Department of the Navy

Civilian Human Resources Manual
(DON CHRM)

Assistant Secretary of the Navy
(Manpower and Reserve Affairs)
FOREWORD

The Department of the Navy (DON) Civilian Human Resources Manual (CHRM) implements civilian personnel and Equal Employment Opportunity (EEO) policies, establishes DON-wide procedures, provides guidelines and model programs, delegates the authority, and assigns the responsibility for the management of civilian employees across the DON.

The President’s Management Agenda states that agencies will be citizen-centered and results-oriented. To meet this goal, the DON CHRM will provide a single reference for information on human capital management in the DON. By moving to this format, information will be provided in a more timely and efficient manner, and, to the extent possible, use plain language. It will eliminate over 75 existing policies currently on the books. To support timely updates and promote accessibility, the CHRM will be posted on the DON HR website (www.DONHR.navy.mil) in a searchable PDF format.

The CHRM prescribes procedures to ensure an appropriate level of standardization across the DON, minimizing the need for supplemental documents at the command or activity level. Chapters and subchapters will be coordinated with Navy and Marine Corps Directors of Civilian Personnel Programs and/or Command Deputy Equal Employment Opportunity Officers and published after required review by the Chief of Naval Operations; the Commandant of the Marine Corps; the Assistant for Administration, Office of the Under Secretary of the Navy; and the Office of General Counsel. The authority to issue policy remains with the Assistant Secretary of the Navy (Manpower and Reserve Affairs).

All existing DON policy issuances remain in effect until superseded by an appropriate CHRM chapter or subchapter. Information on cancelled instructions will be included in the introductory information of the new or revised chapter.

The DON CHRM is effective immediately and its use by all DON commands and activities is mandatory. Activities must satisfy bargaining obligations before changes are implemented with respect to those employees covered by a negotiated agreement.

1/17/2003

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Assistant Secretary of the Navy
(Manpower and Reserve Affairs)
Department of the Navy
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1. **PURPOSE.** The Civilian Human Resources Manual (CHRM) contains policy, delegations of responsibility and authority, and procedures for civilian personnel and equal employment opportunity (EEO) management within the Department of the Navy (DON).

2. **POLICY**

   a. To the maximum extent possible, total force management will guide the design of civilian personnel policies in the DON. Civilian personnel policies will provide unified direction from the Secretary of the Navy, as delegated to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)), and promote a shared sense of mission and responsibility among civilian employees and military personnel.

   b. DON civilian personnel policies, programs, and procedures shall balance the legitimate needs of uniformity and flexibility.

3. **RESPONSIBILITIES**

   a. The ASN(M&RA) shall approve the release of CHRM chapters and subchapters.

   b. The DASN(CHR) shall oversee the development and publication of new and revised CHRM issuances and ensure that program guidance contained in the CHRM supports policy execution.

   c. The Chief of Naval Operations (CNO), Commandant of the Marine Corps (CMC), the Assistant for Administration, Office of the Undersecretary of the Navy (AAUSN) shall:

      (1) As requested, review and recommend additions or changes to proposed CHRM chapters and subchapters prior to publication, and

      (2) Ensure compliance, within their respective organizations, with the policies, programs and procedures contained in the CHRM.

   d. The Office of Civilian Human Resources (OCHR) shall develop and coordinate new and revised CHRM chapters and subchapters and publish when approved.

   e. Heads of Navy and Marine Corps commands and activities shall implement and ensure compliance, within their respective organizations, with the policies, programs and procedures contained in the CHRM.
4. PROCEDURES. The chapters and subchapters comprising the CHRM shall:

a. Be developed in consultation with DON commands and activities and the Assistant General Counsel, M&RA.

b. Be streamlined and simplified; each chapter or subchapter will be self-contained and prepared for direct use by managers, supervisors, and civilian human resources specialists at all levels of the organization.

c. Be issued only if necessary to comply with Executive Orders, laws, or regulations, or to provide Human Resources Offices (HROs), Human Resource Service Centers (HRSCs), managers, supervisors, employees, or their representatives, with advice or direction on civilian personnel or EEO management issues.

d. Be organized to correspond with applicable sections of Title 5 United States Code and Title 5 Code of Federal Regulations, wherever possible.

e. Provide for the optimal delegation of authority and operating responsibility.

f. Be distributed to all HROs/HRSCs and posted to the DON Human Resources web site (www.donhr.navy.mil) for access by managers, supervisors and employees.

g. Be automated to the extent practical to include automated administrative processes and decision support systems.

h. Incorporate the principles of EEO and workforce diversity into the design and implementation of all DON civilian personnel policies, procedures, and programs at all organizational levels.

5. SUPPLEMENTATION. The CHRM may be supplemented by operating manuals or other publications when it is considered necessary to fully describe complex HRM policies or procedures.

6. APPLICABILITY. Civilian personnel and EEO policies, procedures, and programs as set forth in the CHRM are binding on all DON commands and activities. Existing policies, procedures, and programs continue in effect until superseded by law, controlling regulations, new provisions of this Manual, or other related DON policy issuances.
7. **ACTION.** DON managers at all levels shall ensure satisfaction of any bargaining obligations to labor organizations representing employees of their organizations who will be affected by changes to DON policies, procedures, and programs contained in the CHRM.

8. **EFFECTIVE DATE.** Chapters and subchapters of this manual and any supplemental operating manuals are effective upon distribution.
References: (a) DoD Directive 1400.24 of 20 Oct 89, "Civilian Mobility Program" (NOTAL) (b) DoD Priority Placement Program Operations Manual, Chapter 14 (NOTAL)

Cancelled: SECNAVINST 12300.6 of 10 Jan 77.

