer all candidates interviews. The selection interview is a key to quality selections, providing an opportunity for candidates to learn more about job requirements, conditions of employment and performance expectations. It also allows the interviewer to clarify information and assess other characteristics that relate to success in the position being filled. No written or performance tests may be given other than what was required in the vacancy announcement for meeting stated qualifications.

b. **Discuss only merit factors.** The discussion of any factors not relevant to employment consideration is improper. Non-merit factors include, but are not limited to: age, politics, handicap, race, religion, color, sex, membership or non-membership in an employee organization, arrest and conviction record, type of military discharge, views on birth control, abortion and women's rights, marital status, occupation of spouse, arrangements for care of children, and national origin. To keep the interview focused on relevant and appropriate matters, a supervisor should prepare for the interview by constructing a set of questions to ask all candidates.

c. **Withhold selection decision.** At the end of the interview, the candidate should be given some idea of when a selection will be made, but supervisors must not indicate to the candidate that a selection decision has been made.

7. Selection and Release of Employees.

a. Selection for a position must be based on merit factors and demonstrate awareness of EEO considerations. Supervisors will not inform employees of selection or non-selection, but will notify the servicing CPAC NAF Division of final selection. The supervisor has the authority to make a selection, but not the authority to make a commitment of employment.

b. Commitment of a position to the selected candidate is made by the CPAC NAF Division after the action has been reviewed for propriety. When an employee in the current work force is selected, the NAF Division will contact the losing supervisor to arrange a release date. The release date will normally be no later than the beginning of the second pay period following the notification.

8. Employee Complaints. Complaints involving placement or promotion processes may be filed under the appropriate complaint or grievance procedures. Employees who believe there has been illegal discrimination may choose to file either an EEO complaint or a grievance, but not both. Non-selection from among a group of properly ranked and certified candidates is not an appropriate basis for a formal complaint or grievance. If employees have questions regarding a placement or promotion process, they should discuss the situation with their supervisors. If the supervisor is unable to satisfactorily answer the questions, it is recommended that the employees make an appointment to talk with the personnel specialist who serviced the action, or with the supervisor who made the selection.

Chapter IX

BUSINESS BASED ACTIONS

1. Policy.

a. Policies and procedures affecting Business Based Actions (BBA) for NAF employees are covered in AR 215-3, chapter 10. It is the policy of DA to avoid business based actions (BBA) to the maximum extent possible. Management at all levels will take all appropriate actions to avoid or minimize the impact of required reductions.

b. Employees and employee organizations will be informed of firm plans and specific details of BBA as soon as possible, consistent with security limitations and good management principles.

2. When BBA Procedures are Used. BBA procedures are used whenever employees are to be released from their positions by means of separation, demotion, or reassignment. They are released when their current positions are abolished. Causes of such actions include lack of work, shortage of funds, planned reorganizations, or the exercise of reemployment or restoration rights of former employees.

BBAs include:

- a. Separation
- b. Reduction in pay level/grade (applicable to NF employees)
- c. Change in employment category
- d. Furlough of a regular employee for eight calendar days or more. (Flex employees excluded)

3. Responsibilities. Management officials and supervisors determine when reductions in personnel must be made, the areas and functions where positions are to be eliminated, and the specific positions to be eliminated. Usually, management officials at higher headquarters determine when reductions must be made; and local managers or supervisors determine the specific positions to be eliminated. Once these management decisions are made, the NAF Division is responsible for conducting the BBA.

4. Advance Notice. If employees are affected by BBA, they will receive advance written notice. The advance notice will indicate the employees' rights and placement offer, if any. The notice will also indicate who the employee should contact for additional information. NOTE: Notices will not be issued or made effective between 15 December and 3 January.

5. Employees Rights and Entitlements. Employees facing separation from employment as a result of a BBA have certain rights and entitlements afforded them. DoD Priority Consideration, eligibility for severance pay, and eligibility for discontinued service retirement. The NAF Division will explain eligibility requirements rights and entitlements to employees who are adversely affected by a BBA.

CHAPTER X

LABOR MANAGEMENT RELATIONS

1. Policy.

a. Labor management relations programs relating to DA NAF employees will be administered in accordance with DoD 1400.25-M, Chapter 700, and subchapter 711.

b. No interference, restraint, coercion, or discrimination will be practiced by any supervisor or managerial executive to encourage or discourage membership in any labor organization. All managerial executives and supervisors are expected to demonstrate an affirmative willingness to carry out the requirements of the law. It is essential, therefore, that all levels of staff and line management become thoroughly acquainted with the provisions of this chapter and applicable collective bargaining agreements. Training is available from the CPAC, Labor Relations Officer.

c. Employees shall have and shall be protected in the exercise of the right, freely and without fear of penalty or reprisal, to form, join and assist any labor organization or to refrain from any such activity. However, employees will not engage in any activity as members, officers, or representatives of a labor organization that is in conflict with their official responsibilities.

d. Management and unions should work together in a spirit of partnership to establish and achieve common goals and interests wherever possible. Increased emphasis has been provided on training management and union officials in alternative methods of dispute resolution. Negotiating and resolving disputes by use of "win-win" bargaining and consensus principles are encouraged.

2. Local Labor Organizations, Bargaining Units, and Negotiated Agreements.

a. **Bargaining Units.** Most non-supervisory employees in activities serviced by the Civilian Personnel Advisory Center (CPAC) may be included in a bargaining unit certified for representation by a labor union. Management officials, supervisors, and union officials are responsible for conducting their business in accordance with the labor law, civilian personnel regulations and the provisions of the negotiated agreement (contract). Supervisors, management officials, **confidential employees** engaged in personnel work in other than a purely clerical capacity are excluded from coverage.

- **Confidential Employee:** Employees who act in a confidential capacity with respect to an individual who formulates or effectuates management policies in the field of labor-management relations.

b. **Negotiated Agreements.**

(1) A negotiated agreement is a set of guiding principles, rules, working conditions, personnel policies and practices, which affect the supervision of bargaining unit employees. While the application and implementation of the agreement is a total management responsibility, the first-line supervisor bears the greatest and most crucial responsibility. Applying the words and phrases in the written agreement in accordance with the meaning and intent negotiated by management and the union can become difficult in daily work situations. The union will "police" the agreement to ensure management adheres to the provisions of the agreement. Similarly, supervisors are expected to "police" the agreement to see that employees and the union's representatives comply with the provisions of the agreement. Poor contract administration leads to sustainable grievances, unfair labor practices (ULP), a poor labor-management relationship, impaired employee morale, and reduced efficiency.

(2) "Past practice" is an important concept in contract administration. It is defined as "an unwritten rule based upon a longstanding pattern of conduct." Past practice usually evolves where the agreement language is ambiguous and, or supervisory control is lax. Past practice is important because current agreements provide for binding arbitration as the terminal step of the grievance procedure. If and when arbitrators render an award, they will look not only at the agreement, but also at any past practices being observed by both parties. Conceivably, by not applying the agreement as written, supervisors can distort the intent of what was actually negotiated. While it may not always be detrimental, allowing past practice situations to occur may erode the effect of agreement language very important to management.

(3) No labor agreement can cover everything or anticipate future situations that may arise. Supervisors will often find themselves being asked to make decisions on a day-to-day basis about subjects not specifically covered in the agreement. Supervisors should recognize that this will happen, accept it as a common and not undesirable part of the labor-management relationship, and be prepared to deal with a wide variety of subjects affecting employees and their conditions of employment not covered in the agreement. In these situations the CPAC Labor Relations Officer can offer assistance.

3. Union/Employee Rights and Responsibilities. Supervisors should be aware that the law mandates certain rights and responsibilities for employees and recognized unions.

a. Employees have the following mandated rights:

(1) To form, join, or assist any labor organization, or to refrain from such activity freely and without fear of reprisal. These rights include the option of serving as a union representative, presenting the views of the union, and bargaining with the respect to conditions of employment through their chosen representatives.

(2) To authorize the payment of union dues through payroll deduction. Any such allotment shall be made at no cost to the employee or the exclusive representative, and may not be revoked for one year unless the employee leaves the represented bargaining unit, or is expelled from union membership, or the union loses recognition. Supervisors are not eligible for payroll deduction of union dues because they are excluded from representation by the union.

