PS 3000.02 HUMAN RESOURCE MANAGEMENT MANUAL

U.S. Department of Justice
Federal Bureau of Prisons

Change Notice

DIRECTIVE AFFECTED: 3000.02
CHANGE NOTICE NUMBER: 27
DATE: 7/21/98

1. PURPOSE AND SCOPE. To update the Human Resource Management Manual.

2. SUMMARY OF CHANGES. Program Statement 3000.02, Human Resource Management Manual, is being updated to:

a. remove the requirement for associate wardens and executive assistants to serve temporary promotions prior to being approved for permanent promotions;

b. clarify selection and classification authority for UNICOR field positions;

c. return selection authority to the Assistant Director, IE&VT, for all GS-12 and below UNICOR positions during the activation of new factories;

d. delegate selection authority to Assistant Directors and the Senior Deputy Assistant Director, Program Review Division, for GS-12 and below positions in the Central Office and Central Office controlled positions, including trainees;

e. clarify approval authority for personnel actions involving attorneys, law clerks, and law students;

f. identify responsibility for the classification of new institution positions;

g. clarify procedures for the annual position review required by the Department of Justice;

h. redefine the level of the deciding official for disciplinary and adverse actions;

i. revise Attachment 2-1 to reflect all selection and classification authority; and

j. reflect approval from the Assistant Director, General Counsel, is required for adverse actions involving suspensions of 14 days or less for non-Senior Executive Service attorneys. Suspensions beyond 14 days require approval from the Office of Attorney Personnel Management.

k. update the Program Statement to include ACA standards for Adult Correctional Boot Camp Programs.

3. TABLE OF CHANGES

Remove	Insert
Program Statement	Program Statement
Chapter 2, Pages 1 - 4A	Chapter 2, Pages 1 - 4D
Attachment 2-1	Attachment 2-1

4. ACTION. File this Change Notice in front of PS 3000.02, the Human Resource Management Manual.

/s/
Kathleen Hawk Sawyer
Director

U.S. Department of Justice
Federal Bureau of Prisons

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U.S. Department of Justice
Federal Bureau of Prisons

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4. ACTION. File this Change Notice in front of the Human Resource Management Manual, PS 3000.02.

/s/
Kathleen M. Hawk
Director

U.S. Department of Justice
Federal Bureau of Prisons

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Director

U.S. Department of Justice
Federal Bureau of Prisons

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4. ACTION. File this Change Notice in front of PS 3000.02, the Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

U.S. Department of Justice
Federal Bureau of Prisons

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3. TABLE OF CHANGES

Remove	Insert
Chapter 3, Pages 73 - 76	Chapter 3, Pages 73 - 76
Chapter 3, Pages 86 - 89	Chapter 3, Pages 86 - 89
Attachment 3-12	Attachment 3-12
Attachment 3-13	Attachment 3-13
Attachment 3-19	Attachment 3-19
Attachment 3-20	Attachment 3-20
Attachment 3-22	Attachment 3-22
Chapter 9, Pages 3 - 6	Chapter 9, Pages 3 - 6

4. ACTION. File this Change Notice in front of PS 3000.02, the Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

U.S. Department of Justice
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7-34	7-34H (CN-20)
Attachment 7-3, Pages 1 and 2	Attachment 7-3, Pages 1 and 2 (CN-20)

Remove	Insert
Attachment 7-4	Attachment 7-4 (CN-20)
Attachment 7-8	Attachment 7-8 (CN-20)
Attachment 7-9	Attachment 7-9 (CN-20)
	Attachment 7-17 (CN-20)

4. ACTION. File this Change Notice in front of Program Statement 3000.02, the Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

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4. ACTION. File this Change Notice in front of P.S. 3000.02, the Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

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Director

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Assurance Managers.

3. TABLE OF CHANGES

Remove	Insert
Chapter 2, Pages 1-4	Chapter 2, Pages 1-4A
Attachment 2-1	Attachment 2-1

4. ACTION. File this Change Notice in front of the Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

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4. ACTION. File this Change Notice with the Human Resource Management Manual (P.S. 3000.02), behind the Table of Contents.

\s\Wade B. Houk for\
Kathleen M. Hawk
Director

U.S. Department of Justice
Federal Bureau of Prisons

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4. ACTION. File this Change Notice in front of Program Statement 3000.02, Human Resource Management Manual.

\s\
Kathleen M. Hawk
Director

U.S. Department of Justice
Federal Bureau of Prisons

Program Statement

OPI: HRM
NUMBER: 3000.02
DATE: CN-27 7/21/98
SUBJECT: Human Resource Management Manual

1. PURPOSE AND SCOPE. To provide for the recruitment, selection, promotion, training, and evaluation of Bureau employees and to establish a Human Resource Management system to conduct these operations.

2. PROGRAM OBJECTIVES. The expected results of this program are:

a. The Bureau of Prisons will maintain a competent and representative workforce.

b. Through various human resource programs employees will have opportunities for personal growth, professional development, and upward mobility potential.

3. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 3000.01	Personnel Manual (10/1/84)

b. Directives Referenced

PS 3420.08	Standards of Employee Conduct (3/7/96)
PS 3451.03	Awards Programs, Incentive Awards, Bureau of Prisons (5/10/94)
PS 3713.19	Affirmative Action Program (11/4/96)
PS 3906.16	Employee Development Manual (3/21/97)
PS 4400.03	Property Management Manual (2/27/96)
PS 5300.19	Volunteers and Citizen Participation Programs (6/30/97)

DOJ Order 1315.1	Probationary Period for Supervisors and Managers
DOJ Order 1411.2A	Upward Mobility
DOJ Order 1430.3A	Performance Management System (PMS) for General Schedule and Prevailing Rate Employees
DOJ Order 1511.1B	Position Classification Appeals
DOJ Order 1511.4B	Consultation on Significant Position Classification
DOJ Order 1630.1D	Leave Administration
DOJ Order 1752.1A	Discipline and Adverse Actions
DOJ Order 2120.6C	Report Employee Time and Attendance
DOJ Order 2710.8	Removal and Maintenance of Documents

Title 5, United States Code
Federal Travel Regulations
Civilian Personnel Law Manual Title 2, Chapter 5.E
Title 4, Chapter 2.D.

c. Rules referenced in this Program Statement are contained in 5 CFR.

4. STANDARDS REFERENCED

a. American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-2B-04, 2-CO-1C-01, 2-CO-1C-02, 2-CO-1C-03, 2-CO-1C-04, 2-CO-1C-05, 2-CO-1C-06, 2-CO-1C-07, 2-CO-1C-08, 2-CO-1C-09, 2-CO-1C-09-1, 2-CO-1C-10, 2-CO-1C-11, 2-CO-1C-12, 2-CO-1C-13, 2-CO-1C-14, 2-CO-1C-15, 2-CO-1C-16, 2-CO-1C-17, 2-CO-1C-18, 2-CO-1C-19, 2-CO-1C-20, 2-CO-1C-21, 2-CO-1C-22, 2-CO-1C-23, 2-CO-1C-24, 2-CO-1C-25.

b. American Correctional Association 3rd Edition Standards for Adult Correctional Institutions: 3-4006, 3-4007, 3-4008, 4-4009, 3-4010, 3-4011, 3-4012, 3-4024, 3-4040, 3-4048, 3-4049, 3-4050, 3-4051, 3-4052, 3-4053, 3-4053-1, 3-4054, 3-4054-1, 3-4055, 3-4056, 3-4057, 3-4058, 3-4059, 3-4060, 3-4061, 3-4062, 3-4063, 3-4064, 3-4065, 3-4066, 3-4067, 3-4068, 3-4069, 3-4334.

c. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-1A-04, 3-ALDF-1A-05, 3ALDF-1A-06, 3-ALDF-1A-07, 3-ALDF-1A-08, 3-ALDF-1A-09, 3-ALDF-1A-10, 3-ALDF-1A-11, 3-ALDF-1A-12, 3-ALDF-1A-13, 3-ALDF-1A-21, 3-ALDF-1C-01, 3-ALDF-1C-02, 3-ALDF-1C-03, 3-ALDF-1C-04, 3-ALDF-1C-05, 3-ALDF-1C-06, 3-ALDF-1C-07, 3-ALDF-1C-07-1, 3-ALDF-1C-07-2, 3-ALDF-1C-08, 3-ALDF-1C-09, 3-ALDF-1C-10, 3-ALDF-1C-11, 3-ALDF-1C-12, 3-ALDF-1C-13, 3-ALDF-1C-14, 3-ALDF-1C-15, 3-ALDF-1C-16, 3-ALDF-1C-17,

3-ALDF-1C-18, 3-ALDF-1C-19, 3-ALDF-1C-20, 3-ALDF-1C-21, 3-ALDF-1C-22, 3-ALDF-1C-23, 3-ALDF-1C-24, 3-ALDF-1C-25.

d. Standards for Adult Correctional Boot Camp Programs: 1-ABC-1A-06, 1-ABC-1A-07, 1-ABC-1A-08, 1-ABC-1A-11, 1-ABC-1A-12, 1-ABC-1B-14, 1-ABC-1C-01, 1-ABC-1C-02, 1-ABC-1C-03, 1-ABC-1C-04, 1-ABC-1C-04-1, 1-ABC-1C-06, 1-ABC-1C-07, 1-ABC-1C-08, 1-ABC-1C-09, 1-ABC-1C-10, 1-ABC-1C-11, 1-ABC-1C-12, 1-ABC-1C-13, 1-ABC-1C-14, 1-ABC-1C-15, 1-ABC-1C-16, 1-ABC-1C-17, 1-ABC-1C-19, 1-ABC-1C-20, 1-ABC-1C-22, 1-ABC-1C-23, 1-ABC-5B-08, 1-ABC-4E-09, 1-ABC-1G-01, 1-ABC-1G-02, 1-ABC-1G-03, 1-ABC-1G-04, 1-ABC-1G-06, 1-ABC-1G-07.