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1. **Purpose.** To revise policy and assign responsibility for civilian mobility programs within the Department of the Navy (DON) following the requirements of references (a) and (b).

2. **Policy**

   a. Informal mobility programs will be used when sufficient mobility can be obtained through voluntary means.

   b. Formal programs prescribing mandatory mobility of civilian employees as a condition of employment may be established when needed to enhance employee career development or improve mission accomplishment.

   c. Consideration shall be given to the impact that formal mobility programs may have on organization efficiency, employee retention, and budgetary requirements.

3. **Responsibilities**

   a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for review and approval of all formal civilian mobility programs.

   b. The Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)) is responsible for management and administration of the program including developing and interpreting program policy and procedures.

   c. The Chief of Naval Operations (CNO), the Commandant of the Marine Corps, the Assistant for Administration, Undersecretary of the Navy, and the heads of echelon 2 commands under CNO are responsible for assuring that this policy is implemented within their organizations.

   d. Activity Heads, Commanders, and their designees shall:

      (1) Ensure compliance with civilian mobility program requirements within their respective organizations.

      (2) Provide civilian mobility program information to managers and employees.

   e. Directors of Human Resources Service Centers will establish procedures to verify civilian mobility program eligibility.
4. **Procedures.** The chapters and subchapters comprising the CHRM shall:

   a. Recommending Officials. The establishment of a formal civilian mobility program requires recommendation by one of the following officials:

      (1) Assistant Secretaries of the Navy.

      (2) Heads of first and second echelon commands.

      (3) Functional heads of formal career programs.

5. **Applicability.**

   a. Specific personnel. In the interest of enhancing career progression and improving mission effectiveness, mandatory civilian mobility programs may be established for the following:

      (1) Auditors (GS-5 and above) in the Navy Audit Service.

      (2) Career management interns and trainees (GS-5 and above) in formal career programs.

      (3) Special agents (criminal investigators)(GS-5 and above) in the Naval Criminal Investigative Service.

   b. Other personnel. Mandatory civilian mobility programs may be established for personnel in other types of positions if it can be demonstrated that voluntary programs are incapable of supporting the mobility requirements essential for successful accomplishment of specific mission-related functions and/or formal career development programs (including those which require rotation between CONUS and overseas).

6. **Relocation plans.** Mandatory mobility programs will contain relocation plans describing the type and approximate number of positions covered, the activities and locations among which personnel may be assigned, methods of selection for relocation, how relocations will be funded, and the criteria and procedures which will be used.

   a. Identification of positions. Positions covered will be identified by title, occupational series, grade level, activity name, and location.
b. Selection methods. Selection for relocation may be based on one or a combination of the following criteria:

(1) Mission requirements.

(2) Employee skills, knowledges and abilities.

(3) Employee progression needs and geographic preference (employee geographic preferences must be considered, but are not binding on management).

(4) Length of time at a particular location.

(5) Budgetary requirements.

7. **Relocation.**

a. Basic requirement. Employees who are covered by a mandatory mobility program, and who are directed to relocate under the program, are required to accept relocation as a condition of employment. Such employees who decline relocation may be removed under adverse action procedures for failure to accept reassignment.

b. Employee requests for release from relocation requirements. Programs should contain definitive criteria governing employee requests for release from mobility requirements, e.g., by reassignment or voluntary change to lower grade, in hardship cases where appropriate positions not subject to mobility agreements are available.

c. Exceptions. Civilian mobility programs shall contain provisions for granting exceptions to relocation requirements when adherence to those requirements would cause hardship or inequity to an activity, command or employee.

d. Assignment to non-mobility program positions. Employees who are placed in non-mobility program positions, e.g., by reassignment or promotion, are automatically released from their former mobility agreements.

8. **Mobility Program Review, Proposal and Modification.**

a. Existing Mobility Programs. Recommending officials (identified in paragraph 4a, above) who have existing approved civilian mobility programs are asked to review their programs for compliance with current DOD and DON policy within 90
days of issuance of this guidance. Upon completion of the review, a summary of the results of the review, a copy of the approved mobility program, and a request for modification or cancellation of the program (if needed) are to be sent to the Director, Staffing and Classification Division, OCHR(011), Nebraska Avenue Complex, Suite 40103, 321 Somers Court, NW, Washington, DC 20393-5441 within an additional 45 days.

b. New mobility program proposals. Recommending officials are to submit proposed new civilian mobility programs to the address in paragraph 9a in the format provided in paragraph 11.

c. Future modification or cancellation of mobility programs. Recommending officials are to submit proposed civilian mobility program modifications or cancellations to the address in paragraph 9a.

9. **Budgetary and Administrative Considerations.** Recommending officials are to ensure the cost of their mobility program relocations is included in the appropriate command or activity budget and that their mobility programs are administered in accordance with the governing DOD and DON policy and guidance.

10. **Civilian Mobility Program Format.** The following format is to be followed when requesting approval of civilian mobility programs. It is designed to ensure consistent documentation of mobility program requirements and to expedite review and approval of such programs. Requests should include:

a. Proposed Civilian Mobility Program Name.

b. Command/activity responsible for program administration.

c. Command/activity point of contact. Include name, title, organizational location, voice and fax telephone numbers, and e-mail address.

d. Purpose of program. In addition to the purpose, state the reasons why sufficient mobility cannot be obtained through voluntary means.

e. Mobility program requirements and conditions.