(3) To be represented by the union at any investigative meeting conducted by an agency official if the employee reasonably believes that the examination may result in disciplinary action and if the employee requests representation.

b. The Union has the following rights:

(1) To be the exclusive representative of employees in the bargaining unit. The union is entitled to exclusively act for and negotiate collective bargaining agreements covering all employees in the unit. The union must represent these employees whether or not they are dues-paying members.

(2) To be represented at any formal discussion between agency representatives and unit employees (or their representatives) concerning any grievance, personnel policy or practice, or other general condition of employment. The union has the right to present its views to management on matters of concern to its members, to raise appropriate matters for discussion with management, and to be consulted by management on matters of concern to the organization.

(3) To be the representative of employees in grievances under the negotiated grievance procedure. Union representation rights do not prevent an employee from being represented by persons other than the union in forums outside the negotiated grievance procedure and the agreement.

c. Internal Union Business. Labor organization membership meetings, soliciting memberships, campaigning for labor organization officers, conducting elections for labor organization officers, and other

activities concerned with internal management of a labor organization will be conducted outside regular working hours.

4. Management Rights and Responsibilities.

a. General. Management has been provided an extensive list of rights under the law to assure efficient and effective conduct of operations and accomplishment of the mission.

b. Scope of Bargaining.

(1) Management retains the following rights under the law:

(a) To determine the mission, budget, organization, number of employees, and internal security practices of the agency.

(b) To hire, assign, direct, layoff, and retain employees in the agency or to suspend, remove, reduce in grade or pay, or take other disciplinary action against such employees.

(c) To assign work, to make determinations with respect to contracting out, and to determine the personnel by which agency operations shall be conducted.

(d) With respect to filling positions, to make selections for appointments from among properly rated and certified candidates for promotion or any other appropriate source.

(e) To take whatever actions may be necessary to carry out the agency mission during emergencies.

(2) Under the law, management may choose to negotiate or not negotiate over the numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty; and the technology, methods, and means of performing work. To encourage better operational efficiency and mission accomplishment through partnering.

(3) The following principles will guide management in the exercise of statutory rights.

(a) Procedures which management observes in exercising its management rights, and appropriate arrangements for employees adversely affected by management's exercise of its rights are negotiable.

(b) Employees and the union must be provided the opportunity to grieve and seek redress of management's personnel decisions and actions, but only after management acts.

c. Consultation Responsibility.

(1) Management can do a better job when the union is involved in matters of mutual concern. Where a matter is appropriate for negotiation, there should be union notification, and negotiations if requested by union. Management must constantly be aware of its responsibility to protect the public interest, the rights of the employees, and the union's responsibility to represent the employees under exclusive recognition.

(2) In addition to developing procedures for implementing management decisions and dealing with possible adverse impact of those decisions, matters appropriate for consultation or negotiation with recognized labor organizations shall include policies and practices affecting working conditions, including but not limited to such matters as safety, parking, labor-management cooperation, employee services, methods of adjusting grievances, appeals, promotion plans, and demotion practices.

d. Contractual Rights. Provisions, procedures and contractual rights negotiated by the agency and the union, in addition to the basic employee and union rights contained in the law, must be fully honored. Failure by management officials and supervisors to honor such right may result in unnecessary and time-consuming grievances and ULP charges.

5. Arbitration and Unfair Labor Practices.

a. Arbitration. The dispute resolution procedures in the negotiated agreements may result in binding arbitration. An arbitrator is jointly chosen by management and the union. The arbitrator's decision, after conducting a formal hearing, is final and binding.

b. Unfair Labor Practices (ULP).

(1) The independent Federal Labor Relations Authority (FLRA) resolves negotiability questions and ULP charges. ULPs are violations of the labor relations statute conducted by either management or the union. Supervisors must avoid complaints and the possible consequences of causing the commander to be judged guilty of committing a ULP. The CPAC Labor Relations Officer can provide guidance in this area.

(2) Management may not:

(a) Interfere with, restrain, or coerce employees in exercising their rights under the Labor Relations Program.

(b) Encourage or discourage union membership.

(c) Sponsor, control, or assist a labor organization.

(d) Discipline or otherwise discriminate against employees for filing a complaint or petition, or for testifying.

(e) Refuse to consult or negotiate in good faith.

(f) Fail or refuse to cooperate in negotiation impasse procedures or decisions.

(g) Enforce a rule which conflicts with the collective bargaining contract if the contract was in place before the rule was issued. The procedures and impact of implementation must be negotiated.

(h) Fail or refuse to comply with any provision of the Federal Labor Relations Law.

(3) Union officials may not:

(a) Interfere with, restrain, or coerce employees in exercising their rights.

(b) Cause, or attempt to cause, management to discriminate against employees in exercising their rights.

(c) Coerce, punish, or attempt to take reprisal against a union member to hinder work performance or productivity.

(d) Discriminate in regard to membership or in representation of employees.

(e) Refuse to consult or negotiate in good faith.

(f) Fail or refuse to cooperate in impasse procedures or decisions.

(g) Call, participate in, or condone a strike, work stoppage, slowdown, or picketing which interferes with an agency's operations.

(h) Fail or refuse to comply with any provision of the Federal Labor Relations Law.

Chapter XI

PERFORMANCE EVALUATION SYSTEM

1. Purpose. Performance management is the systematic process of integrating performance, pay, and awards systems to improve individual and organizational effectiveness in the accomplishment of Army's mission and goals. This chapter discusses major components of the Department of the Army's system for planning and appraising performance of NAF civilian employees, including the linkage of performance with pay benefits and job security. More complete regulatory guidance is found in AR 215-3.

2. Objectives.

- a. Communicating organizational goals and priorities, and Army values to employees.
- b. Establishing individual expectations for performance that reflect organizational goals and priorities.
- c. Facilitating frequent discussions between employee (ratee) and rating supervisor (rater) about performance, expectations, professional development, and DA values and ethics.
- d. Fostering a work environment where all consider themselves important members of the Army team, and where they are recognized for achievements and encouraged, challenged, and assisted to seek continuous improvement.
- e. Requiring annual written individual performance evaluations which provide an accurate assessment for ratees to use in monitoring their own progress, and for supervisors and managers to use in making decisions involving pay, training, rewards, reassignments, promotions, reductions in grade, retention, reductions in force, and removal.

3. Applicability. Applies to all NAF pay band and regular Federal Wage System employees.

4. Responsibilities. Performance management is an inherent responsibility for everyone in positions of leadership. However, those being rated, developed, and recognized through the performance management system also have significant responsibilities.

- a. **Commanders and Activity Directors** are responsible for monitoring the success of the system to ensure the system is applied fairly and consistently in accordance with the regulation.
- b. Senior Raters are responsible for communicating organizational goals and for setting and exhibiting the level of performance expected, including DA values and ethics
- c. Raters are normally the immediate supervisors who assign and monitor the daily work and performance of subordinate employees. They discuss with their employees organizational goals and priorities, DA values, performance assessments, and professional development plans, and develop performance plans for each rating period with the collaboration of the ratee. Performance discussions should be conducted where warranted. Raters prepare timely written performance appraisals that describe specific accomplishments and accurately assess the ratee's performance when compared to documented expectations, and make appropriate performance award recommendations.
- d. Ratees are responsible for learning what is expected of them in their positions; for discussing with the raters their ideas and suggestions about the work, Army values, and professional development goals, and for performing to the best of their abilities. They are expected to inform their supervisors when questions or concerns related to their work occur, when they have suggestions for work improvement, and when input is requested in developing performance plans. They are expected to provide timely input to their raters on their accomplishments for use in preparing performance appraisals.

e. **The CPAC NAF Division** is responsible for providing guidance and assistance to supervisors in executing their daily performance management responsibilities, for informing all employees of the processes and requirements of the system, and for accomplishing technical review of performance rating documents prior to entry into the employee's OPF.