5. DISTRIBUTION. This Manual is available on BOPDOCS CDROM as an electronic publication.

/s/
Kathleen Hawk Sawyer
Director

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171.1 HUMAN RESOURCE MANAGEMENT MANUAL ORGANIZATION AND USE

The Human Resource Management Manual is organized by sections and chapters, numbered to coincide with the subject-matter classification and numbering system of the Federal Personnel Manual.

The material in this manual supplements the laws, regulations and instructions in Title 5, United States Code, 5 CFR, the Federal Personnel Manual and Department of Justice Orders. Users are cautioned not to rely on this manual as the sole source of information and guidance. References are provided at the beginning of most chapters to guide the user to additional sources of information.

The Bureau Personnel Director is responsible for maintaining and updating this manual. Changes will be coordinated and published through the Bureau of Prisons directives distribution system as change notices.

Employees have access to any and all information in this manual and may have copies of any portions of it.

250.1 DELEGATION OF AUTHORITY, PERSONNEL MANAGEMENT

1. PURPOSE AND SCOPE. To redelegate the Director's authority on management of human resources. (These redelegations are shown in tabular form in Attachment 2-1)

2. DIRECTIVES AFFECTED.

Directives Rescinded

Program Statement 3511.09

Directive Referenced

* 5 U.S.C. Chapter 51.

3. DELEGATIONS. The Director hereby delegates through the Assistant Director, Human Resource Management Division (HRMD), and the Assistant Director, Industries, Education, and Vocational Training (IE&VT), the authority to take action on the appointment, direction, and general administration of personnel to the respective Chief Executive Officers.

Personnel actions involving SES members, candidates, or positions must be approved by the Department of Justice (DOJ). Personnel actions will be prepared by the Workforce Planning Administrator, Central Office. Classification actions will be prepared locally and forwarded to Pay and Position Management (PPM) for processing through DOJ.

The Bureau Personnel Director has the authority to revoke or suspend classification authority. Position classification is initiated at the servicing personnel office level, excluding trainee positions controlled by Central Office with classification authority delegated to PPM.

a. **Director**.

(1) Selection Authority. The Director retains selection authority and final approval for the following:

(a) Employment of ex-felons; and

(b) Positions at the GS-13 level and above, except for medical and dental officers.

(2) Promotion Selections. For promotions to the GS-13 level and above in the 006 and 1101 series, the full Executive Staff must concur with the potential selection, and the Director must approve the selection.

For promotions in all other series at the GS-13 level and above, the selecting Regional or Assistant Director needs the concurrence of the selectee's Regional or Assistant Director. When the Regional Director is the selecting official, the concurrence of the Assistant Director over the discipline to be filled is needed. Final approval rests with the Director.

(3) Reassignment Selections. For reassignments to the GS-13 level and above in the GS-006 and GS-1101 series, full Executive Staff concurrence is required along with the Director's approval. However, reassignments of Associate Wardens between program areas (e.g., operations to programs) do not require Executive Staff involvement since the individual is remaining at the same location.

For reassignments in all other series at the GS-13 level and above, between divisions and regions, the selecting Regional or Assistant Director needs the concurrence of the selectee's Regional or Assistant Director. In addition, final approval from the Director is required.

For reassignments in all other series at the GS-13 level and above, within the same division or region, the appropriate Regional or Assistant Director makes the selection with the concurrence of the Assistant Director over the discipline to be filled. Again, final approval from the Director is required.

(4) Preparation of the SF-52 for Selections. The Staffing Section, Central Office, will prepare SF-52s for all Warden and Associate Warden selections made by the Executive Staff. The SF-52 for all other promotion and selection actions will be prepared by either the regional human resource management (HRM) office, or in the Central Office, by the specific division affected by the action.

(5) Notification of Selections. Notification of all selections GS-13 and above will be provided to the Assistant Director, HRMD, by the selecting Regional or Assistant Director.

(6) Signatory Authority for Selections. Signatory authority for selections made through the Management Selection System is delegated to the Assistant Director, HRMD. For all other GS-13 and above positions where the Director retains selection authority, the appropriate Regional or Assistant Director may sign the promotion board documents upon concurrence of the Director. Authority for career ladder promotions rests with the delegated signatory authority of the respective position.

b. **Assistant Directors, Senior Deputy Assistant Directors, and Directors of Staff Training Centers**.

(1) Selection Authority.

(a) Assistant Directors and the Senior Deputy Assistant Director, Program Review Division, are delegated selection authority for the following:

(1) GS-12 level and below in the Central Office;

(2) Federal wage system (FWS) positions in the Central Office; and

(3) Central Office controlled positions, including trainees in the particular discipline.

(b) The Assistant Director, IE&VT is delegated selection authority for the following GS-12 and below positions:

(1) UNICOR field positions - factory manager, assistant factory manager, general foreman (or lead foreman supervising staff), industrial manager, industrial specialist, business manager, assistant business manager, quality assurance manager, plant controller, and computer specialist positions.

(2) UNICOR positions during the activation of new factories until all positions are initially filled. The selection authority for delegated positions will revert to the Warden level with concurrence of the Assistant Director, IE&VT.

(3) Any change in the classification of a UNICOR position requires the approval of the Assistant Director, IE&VT.

(c) The Assistant Director, National Institute of Corrections (NIC), has selection authority for all GS-12 and below NIC positions.

(d) The Senior Deputy Assistant Director, HRMD, has selection authority for positions at the GS-12 level at staff training centers.

(e) The Directors of staff training centers have selection authority for positions below the GS-12 level at training centers.

(2) Preparation of the SF-52 for Selections. The Staffing Section, HRMD, will prepare SF-52s for Central Office controlled

trainee positions. For all other positions in the Central Office, including Central Office controlled positions other than trainees, the appropriate divisions will initiate the SF-52s. Human resource staff at staff training centers will initiate their SF-52s and UNICOR will initiate SF-52s for UNICOR.

(3) Position Management and Control

(a) The Assistant Director, HRMD, has authority for position management of all Bureau of Prisons' positions.

(b) The Assistant Director for the Administration Division has authority for the allocation and accounting of all Bureau of Prisons' positions.

(c) The Assistant Director, IE&VT, has authority over all UNICOR positions and is responsible for ensuring position accounting and position management files maintained by the Administration Division and HRMD are accurate.

(d) The Assistant Director, NIC, has authority over all NIC positions and is responsible for ensuring position accounting and position management files maintained by the Administration Division and HRMD are accurate.

c. **Central Office Human Resource Manager (HRM).**

Classification Authority. The Central Office HRM is delegated classification authority for the following:

(a) Central Office positions at the GS-12 and below grade level;

(b) Central Office FWS positions; and

(c) Medical and dental officers at the GS-15 level in the Central Office.

d. **Pay and Position Management (PPM) Section**

(1) Classification. PPM is delegated classification authority for the following positions:

(a) UNICOR field positions - superintendent of industries, factory manager, assistant factory manager, general foreman (or lead foreman supervising staff), industrial manager, industrial specialist, business manager, assistant business

manager, plant controller, computer specialist, and quality assurance manager positions;

(b) Trainee positions controlled by Central Office; and GS-13 level and above, with the exception of medical and dental officers, SES, and attorney positions.

(2) Signatory Authority. The Assistant Director, HRMD, has final approval authority for the above positions. Signatory authority is delegated to the Bureau Personnel Director.

e. **Central Office General Counsel (OGC)/Office of Attorney Personnel Management (OAPM)**.

(1) Personnel Actions. Personnel actions involving attorneys, law clerks, and law students require final approval from OGC or by OAPM, depending on the action. All attorney personnel actions (i.e., employee actions) will be initiated by OGC, with final approval by the Assistant Director, OGC and OAPM, as necessary. Attorney personnel actions requiring OGC approval include promotions, transfers, selected voluntary reassignments, and conversion to full-time or part-time employment. Adverse actions involving suspensions of 14 days or less for non-Senior Executive Service attorneys require approval from the Assistant Director, General Counsel. Suspensions beyond 14 days require OAPM approval. After approval by OGC, the SF-52s will be returned to the servicing HRM office for processing.

The servicing HRM office will maintain the Official Personnel File (OPF) for attorney, law clerk, and law student positions. The same rules and regulations regarding the protection and maintenance of OPFs will apply.

HRMs should consult with OGC, as necessary, on human resource issues involving attorneys and paralegals.

(2) Classification Actions. OAPM is delegated classification authority for all attorney, law clerk, and law student positions. The local HRM office will initiate all position actions and forward to OGC for approval. When necessary, the position action will be forwarded to OAPM for final approval. After approval, OGC will forward to PPM for processing.

A current listing of standardized attorney position descriptions is available on BOPDOCS.

f. **Regional Directors**

(1) Selection Authority. Regional Directors are delegated selection authority for the following:

(a) Regional office positions at the GS-12 level and below;

(b) Engineer, architect, regional communication specialist, community programs manager, and B&F positions, after consulting with the appropriate Assistant Director;

(c) Paralegal specialist at and below the GS-12 level(institution and region). In addition, consultation with OGC is required prior to selection or promotion to the GS-12 level;

(d) Computer specialists after consultation with the Assistant Director, Information, Policy, and Public Affairs; and

(e) Institution department and assistant department head positions at and below the GS-12 level. For purposes of this section, employee development manager, case management coordinator, staff psychologist (GS-12/13), staff chaplain, correctional supervisor (including special investigative agent), and general foreman are considered to be at the department head or assistant department head level. When filling institution department heads, Regional Directors must consult with the appropriate Assistant Director of the discipline for which the selection is being made.

(2) Preparation of the SF-52 for Selections. Regional human resource staff are responsible for preparing the SF-52s for personnel actions outlined above as well as for all GS-13 and GS-14 level positions falling within their delegated authority. SF-52s resulting from the Management Selection System (Warden and Associate Warden) are excluded and will be prepared by the Staffing Section.

g. **Regional Human Resource Administrators (HRAs).**

(1) Classification Authority. Regional HRA'S are delegated classification authority for the following:

(a) Institution and regional office FWS positions, with the exception of UNICOR FWS positions which supervise staff, i.e., general foreman, which are classified by PPM; and

(b) Those positions identified under selection authority for Regional Director, below the GS-13 level.