(1) Statement that use of the civilian mobility program is for the purpose of enhancing career development and progression and/or achieving mission effectiveness, and will not be use as a form of disciplinary action.
(2) Statement that prospective mobility program employees shall be clearly informed of program requirements and operation before placement in a mobility program position, and shall be required to sign a mobility agreement as a condition of employment.

(3) Statement that current employees in newly covered positions will be subject to the program only after voluntary execution of a mobility agreement unless they were covered by an equivalent pre-existing mobility requirement.

(4) Statement that (1) geographic preferences of covered employees for permanent duty station changes shall be considered, and actualized if practicable, but are not binding on management; and (2) employees will normally be given at least 90 days notice of relocation.

(5) Statement of the actions to be taken if an employee fails to comply with mobility requirements.

(6) Statement of the exceptions to the mobility program that may be authorized and the officials to whom authority to approve exceptions is to be delegated.

(7) Statement that mobility programs will not preclude current employees occupying mobility program positions, but who have declined to sign mobility agreements, from consideration and selection for promotion to mobility program vacancies at their present location.

(8) Statement that position descriptions for all mobility program positions will include the mobility requirements.

(9) Other statements of conditions or requirements that are necessary and appropriate for the specific mobility program.

f. Relocation Plan. The mobility program's relocation plan need not be provided in total, but must be described in sufficient detail to permit review and approval. It should, as a minimum, include the following:

(1) The approximate number of positions to be covered by title, occupational series and grade level.

(2) The activities and locations between which covered employees may be assigned.

(3) The methods to be used to select employees for relocation.

(4) The estimated number of geographic relocations per fiscal year.
(5) A statement of how funding for relocation expenses will be provided.

g. Employee Mobility Agreement(s). Attach a copy of the mobility agreement(s) that covered employees will be required to sign as a condition of employment. If there is more than one agreement, explain the reasons for the different ones.

**11. Action.** Commands, activities and individuals with responsibilities shall take necessary actions to implement the provisions outlined in this subchapter.
References: (a) 5 CFR 213

Cancelled: OCPMINST 12213.1

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1. Purpose
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1. **Purpose.** This subchapter establishes policy and assigns responsibility for administration of excepted service positions within the Department of the Navy (DON).

2. **Definition** Excepted Service has the meaning given that term by section 2103 of title 5, United States Code, and includes all positions in the executive branch of the Federal government which are specifically excepted from the competitive service by or pursuant to statute, by the President, or by the Office of Personnel Management, and which are not in the Senior Executive Service.

3. **Policy** Requests for excepting positions from the competitive service will be done in accordance with the requirements of reference (a).

   a. The Office of Personnel Management (OPM) determines whether the duties and requirements of any particular position justify exception from the competitive service. Requests to except positions will be submitted through Echelon 1 and 2 commands to the Office of Civilian Human Resources.

   b. Requests to modify or disestablish the Schedule A, B, and C authorities (which are published annually as a notice in the Federal Register, current as of 30 June and with assigned authority numbers) will be submitted through Echelon 1 and 2 commands to the Office of Civilian Human Resources for action.

   c. The OPM has the authority to establish and revoke Schedule A, B, and C appointing authorities applicable to a single agency. Notices of this action are published monthly in the notices section of the Federal Register.

3. **Responsibilities**

   a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for issuance of policy on excepting positions from the competitive service. This responsibility is delegated to the Deputy Assistant Secretary of the Navy (Civilian Human Resources).

   b. Echelon 1 and 2 commands are responsible for assuring that this policy is implemented within their respective organizations and will forward requests to except positions, and/or modify or disestablish authorities to the Office of Civilian Human Resources.
5. **Action**. Commands, activities and individuals with responsibilities for excepting positions from the competitive service shall take necessary actions to implement the provisions outlined in this subchapter.
References: (a) 5 CFR 351,(b) 5 CFR 430

Cancelled: SECNAVINST 12351.6

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9. SUBCHAPTER 351 - Appendix A- Definitions

10. SUBCHAPER 351 - Appendix B- Example of Single Pattern

11. SUBCHAPER 351 - Appendix C- Example of Multiple Pattern
1. **Purpose.** This subchapter establishes policy and assigns responsibility for establishing retention service credit for reduction-in-force (RIF) based on individual performance within the Department of the Navy (DON).

2. **Definition** Definitions are contained in Appendix A.

3. **Policy** In DON, retention service credit for performance will be applied in a uniform and consistent manner within a competitive area.

4. **Responsibilities**
   
a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for issuance of policy on retention service credit for RIF. This responsibility is delegated to the Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)).

b. The Chief of Naval Operations (CNO); the Commandant of the Marine Corps; the Assistant for Administration, Under Secretary of the Navy; and the heads of Echelon 2 commands under CNO are responsible for assuring that this policy is implemented within their respective organizations.

c. Heads of Navy activities and Marine Corps commands are reminded of their obligations under the Federal Service Labor-Management Relations Statute, Chapter 71 of Title 5, U.S.C., to fulfill any requirement for collective bargaining prior to implementation.