5. System Requirements.

a. Written performance plans are required. Performance plans document expectations based on organizational mission and goals and should be consistent with the types of duties and responsibilities assigned in the official job descriptions. The plans are implemented by the rater within the first 30 days of each rating period. Whenever a subordinate rater issues a summary rating of Unsatisfactory Successful (fails in one or more of the performance standards or objectives), the senior rater must review and approve the rating. Although ratees are encouraged to participate fully in developing performance plans, unresolved differences may necessitate that raters exercise their authority to implement performance plans without the ratee's concurrence.

b. Annual performance appraisal periods are established for 12 months.

c. **Change of Rater.** When there is a change of rater prior to the end of the rating period, the new rater may prepare the rating with or without the input of the previous rater. When input is not used, the employee must have served 120-days under the current supervisor under an approved performance plan.

d. Probationary or trial periods are required for new employees who have never completed a probationary period, and for a supervisor or manager who is serving an initial appointment to a supervisory or managerial position.

(1) Raters should closely monitor the performance of probationary employees to determine their overall suitability and ability to effectively perform the work.

(2) Specific information and assistance should be given to probationary employees when deficiencies are discovered so that the employee has time to demonstrate adequate improvement during the probationary period.

(3) The decision to terminate the appointment of an employee on a probationary appointment or to return a probationary supervisor to a non-supervisory position can be made any time during the one-year probationary period. To ensure appropriate employee notification, such decision should not be deferred until the end of the probationary period. The CPAC, MER, will provide the supervisor with guidance on effecting such action.

e. The due date for annual appraisals to reach the CPAC is usually NLT 30 days after the end of the rating period. Supervisors must ensure that the rating process occurs properly and timely. The CPAC will monitor submission of appraisals and notifies activity resource management offices of appraisals that are delinquent.

f. Rating of record is the overall performance rating assigned to the annual appraisal, and is filed in the ratee's OPF.

Chapter XII

EFFECTIVE DISCIPLINE

1. Constructive Discipline Policy.

a. Preventing Problems. One of a supervisor's primary responsibilities is to establish and maintain a work environment where infractions of rules or other misconduct are unlikely to occur. A positive work environment can help to minimize disciplinary actions. The following are supervisory practices, which promote a positive work environment through effective supervisor-employee relationships:

(1) Practicing good human relations. Supervisors should be skillful in practicing good human relations, including tact, consideration, timely communications, fairness, and interest in concerns of employees. These practices help supervisors maximize cooperation from employees.

(2) Providing specific instructions. To perform well, employees must know what is expected. Therefore, supervisors should provide clear instructions and communicate realistic standards for satisfactory employee performance and conduct.

(3) Maintaining consistent standards. For appropriate reasons, supervisors sometimes ignore instances where employees deviate from normal standards of performance or conduct. However, excessive leniency may produce disciplinary problems

b. Corrective Actions. When an employee violates standards of conduct or displays any other inappropriate behaviors which impact or have the potential to impact negatively on government operations (either at work or off duty), the supervisor must determine the best course of action to prevent recurrence. The decision to take a disciplinary action should have a constructive effect to encourage the highest level of professional discipline and morale among all employees. Appropriate discipline should:

(1) **Be timely.** The effectiveness of discipline diminishes in proportion to the time allowed to elapse between the offense and the corrective action taken.

(2) Establish a clear nexus between the misconduct and the employee's employment. Off-duty behavior, which adversely impacts on government operations or the reputation of the employer, may form a nexus.

(3) Fit the severity and circumstances of the misconduct. A less severe situation should receive less severe discipline.

(4) **Be progressive.** Less severe discipline should be considered for a first offense than for repeated offenses. However, a more severe disciplinary measure may be warranted depending on the circumstances and seriousness of the offense.

c. Range of Penalties. AR 215-3, Chapter 7, Table 7-1 provides a Table of Penalties for particular offenses. The range of penalties listed is to be used as a general guide in administering discipline to ensure that comparable disciplinary actions are taken for comparable offenses. Substantial deviation from the suggested penalties must be carefully evaluated and fully explained in writing to the employee. Penalties for offenses not listed in the table are determined on a case-by-case basis by making a reasonable comparison with those listed, in coordination with the Civilian Personnel Advisory Center (CPAC), Management-Employee Relations (MER).

d. Alternative Discipline Agreements. In some cases, formal discipline may be considered too severe or too administratively costly for the misconduct, while informal discipline, such as verbal counseling or

warning may be too lenient. A more productive corrective action might be to construct a written alternative discipline agreement. Under such agreement, the employee is offered the choice between formal discipline or accepting responsibility for the misconduct. The employee agrees that if similar behavior occurs in the future disciplinary action will be administered and waives any rights to grieve or appeal. In return, the supervisor agrees not to process formal discipline. The result may be a "win-win" resolution. The employee may have more commitment to improve, retain less anger about discipline received, and avoid loss of pay or permanently damaged work record. Management may avoid the loss of employee productivity and costly administrative processes and retain the alternative agreement as documentation of misconduct and discipline. Such alternative discipline agreements must have concurrence of the CPAC and, where applicable, union officials.

2. Responsibilities for Discipline.

a. Management officials are responsible for:

(1) Ensuring that employees are given opportunity to familiarize themselves with the standards of conduct expected of them (see Chapter 7). New and changed standards will be brought to the attention of all employees immediately upon issuance.

(2) Encouraging effective self-discipline on the part of employees, ensuring the uniform enforcement of standards of conduct, and initiating appropriate corrective action when necessary.

(3) Investigating all facts immediately and thoroughly upon receiving information of possible misconduct.

(4) Determining and initiating necessary corrective action appropriate for investigatory findings and to clear employees of false allegations.

(5) Providing positive leadership and example to employees serving under their supervision, and promoting a sense of teamwork and responsibility.

(6) Providing advice and assistance to employees who are in doubt as to whether a particular action would meet the standards of conduct expected.

(7) Treating employees in a fair and equitable manner, avoiding discrimination or favoritism, and conducting operations in a manner, which shows proper regard for the dignity of subordinates.

b. The CPAC NAF Division is responsible for:

(1) Assisting supervisors where corrective discipline or adverse action may be warranted.

(2) Providing clarification regarding standards of conduct, laws, rules, or regulations relevant to individual cases.

(3) Reviewing all proposed disciplinary and adverse actions, in light of the facts presented and the total work record of the employee, to ensure that the proposed action is not arbitrary or unreasonable and is consistent with the principles of sound personnel management and regulatory requirements.

(4) Assisting management in preparation of letters of reprimand, suspensions, and adverse actions, ensuring compliance with regulatory requirements.

3. Types of Disciplinary Actions.

a. Informal. Oral counseling/warnings and oral reprimands are the steps in constructive discipline. Such actions generally involve less serious violations of rules, regulations, standards of conduct, safety, or supervisory/managerial mandates and are kept at the immediate supervisor's level.

b. Formal. Formal discipline is used for more serious or repeated violations and normally consists of written reprimands and suspensions of 14 days or less. Also included are adverse actions such as longer suspensions, demotions, or removals. Letters of Reprimand become a temporary part of the employee's Official Personnel Folder (OPF), while suspensions and removals are permanent records. Although formal disciplinary actions are initiated by immediate supervisors, such actions usually involve more than one level of supervisory authority and cannot be accomplished without close coordination with the CPAC to ensure compliance with laws, rules, and regulations.

4. Procedures for Taking Disciplinary Action. When there is reason to believe an employee has violated standards of behavior/conduct or established rules, prompt action is required. Supervisors should carefully document through memoranda for record (MFR) all meetings and conversations involving the misconduct and consideration of discipline.

a. First, get all the facts. An impartial investigation should be conducted as soon as possible, including examination of all pertinent documents, such as time cards showing AWOL, and hearing the reports of all parties with relevant information. Before questioning a bargaining unit employee (BUE) concerning a suspected violation, prior notice should be given to the employee that an investigative meeting is scheduled to ask questions about the matter. Such advance notice will allow the employee to arrange for a union representative to be present for the questioning, if desired. Employees and their representatives should be treated with professional courtesy and respect, even if their reactions become tense and "robust" at times.

b. Next, weigh the evidence and possible corrective actions. It should be determined who, if anyone, was at fault and if there were mitigating circumstances. Grievances and appeals (discussed in Chapter 13) often follow disciplinary actions, and supervisors will be required to show evidence to support their decisions.