(2) Regional HRM Offices are responsible for ensuring the classification for new institutions, including UNICOR positions, is completed.

(3) Position Management and Control. Regional Directors have authority to manage all positions in their respective region, excluding UNICOR, Trust Fund, B & F, and Central Office controlled positions.

h. **Wardens**

(1) Selection Authority. Wardens are delegated selection authority for the following:

(a) Medical and dental officers;

(b) FWS and GS positions considered below the assistant department head level; and

(c) Wardens must consult with the Assistant Director, Health Services Division, on selection of clinical director positions.

i. **Institution Human Resource Managers (HRMs)**.

(1) Classification Authority. HRM'S are delegated classification authority for positions delegated to their organizational level for selection, i.e., GS positions below the assistant department head level, with the following **exceptions**:

(a) GS-13 and above positions, with the exception of medical and dental officers;

(b) FWS positions;

(c) Trainee positions which are delegated to PPM; and

(d) UNICOR positions with classification authority delegated to PPM.

(2) Institutions will complete the classification of UNICOR positions delegated to their level. If there is a change in the classification, forward the SF-52, position description, and evaluation directly to the personnel liaison component of the UNICOR Central Office Support Division for the Assistant Director's signature on the SF-52.

j. **Miscellaneous**

(1) Statement of Difference. A statement of difference for all general schedule positions may be established and abolished,

as necessary, at the level where the position exists. It is not mandatory to process a personnel action to establish a statement of difference.

(2) Annual Position Review. Annual position reviews, required by DOJ, will be done at the location where the position exists. If only minor changes are made as a result of the position review, the position does not need to be reclassified and issued a new master record number (MRN). The reviewer will document the review on the bottom of the position description cover sheet. If a position description needs to be rewritten, final classification action will be taken at the delegated level of authority.

(3) Leave. The immediate supervisor has authority to approve annual leave and sick leave. For advanced annual leave, advanced sick leave and periods of leave without pay (LWOP) less than 52 weeks, the Chief Executive Officer (for institution employees), Regional Director (for regional office employees) and branch chief (for Central Office employees) retains approval authority.

All LWOP requests for attorneys require approval from the regional counsel or associate general counsel as appropriate, after consultation with OGC or designee.

The Director retains approval authority for consecutive periods of LWOP of 52 calendar weeks or more.

(4) Hours of Work. Assistant Directors, Regional Directors and Chief Executive Officers have the authority to modify the basic work week to meet the needs of the service within their organizational levels. The authority to approve compressed work schedules is delegated to the local level with OGC performing a legal and technical review.

(5) Disciplinary and Adverse Actions. Assistant Directors, Regional Directors, and Wardens have the authority to take disciplinary and adverse actions against subordinate employees in their organizations. The deciding official should normally be at least two supervisory levels above the employee. Variations to fit unique circumstances are permitted and nothing in this section precludes the deciding official being at a higher level than specified. *

293.1 PERSONNEL RECORDS AND FILES

1. PURPOSE AND SCOPE. To communicate regulations and instructions for establishment, maintenance and disposition of the Official Personnel Folder (OPF) and the Employee Performance File (EPF) which are contained in the current Federal Personnel Manual (FPM) Supplement on record keeping. In addition to the OPF and EPF, HRM offices will establish and maintain an individual Payroll File for each employee for whom it maintains an OPF. Other personnel records and files include the security file (see section 731.1) and disciplinary and adverse action files (see section 750.1). Filing and disposition of forms and documents used exclusively by the Bureau of Prisons are listed in Attachment 2-2.

2. DIRECTIVES AFFECTED

Directive Referenced

FPM Supplement 293.31

3. LOCATION. Each HRM office will maintain the OPF, EPF and Payroll File for each employee it services, including Chief Executive Officers.

4. TRANSFER OF FILES WITHIN THE BUREAU OF PRISONS. When an employee moves from one institution or office within the Bureau of Prisons to another, the losing HRM office will gather and forward to the gaining HRM office the OPF, EPF, Payroll file and medical file as soon as possible after the effective date of the move. It is not necessary for the gaining office to request the files from the losing office via a copy of the SF-50.

5. USE OF INMATES WITH EMPLOYEE RECORDS. No inmate may maintain or process any forms or records pertaining to employees. This restriction includes, but is not limited to, time and attendance reports, training records, travel authorizations and vouchers and work-related injury reports. Each function which requires handling such records must be performed by a civilian employee of the Bureau of Prisons.

293.2 REMOVAL OF OFFICIAL DOCUMENTS

1. PURPOSE AND SCOPE. To establish document removal procedures for separating and/or relocating employees. Department of Justice procedures require all employees who are separating from the Department of Justice to complete and sign a documents removal certification. In addition, employees who are relocating to another BOP facility must complete and sign a similar certification.

2. DIRECTIVE AFFECTED

Directive Referenced

DOJ Order 2710.8 Removal and Maintenance of Documents

3. PROCEDURE. Attachment 2-3, Department of Justice Document Removal Certification, is a combined documents removal certification for employees leaving the Department of Justice, relocating within the Bureau of Prisons, or transferring to another organization within the Department of Justice. HRM offices will ensure that employees complete the appropriate part of the form during their clearance process. The form may be reproduced locally.

294.1 AVAILABILITY OF OFFICIAL PERSONNEL INFORMATION

1. PURPOSE AND SCOPE. Subject to the provisions of this chapter and policy and regulations of the Office of Personnel Management, the Bureau of Prisons shall make personnel information available to its employees, Federal officials and the public.

2. DIRECTIVES AFFECTED

Directives Referenced

a. FPM Chapter 294.1.

b. 5 CFR 297.402

c. 5 CFR 297.301

3. CUSTODIANS OF PERSONNEL RECORDS. Human Resource Managers at all levels of the organization are designated as the official custodians of personnel records pertaining to the employees for whom they provide human resource management services. They are responsible for safeguarding such records to prevent their unauthorized disclosure and for making determinations in accordance with this chapter and FPM issuances as to the propriety of release of personnel information.

4. TIME AND PLACE WHERE INFORMATION MAY BE OBTAINED. Normally, custodians of personnel records will make information available during regular business hours on regular business days.

5. RESPONSE TO SUBPOENAS. Designated custodians of personnel records will be guided by the FPM and 5 CFR 297.402 in responding to a subpoena for personnel records under their control. Questionable cases may be referred to the Office of Legal Counsel for guidance. Institution and Regional Office HRMs may refer questionable cases to their respective Regional Counsel.

6. EMPLOYEE ACCESS TO INFORMATION. Employees, former employees and their representatives designated in writing, may review their personnel records in the servicing HRM office.

7. SENSITIVE PERSONNEL INFORMATION. Any document which has an individual's name and social security number in combination is regarded as "DOJ Sensitive" and must be physically safeguarded against unauthorized use and disclosure.

8. INFORMATION AVAILABLE TO THE PUBLIC. The following information is in the public domain and may be released without the employee's authorization:

a. Name

b. Present title, series, grade, salary, duty station

c. Past titles, series, grades, salaries, duty stations

d. Position description, and

e. Performance standards (not performance rating)

Note that employee's home addresses and telephone numbers are not public information and may not be made available to the public. One exception to this provision is that an employee's home address may be furnished to a police or court official upon receipt of a proper request stating that the employee is involved in a nonsupport or criminal offense and the home address is needed for service of legal process.

9. INFORMATION WHICH MAY BE RELEASED WITH THE EMPLOYEE'S CONSENT. Information concerning performance, attendance, conduct or work quality of an employee or former employee may be released with the signed written consent of the employee or former employee. Any such information provided must be specific, factual and well-documented by the records. HRM officials and others who receive inquiries must be careful not to offer unsubstantiated opinions or comments.

The employee's consent is not required to provide this information when the information is subpoenaed or court-ordered. In addition, applying for a position is implied consent from the employee to release information.

10. RESTRICTED INFORMATION. Information about pre-employment interview results, arrest records or any phase of pre-employment screening or background investigations should not be disclosed to anyone except Bureau of Prisons, Department of Justice or Office of Personnel Management officials involved in making suitability or qualifications determinations, or conducting an official investigation. Disclosure of such information within the Bureau of Prisons is restricted to those who need to know the information in order to perform their official duties.

11. INFORMATION CONCERNING EMPLOYEE TERMINATION. Information concerning former employees who were terminated or removed from their position is particularly sensitive. Release of such

information, even with the written consent of the former employee, must be specific, factual and well-supported by the

records. Because they have limited appeal rights and, therefore, little chance to refute the allegations against them, and because the reason for termination is not normally documented in the Official Personnel Folder, the reason for probationary employees' terminations should not be disclosed outside the Bureau of Prisons.

Occasionally, the Bureau of Prisons agrees to resolve an adverse action appeal by accepting the employee's resignation in lieu of removal and agreeing to provide "neutral" vouchering to prospective employers. HRM officials responding to requests for information in these cases must be especially mindful of these agreements and ensure that the terms of the agreement are met. HRM officials should caution supervisors and others who may receive inquiries in these cases to refer all inquiries to the HRM office for response.

12. QUESTIONS AND COMPLAINTS. Employees who believe their personnel records contain inaccurate information should attempt to resolve the discrepancies with their servicing HRM office. If the matter is not resolved at that level, it may be referred to the Regional HRM and the Bureau Personnel Director. Requests for correction of records will be handled in accordance with 5 CFR 297.301.

Complaints or appeals regarding the disclosure or withholding of personnel information may be referred to the Bureau Personnel Director or may be processed under the appropriate grievance procedure.

295.1 BUREAU OF PRISONS' CREDENTIALS, IDENTIFICATION CARDS AND RETIREES' IDENTIFICATION CARDS

1. PURPOSE AND SCOPE. To establish policy and procedures for issuance and control of personnel identification cards for Bureau employees.