5. **Ratings Used for RIF Purposes.** The chapters and subchapters comprising the CHRM shall:

a. Ratings of record used for RIF purposes are written ratings of record covered under 5 CFR 430.208(d) or the out-of-cycle rating of record required to support a within-grade increase determination (5 CFR 531.404(a)(1)).

b. For employees who received performance ratings under performance management systems not covered by 5 CFR 430 (i.e., performance ratings received from agencies such as the U.S. Postal Service, Peace Corps, General Accounting Office, etc.), those performance ratings shall be considered ratings of record for RIF purposes when it is determined that they are equivalent ratings of
record under CFR 430.201(c). This may involve looking back at ratings received over the last four years that are filed in the employee's performance file but may or may not have been entered into the Defense Civilian Personnel Data System (5 CFR 351.504(a)(3)).

c. To be creditable, a rating of record must have been issued to the employee, with all appropriate signatures, and must also be on record. The rating of record must be available for use by the office responsible for establishing retention registers (5 CFR 351.504(b)(3)).

6. **Basis for Credit.**

a. An employee's entitlement to retention service credit for performance shall be based on the employee's three most recent ratings of record received during the four-year period prior to the cut-off date (5 CFR 351.504(b)(1)).

b. To provide adequate time to properly determine employee retention standing, the cut-off date for use of new ratings of record is set at 30 days prior to the date of issuance of the RIF notices (5 CFR 351.504(b)(2)).

7. **Amount of Credit.** For RIF actions effective on or after 1 October 1998, the following provisions must be applied when awarding retention service credit:

a. Single Rating Pattern A single rating pattern exists when all employees within the competitive area of the RIF have received ratings of record under the same summary rating pattern (e.g., all ratings of record credited under a five-level pattern or all ratings of record credited under a two-level pattern). When employees within a competitive area have ratings of record under a single rating pattern, they shall receive retention service credit based on the mathematical average (rounded in the case of a fraction to the next higher whole number) of the value of the employee's last three ratings of record within the four-year period. If the employee has received only two actual ratings of record during this period, the value of each rating will be added together and divided by two to determine the amount of additional retention service credit. If the employee has received only one actual rating during this period it will be divided by one. In determining this average, the value assigned to each rating of record is as follows: (5 CFR 351.504(d))

(1) Level 5 - Outstanding or equivalent: 20 additional years of service for each rating of record;
(2) Level 4 - Exceeds Fully Successful or equivalent: 16 additional years of service credit for each rating of record;

(3) Level 3 - Fully Successful or equivalent: 12 additional years of service credit for each rating of record; and,

(4) No retention service credit will be given for summary rating levels below Level 3 (Fully Successful or equivalent).

b. Multiple Rating Patterns

Multiple rating patterns exist when one or more ratings of record being credited for RIF within a competitive area were given using a different summary level pattern than other ratings of record in the same competitive area being credited for RIF (e.g., an employee has one rating of record under a two-level summary rating pattern and the remainder of the ratings of record in the competitive area being credited for RIF are under a five-level summary rating pattern).

To determine whether or not a multiple pattern exists, all ratings of record to be credited for RIF must be reviewed for every employee in the competitive area. If more than one pattern is represented (even if there is just one rating from a different pattern), then a multiple pattern exists in that competitive area.

When employees within a competitive area have ratings of record under a multiple pattern, they shall receive retention service credit based on the mathematical average, rounded in the case of a fraction to the next higher whole number of the value of the employee's last three ratings of record within the four-year period (for example, 16.1 is rounded up to 17). If the employee has received only two actual ratings of record during this period, the value of each rating will be added together and divided by two to determine the amount of additional retention service credit. If the employee has received only one actual rating during this period it will be divided by one. For ratings of record put on record on or after 1 October 1997, the value assigned to each rating of record is as follows:

(1) Levels 3, 4, or 5 - Outstanding, Exceeds Fully Successful, Fully Successful or equivalent: 20 additional years of service credit for each rating of record (5 CFR 351.504(e)(2) and (3)); and,

(2) No retention service credit will be given for summary rating levels below Level 3 (Fully Successful or equivalent) (5 CFR 351.504(e)(2)).

c. No Ratings of Record

When an employee has no ratings of record to his/her credit during the four-year period, he/she shall receive retention service credit for performance based on the most common or "modal" summary rating level. The modal rating is the summary level assigned most frequently among the ratings of record that are: Assigned
under the summary level pattern that applies to the employee’s position at the
time of the RIF; Given within the same competitive area; and On record for the
most recently completed appraisal period prior to the cut-off date. In determining
the value assigned for the modal rating the following procedures apply:

(1) For the most recently completed appraisal period review the ratings of
record within the competitive area that are on record and sort the ratings of
record given under that summary pattern by summary level.

(2) Look at the number of ratings of record given for each summary level.

(3) The summary level with the highest count is the modal rating for the
pattern.

(4) Use the appropriate modal rating (i.e. for the pattern that applies to the
employee's position of record) to assign the same additional service credit that
an actual rating of record of that level and pattern would receive in that
competitive area in that RIF. Sample Scenario (Single Rating Pattern): There is a
single competitive area with a single performance appraisal program, which uses
a 5 level system. The latest appraisal period ended September 30. The cut-off
date to put ratings on record was December 1. A review of the ratings of record
given for the latest appraisal period and on record before the cut-off date finds:

10 employees received a Level 5
20 employees received a Level 4
15 employees received a Level 3
4 employees received a Level 2
2 employees received a Level 1

20 is the highest number, so Level 4 is the modal rating for this competitive area.
Consequently, the standard crediting scheme for a single rating pattern at 5 CFR
351.504(d) must be used. Under that scheme, an actual Level 4 rating of record
gets 16 years additional service credit. The employee who has no rating of
record will be assigned 16 years additional service credit, based on a Level 4
modal rating.