(1) The nature and seriousness of the offense and whether it was intentional, committed maliciously or for gain, frequently repeated, or was technical or inadvertent.

(2) The employee's duties, position, and responsibilities in relation to the offense, including whether the position is supervisory or fiduciary, the degree of contact with the public, and the prominence of the position.

(3) The employee's total documented employment record, including past offenses, counseling and disciplinary record, past work record and performance appraisals.

(4) The likely effect of the offense upon the employee's level of performance in the future, and the effect upon the supervisor's confidence in the employee's performance.

(5) Consistency of the penalty with the DA Table of Penalties and with past treatment of similar cases.

(6) Notoriety of the offense, or impact upon the reputation of the government as the employer.

(7) Clarity with which the employee had been given prior explanation of any rules that were violated, or had been warned previously about the misconduct.

(8) Potential for the employee's rehabilitation.

(9) Mitigating circumstances, such as unusual job tensions, personality problems, mental impairment, harassment, bad faith, malice or provocation from others involved.

(10) Probable adequacy and effectiveness of alternative sanctions to deter such misconduct in the future.

c. Next, meet with the employee. Bargaining Unit employees have the right to union representation. The discussion should be limited to the circumstances of the violation or incident, the results of the investigation, and the conclusions reached. Careful consideration should be given to any response from the employee. If discipline is necessary, one of the following courses of action should be taken:

(1) If an informal disciplinary action is determined sufficient, it may take place during the meeting or, if the supervisor prefers to give further consideration to the matter, at a subsequent meeting.

(2) If formal disciplinary action is warranted, the employee should be told that formal discipline is being considered, avoiding commitment to a specific type of action.

d. Finalize the appropriate corrective action. If informal discipline is determined appropriate, all discussions with the employee and others involved should be fully documented by Memorandum for Record (MFR). Any verbal counseling is documented with a MFR maintained by the supervisor, with a copy given to the employee and signature obtained to document receipt. If formal discipline is warranted, a memorandum stating the recommended action, the reasons for recommending that action, and all supporting information should be forwarded to the CPAC, MER for regulatory and policy review and the assistance in the preparation of official documents. For suspension and separation actions, a DA Form 4017 is initiated and forwarded to the CPAC NAF Division.

5. Related Actions. Although the following are not adverse actions, they may impact on the employee's pay or grade:

a. Furlough is the placing of an employee involuntarily in a temporary status without duties and pay because of lack of work or funds or for other non-disciplinary reasons.

b. Voluntary separations and reductions in rank or pay initiated by the employee do not require the use of adverse action procedures. However, a normally voluntary action, such as a resignation, optional retirement, or reduction in rank or pay at the employee's request may be considered an adverse action if it is obtained by duress, time pressure, intimidation, or deception. A third party determines whether an action is voluntary or involuntary not by the form of the action, but by the circumstances that produced it.

c. Business-based Action (BBA) may result in adverse actions and is explained in Chapter 9.

d. Alcohol and drug abuse. Army regulations provide for non-disciplinary procedures by which an employee with alcohol or other drug-related problems is offered rehabilitation assistance through the Alcohol and Drug Abuse Prevention and Control Program. Before considering any disciplinary action for offenses related to alcohol or drug abuse, supervisors should seek guidance from the CPAC. In some cases, disciplinary action for absenteeism or misconduct resulting from alcohol or drug abuse may be postponed or suspended for employees enrolled in and satisfactorily progressing in an approved rehabilitation program.

Chapter XIII

GRIEVANCES

1. Policy. Employees who believe they have not received fair and equitable treatment have a right to present their grievances to appropriate management officials for prompt consideration and equitable decision. This right may be exercised directly by an employee or through a personal representative. In exercising this right, the employee and their representative will be unimpeded and free from restraint, coercion, discrimination, or reprisal. Grieving employees and their representatives will have full access to relevant information and shall be permitted a reasonable amount of official duty time, if otherwise in a duty status, to prepare and present grievances and appeals.

2. Grievances. Dissatisfactions and disagreements will arise occasionally among people in any work situation. The most constructive and efficient way to resolve such dissatisfactions and disagreements and to develop favorable and effective working relationships is through informal workplace discussions between employees and supervisors. The success of such discussions depends on the degree to which each person carefully listens to others and seeks the common interest that all can share, i.e., a "win-win" resolution.

a. Definition. Grievances are employees' dissatisfactions with employment conditions caused by management practices and decisions or by other factors in the working environment. Although any dissatisfaction of an employee should be considered by the supervisor and, where practicable, a resolution sought, not all matters are covered by grievance procedures.

(1) Included in coverage of grievance procedures are complaints involving physical environment and facilities, interpretation and application of agency policies, regulations and practices, disciplinary actions, and an unsatisfactory performance rating.

(2) Excluded from coverage of grievance procedures are complaints involving the content of policy (unless alleged that local requirements violate those established by higher headquarters), non-selection or promotion from a group of properly ranked and certified candidates, matters under the reserved rights of management to hire, promote, assign, and evaluate employees, and matters specifically excluded by Federal regulation.

b. Processing Grievances. When a grievance surfaces, the supervisor must determine and review the proper procedures. Grievance procedures have specific procedural and suspense requirements. The Civilian Personnel Advisory Center (CPAC), Management-Employee Relations (MER), may be contacted for coordination and guidance in procedural matters.

(1) **Negotiated Procedures.** Employees who are members of an exclusive bargaining unit must pursue their grievances through the procedures established in the applicable negotiated agreement.

(2) **Agency Procedures.** Employees who are not covered by negotiated grievance procedures must use the Department of Army Administrative Grievance System (AR 215-3).

(3) **The Role of the Supervisor.** Failure by the supervisor to give fair and prompt consideration to concerns within the supervisor's control, and to clearly communicate respect and concern for the employee's well-being, will almost certainly lower the quality of those working relationships and foster additional dissatisfaction. Even when the grievance involves matters outside of the supervisor's direct control, the supervisor is responsible for monitoring the grievance to ensure it is processed properly, fairly, and as expeditiously as possible.

CHAPTER XIV

INCENTIVE AWARDS PROGRAM

1. Policy.

a. AR 215-3 establishes the policies and regulations governing the Army Incentive Awards (IA) Program for non-appropriated fund employees. The objectives of the IA Program are to:

(1) Encourage the fullest participation of civilian employees and military personnel in improving government operations.

(2) Recognize and reward employees who contribute to efficiency, economy, or other improvement of government operations.

(3) Recognize and reward employees for superior individual performance and for individual or group special achievements which contribute significantly to the efficiency, economy, or other improvement of government operations.

b. Effective administration of an IA Program requires recognition of constructive ideas and meritorious accomplishments.

c. Employees should not be informed that they are being nominated for an award.

d. Except under circumstances where the contribution is so extraordinary that recognition with a lesser award would be insufficient, awards should normally follow a progressive sequence of recognition.

e. Whenever possible, the service, accomplishments, and performance of both military and civilian members will be recognized at combined awards ceremonies.

f. No discretionary monetary or honorary award for performance or achievement will be made to an employee under investigation or pending disciplinary or adverse action based on performance or conduct.

g. Occasionally, a manager outside an employee's chain of command may wish to nominate the employee for an award. Such nominations must be coordinated with the employee's immediate supervisor before being submitted by the individual having direct knowledge of the act, service, or achievement.

2. Approving Officials. Consult local policies for individuals who have been designated as approving officials.

3. Monetary Awards.

a. **General.** Supervisors are encouraged to use awards within the locally established guidelines. There are three monetary awards, which may be approved locally: Performance Award (PA), Time Off Award (TOA), and Special Act or Service Award (SA/SA). Documentation is required for monetary awards. A DA Form 5167 (Incentive Awards Nomination and Approval) is the employee's official notification of receipt of an award. Activity preparation of a DA 2443 (DA Commendation Certificate) is optional. If an award nomination is not approved, it is returned to the immediate supervisor by either the activity approving official or the CPAC with the reason(s) for unfavorable consideration.

b. Performance Awards (PA).