2. CREDENTIALS

a. Federal Bureau of Prisons' credentials consist of a wallet style holder with two pockets containing a name/title card in the upper pocket and a picture/signature card in the lower pocket.

b. Credentials shall be issued to:

- Central and Regional Office employees, GS-12 and above;
- Institution department heads;
- Staff Training Center employees GS-12 and above;
- Community Corrections Managers, including CCM trainees;
- * Upon request, any employee having at least five years of service with the Bureau; and *
- Any Public Health Service (PHS) employee who meets one or more of the above conditions.

3. IDENTIFICATION CARDS. Federal Bureau of Prisons' identification cards are the wallet size BP-370. An identification card will be issued to each employee (including PHS) not eligible to receive a Bureau credential. Employees who are issued a credential may, at their request, also be issued an identification card.

4. RETIREMENT IDENTIFICATION CARDS. Retirement Identification Cards will be issued to all employees upon retirement and to any Bureau retiree upon request. The cards are issued in two parts: one part contains the name, years of service and retirement date; the second card contains the retiree's photo, last position title and last duty station. When issued, the cards will be laminated and placed in the wallet style holder which held the retiree's credentials. The credential cards are then properly discarded.

5. ORDERING PROCEDURES. The Security and Background Investigation Section (SBIS) shall annually supply credential and identification cards to the regional HRM offices. Regional HRM offices shall notify SBIS of their annual requirements by March 31 each year.

Regional HRM offices shall provide and issue credential and identification cards to institution HRM offices as needed.

The Benefits, Awards, and Professional Development Section (BAPD) shall order retirement identification cards on an as needed basis and distribute them, as requested, to regional HRM offices.

6. CONTROL AND ACCOUNTABILITY. Credential picture/signature cards and identification cards are numbered. SBIS shall maintain accountability of cards issued to regional offices by logging the numbers of the cards issued to each office. Similarly, regional HRM offices shall document the numbers of cards supplied to their institutions. Regional HRM offices shall type the initials of their office (NERO, MARO, SERO, SCRO, NCRO or WRO) next to the number on each picture/signature card before issuing it to an institution or individual so that the issuing office can be notified of the final disposition of the card.

Each HRM office shall maintain a log of credentials and identification cards issued to individual employees. The log shall include the card number, name and signature of the employee to whom issued, date issued, final disposition (reported lost, returned or destroyed) and date of final disposition. Credential and identification cards and the log shall be stored in a secure location to prevent unauthorized distribution.

Retirement identification cards are not numbered but they should be logged to record the date of issuance. The cards must also be stored in a secure location to prevent unauthorized distribution.

7. PREPARATION OF CARDS. A photograph of the employee shall be affixed to the credential or identification card. The photograph must be of the employee's head and shoulders, in color, against a light background and conform to the outline on the card. Credential name/title cards, picture/signature cards, identification cards and retirees' identification cards will be laminated before issuance to the employee or retiree. The Bureau Personnel Director is authorized to sign credential picture/signature cards for Central Office staff. Regional Human Resource Administrators are authorized to sign credential
* picture/signature cards for regional office staff. Human *
Resource Managers at all levels are authorized to sign credential picture/signature cards and identification cards (BP-370) issued at that location.

When a credentialed employee changes positions or duty stations, only the name/title card must be reissued. The picture/signature card may remain the same or, at the employee's request, be reissued.

Employees are responsible for requesting new credentials or identification cards to reflect changes in name, title or appearance.

8. DISPOSITION OF CREDENTIALS AND IDENTIFICATION CARDS

a. Separation from the Bureau of Prisons. Upon an employee's separation from the Bureau of Prisons, the local HRM office will insure that the employee returns his/her credential and/or identification card and will so annotate their log.

b. Relocation to Another BOP Facility. When an employee moves from one BOP location to another, he/she retains the credential and/or identification card. Upon arrival at the new location, the new HRM office issues new identification, receives the old one(s) and notifies the office which issued the old identification that it has been destroyed.

c. Lost or Stolen Identification. Employees are responsible for reporting lost or stolen identification to their servicing HRM office no later than the next business day after they become aware of it. Employees must provide as many details as possible about the loss, including date and circumstances, if known.

HRM offices will immediately notify the Chief of SBIS, of the loss in writing, including the employee's name, social security number, identification number and details regarding the loss.

The Chief of SBIS will transmit information on all lost or stolen credentials and identification cards through the Sentry electronic mail system. Front entrance officers and control room officers have access to this information on Sentry so that they can determine whether any unfamiliar identification has been reported as lost or stolen.

9. USE OF CREDENTIALS AND IDENTIFICATION CARDS. Federal Bureau of Prisons credentials, identification cards, government driver's licenses or badges will not be used to coerce, intimidate or deceive others or to obtain any privilege or article not otherwise authorized in the performance of official duties. Only credentials or identification issued by the Federal Bureau of Prisons may be used by employees for official purposes. Employees are not permitted to obtain or use identification badges issued by other sources which give the appearance of being an official Federal Bureau of Prisons or law enforcement

credential.

300.1 EMPLOYEE VOLUNTARY SERVICES

Employees will not be pressured to perform any services without compensation; that is, employees will not be asked to perform voluntary services under conditions which would make them feel they must agree to do so. It is acceptable to post a general notice to employees regarding volunteer opportunities and instructions about whom to contact if an employee wishes to volunteer; however, in no case will a public sign-up form be used nor will employees be approached personally and asked to volunteer. Volunteer work cannot be a continuation of the employee's regular duties. No inappropriate references to volunteer activities will be made on any documents used in performance evaluation, merit promotion, or incentive awards.

308.1 YOUTH AND STUDENT EMPLOYMENT PROGRAMS

1. PURPOSE AND SCOPE. To communicate regulations and instructions for youth and student employment programs. The objectives of the student employment programs are to acquaint students with career opportunities in the Federal Bureau of Prisons; provide meaningful work experience directly related to the student's academic field of study; develop positive relationships between the Bureau of Prisons and academic institutions; and develop long-range recruiting sources for permanent employment.

2. DIRECTIVES AFFECTED

Directives Referenced

* a. 5 CFR 213.3202

b. 5 CFR 316.402

c. E.O. 12015

3. TYPES OF STUDENT EDUCATIONAL EMPLOYMENT PROGRAMS. Student educational employment programs fall into two major categories: the Student Temporary Program (which includes summer positions and interns) and the Student Career Experience Program. It is essential that Human Resource Managers understand the differences in these types of student employment as the eligibility, requirements, and terms of appointment vary.

4. SUMMER EMPLOYMENT

Appointment Authority: 316.402(a).

Encompassed by the Student Temporary Employment Program, summer employment is simply a temporary appointment which begins after May 12 and ends before October 1. Summer employment positions are not limited to students. Also, unlike other student employment programs which are specifically designed to provide academic-related work experience, summer employment positions may be used to supplement the regular complement during periods of absences. Summer employment positions may be funded and distributed by Central Office through the Regional Offices, or be funded and operated locally at the institutional level.

5. INTERN, 1040 HOUR APPOINTMENTS, GS-9 AND BELOW

Appointment Authority: Schedule B, 213.3202(a).

Individuals appointed under this authority must be enrolled or accepted for enrollment at an accredited school in a degree-seeking academic or vocational program, for at least a half-time course load. Appointees in these positions may work up to 1040 hours per fiscal year, either full-time or part-time, as long as the student's work schedule does not interfere with his/her academic schedule. The school must submit an official letter certifying the student's current enrollment.

6. INTERN, ONE YEAR TEMPORARY APPOINTMENT

Appointment Authority: Schedule B, 213.3202(a).

These are internships for professional positions, filled by graduate students. In the Bureau of Prisons, these appointments are used for Psychology Interns. The work must be used to meet academic requirements toward a graduate degree. The college or university must submit a letter signed by a school official certifying the student's current enrollment.

7. CAREER EXPERIENCE

Appointment Authority: Schedule B, 213.3202(b).

The Career Experience Program involves a longer term relationship between the student and the Bureau of Prisons than do internships. The work must be directly related to the student's major field of study. There must be a formal written agreement between the Bureau of Prisons and the academic institution. Career experience students are eligible for non-competitive conversion to a career-conditional appointment in a professional, technical, or administrative position after successfully completing their education and work experience.

a. Written Agreements. The Staffing Section will initiate and the Bureau Personnel Director will sign agreements on behalf of the Bureau of Prisons covering positions controlled and funded by Central Office.

b. Eligibility. Students must be enrolled or accepted for enrollment at an accredited school in a degree-seeking academic or vocational program, and taking at least a half-time course load. The academic institution must provide certification that the student is enrolled. Students may be terminated from their appointment at any time for any of the following reasons:

resignation; change to a curriculum which will not qualify the student for the position; suspension, expulsion or withdrawal from the educational institution; unsatisfactory work performance; failure to maintain academic standards; physical unfitness for duty; or inability of the agency for administrative reasons to retain the student in the position.

c. Work Schedule. Students may be appointed at any time during the year and a student's work schedule may be full-time or part-time, as long as the student's work schedule does not interfere with his/her academic schedule. Students must complete a minimum of 640 hours of work to be eligible for non-competitive conversion.

d. Completion of Work Period. Students are carried on the rolls as employees during the entire period of their career experience appointment. During periods when the student is attending school full-time, the student is carried in Leave Without Pay status. The supervisor must complete a performance review appraisal at the three, six, and nine month intervals, and a 12 month final performance appraisal.

8. BENEFITS. Travel and transportation expenses for relocation will not be authorized for students. A participant in these programs is eligible for health benefits and life insurance if his/her appointment will exceed one year. Participation in the retirement system is automatic if the appointment exceeds one year. If the appointment is for less than one year and it is unlikely the student will be eligible for conversion to a permanent appointment, the student will be covered by FICA. A student accrues leave based on his/her work schedule and in accordance with applicable leave regulations for full- or part-time employees.