Sample Scenario (Multiple Rating Pattern): There are 30 employees in the
competitive area. One employee does not have any ratings of record. To
determine the employee's retention service credit, you must identify the summary
rating level assigned most frequently among the most recent ratings of record
that are given under the summary level pattern that applies to the employee's
position of record. The most recent ratings of record are:
Twenty-four of the most recent ratings of record to be credited for RIF are under a five-level summary rating.

The summary ratings are:

- 11 - employees received a Level 5
- 5 - employees received a Level 4
- 8 - employees received Level 3

Five of the most recent ratings of record to be credited for RIF are under a two-level summary rating.

The summary ratings are:

- 5 - employees received a Level 3

The employee would receive 20 years retention service credit in determining retention standing since 20 years of service credit is awarded when employees within a competitive area have ratings of record (e.g., Levels 3, 4 or 5 under a multiple pattern).

8. **Action.** Commands, activities and individuals with responsibilities for retention service credit for reduction-in-force RIF based on individual performance shall take necessary actions to implement the provisions outlined in this subchapter.
a. **Competitive Area.** The organizational and geographic boundaries in which employees compete for retention under RIF procedures.

b. **Cut-off Date.** Cut-off date will be 30 days prior to date of issuance of RIF notices. This date will be used to determine at which date no new ratings of record will be put on record and used for purposes of RIF.

c. **Equivalent Ratings of Record.** Equivalent Ratings of Record are ratings given under performance management systems not covered by 5 CFR 430. These ratings are considered ratings of record for RIF purposes when the performance evaluation was issued as an officially designated evaluation under the employing Federal agency's performance evaluation system; was derived from the appraisal of performance against work related expectations; and identifies whether the employee performed acceptably. If the performance evaluation does not include a summary level designator comparable to the summary rating patterns in 5 CFR 430.208(d), a level and pattern based on the information related to the appraisal process may be identified (5 CFR 430.201(c)).

d. **Modal Rating.** The modal rating is the summary rating level assigned most frequently among the actual ratings of record that are given under the summary level pattern that applies to the employee's position of record at the time of the RIF. The modal rating is derived using the ratings from the most recently completed appraisal period on record prior to the cut-off date. In a two level performance rating pattern, the summary rating most frequently assigned will usually be "Acceptable." Therefore, the modal rating will be either 12 or 20, depending on whether a single or multiple pattern was in use within the competitive area during the most recently completed rating period. Modal ratings are only used when an employee has no ratings of record to his/her credit (5 CFR 351.203).

e. **Rating of Record.** The performance rating at the end of an appraisal period for performance of agency-assigned duties over the entire period and the assignment of a summary level within a pattern (as specified in 5 CFR 430.208(d), or the out-of-cycle rating of record required to support a within-grade increase determination, in accordance with 5 CFR 531.404(a)(1) (5 CFR 430.203).

f. **Summary Rating Level.** The final result of the performance evaluation process (e.g., Level 3 = Acceptable/Fully Successful and Level 1 = Unacceptable). The summary rating is used to provide consistency in describing ratings of record and as a reference point for assigning additional retention service credit for RIF (5 CFR 430.208).
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<td>Level 4 - Exceeds Fully</td>
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## EXAMPLES OF MULTIPLE PATTERN

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<tr>
<td>Multiple</td>
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<td><strong>Total</strong></td>
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SUBCHAPTER 410

CIVILIAN EMPLOYEE TRAINING AND CAREER DEVELOPMENT

References: (a) Executive Order 13160, 23 June 2000

(b) 5 CFR 412, Executive and Management Development

(c) Department of Defense Civilian Personnel Manual, Chapter 412

(d) 5 CFR 410, Training

(e) Department of Defense Civilian Personnel Manual, Chapter 410

(f) SECNAVINST 12273.1, “Assessment and Evaluation of Civilian Human Resources Management (HRM)”


(h) Assistant Secretary of Defense (Civilian Personnel Policy) memo of 17 Jun 02, “Payment of Expenses to Obtain Professional Credentials”

(i) Chapter 23 of title 5, U.S.C.

(j) Title 5 U.S.C. 5946

(k) SECNAVINST 12410.24, “Civilian Leadership Development,” 24 Aug 95

(l) DOD Directive 1430.16 of 11 Apr 97.
(m) Assistant Secretary of Defense (Force Management Policy)
(ASD (FM&P)) Memo of 15 Aug 01,
“Civilian Academic Degree Training.”

(n) Section 1121 of the National Defense Authorization Act
for fiscal year 2001, Public Law 106-398,
amending 5 U.S.C. 4107

Cancellation: SECNAVINST 12410.22A
1. **Purpose.** This subchapter provides policy, delegates authority, assigns responsibility, and establishes requirements for civilian employee training and career development within the Department of the Navy (DON) consistent with the provisions of references (a) through (n).

2. **Policy**

   a. The DON is committed to building the skills and competencies of its workforce in the most productive and efficient manner to support its mission. The DON must ensure that its civilian workforce is able to meet current and projected performance requirements essential to military readiness. The DON Civilian Employee Training and Career Development Program and the components of the program outlined in this subchapter apply to all DON civilian employees who meet the definition of 5 U.S.C. 2105.

   b. Individual professional development should be consistent with the guidelines established by designated community managers.

   c. Programs of professional development administered under this policy must be consistent with Merit System Principles. Identification and selection of employees for training and development opportunities must be done fairly and equitably, without regard to political affiliation, race, color, religion, national origin, sex, marital status, sexual orientation, status as a parent, age, or handicapping condition (reference (a)).

   d. The provisions of this subchapter do not extend to training for the military and neither authorize nor preclude payments for academic degrees and professional licenses for the military.