(1) The PA is given in recognition of high-level performance for a specific period and is computed as a percentage of the employee's base salary. The PA may be used to recognize all nonappropriated fund employees.

(2) Employees rated Outstanding or Excellent may be considered for a PA.

(3) Receipt of high-level annual performance ratings does not automatically result in nomination for a PA. The PA should be used both to reward past performance and as an incentive to stimulate future high performance of the awardees and their peers. Organizational accomplishments, including overall contribution to the mission, should be major considerations when recommending or approving PAs.

(4) Special one time individual contributions or achievements resulting from short periods of service in which tangible or intangible benefits are identified may be appropriately recognized with a SA/SA or an On-the-Spot (OTS), rather than the PA.

(5) Nominations for PA may be disapproved when prompted solely by the impending departure of a supervisor or an employee; when prompted solely by the fact that the employee is currently at a pay rate subject to legal limitation (pay cap); and when an employee has received a previous PA based in whole or in part on the same performance currently being recognized.

(6) Receipt of one or more awards for special act or service during a period of high-level performance does not prevent the receipt of a PA unless the nomination for the PA is based on the same accomplishment(s) for which a previous award(s) was granted.

c. Special Act or Service Award (SA/SA) and On-the-Spot (OTS).

(1) The SA/SA is a cash award given to nonappropriated fund employees to recognize a meritorious personal effort, act, service, or other achievement accomplished within or outside assigned job responsibilities. The act, service, or achievement must result in either tangible or intangible benefits or both to the Government and may involve more than one employee. The SA/SA should not be used to substitute for other personnel actions, pay entitlements, or other forms of recognition, or when the act or service to be recognized has served either wholly or in part as the basis for a previous cash award.

(2) The SA/SA is appropriate to recognize short term accomplishments in a regularly assigned position, during a detail, at the conclusion of a successful special project, or when performance or honorary awards are not appropriate; to recognize civilian employees' ideas or improvements resulting in tangible or intangible benefits that cannot be recognized under AR 5-17, The Army Ideas For Excellence Program; and to recognize accomplishments within or outside job responsibilities when the act or service results in tangible or intangible benefits or both to the Government. The SA/SA may involve more than one individual.

(3) The amount of a SA/SA cash award range depends on the achievement being recognized. The OTS cash award is a small SA/SA ranging from \$25 to \$500, which may be given by a supervisor for day-to-day accomplishments of subordinate employees. Awards of \$251 to \$500 (the maximum) may be authorized by the fund manager. Except for the OTS cash award, all SA/SA amounts will be determined using the cash award criteria for tangible or intangible benefits.

(4) A nomination for a SA/SA or an OTS is initiated by an employee's supervisor or any official having direct knowledge of the act, service, scientific or other achievement, in coordination with the employee's supervisor. The nomination must be made on DA Form 5167, Incentive Award Nomination and Approval. Supporting documentation for a SA/SA and the OTS consists of a written narrative outlining the specific act, service, or accomplishment. When a recommendation for a SA/SA is based on measurable, tangible benefits, supporting data will show in detail how these benefits were computed. Recommendations based on intangible

benefits will identify the value of benefits and extent of application of the achievement. The dollar amount of a SA/SA and OTS (from \$25 to \$500) will be specified on the DA Form 5167.

(6) Processing of the SA/SA and the OTS should be accomplished as expeditiously as possible. The approved nomination and supporting documentation is submitted through the activity budget office to Incentive Awards, NAF HRO, for formal processing.

e. Time Off Awards (TOA).

(1) During a 12-month period an employee may be granted up to 80 hours of time off without charge to leave or loss of pay for achievements or performance contributing to the Army mission. For a single contribution, an award of up to 40 hours may be granted. A TOA may not be converted to a cash payment under any circumstances and does not transfer under the Portability of Benefits law.

(2) For part-time employees or employees with uncommon tours of duty, the maximum time off during the leave year will be the average number of work hours in the employee's biweekly scheduled tour of duty. The maximum amount of time off granted for a single contribution for part-time or uncommon tour employees will be one-half the maximum amount of time that could be granted in the leave year for the employee.

(3) The TOA may be used alone or in combination with monetary or non-monetary awards to recognize the same kinds of employee contributions. Contributions must directly support the Army mission or result in benefits to the Government. The extent of the contribution will be considered when determining the amount of time off that is approved.

(4) The TOA must be scheduled and used within one year of the approval date.

(5) A TOA is initiated by an employee's supervisor using either a DA Form 5167 with a short description of the employee's achievement and resulting benefits. The hours awarded must be annotated and the approved nomination is submitted through the activity budget office to Incentive Awards, NAF HRO, for formal processing.

(6) Use of the TOA. A DA Form 3434(Notification of Personnel Action) is not prepared for TOA. Instead a copy of the DA Form 5167 is forwarded to the employee as notification of a TOA. Subsequent use of the TOA (within one year of the effective date) must be scheduled and approved in the same manner as other leave.

4. Honorary Awards. Honorary awards may be given to NAF employees at anytime in their careers, including occasions such as retirement, reassignment, transfer, or separation, provided the individual's accomplishments fully meet the criteria for the particular award. Although it is necessary that criteria be general, nominating officials are expected to exercise sound judgment in assessing the total contribution of the employee toward mission accomplishment, and selecting the award that best recognizes the specific accomplishments of the employee. While lower level honorary awards normally will precede receipt of higher-level recognition, the level of the specific contribution being recognized governs selection of the appropriate award. Retirement, separation, or long period of service will not solely constitute the basis for granting an honorary award.

a. Letter of Appreciation or Commendation. A letter of appreciation or commendation is a means of recognizing employees who merit some form of recognition but do not meet the requirements for a higher award. Any supervisor or official having direct knowledge of an employee's acts, services, or work accomplishments may prepare and sign a letter of appreciation or commendation.

b. DA Form 4251, Certificate of Appreciation, is used to recognize each participant in the Army NAFI retirement plan who retires. No other retirement certificates are authorized.

c. DA Form 4242, Certificate of Achievement, is honorary recognition given for individual or group contributions. Eligibility is established through 1) accomplishing assigned duties in a commendable manner, demonstrating skill and initiative in devising and improving work methods and procedures or both which result in saving manpower, time, space, or materials; 2) significantly improving employee morale and job performance; and 3) personal diligence or initiative directly responsible for meeting mission requirements or special workload projects involving unexpected difficulties and operational demands. Activity commanders may approve this award.

d. DA Form 7012, Certificate of Appreciation for Patriotic Civilian Service, is used to recognize employees or groups of employees for service that is not related to their official positions which contributes to the mission of an Army activity, command, or staff agency, or to the welfare of Army personnel.

e. Achievement Medal for Civilian Service.

(1) This is the fifth highest DA honorary award and ranks directly below the Commander's Award for Civilian Service. It is awarded for noteworthy achievements of a lesser degree than those recognized by the Commander's Award. It consists of a medal, lapel pin, and DA Form 5654 (Achievement Medal for Civilian Service). Any commander at the Lieutenant Colonel (0-5) level and above or civilian equivalent may approve this award. A nomination normally covers a period of sustained superior service or level of achievement sufficient to warrant this recognition.

(2) An individual who receives the Achievement Medal for Civilian Service is eligible to receive the same award if based on a different achievement or service performed during a later period.

f. Commander's Award for Civilian Service.

(1) This is the fourth highest DA honorary award and ranks directly below the Superior Civilian Service Award. It consists of a medal, lapel pin, and DA Form 4689 (Commander's Award for Civilian Service). Any commander at the Colonel (0-6) level and above or civilian equivalent may approve this award. Nominations will reflect service or achievement of a lesser degree than recognized by the Superior Civilian Service Award.

(2) Employees who have established a pattern of excellence, as recognized through the previous receipt of one or more honorary or monetary performance awards should be considered for this award. Eligibility is determined by comparing contributions with the following examples of levels of achievement:

(a) Accomplishment of supervisory or nonsupervisory duties in an outstanding manner, setting an example of achievement for others to follow.

(b) Demonstrated initiative and skill in devising new or improved equipment, work methods and procedures, or conceiving inventions that resulted in considerable savings in manpower, time, space, materials, or other items of expense, or improved safety or health of the work force.