CONVERSION TO CAREER CONDITIONAL EMPLOYMENT

Career experience students may be converted non-competitively to a career or career-conditional appointment to the target position within 120 days following successful completion of their educational and work experience requirements. Students must meet the qualification standards for the position they are being converted into and the position must be in the field, or in a closely related field, for which the students were trained. *

All work hour requirements must be completed prior to graduation.

308.2 SERVICES OF VOLUNTEERS

1. PURPOSE AND SCOPE. The Federal Bureau of Prisons and/or any of its facilities may, as appropriate, enter into agreements with recognized educational institutions to provide opportunities for students to obtain educationally related and meaningful work experience consistent with the mission and needs of the Bureau of Prisons, provided that in no circumstances will such services be used to displace any employee or to staff any vacancy which is a normal part of the workforce.

2. DIRECTIVES AFFECTED

Directives Referenced

a. Current FPM Supplement on NFC coding and keying instructions for volunteers.

b. 5 USC 3111 (c) (1)

c. 28 USC Sections 2671 - 2680

3. DEFINITIONS

a. Volunteer or Voluntary Service. Service performed by a student without compensation and with the agreement of the educational institution at which the student is enrolled. Such service may be accepted for an initial period not to exceed six months on a full-time or substantially full-time basis. Extensions may be authorized by the employing organization. Additional periods of full-time service may be accepted for similar periods of time, provided that subsequent service follows at least a semester or equivalent of study in the educational institution. This limitation does not apply to a student simultaneously working and attending school on at least a half-time basis.

b. Student. An individual who is enrolled not less than half-time in a high school, trade school, technical or vocational institute, junior college, college, university or comparable recognized educational institution. An individual is deemed not to have stopped being a student during an interim between school years if that interim period is not more than five months and if the student demonstrates to the satisfaction of the appointing officer that he or she has a firm intention of continuing to pursue a course of study or training in the same or different educational institution during the next school term.

c. Half-Time Student. A student enrolled in and carrying any combination of courses, research projects or special studies

which meets one half of the minimum full-time academic workload standards and practices of the educational institution in which

the student is enrolled. Written certification from the educational institution may be accepted as proof of half-time status if there is any doubt the student meets this requirement.

d. Recognized Educational Institution. An institution accredited by an appropriate organization or an institution with an accredited curriculum. This requirement is met when a public or private secondary or vocational school is accredited by a local board of education, a technical or professional association or by any other recognized accrediting organization. The same criteria apply to accreditation of institutions of higher learning. Correspondence courses, courses being audited without credit or short-term non-accredited programs are not acceptable. Students must generally be enrolled in and attending the school on a residential basis.

4. Agreements. Under the law, the permission of the educational institution is prerequisite to the acceptance of voluntary service. Accordingly, a written agreement will be entered into between the employing organization and the educational institution. The agreement should describe the relative responsibilities of the school, the student and the employing organization; the general nature and purpose of the work to be assigned; whether or not such work is to be creditable for educational purposes; any reports or evaluations required by the school; a work schedule; the probable duration of the service and some method of timekeeping. To comply with the law, the agreement must stipulate that the service is with the permission of the school; that it is limited by statute to a student enrolled in school; that the service is without compensation; and that the student is not considered to be a Federal employee. Attachment 3-1 is a sample agreement which may be adopted for local use.

5. Student Eligibility and Status. Volunteer service must be in accord with appropriate Federal, state and local laws regarding the employment of minors. Normally, the minimum age is 18 years, however, when all of the conditions for voluntary service as stated in this section are met, the minimum age is 16 years. Any employment certificates or work permits required by state or local authority must be obtained. Students must be in good standing academically and eligible to continue as an enrolled student in their educational institution. A name a fingerprint check and NCIC check are required before the student is accepted for volunteer service. Students in this program are not considered to be Federal employees other than for the purposes of Title 5 USC, Chapter 81, related to workers' compensation, and Title 28 USC, Sections 2671 through 2680, related to tort claims. Volunteer service is creditable toward meeting qualification requirements for competitive examining and, later, competitive or

non-competitive in-service placement. A student who has participated in uncompensated volunteer service is subject to all applicable Federal and agency employment regulations and procedures upon future application for compensated employment.

Student volunteers should receive appropriate orientation to the mission and operations of the Bureau of Prisons and the facility to which assigned. Student volunteers do not attend Introduction to Correctional Techniques.

6. Service Documentation. Although students in this program are not Federal employees, their service is creditable for certain purposes and they are covered by workers' compensation and the Tort Claims Act. Accordingly, an Official Personnel Folder will be established for each student and service will be documented by generation of an SF-50 through NFC, in accordance with current coding and keying instructions (FPM Supplement 296-33, Subchapter 33).

The position title will be "Student Volunteer". The nearest appropriate classification series will be used when entering data for pay plan and occupational code. Tenure group, service computation date and salary are zero-filled. Position descriptions are not required, however, each office should formulate a position description number for student volunteers.

Academic level, academic discipline, duty station, gender, race/ethnic background must be entered into NFC for reporting purposes.

At a minimum, the following two remarks are required on the SF-50 documenting the appointment of a student volunteer:

a. Expected to work (number) hours per week NTE (date).

b. Under 5 USC 3111, a student volunteer is not a Federal employee for any purposes other than injury compensation and laws related to the Tort Claims Act. Service is not creditable for leave accrual or any employee benefits.

Since the student volunteer is not considered to be an employee, an appointment affidavit is not executed.

310.1 EMPLOYMENT OF RELATIVES

1. PURPOSE AND SCOPE. To establish rules affecting the employment of relatives.

2. DIRECTIVES AFFECTED

Directives Referenced

a. 5 USC 3110

b. 5 CFR 310.202

3. PROCEDURES. Section 3110 of Title 5, U.S. Code, states that a public official may not employ, appoint, promote, advance nor advocate the same for a relative. For most positions there is enough discretion within the hiring process so that this is not a problem. A few positions, however, such as the Warden, Associate Wardens and the Human Resource Manager are by policy intimately involved in the hiring process. Therefore, it is the policy of the Federal Bureau of Prisons to prohibit the hiring of a relative of a Warden, Associate Warden or Human Resource Manager at the same institution. Also, as a general rule, close relatives such as a husband or a wife will not be placed in a direct supervisory position over the other. Regional Directors are authorized to make an exception under extraordinary circumstances as described in 5 CFR 310.202.

310.2 EMPLOYMENT OF EX-FELONS AT BOP

1. PURPOSE AND SCOPE. To identify criteria for the employment of ex-felons.

2. DIRECTIVES AFFECTED

Directive Referenced

FPM, Chapter 731

3. PROCEDURES. Ex-felons may be considered for employment only after being granted the proper relief or Pardon. Under the Gun Control Act of 1968 and the Omnibus Crime Control and Safe Streets Act of 1968, ex-felons cannot have a firearm in their possession and therefore cannot be considered for employment in a law enforcement position without a Pardon or other proper relief which must be documented and included as part of the application. Applicants should be advised that if found qualified for the position applied for, their application will be sent to the Office of Personnel Management to be evaluated for suitability (FPM Chapter 731). Background information will be evaluated against the Bureau's security criteria. Only the Director of the Federal Bureau of Prisons has the authority to approve the appointment of any ex-felon to a position within the Bureau. Appropriate conditions listed below must have been met.

FEDERAL OR STATE OFFENSES IN WHICH A FIREARM WAS NOT INVOLVED: Ex-felons must receive a Pardon (Presidential or gubernatorial respectively).

FEDERAL OFFENSES IN WHICH A FIREARM WAS INVOLVED: Only a Presidential Pardon will give firearm disability relief.

STATE LEVEL OFFENSES IN WHICH A FIREARM WAS INVOLVED: Ex-felons who have committed offenses at the State level involving a firearm need a gubernatorial pardon or a pardon issued by another state pardoning authority in order to be granted limited relief (allowed to carry a firearm for duty purposes only). The pardon must expressly authorize the recipient to carry the firearm.

In all instances, the pardon must expressly authorize the recipient to carry a firearm.

Appointing officials considering an ex-felon for employment may contact the Staffing Section in the Central Office for additional information.

312.1 WORKFORCE UTILIZATION

1. PURPOSE AND SCOPE. To establish specific responsibilities and activities to execute effective workforce utilization. It is the policy of the Bureau of Prisons to distribute and use staff and financial resources efficiently and effectively to accomplish the missions and goals of the organization. Elements of effective workforce utilization include planning and monitoring the use of positions and salaries on a regular basis.

2. DIRECTIVE AFFECTED.

Directive Referenced

P.S. 2100.1 Budget Manual (03/01/66).

3. RESPONSIBILITIES. Supervisors and managers at all levels are responsible for effective workforce utilization through planning and organizing work, developing work improvement methods and procedures, training and developing employees and ensuring that resources allocated to their organizational segments are used to meet mission requirements cost effectively. In addition to these general responsibilities, Human Resource Managers share responsibility with Financial Managers for maintaining records and data used by the Workforce Utilization Committee in making recommendations to the Chief Executive Officer on staffing plans and salary projections. Specific responsibilities and activities of the Human Resource Manager include:

a. Assist supervisors and managers in workforce utilization activities.

b. Maintain accurate statistics on historical turnover rates, staffing patterns and known and anticipated vacancies.

c. Maintain accurate organization charts and position records, including current reconciliation and position management reports.

d. Maintain accurate data on personnel actions which affect salary and provide information to the Financial Manager for use in salary projections.

e. Carry out cyclical classification reviews to ensure that positions are fully utilized and accurately classified.

f. Prepare SF-52's for reprogramming requests.

4. WORKFORCE UTILIZATION COMMITTEES. The Salary Subcommittee, established by P. S. 2100.1 and the Workforce Utilization Committee will function as one committee. Chief Executive Officers will appoint members to the committee in accordance with the provisions of P. S. 2100.1. The functions of the committee at each level of the organization are:

a. Institution Committees

(1) At the beginning of the fiscal year, formulate a staffing plan for the fiscal year, based on allotted positions and budget, historical turnover data, known and anticipated vacancies, anticipated workload and/or mission changes. The annual staffing plan should be reviewed and revised by the committee throughout the year as changes occur which will affect the institution's staffing situation.