3. **Definitions.** Definitions are contained in Appendix A.

4. **Employee Training and Career Development Program Policy Requirements**

   a. DON commands and activities will invest sufficient resources to meet immediate and long-range training requirements, assess and assure individual employee competency, provide planned career development opportunities, and ensure that employees are afforded the opportunity to acquire the leadership competencies at the appropriate time in their career progression.

   b. In accordance with references (b) and (c), DON commands and activities will systematically prepare employees for executive, management, and supervisory positions, challenge all executives, managers, and supervisors through diverse assignments and programs of continuous learning, and ensure the ongoing exchange of executive, management, and supervisory knowledge consistent with Department-wide goals.

   c. Employees will be selected for training and development on the basis of needs and
requirements identified in performance appraisals, position function changes, formal career program requirements, regulatory issuances, strategic planning documents, and approved individual and organization development plans.

d. Training and development will be evaluated consistent with references (d) and (e).

5. **Civilian Academic Degree Training Program Policy Requirements**

a. The circumstances under which academic degree training payment will be made shall be determined by the command in accordance with work force priorities and available funds.

b. Payment of costs associated with obtaining an academic degree to assist in recruiting or retaining employees is no longer restricted to occupations in which a shortage of qualified personnel is identified.

c. Funding is authorized only for individuals participating in planned, systemic, and coordinated professional development programs. Such programs must meet both of the following criteria:

(1) Financial support for the program is pre-planned rather than ad hoc.

(2) The program consists of a sequenced set of instruction or assignments that clearly supports organizational objectives.

d. Funding is permitted for any course of post-secondary education delivered through classroom, electronic, or other means provided that it shall be administered or conducted by an institution that is accredited by a nationally recognized accrediting body to provide a curriculum of post-secondary education. The list of nationally recognized accrediting agencies or associations is published by the Secretary of Education under 20 U.S.C. 1001(c). This listing can also be found on the Department of Education website [www.ed.gov](http://www.ed.gov)

e. Funding may include such additional expenses as may be necessary to ensure successful participation including but not limited to supplies and equipment, application fees, registration fees, and parking fees.

f. A continued service agreement shall be completed prior to degree payment. For full-time attendance, the continued service agreement obligates employees for whom academic degree training is paid to serve in a Government agency for a period at least three times the length of the time spent in academic degree training. The period of obligated service begins the day after the last training class (reference (e)). For part time training, the period of obligated service will be computed in accordance with reference (d).
g. Academic degree payment is not authorized for employees occupying Schedule C and non-career (political) Senior Executive Service (SES) positions.

h. Academic degree payment is not authorized for any employee attending an institution that discriminates on the basis of political affiliation, race, color, religion, national origin, sex, marital status, sexual orientation, status as a parent, age, or handicapping condition.

i. With the exception of a Federal grant of funds made available solely for student financial assistance or related administrative costs, funds may not be provided by contract or grant to an institution of higher education or any sub-element of that institution if either the parent institution or any sub-element of that institution has a policy or practice that prevents the Reserve Officers Training Corps (ROTC) units or student ROTC participation, or prevents military recruiting on campus, or access to student directory information.

j. Any bargaining obligations must be satisfied prior to implementation of this subchapter.

k. Offices with the authority to approve the establishment of programs of professional development that offer academic degree payment shall ensure that the programs are implemented in a manner that will result in better organizational or individual performance. The effective use of programs of professional development shall be considered as a part of the overall assessment of human resources management. The nature and extent of the use of programs of professional development shall be documented by the activity to be included as a part of the review of organization health in the annual report required by reference (f).

l. This authority does not apply to the Navy Student Loan Repayment Plan under 5 U.S.C. 5379 and 5 CFR 537.

6. Payment of Expenses to Obtain Professional Credentials

Policy Requirements

a. Payment of costs associated with obtaining and renewing professional credentials including professional accreditation, State-imposed and professional licenses, and professional certifications; and examinations to obtain such credentials is authorized in accordance with reference (g) and (h) to support the DON’s human capital goals. Given the availability of funding, an activity may pay for professional credentials that are necessary or beneficial for the employee in the performance of official duties.

b. This authority will be implemented in a manner consistent with merit system principles as set forth in reference (i) and as described by the following criteria. The license or certification:
(1) Enhances productivity

(2) Improves performance

(3) Maximizes recruitment opportunities, especially for shortage category occupations and other labor market conditions

(4) Increases retention, especially for “high turnover” career fields

(5) Broadens and develops the skill base for a quality work force to accomplish the DON’s mission and ensure readiness

(6) Supports civilian leadership development initiatives and career path improvements to meet future requirements

c. This authority is discretionary and is not an entitlement or benefit of employment.

d. Naval activities and Marine commands shall document the use of this authority. The Defense Civilian Personnel Data System (DCPDS) will be modified to provide essential data for program evaluation. Specific data (Appendix B) must be retained by the activities to be included as a part of the annual report required by reference (f) until the DCPDS accommodates these new requirements. Each approving official is responsible for ensuring that the use of this authority is documented.

e. Funding is permitted for licensure and certification as defined in reference (h) and Appendix A. This authority may not be used to obtain licenses or certifications from organizations that discriminate on the basis of race, color, religion, age, sex, national origin, parental status, sexual orientation or disability.