(c) Demonstration of leadership in performing assigned duties that resulted in improved productivity of the unit.

(d) Rendering professional or public relations service resulting in considerable favorable publicity in the local area.

(e) Demonstrated courage or competence in an emergency, while performing assigned duties resulting in benefit to the government or its personnel.

(3) An individual who receives the Commander's Award is not precluded from future receipt of the same award if the nomination is based on a different achievement or service performed during a later period.

g. Superior Civilian Service Award.

(1) This is the third highest DA honorary award and ranks directly below the Meritorious Civilian Service Award. It consists of a medal, lapel button, and DA Form 5655 (Superior Civilian Service Award). The award may be granted by any commander at the Major General (0-8) level and above or civilian equivalent.

(2) Nominations for this award normally will reflect superior service or achievement, or heroism of a lesser degree than that recognized by the Meritorious Civilian Service Award. The nomination should be submitted within six months after completion of the act or period to be cited. Employees who have established a pattern of excellence, normally recognized through the previous receipt of one or more honorary or monetary performance awards, may be considered for this award.

h. Meritorious Civilian Service Award.

(1) This is the second highest DA honorary award and consists of a medal, lapel pin, and DA Form 7015 (Meritorious Civilian Service Award). The award may be granted by the Secretary of the Army or a major commander. A commander, Lieutenant General or above, may grant this award upon retirement of the nominee or posthumously. Nominees must have established a pattern of excellence, normally demonstrated by receipt of lower level awards. The nomination should be submitted within six months after completion of the period to be cited.

(2) Eligibility is determined by comparing contributions with the following example levels of achievement:

(a) Accomplishment of supervisory or nonsupervisory duties in an exemplary manner, setting a record of achievement, and inspiring others to improve quantity and quality of their work.

(b) Demonstrated unusual initiative and skill in devising new and improved equipment, work methods and procedures; inventions resulting in substantial savings in manpower, time, space, and materials; or improved safety or health of the workforce.

(c) Achieved outstanding results in improving the morale and performance of employees.

(d) Exhibited unusual courage or competence in an emergency, while performing assigned duties, resulting in direct benefit to the government or its personnel.

(e) Rendered professional or public relations service of a unique or distinctive character.

(3) An individual who receives the Meritorious Civilian Service Award is eligible for a future grant of the same award if it is based on a different achievement or service performed during a later period. A succeeding grant of this award will be recognized by issuance of a laurel leaf cluster.

i. Decoration for Exceptional Civilian Service.

(1) This is the highest honorary award granted by the Secretary of the Army to Army civilian employees. The award consists of a gold medal, lapel button, and DA Form 7014 (Decoration for Exceptional Civilian Service) signed by the Secretary of the Army. Nominations must be submitted within six months after completion of the period to be cited.

(2) Eligibility is determined by comparing contributions with the following example levels of achievement:

(a) Accomplishment of assigned duties of major program significance to DA in such a way as to have been clearly exceptional or preeminent among all persons who have performed similar duties.

(b) Development and improvement of major methods and procedures, significant inventions, or responsible for exceptional achievements that affected large-scale savings or were of major significance in advancing the missions of DA, DoD, and the Federal Government.

(c) Exhibiting great courage and voluntary risk of life in performing an act resulting in direct benefit to the government or its personnel.

(d) Providing outstanding leadership to the administration of major Army programs in terms of highly successful mission accomplishments or in major redirection of objectives or accomplishments to meet unique or emergency situations.

(3) Contributions and achievements already recognized by a Meritorious Civilian Service Award or other Army honorary award will not be included in a justification for the Decoration for Exceptional Civilian Service. Honorary recognition granted by others, such as a Dodd award or a Presidential Executive Rank, would not preclude Army recognition based in whole or in part on achievements during the same period of service.

(4) With the exception of nominations for bravery, nominees must have established a demonstrable pattern of excellence and achievement, which normally have been recognized by previous honorary awards up to, and including the Meritorious Civilian Service Award.

(5) When the Decoration for Exceptional Civilian Service is approved, it may be held for the Secretary of the Army Awards Ceremony. For nominations to be considered for presentation at the ceremony, they must be submitted to the Executive Secretary, Army Incentive Awards Board, in sufficient time to be boarded between January and August. Generally, individuals scheduled to retire before the date of the ceremony will not be included in the ceremony.

j. Civilian Award for Humanitarian Service. The award for humanitarian service(s) consists of a medal, lapel pin, and DA Form 5652 (Civilian Award for Humanitarian Service). Any commander at the MACOM level or higher may approve this award. Private citizens of the U.S., as well as private citizens and government officials of foreign nations, are eligible for consideration. Nominations should cover a period of service during which the individual performed significant humanitarian actions, deeds, or achievements. Achievements deserving DA wide recognition should be submitted to the MACOM Commander or Secretary of the Army for approval.

k. Certificate of Appreciation for Patriotic Civilian Service.

(1) This award recognizes patriotic civilian service that contributes to the mission of an Army activity, command, or staff agency, or to the welfare of Army personnel. The award consists of a lapel button and certificate, DA Form 7012 (Certificate of Appreciation for Patriotic Civilian Service).

(2) This award is granted to individual employees or groups of employees for service that is not related to the official positions(s) of the individual or group. Services provided must reflect patriotic off-duty activities of a public service nature contributing to the mission accomplishment of an Army element or to the welfare of Army personnel. This award may also be used to recognize civilian employees for community service that reflects favorably on an Army activity or installation.

(3) This award is granted to individuals and groups by the SA or by any commander (LTC and above) for services provided to Army elements under the commander's jurisdiction.

1. Nominating Procedures for Honorary Awards. The immediate supervisor initiates a DA Form 1256 (in duplicate), with a statement setting forth the contribution and a proposed citation for the certificate. An operating official in the chain of command may sign the DA Form 1256 concurring in the award nomination. The approving official signs DA Form 1256 and forwards to Incentive Awards, CPAC.

5. Length of Service Recognition.

a. NAF employees who complete 10, 15, 20, 25, 30, 35, 40, 45, and 50 years of satisfactory Federal service will be recognized under the provisions of AR 672-20 and Command policy. All Federal civilian and military service is applied toward eligibility for a career service emblem, provided the employee has served at least one year as an Army civilian employee. Employees who receive a certificate for 5 years of service do not receive the emblem.

**TABLE 14-2 ELIGIBILITY FOR AWARDS
AUTHORIZED BY AR 672-20**

	Performance Awards	Quality Step Increase	Special Act or Service Awards	Scientific Achievement	On the Spot Cash/ Time Off Award	Invention Awards	Honorary Awards	Public Service Awards	Non-federal Awards	Career Service Recognition
US citizen appropriated fund employees (non SES)	Yes	Yes¹	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
SES employees	No²	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Nonappropriated fund employees³	No	No	No	No	No	No	Yes³	No	No	No
Soldiers	No	No	No	Yes	No	Yes	No	No	Yes	No
Direct hire foreign employees	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Indirect hire foreign employees ⁴	No	No	No	No	No	No	Yes	No	Yes	Yes
Noncareer Army officials/ presidential appointees	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Employees of other agencies	No	No	Yes	Yes	No	Yes	No	Yes	No	No
Former or estates of former appropriated fund employees	Yes	No	Yes	Yes	Yes	Yes	No	No	No	No
Former or estates of former soldiers	No	No	No	Yes	No	Yes	No	No	No	No
Private citizens	No	No	No	No	No	No	No	Yes	No	No

¹ GS employees only

² Eligible for Bonuses & Ranks authorized by AR 690-900, Chapter 920.

³ Authorized similar awards by AR 215-3.

⁴ Authorized to receive similar awards by local regulations.

POSITION MANAGEMENT AND CLASSIFICATION

1. Policy. The requirements that positions be properly assigned to a pay system, grade, and pay rate are established by law. In carrying out these legal requirements, it is essential that all levels of management and supervision adhere to the following policies.

a. All positions will be established in a manner which forms the most sound and economical organization and position structure for the efficient accomplishment of the mission and which ensures optimum utilization of manpower resources. When possible, structuring should provide for progressive levels of development within career fields. To obtain the most efficient position structure at the lowest payroll cost the following principles will be applied.