(2) Review departmental rosters to determine whether positions and salary funds, including overtime, are efficiently utilized.

(3) Review findings of program reviews, operational reviews, and other management indicators to identify workforce needs, especially those which may have a negative effect on the efficiency of programs.

(4) Recommend actions to eliminate anticipated deficits or to use anticipated surpluses.

(5) Recommend actions designed to increase the effective use of resources such as consolidation of functions, reorganization, greater use of technology, and similar activities.

b. Regional Committees

(1) Develop workforce impact assessments for expansion, renovation or changes in mission of existing institutions.

(2) Develop workforce plans and proposals for new institutions.

(3) Review institution staffing guidelines and current authorized complements. Make recommendations regarding the distribution of new positions based on staffing guidelines, program review reports, operational review reports, strategic planning goals and other management indicators.

(4) Review institution workforce utilization committee

meeting minutes and the activities of institution committees.

5. POSITION MANAGEMENT AND CONTROL. Responsibility for maintaining accurate position records is shared between the Human Resource Manager and the Financial Manager. Specific procedures are outlined in P. S. 2000.1 and are summarized in this section as a convenience to HRM's.

a. By the 25th day of each month, the Financial Manager will generate a position reconciliation report for all budget activities (S&E, Trust Fund, B&F and UNICOR) and give it to the HRM.

b. If there are no differences reflected in the reconciliation report, the Financial Manager and HRM will sign the report, certifying that it is in balance and accurately reflects the authorized positions.

c. If the report reflects differences, the HRM will provide the Financial Manager with the correct PZ coding to add or delete positions to reflect the authorized complement. Changes will be supported by SF-52's which abolish, establish or reprogram positions. Changes will be given to the Financial Manager so that they can be keyed and the report balanced by the last day of the month.

d. HRM's are responsible for providing Financial Management with PZ coding changes whenever the classification of a position changes, whether or not decision unit totals are affected.

e. HRM's will establish and maintain position management files containing copies of position reconciliation reports, PZ changes and supporting SF-52's.

f. The OCCD dictionary includes all of the current PZ codes which will be accepted by the system. Financial Management staff at each location have access to the dictionary through FMIS and are capable of printing it at any time. It is suggested the HRM ask the Financial Manager for a current dictionary quarterly. The Pay and Position Management Section will establish new codes as needed and upon request of the Regional HRM offices. Institutions should request new codes through their Regional HRM, however, before requesting additions to the dictionary, check the current dictionary through FMIS to determine whether the needed code has already been added.

312.2 STAFF VACANCY RATE

1. PURPOSE AND SCOPE. It is Bureau policy that the vacancy rate of staff positions that work directly with inmates shall not exceed 10 percent during any 18 month period. Vacancies that are kept open by legislative or fiscal controls imposed from outside the institution will not be considered in computing the vacancy rate. If unusual conditions cause an excessive number of vacancies, the Chief Executive Officer will document the reasons and notify the Regional Director in writing of the number of vacancies compared to authorized positions and the potential impact on institutional operations.

* Chief Executive Officers at non-institutional locations shall exercise individual discretion based on workload requirements and funding levels in determining positions to be filled.

2. REASSIGNMENTS. Employees may be reassigned from one position to another position of the same grade level, based on the needs of the service. Among such reasons for reassignment include:

a. Expediting the filling of critical vacancies.

b. Meeting special skill needs of a position.

c. Matching individual talents and position needs.

d. Broadening the experience of an employee. *

315.1 PROBATIONARY PERIOD FOR SUPERVISORS AND MANAGERS

1. PURPOSE AND SCOPE. To describe the requirements for new supervisors, managers, and Senior Executive Service staff.

2. DIRECTIVES AFFECTED

Directive Referenced

DOJ Order 1315.1 Probationary Period for Supervisors and Managers

3. PROBATIONARY PERIODS. Supervisors and Managers who do not perform satisfactorily during their probationary period will be returned to their former (or comparable) position and pay without right of appeal. The SF-50 placing an employee in one of these positions will include a remark noting that the individual is serving the probationary period.

a. Supervisor. Upon initial appointment into a supervisory position, an employee is required to complete a one-year probationary period. A position is supervisory if it meets the definition of a supervisor as described in the General Schedule Supervisory Guide.

b. Manager. In addition to the supervisory probationary period, newly appointed managers must also serve a probationary period. A managerial position is one which meets or exceeds the definition of managerial in the General Schedule Supervisory Guide.

c. Senior Executive Service. A one year probationary period must be served by all initial career appointees before appointment for SES becomes finalized.

330.1 EMPLOYMENT INTERVIEWS

1. PURPOSE AND SCOPE. To describe the objectives and procedures for conducting pre-employment panel interviews. Such interviews are only one phase of the total evaluation of an applicant's qualifications and suitability for employment in the Bureau of Prisons. Section 731.1 of this Manual describes in detail other pre-employment procedures which are designed to determine an applicant's suitability for employment. The procedures described in this section are to be accomplished in conjunction with the procedures in Section 731.1.

2. COVERAGE. The procedures in this section apply to applicants for any type of appointment which is expected to exceed six months.

3. EMPLOYEE SCREENING. One of the objectives of the Federal Bureau of Prisons is the care, custody and motivation toward correction of an often unwilling and hostile clientele. The influence of staff on the achievement of these goals cannot be overstated. Studies such as the Institution Character Profiles and Prison Social Climate Surveys, as well as other management indicators, demonstrate the direct relationship between staff competence, morale, attitudes and perceptions and the effective operations of our facilities. For these reasons, the careful screening and evaluation of prospective employees contributes to a competent and effective work force and reduces the possibility of selecting employees who do not demonstrate the knowledge, skills, abilities and personal characteristics appropriate for work in a correctional organization.

The purpose of the panel interview is to evaluate the applicant's qualifications and other characteristics necessary for the position. Other phases of the pre-employment process, such as the suitability interview, vouchering, and records checks are designed to evaluate the applicant's suitability for employment
* to a sensitive position. Areas to be evaluated during the panel interview include: knowledge, skills, and abilities needed for the position; general correctional work abilities; and writing skill. The procedures that follow are minimum requirements.

4. PROCEDURES

A. Institution Positions

(1) Prior to the panel interview, applicants will be asked to write a report discussing a videotaped correctional work scenario on Attachment 3-2. The applicant will

only be allowed to view the video once. The report

will be used by the panel in evaluating the applicant's ability to effectively use data in writing clear, concise and understandable reports.

(2) A panel interview will be conducted following the individual suitability interview described in Section 731.1. Interview panels will consist of an Associate Warden, HRM staff member, the department head supervising the position being filled and a psychologist. If a psychologist is not available, a staff member such as a Case Management Coordinator, skilled in interviewing may be substituted. All panel members must complete panel interview training prior to participating in a panel interview.

While participating in a panel interview, psychologists should conduct themselves in an ethically and legally defensible manner, should model appropriate interview behavior for other panel members, should use their unique skills and clinical judgment in arriving at a fair assessment, and should be aware of the limits of predicting job fitness. Additionally, psychologists shall ensure that no questions are asked regarding physical or mental health history as prohibited by the Rehabilitation Act of 1973. For example, do not ask applicant if s(he) has ever been or is currently being treated for mental and/or emotional disorders.

(3) Panel interviews will be conducted according to the "Instructions for Administering the Panel Interview" (Attachment 3-3). Panel members will ask questions designed to elicit information from the applicant about his/her knowledge, skills, abilities, and other personal characteristics related to the position being filled, as well as general correctional work abilities. The standardized Correctional Work Situation Questions presented to the applicant are confidential. Staff requiring a copy of the Correctional Work Situation Questions should contact the Human Resources Research and Development Office, Central Office.

Panel members need not ask the applicant about topics that are covered during the suitability interview because those results will be considered along with the results of the panel interview and other background checks. Also, panel members shall only ask questions which are related to the specific vacancy and are non-discriminatory. For example, questions regarding national or ethnic origin, the ability to do correctional shift work because of child care situations, or questions regarding a disability shall not be asked.

(4) Following the panel interview, each panel member will complete the Panel Interview Individual Rating Form which corresponds to the correctional work situation questions used in the interview (Attachment 3-4). The HRM staff member will then complete the Panel Interview Assessment Form (Attachment 3-4a). The recommendation for appointment of the applicant will be partially based on the panel's acceptability determination.

(5) The servicing HRM may allow a panel interview to be conducted at another institution, the Central Office or any Regional Office. All panel interviews conducted shall follow the procedures in this Paragraph A. However, panel interviews held at the Central or any Regional Office, shall consist of four trained members who are familiar with the requirements of the position to be filled and who have demonstrated skill in interviewing, even though they may not represent the four disciplines stated in this Paragraph A.

B. Central Office, Regional Office, Staff Training Center and Community Corrections Positions

(1) Prior to the panel interview, applicants will be asked to write a brief narrative response to the questions in Attachment 3-4b. The panel will use the responses to evaluate the applicant's writing skills; however, they may not be used as the sole reason for not selecting an applicant.

(2) A panel interview will be conducted following the individual suitability interview described in Section 731.1. Interview panels will consist of at least two people who are familiar with the requirements of the position to be filled and have demonstrated skill in interviewing. If possible an HRM staff member will be a member of the interview panel. Interview panels for Central and Regional Offices will consist of a minimum of one manager and an HRM staff representative.

(3) Panel members will ask questions designed to elicit information from the applicant about their past employment, knowledge, skills and abilities for the position being filled and such personal characteristics as may be important to the position. Attachment 3-4c is a list of sample questions which may be helpful to panel members. Panel members need not question the applicant about topics that are covered during the individual suitability interview because the results of that interview will be considered along with the results of the panel interview and other background checks. Also, panel members shall ask questions which

are related to the position being filled and are non-

discriminatory. For example, questions regarding national or ethnic origin, the ability to do correctional shift work because of child care situations, or questions regarding a disability shall not be asked.