f. This authority may not be exercised on behalf of employees occupying Schedule C and non-career (political) SES positions. Direct-hire local national employees are eligible for payments to obtain licenses and credentials; however, indirect-hire local nationals, who are employed under another country’s civil service system, are ineligible. Payment of certification expenses for a nonappropriated fund employee should be made from the funds used to pay other benefits to that employee.

g. Payment for licenses and certifications, and their subsequent renewals, may include, at the discretion of the activity and command, such additional expenses as dues or fees required by the licensing or certifying agency, fees for preparation for examinations, examinations, registration fees, and travel and per diem costs. Payment may not include employees’ membership fees in societies or associations. See reference (j).

h. Payment shall be made on a reimbursable basis upon successful receipt of the credential. Reimbursement shall be through the completion of the SF 1164. Where pre-approval is required by the activity, internal procedures for pre-approval of the reimbursement will be issued by the activity.
i. Any collective bargaining obligations must be satisfied prior to implementation of this instruction.

j. Unless permitted by law or regulation, minimum qualification requirements may not be established based upon the presence or absence of a license or certification.

7. Responsibilities

a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for issuance of policy on DON civilian employee training and career development. This authority is redelegated to the Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)).

b. The Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)) is responsible for developing and issuing guidance and monitoring and assessing the overall program effectiveness.

c. In accordance with reference (k), the DON’s Civilian Leadership Board (CLB) advises and assists the DASN (CHR) in the development of the Civilian Leadership Development (CLD) framework, and oversees its implementation by commands and activities. The CLB also functions as the "component" board, required in reference (l), providing oversight for the implementation of the Defense Leadership and Management Program (DLAMP) within the DON.

d. The Chief of Naval Operations (CNO), the Commandant of the Marine Corps, the Assistant for Administration, Office of the Under Secretary of the Navy, and the Commanders of Navy Echelon 1 and 2 commands reporting to the CNO are delegated the authority to implement this subchapter. They shall approve planned, systemic, and coordinated programs of professional development for academic degree payment and determine the circumstances under which payment for professional credentials will be made. This authority may be further delegated to the lowest practicable level.

Echelon 1 and 2 commands retain responsibility for ensuring funding support, assessing the effectiveness of these programs, and reporting program data. They shall:

(1) Plan, program, budget, operate, and evaluate programs in accordance with references (a) through (n).

(2) Establish priorities and plans, and provide the necessary funds and resources to meet training requirements. At a minimum, it is recommended that between 1.5 percent to 5 percent of the annual payroll budget be allocated to support non-salary training costs.

(3) Establish a cost-effective training infrastructure using a combination of in-house resources, outsourcing, and partnerships. This infrastructure should include the capability to provide training through classroom sessions, advanced distributed learning
instruction, and through actual work assignments employing various learning strategies.

(4) Integrate employee training, education, and development into their strategic planning process to ensure its contribution to mission accomplishment and performance goals.

(5) Create an environment that supports continuous learning and organizational development.

(6) Issue internal procedures that comply with merit system principles.

(7) Implement DoD and DON-wide training and educational development programs including wage-grade, career, and leadership development programs.

e. The Human Resources Service Centers will ensure that training data collected by activities are processed and reconciled in the applicable HR database systems as required.

8. **Action.** Individuals, commands, and activities mentioned shall take necessary actions to implement the provisions of this subchapter within 120 days.
Certification is recognition given to individuals who have met predetermined qualifications set by an agency of government, industry, or a profession.

Licensing is the process by which an agency of (federal, state, or local) government grants permission to an individual to engage in a given occupation upon finding that the applicant has attained the minimal degree of competency required to engage in that occupation.
SUBCHAPTER 410

PAYMENT OF EXPENSES TO OBTAIN PROFESSIONAL CREDENTIALS

APPENDIX B DATA ELEMENTS

CIVILIAN LICENSES, CERTIFICATIONS, AND RELATED EXPENSES
MODERN DEFENSE CIVILIAN PERSONNEL DATA SYSTEM

Data elements:

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ACRONYMS

CHR – Civilian Human Resources

CLB – Civilian Leadership Board

CNO – Chief of Naval Operations

DASN – Deputy Assistant Secretary of the Navy

DCPDS – Defense Civilian Personnel Data System

DLAMP – Defense Leadership Management Program

DoD – Department of Defense
DoDINST – Department of Defense Instruction

DON – Department of the Navy

HRM – Human Resources Management

ROTC – Reserve Officer Training Corps

SECNAVINST – Secretary of the Navy Instruction

SES – Senior Executive Service

1. PURPOSE. This subchapter establishes policy and assigns responsibility for the labor-management relations (LMR) program within the Department of the Navy (DON).

2. POLICY

a. LMR programs in the DON will be focused on supporting and enhancing the DON mission. Strong, positive labor-management relationships established under the provisions of reference (a) help to create and maintain a high performance workplace that delivers the highest quality products and services at the lowest possible cost. Such relationships help managers and employees to pursue solutions that promote increased quality and productivity, customer
service, mission accomplishment, efficiency, quality of work life, and mission readiness.

b. DON activities shall follow the procedures and requirements found in paragraph F of reference (b).

c. No headquarters element, host, or servicing activity will issue regulations or procedures requiring changes to bargaining unit employees’ conditions of employment without allowing affected activities sufficient time to satisfy bargaining obligations before requiring implementation of the changes. To ensure that DON’s national union consultation obligations are met, headquarters elements will notify the Office of Civilian Human Resources (OCHR) Director of Labor and Employee Relations (LER) Programs before making final decisions on such changes.

d. An individual designated as a chief negotiator for management must undergo appropriate training prior to the start of negotiations, unless the individual is already experienced in labor negotiations. Supervisors shall be trained on the provisions of the collective bargaining agreement(s) covering their employees as soon as practical following approval of the agreement(s).