(1) Use of entry level and intermediate jobs will be maximized to provide for balanced grade level and position structures, and to provide opportunities for development and progression up a well-defined career or promotion ladder.

(2) Lower grade duties will be concentrated in lower grade positions to provide for clear delineation of duties and to avoid overlaps, conflicts, ambiguities, and dilutions of assignments. DA policy has established a general criterion that grade-controlling duties should comprise at least 51 per cent of each position.

(3) Positions will not be reorganized for the purpose of retaining a good employee by promotion, rewarding a productive employee, recognition of tenure, or dealing with poor performance.

(4) Full use of part-time, temporary, or flexible is encouraged because of lower payroll costs and the creation of more varied work opportunities in the community. Establishment of full-time permanent positions should be done only after determination that the workload cannot be accomplished by part-time, temporary, or flexible employees.

b. It is essential that the basis for determining the proper pay system and for assigning grades and pay be understood if the benefits of sound and equitable position structure are to be realized. The objective is to compensate employees with equal pay for essentially equal work. Therefore, all supervisors (both civilian and military) will acquaint themselves with the objectives, policies, and principles of position management so they can effectively perform their responsibilities.

2. Program Objectives.

a. To establish a position structure which will best serve mission needs by providing optimum balance among economy, efficiency, skills utilization, attraction and retention of competence, employee motivation, and employee development.

b. To avoid position actions, which will unnecessarily increase payroll costs for a given mission, underutilize essential skills, and increase the relative proportion of managerial and supervisory employees to total employment.

c. To avoid continuing nonessential positions which become vacant if their duties can be redistributed, eliminated, or reduced in cost without seriously affecting the accomplishment of essential functions.

d. To ensure careful study for improving position structures and to ensure that the duties and responsibilities of jobs are clearly delineated, do not conflict with or duplicate the duties of other jobs, and serve as an effective aid in recruitment, placement, and performance appraisals.

e. To lend maximum support to upward mobility and competitive merit placement programs through establishment of effective job structures.

f. To ensure that job analysis is accomplished effectively and that job descriptions are written in accordance with Office of Personnel Management (OPM) and DA position classification and job grading standards.

3. Position Management Responsibilities.

a. All levels of management are responsible for ensuring effective position management in their organizations. Position management is the process of assigning duties and responsibilities to positions to provide for effective and economical accomplishment of assigned functions.

b. Commanding officers are responsible for overall accomplishment of position management objectives. The Civilian Personnel Advisory Center (CPAC), Classification and Staffing provide staff advice and assistance relating to position management to commanders, position management officers, and supervisors. **The CPAC NAF Division Chief will:**

(1) Provide overall direction to ensure establishment and maintenance of an effective position management program.

(2) Ensure review of all proposals to fill each vacant position.

(3) Approve new organizations, reorganizations, or changes in organization that generate requirements for additional civilian positions or changes in positions, which will result in an increase in the average grade structure.

c. The CPAC NAF Division Chief and each management official, supervisor, and personnel specialist who administers or participates in the administration of the Position Management and Classification Program has a personal responsibility for the maintenance of its soundness, integrity, and compliance.

4. Job Descriptions.

a. Supervisors are responsible for assigning duties and responsibilities to positions, and certifying the accurate content of the major duties and responsibilities of job descriptions. The job description is an official document, which describes the major duties and responsibilities, assigned to a position and which indicates the official title, series, grade, and pay category of that position. Employees should be included in the process of developing draft job descriptions for their positions and should agree that job descriptions describe the major duties and responsibilities they are required to perform. However, management has the final authority to determine which duties and responsibilities will be assigned to and performed in a particular position. Usually the final decision of duty assignments is made by the immediate supervisor, although through the position management review process, higher levels of management may specify the assignment of duties.

b. Job descriptions should not list every specific task an employee may be required to perform. Job descriptions should include only major duties in clear and concise statements. Unnecessary detail of specific tasks or minor duties, decorative phrases, and excessive length should be avoided. A major duty is one which comprises 25 per cent or more of the position, or which constitutes a special skill required by the job, which will be considered in hiring for the position.

c. An employee can be temporarily assigned (detailed) to perform major duties other than those in the job description. If the duties are significantly different and if the assignment will exceed 30 days, the employee should be officially detailed or temporarily promoted (see Chapter 8).

5. General Responsibilities.

a. The Civilian Personnel Advisory Center (CPAC) is responsible for:

- (1)** Advising commanding officers on position management activities and acting as their representatives in hearing position classification complaints.
- (2)** Providing advice and assistance to management officials and supervisors in all matters relating to the position management and classification program including:
 - (a)** Analysis of the personnel and cost aspects of position structures and in recommending alternative structures to achieve improvements in position management from both personnel and cost aspects; and coordination of such assistance with other staff elements as required.
 - (b)** Estimates of probable grade evaluations resulting from alternative position changes or position structures under consideration and reasons for grade changes. This includes explaining to supervisors the grade and personnel implications of proposed changes to major duties.
- (3)** Providing assistance and guidance to employees in the preparation and documentation of job evaluation appeals, forwarding appeals to the appropriate authority for adjudication, promptly implementing decisions rendered by appropriate authorities, and providing employees and supervisors with full information as to the reasons for such decisions.
- (4)** Coordinating the position management and classification program, both on a long-range and a day-to-day basis, with the officials responsible for establishing organization structure and controlling manpower utilization, giving particular regard to the objective of maximum economy.
- (5)** Explaining to management officials, supervisors, and employees how jobs are evaluated, to include making standards available for review.
- (6)** Ensuring that appropriate approval has been obtained prior to effecting any personnel action that would increase the grade structure or filling of any position vacancy.

b. Supervisors have the following specific responsibilities:

- (1)** Familiarizing themselves with the position management and classification programs of the DA and their employing activity and explaining the programs to employees under their supervision.
- (2)** Assigning or reassigning duties.
- (3)** Reporting changes in duty assignments in a timely manner so that changes in the evaluation of jobs, if appropriate, will be accomplished and equitable pay alignment will be maintained. Prior to making significant change in duty assignments, the CPAC NAF Division should be contacted for assistance in determining the implications of the proposed actions. Commanding Officers or designated representatives of other serviced activities will review and approve or disapprove requested actions that will change the grade structure. Approved requests will be forwarded through the appropriate resource management office to the CPAC NAF Division. Job descriptions should not be drafted unless there are significant major duty changes.
- (4)** Ensuring that position guides and job descriptions reflect accurately the duties and responsibilities assigned to, and performed by, employees under their supervision.
- (5)** Reviewing position structures to determine if each position and the overall structure conforms to mission needs, objectives, and policies contained in this chapter.

(6) Securing assistance from appropriate staff advisers, including the CPAC, for analysis of position structure to identify and correct deficiencies, and to achieve objectives stated above.

(7) Training subordinate supervisors in position management and position classification and encouraging them to improve productivity and conserve manpower resources.

(8) The CPAC will provide assistance to supervisors regarding title, series and grade determinations. Only DA standardized position guides and job descriptions are authorized for use. Any new draft position guides and job descriptions must be forwarded to CPP-NAF for final approval and inclusion in FASCLASS.

6. Employee Rights. For the protection of each individual employee, the following provisions have been made:

a. Employees have the right to examine their job descriptions for adequacy and accuracy.

b. All employees have the right to explanations from their supervisors concerning title; pay category, series and grade determinations.

c. All employees have the right to appeal any aspect of their job classification, i.e., title, pay category, occupational series, and grade, at any time they feel the evaluation standards have not been properly applied. Upon request, the CPAC will provide information and assistance to employees.

7. Classification Appeals.

a. An employee who believes the present title, pay category, series, or grades of the permanently assigned job description are incorrect may initiate a classification appeal at anytime. An employee may not appeal the propriety of classification standards or pay rates for the position.

b. An employee shall have the right to be assisted by a representative in preparing and presenting a classification appeal.

c. To ensure that all employees desiring to submit an appeal are aware of the different procedures and channels available to them, supervisors should contact the CPAC for specific advice and assistance.