(4) Following the panel interview, each panel member will complete the Pre-employment Interview Summary (BP-17). The recommendation for appointment of the applicant will be based, in part, on the panel interview. *

(5) Alternately, the servicing HRM may elect to have a panel interview conducted at a nearby institution in which case all of the procedures in Paragraph A apply.

5. REPORTING REQUIREMENTS. To assess the efficiency of each stage of the pre-employment process, the Data Form for Pre-employment Screening Process (Attachment 3-4d) is to be completed for each applicant administered the pre-employment screening process. Forward completed forms to the Human Resource Research and Development Office in the Central Office.

330.2 EMPLOYMENT OF MEDICAL AND DENTAL OFFICERS

1. PURPOSE AND SCOPE. Assignment of physicians and dentists from the Commissioned Corps of the U.S. Public Health Service is coordinated by the Assistant Director, Health Services Division (Medical Director). Appointment of physicians and dentists from competitive registers is delegated to Chief Executive Officers. Failure to communicate and coordinate the recruitment and placement of physicians and dentists among the local, regional and national levels can result in delays in filling vacancies and inability to provide a high level of professional medical care for inmates. This section outlines procedures designed to effectively coordinate the staffing of medical and dental officer positions.

2. IDENTIFICATION OF VACANCIES. Chief Executive Officers are responsible for forecasting and identifying medical and dental officer vacancies and for notifying the Medical Director of anticipated vacancies. The Medical Director and CEO will decide jointly whether to recruit a PHS Commissioned Officer or a civil service employee or whether to recruit from both sources simultaneously. The decision will be based on the needs of the institution, the time available to locate a replacement, the availability of Commissioned Officers and the availability of candidates on registers.

3. RECRUITMENT. Recruitment of medical and dental officers is an on-going responsibility of administrators at all levels of the organization.

a. PHS Recruitment. The Health Services Division is responsible for recruiting PHS Commissioned Officers for assignment to Bureau of Prisons facilities. Division representatives will apprise the CEO of their activities and progress.

b. OPM Registers. After consultation with the Medical Director, CEO's will notify the institution HRM of the decision to recruit through competitive registers. For Medical Officers, institution HRM's will prepare the Request for Referral of Eligibles (SF-39) and attachments and forward it to the Examining Section. For Dental Officers, the Request for Referral of Eligibles (SF-39) and attachments must be sent to the Office of Personnel Management.

Upon receipt of a certificate, the institution HRM will send copies of the SF-171's for all eligibles to the Medical Director. After reviewing the applications, the Medical Director will contact the CEO to discuss any concerns or additional information to be obtained during the interviews. The HRM will initiate the standard procedures for contacting, interviewing, and vouchering applicants.

After the applicants have been interviewed and other pre-employment requirements have been met, the CEO will contact the Medical Director to review the proposed selection. The CEO is delegated the authority to select medical and dental officers from registers only after consultation and concurrence with the Medical Director.

330.3 ACKNOWLEDGEMENT OF REQUIREMENT TO MAINTAIN A TELEPHONE

1. PURPOSE AND SCOPE. All employees of the Federal Bureau of Prisons are required by the standards of employee conduct and responsibility to be responsive to the needs of the institution during routine operations, as well as during times of emergency. Frequently, it is necessary for supervisors to contact employees when they are off duty concerning official business.

2. PROCEDURES. HRM offices will notify applicants at the time of the interview that, as a condition of employment, they will be required to have and maintain a telephone at their residence and that they are required to keep the institution informed of their current telephone number throughout their employment with the Bureau of Prisons. Applicants will acknowledge this requirement in writing on the form in Attachment 3-5.

332.1 RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

1. PURPOSE AND SCOPE. To establish procedures for the Federal Bureau of Prisons Examining Section.

2. DIRECTIVE AFFECTED

Directive Referenced

Current FPM Chapter on Recruitment and Selection Through Competitive Examination.

3. FEDERAL BUREAU OF PRISONS EXAMINING SECTION PROCEDURES

a. Procedures for Submitting a Request

(1) Ensure the SF-39 includes a statement that the Bureau's Priority Placement List has been checked and there are no qualified candidates available to consider.

(2) Ensure the SF-39 includes a statement that the Bureau's Reemployment Priority List, (same listing as the Priority Placement and Referral System (PPRS) List issued by DOJ) has been checked and there are no qualified candidates available to consider. The PPRS List is located on the last page of Career Opportunities.

(3) Ensure the SF-39 includes the statement regarding P.L. 100-238, maximum entry age, if applicable.

(4) Ensure that SF-39A (Justification for Selective Certification) is attached to all SF-39 requests for bilingual and/or female certificates. (See Attachment 3-6)

b. Procedures for Working a Certificate

(1) Indicate "NFC" (no further consideration) only for NS-3 applicants and only if you do not want them certified to your location in the future.

(2) Show entry on duty dates for all selected applicants.

(3) Indicate the reason for not filling the number of vacancies on the request if other applicants are available below your last selection.

(4) If you are in the process of working a certificate and a supplemental list of eligibles is required to fill your vacancies (due to declinations, failures to reply, etc.), submit a new SF-39 showing the same certificate number as the original and indicate supplement by adding S-1 to the certificate number.

(5) Arrange certificates in the proper order before returning them to the Examining Section.

(6) Arrange applications in the same order as the names appear on the certificate.

(7) Arrange OF-5's in the same order as the names appear on the certificate and paper clip them together in one batch. Submit an OF-5 for every applicant contacted. Staple verbal declinations and written declinations on top of the corresponding OF-5.

(8) Staple objections and supporting documentation to the corresponding application.

(9) Ensure the HRM has signed and dated the SF-39 before returning it to the Examining Section. Do not use the "further certification desired" block on the SF-39 you are returning. Submit a new SF-39 if you need another certificate.

(10) Return certificates within the time allowed. Human Resource Offices are allowed thirty days to work a certificate. If additional time is needed, notify the Examining Unit before the expiration date and request an extension.

c. Amendments. An amendment must be submitted promptly whenever a change is made in the action previously taken and reported on an applicant appearing on a list of eligibles. Amendments must be typed in memo format and reflect the following information:

(1) Applicant's name,

(2) Certificate number, and

(3) Revised action code

(a) Attach documentation to support the revised action, e.g. verbal or written declination.

(b) When amending a certificate to change any action code to NS, submit an amended list of eligibles to show how the applicant can be legally nonselected

using the rule of three.

(c) Attach the application of the eligible originally reported as selected.

d. Objections

(1) Use the SF-62 for all objections and the appropriate objection statement forms as attachments to the SF-62.

(2) Submit complete documentation to support the reasons for the objection. Applicable documents include copies of interview results, vouchering letters, arrest records, SF-86, etc. depending upon the reasons for the objection.

(3) Attach the application to the objection form.

(4) If objecting to a CPS applicant, include a copy of the letter to the applicant notifying him/her of the objection.

(5) Medical Disqualifications: Preference Eligibles-submit objection and copy of applicant notification letter. Non-Preference Eligibles-Do NOT submit an objection. Document action code "RM" (Removed/Medical) next to the medically disqualified applicant's name on the List of Eligibles and send supporting medical documentation and a copy of the applicant notification letter to the Examining Section with the certificate.

4. ACTING AND REPORTING ON CERTIFICATES OF ELIGIBLES. The following information is provided as guidance in acting on Certificates of Eligibles. General instructions are contained in FPM Chapter 332, Subchapter 4 and Appendix B.

a. When initially contacting eligibles, use of personal letters, and telephone calls is likely to encourage and attract well-qualified candidates. Current information such as nature of duties, location, salary and type of appointment should be included in your communication. An OF-5, Inquiry as to Availability form (Attachment 3-7) may be used to initially contact individuals being considered for BOP employment.

b. Allow eligibles a reasonable period of time in which to make their decision as to availability and to inform you. Regular mail inquiries in the local commuting area should have a return deadline of a minimum of ten days, or more, depending on USPS and internal office delivery conditions and intervening non-work days.

For distances over 1000 miles, allow at least 15 days.

You can expect responses within five days to telephone calls in which you invite the applicant to call.

Replies received after the requested response date will be considered as being on time if the selection process has not progressed to a point where consideration would unduly delay your action.

Reasons for declinations must be documented and returned with the certificate since this information may affect further consideration for the applicant. Telephone/verbal declinations must include the reasons for declining, the date and the name of the person receiving the declination. The Examining Section may contact eligibles to verify reported declinations or failures to reply. Verbal declinations will be reported on the form in Attachment 3-8.

c. Guidelines for scheduling selection interviews are contained in FPM Chapter 332, Appendix I. Travel for a selection interview should be kept to a minimum and generally should not exceed a 75-125 mile radius.

d. Principles of open competition are best served when the selecting official gives consideration to all of the highest three available eligibles. The presence of a "name request" candidate within the top three does not mean that the other eligibles should not receive any consideration. For example, the selecting official should be made aware of other available eligibles and, at a minimum, review their applications.

e. Once selections have been made, notify the nonselected applicants who were previously contacted and stated they were available. This courtesy has a positive impact on the Federal Bureau of Prisons' image as an employer.

f. Return the certificate as soon as selections have been made. Do not wait for the selectee(s) to enter on duty.

g. Provide a reasonable period of time for a selected person to report for duty. Usually, a minimum of two weeks should be allowed for local residents. At least one month should usually be allowed for selectees who must relocate.