3. RESPONSIBILITIES

a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for issuance of policy on the DON LMR program.

b. The Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)) will:

   (1) Oversee the development of policy on the overall LMR program within the DON and will provide authoritative advice to the Chief of Naval Operations (CNO), the Commandant of the Marine Corps (CMC), the Assistant for Administration, Under Secretary of the Navy and heads of Navy Echelon I and II commands.

   (2) Evaluate the performance of the DON LMR Program and develop policy to improve LMR Program performance.

   (3) Under the authority of reference (c), assess the overall effectiveness of the LMR program at all levels of the organization.

c. The Director, Office of Civilian Human Resources (OCHR) will:
(1) Report on all aspects of the DON LMR Program to the DASN(CHR) to support ongoing evaluation and policy development.

(2) Issue guidance to DON labor practitioners and managers on administrative, legislative, or judicial developments impacting contract negotiation and administration of labor relations programs.

(3) Maintain a current inventory of all DON bargaining units.

(4) Develop a plan for dealing with job actions by employees and labor organizations in the DON.

(5) Ensure that the DON is effectively represented in cases involving unfair labor practice (ULP) charges and bargaining unit issues before the Federal Labor Relations Authority (FLRA) and impasse cases before the Federal Service Impasses Panel (FSIP).

d. Directors of Human Resources Service Centers (HRSCs) will monitor and direct the performance of HRSC Labor Relations staff. HRSC Labor Relations staff members are delegated full authority to represent the DON in ULP, bargaining unit representation, and impasse cases and will provide support on matters relating to negotiations. The HRSC representatives may delegate specific case processing functions to activity and Human Resources Office staffs on a case-by-case basis; but the HRSC staff member shall be the representative of record and maintain responsibility for the overall management of each case.

e. The Commandant of the Marine Corps (CMC) may designate the representative for Marine Corps commands in ULP, bargaining unit representation, and impasse cases where the issues involved do not affect the DON as a whole. The CMC shall coordinate as necessary with the OCHR, Director of LER Programs, when a designation is made under this authority.

f. HRSCs and the CMC designated representative shall provide the Director of LER Programs and the servicing HRO with copies of FLRA Regional Director decisions and provide immediate notification when a FLRA decision may warrant judicial review under 5 U.S.C. § 7123. Requests for judicial review will be forwarded to the Department of Defense (DoD) Deputy General Counsel, Personnel and Health Policy, via the DASN (CHR). The DASN (CHR) will coordinate such requests with the DON Office of General Counsel.

g. Activity Heads and Commanders, or their designees:

(1) Are responsible for according recognition to labor organizations certified as the representative of employees in an appropriate unit, establishing and maintaining the relationship with the certified representative, negotiating labor agreements, processing grievances, and representing the activity in arbitration.
These are considered inherent management functions and may not be performed by a contractor.

(2) Shall notify the servicing HRSC or the CMC, as appropriate, upon receipt of an unfair labor practice (ULP) charge, representation petition, or a petition to determine eligibility for dues allotment filed under the provisions of 5 U.S.C. § 7115(c) and promptly provide the HRSC or CMC representative necessary information and evidence related to the case.

(3) Are authorized to file ULP charges against a labor organization. Such charges will not be filed when the matter can more appropriately be pursued through a negotiated grievance procedure or other management-initiated administrative action. An HRSC or CMC LMR staff member will be consulted prior to the filing of a ULP charge against a union. Also, prior to filing the charge, the union will be advised and given an opportunity to resolve the matter with management.

(4) Shall remain neutral concerning the appropriateness of a bargaining unit sought by a union and on the positions to be included in or excluded from the unit until such time as the DON position concerning the petition is established.

(5) Shall not agree to a bargaining proposal that conflicts with a DoD or DON regulation, absent a clear statement of waiver or exception from the issuing office or a finding by the FLRA that there is no compelling need for the regulation.

(6) Shall notify the servicing HRSC or CMC when either party to negotiations requests the assistance of the Federal Mediation and Conciliation Service, before referring a matter to the FSIP, or when a union submits a matter to the FSIP.

(7) Shall not agree to participate in interest arbitration involving a bargaining dispute without the express consent of OCHR, Director of LER Programs.

(8) Shall monitor the use of official time by union representatives and track the amount of time used in each of the following categories: negotiations, dispute resolution, and general labor-management relationship.

(9) Shall not grant official time to a union representative to negotiate over conditions of employment if the conditions apply only to a bargaining unit(s) of which the representative is not a member.

(10) Shall forward one copy of each approved negotiated agreement and each arbitration award to OCHR, Director of LER Programs. Three copies of each negotiated agreement and one copy of each arbitration award shall be forwarded to the servicing HRSC.
(11) Activities with one or more bargaining units shall develop a local plan for responding to a job action initiated by employees and/or a labor organization. The OCHR Director of LER Programs will be notified immediately by telephone as soon as the activity becomes aware of a planned or actual job action or informational picketing by a labor organization.

4. **ACTION.** Commands, activities and individuals with LMR responsibilities shall take necessary actions to implement the provisions outlined in this subchapter.