CHAPTER XVI

TRAINING AND DEVELOPMENT

1. Concept.

a. To provide opportunities for employees to develop and advance within available Army wide and local career field management, a Civilian Leader Development Common Core model has been developed that identifies essential training for all the civilian leaders of America's Army from intern (management trainee) through the executive level (NF-6). This civilian leadership training is progressive and sequential and is intended to parallel the institutional training pillar of the officer development model. Army will also provide training to help ensure maximum efficiency of NAF employees in the performance of their duties, to institute career and executive programs and encourage employees in their efforts for self-improvement. Training needs will be reviewed continuously to meet present and anticipated needs.

b. DA facilities will be used to the maximum extent possible for training and development of NAF employees.

c. Commander, USACFSC serves as personnel proponent for Career Field 51, The Morale, Welfare and Recreation Workforce as defined in AR 600-3. As proponent, the commander is responsible for career development of the MWR workforce based on the eight personnel life-cycle functions.

2. Administration.

a. Training related management functions include, but are not necessarily limited to the following:

(1) Developing individual training and professional development plan in accordance with the Army Civilian Training, Education and Development System (ACTEDS) Plan for Career Field 51. The plan describes the knowledge, skills, and abilities needed for key positions and outlines the training necessary to accomplish the competencies. It identifies mission essential mandatory training that the employee must have to support and/or achieve an acceptable performance level. Successful completion of Priority I training within the specified time period will be considered a factor in determining whether an employee and/or supervisor has satisfactorily completed the required probation period. Equivalency credit for mandatory, Priority II MWR functional may be granted by the proponent for Career Field 51 (MWR) on a case by case basis.

(2) Scheduling of time and programming of resources to support individual plans.

(3) Monitoring to ensure that plans are fulfilled.

(4) Assigning duties and responsibilities that reinforce training received, and conducting on-the-job or cross-training programs to supplement formal training.

(5) Ensuring that subordinates include formal training in their individual development plan.

(6) Identifying other requirements and providing for general, unique or specialized training or experience in addition to that prescribed in plans.

b. The Career Field 51 (MWR) Personnel Proponent will manage and administer this program. The CPAC NAF Division will provide consulting on an as needed basis.

3. Training at Government Expense.

a. Each NAFI is responsible for providing funding for meeting the training needs of personnel employed by the NAFI. This does not preclude the use of command funds for command-wide training programs.

b. RFT employees may be reimbursed for the cost of approved educational courses taken during off-duty time, including required books and materials. The course must be directly related to the employee's current duties and must be approved in advance by the head of the employing NAFI. Installation commanders will set local guidelines for such training.

c. Mandatory training, which is considered mission essential, identified in the ACTEDS Plan for Career Field 51 (MWR), and which the employee must have to support and/or achieve an acceptable performance level, is centrally funded by USACFSC.

d. Newly appointed NAF supervisors must complete the following two-phase training program within twelve months after assignment to their first supervisory position:

(1) Supervisory Development Course. This may be locally developed and provided at the installation duty site.

(2) Leadership Education and Development (LEAD) Course.

e. NAF supervisors and managers are required to participate in the Civilian Leadership Training, Common Core courses and MWR functional training as described in ACTEDS for Career Field 51 (MWR).

EQUAL EMPLOYMENT OPPORTUNITY

1. Purpose. This chapter defines the Equal Employment Opportunity (EEO) Program and provides an overview of the responsibilities of supervisors and managers in support of the program.

2. Policy.

a. Employment practices within the Department of the Army (DA) must demonstrate full adherence to the letter and spirit of Federal policy guaranteeing equal employment opportunity to all persons **without regard to race, color, religion, sex, national origin, physical or mental handicapping condition, age, or reprisal/retaliation.**

b. The Command pursues a vigorous policy of equal employment opportunity for all civilian employees and applicants for employment. Supervisors of civilian employees play the key-supporting role.

3. Responsibilities of Supervisors.

a. Supervisors shall actively promote an environment of acceptance and respect for all employees in the employment situation regardless of race, color, religion, sex, national origin, physical or mental handicapping condition, age, or reprisal/retaliation.

b. Supervisors shall have direct input to the installation's annual **Affirmative Employment Plan** goals and objectives. The overall success of the plan depends on the effectiveness of each supervisor in applying the goals and objectives to personnel-related decisions and actions.

c. Supervisors shall identify employees who have potential for advancement, provide counseling and guidance regarding qualifications for higher-level duties, assist in the preparation of individual development plans, and encourage employees to improve their skills in order to advance within the work force.

d. Supervisors shall adhere to the intent and spirit of equal employment opportunity when assigning work which contributes to the development of employee skills, initiating personnel actions, presenting awards, selecting applicants for initial employment and promotion, and carrying out other actions affecting employees.

e. Supervisors shall ensure that employees are informed of discrimination complaint procedures and are free to exercise their right to use them without fear of reprisal or coercion.

f. Supervisors shall cooperate with and, as requested, provide full information to EEO counselors and other authorized investigating officials during EEO complaint administrative processes. Determined efforts will be made to resolve all complaints at the earliest opportunity by exploring appropriate methods of resolution in cooperation with the EEO Officer, Civilian Personnel Advisory Center, and Staff Judge Advocate Labor Counselor, as appropriate.

g. Supervisors shall attend and ensure employees attend all mandatory EEO-related training courses, including refresher training.

h. Supervisors shall actively support and encourage employees to attend command-sanctioned EEO special emphasis activities. When the mission permits, supervisors will approve employees' requests to participate in such events during duty time without charge to leave.

i. Supervisors shall support program initiatives by nominating employee volunteers to collateral duty appointments, i.e., EEO counselor, special emphasis program committee members, mediators, Prevention of Sexual Harassment (POSH) training facilitators.

CHAPTER XVIII

HEALTH AND SAFETY

1. **Policy.** The health and safety of employees should be a major concern of managers and supervisors. Accidents or unhealthy environmental conditions adversely impact the employee and affect productivity and job performance.

2. **Safety Office.** The Command Safety Office is responsible for planning, organizing, implementing, and evaluating accident prevention strategies, and for conducting standard Army safety and occupational health inspections of buildings and work sites to determine compliance with **Occupational Safety and Health Act (OSHA) Standards**.

a. All accidents involving civilian employees or government property must be **promptly reported** to the Command Safety Office.

b. Additional information concerning **safety program requirements** may be obtained by contacting the Command Safety Office.

3. **Preventive Medicine Services.**

a. The Preventive Medicine Service provides the following:

(1) **Occupational Health Services**, including maintenance of a health and medical information module, maintenance of a hearing evaluation audiometry registry, medical and chronic disease surveillance, hearing and vision conservation, pregnancy surveillance, illness absence monitoring, and immunizations. The **Occupational Health Nurse (OHN) provides services for civilian employees**, including maintenance of civilian employees' medical records, job-related immunizations, flu vaccines, assessment for on-the-job injuries, and occupational health counseling. No emergency care is available at this installation. **In case of emergency, call 911**; an ambulance will transport the individual to the nearest hospital.

(2) **Environmental Health Services**, including food service sanitation inspections and training, entomological services, drinking water surveillance, direct support for industrial hygiene, and other environmental or sanitary inspections of facilities and programs.

(3) **Industrial Hygiene Services**, including maintenance of health hazard information and the Industrial Hygiene Implementation Plan, industrial hygiene inspections and consultations, toxic materials inventory, and hazardous materials management.

(4) **Community Health Nursing Services** for military personnel and families, and for installation living and working areas. Services include disease surveillance, health promotion, HIV program, and community health consultation.

4. **Supervisory Responsibilities.** Supervisors are directly responsible for the safety and well being of their subordinate employees during duty hours. Therefore, every effort must be made to establish and enforce work environments, policies and practices that ensure employees' safety and well being.

a. Employees should be informed of and encouraged to use the services available through the Occupational Health Nurse as listed above, and excused from duty without charge to leave for the time required to receive those services. Employees who return to work after an absence of more than 5 days due to illness or injury, or after a work-related injury or illness, must first be directed to the Occupational Health Nurse for certification of release to return to work.

b. When health-related concerns of employees impact on their work performance, supervisors should contact the CPAC, Management-Employee Relations, to discuss appropriate actions to take for resolution.