335.1 MERIT PROMOTION PLAN FOR BARGAINING UNIT POSITIONS

1. PURPOSE AND SCOPE. This section prescribes the procedures to be used throughout the Federal Bureau of Prisons to implement Federal merit promotion policy.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Order 1335.1B

b. FPM Bulletin 300-94

c. FPM Bulletin 330-94

3. PROGRAM OBJECTIVES. This Merit Promotion Plan is designed to:

a. Provide an effective, fair method of evaluating and selecting employees for promotion and for selecting employees for training programs that may lead to promotion.

b. Give selecting officials a choice from among the best-qualified candidates.

c. Ensure that consideration is given to each qualified applicant without regard to personal favoritism, race, color, religion, sex, age or national origin.

d. Establish procedures for evaluating candidates for promotion.

e. Provide incentive for self-improvement of employees.

f. Provide training, career counseling and assistance to employees which will enable them to make the best use of their capabilities and take full advantage of promotional opportunities.

g. Establish clear procedures for operation of the merit promotion program.

4. COVERAGE. This plan applies to the promotion of any employee to positions in the bargaining unit. It also covers the following placement actions:

a. Filling a position with known promotion potential by reassignment, promotion, transfer, change to lower grade, detail

or reinstatement; e.g., apprentice, initial positions in a career ladder, trainee positions filled below the established or anticipated grade.

b. Selections for details of more than 120 days to a higher graded position or to a position with known promotion potential.

c. Reinstatement of employees to positions at a higher grade than the last grade held by the candidate.

d. Transfer of employees to positions at a higher grade than the last grade held by the candidate.

e. Temporary promotion of employees to a higher grade for more than 120 days.

f. Selections for training required for promotion.

5. EXCLUSIONS. This plan does not cover any other type of placement action such as reassignment, transfers of employees from other agencies, selections from Office of Personnel Management or Special Examining Unit certificates of eligibles, or any other placement action not specifically covered in Paragraph 4. Prior to making a final selection by any method excluded from coverage under this plan, the Employer will notify the Union of the reasons for the selection.

6. EXCEPTIONS. These actions may be made without merit promotion competition under any of the following circumstances:

a. If the employee occupies a position with known promotion potential and the initial selection for the position was made under competitive procedures or from an OPM or SEU certificate. Examples of such positions include career-ladder positions, apprentice, trainee or understudy positions or positions covered by an OPM approved training agreement.

b. When an employee's position is reconstituted at a higher grade as a result of accretion of new duties and responsibilities or to correct an error in position classification.

c. Reinstatement, transfer, or promotion of an employee up to the highest grade previously held on a permanent basis under career or career-conditional appointment, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.

d. Promotion occurring during a reduction-in-force when a slightly higher pay rate is attained resulting technically in a promotion.

e. Corrective action taken under this plan or other existing appeal procedures.

f. A temporary promotion of 120 days or less.

g. Detail to a higher grade position of 120 days or less.

h. Promotion of employees who are within reach on an OPM or SEU certificate of eligibles.

7. PROMOTION BOARDS. Promotion boards may be designated on an ad hoc or permanent basis by the appropriate selecting official, subject to the following conditions:

a. The selecting official may not be a member of the board, and

b. Promotion boards must consist of at least three members, one of whom must be a representative of the human resource management office.

8. AREA OF CONSIDERATION. The area of consideration for filling any position covered by this plan is the geographical area in which an intensive search is made to locate eligible candidates. A candidate's geographical location will neither give preference for a position nor prevent full consideration for it.

a. Minimum Area of Consideration. The minimum area of consideration is the geographic area in which it is expected that sufficient best-qualified applicants will be located to fill the position. The announcing office will initially circulate vacancy announcements throughout the minimum area of consideration, however, nothing in this plan precludes circulation of the announcement in a wider area if past experience indicates this will be necessary to solicit sufficient applicants. No minimum area of consideration may be smaller than the local commuting area.

b. Outside Applicants. Qualified applicants who are eligible for transfer or reinstatement from outside the Bureau of Prisons will receive concurrent consideration with candidates from within the Bureau of Prisons.

c. Reannouncement. The selecting official may request a vacancy be reannounced regardless of the number of qualified applicants from the original announcement.

9. METHOD OF LOCATING CANDIDATES. The primary method of locating candidates is through a one-time vacancy announcement which must be distributed at least throughout the minimum area of consideration. One copy of national announcements for bargaining unit positions will be forwarded to the President, Council of Prison Locals. One copy of local announcements for unit positions will be forwarded to the local union president.

Nothing in this plan is to be construed as limiting supervisors' rights and obligations to counsel and encourage employees to apply for announced vacancies.

10. VACANCY ANNOUNCEMENT REQUIREMENTS. Vacancy announcements will be prepared and circulated by the Human Resource Management Office under the jurisdiction of the selecting official. All national announcements will be distributed by electronic mail. Except for omnibus announcements for new institutions described below, at a minimum, vacancy announcements must include the following information:

a. Announcement number;

b. Number of vacancies;

c. Date of issuance;

d. Titles, series, grade and salary range of the position;

e. Location of the position;

f. Closing date for acceptance of applications. The closing date must be at least twelve working days after the issue date and is the last day on which an employee may submit an application to their local HRM office;

g. Brief statement of the duties of the position;

h. Brief statement of the qualification standards for the position;

i. If qualification standards are modified under the provisions of the General Policies and Instructions for the Qualification Standard Handbook X-118, a brief description of the modified standards must be included in the announcement;

j. Quality ranking factors or selective placement factors, if any;

k. KSAs if any, along with any identification numbers. The identification number corresponds to the Supplemental Application Form and will appear next to each KSA on the announcement. If KSA positions are announced at multiple grade levels, a separate list of KSA's will be required for each grade level, unless two or more grade levels have identical KSAs. See Attachment 3-9 for an example of a vacancy announcement using KSAs.

l. If the position has known promotion potential, a statement to that effect including the potential grade;

m. Application procedures, including forms to be submitted;

n. A statement that travel and transportation expenses are authorized, if that is the case;

o. A statement indicating whether the position is included or excluded from the bargaining unit.

p. A statement that individuals selected, who are under the FERS Retirement System and who have not had three years "primary" law enforcement retirement coverage, will not be covered by law enforcement retirement while in this position. To regain coverage, individuals must return to a position with "primary" coverage.

q. If the position is with the National Institute of Corrections (NIC), a statement that employees who transfer to these positions will lose law enforcement retirement coverage, will need to return to a position with "primary" law enforcement coverage to regain coverage, and must sign a statement acknowledging that they understand these provisions. (Attachment 3-10)

r. For positions that require mobility (i.e. trainee positions), it must be stated in the announcement and applicants must complete a mobility statement; (Attachment 3-21)

s. If the announcement will be distributed outside the Bureau of Prisons, the following statements will be included as appropriate:

(1) In accordance with Public Law 100-238, a maximum entry age of 36 has been established for initial appointment to a position in a Bureau of Prisons institution.

(2) Initial appointment to a position in the Bureau of Prisons institution is subject to satisfactory completion of the Introduction to Correctional Techniques course at Glynco, Georgia.

(3) Applicants for initial appointment to a position in the Bureau of Prisons are subject to a urinalysis test for drug detection.

t. Current BOP employees will be instructed to submit their applications to the servicing HRM office for transmittal to the announcing office. Non-BOP employees will be notified to apply directly to the announcing office.

<u>Exception to above requirements</u>. To expedite staffing of new institutions, omnibus vacancy announcements covering more than one position may be issued. Such announcements must include the announcement number, number of vacancies, position title, series, grade and salary range, date of issuance and closing date.

Statements of duties and qualifications requirements omitted from

omnibus announcements and interested applicants are instructed to contact their servicing HRM office for additional information.

11. PROCEDURES FOR LISTING VACANCY ANNOUNCEMENTS WITH OPM

a. Procedures for vacancies normally filled from within (e.g., unit manager, counselor, etc). A statement must be included on the vacancy announcements indicating that only Department of Justice employees will be considered. THESE VACANCY ANNOUNCEMENTS DO NOT HAVE TO BE LISTED WITH OPM. However, these vacancy announcements must contain the following remarks:

> AREA OF CONSIDERATION: LIMITED TO CURRENT DEPARTMENT OF JUSTICE EMPLOYEES WITH STATUS ONLY.
>
> COMPETITIVE STATUS IS NOT REQUIRED IF THE PERSON SELECTED IS A DISABLED INDIVIDUAL WHO IS ELIGIBLE FOR APPOINTMENT UNDER SCHEDULE A OF THE EXCEPTED SERVICE, OR IS A VETERAN WHO*IS ELIGIBLE FOR APPOINTMENT UNDER THE VETERANS READJUSTMENT APPOINTMENT AUTHORITY, OR THE DIRECT-HIRE AUTHORITY TO * APPOINT VETERANS WITH SERVICE-CONNECTED DISABILITIES OF 30% OR MORE. APPROPRIATE DOCUMENTATION TO SUPPORT THIS CLAIM FOR ELIGIBILITY WILL BE REQUIRED. SELECTION WILL BE MADE WITHOUT DISCRIMINATION FOR ANY NON-MERIT REASON SUCH AS RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, PHYSICAL DISABILITY, MARITAL STATUS OR MEMBERSHIP IN AN EMPLOYEE ORGANIZATION.

b. Procedures for Vacancies Normally Open to Outside Sources. For those positions that are normally filled from outside sources, the vacancy announcement must be listed with OPM and the procedures outlined in FPM Bulletin 300-94 must be followed. The following remark will be included on these vacancy announcements:

> AREA OF CONSIDERATION: CURRENT FEDERAL EMPLOYEES WITH STATUS AND APPLICANTS WITH NON-COMPETITIVE APPOINTMENT ELIGIBILITY (I.E., OUTSTANDING SCHOLAR, REINSTATEMENT, TRANSFER). COMPETITIVE STATUS IS NOT REQUIRED IF THE PERSON SELECTED IS A DISABLED INDIVIDUAL WHO IS ELIGIBLE FOR APPOINTMENT UNDER SCHEDULE A OF THE EXCEPTED SERVICE, OR IS A VETERAN WHO IS ELIGIBLE FOR APPOINTMENT UNDER THE VETERANS
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> Note: Local vacancy announcements that are open to outside applicants will also be sent to the local state employment

office.

Consideration Requirements. The regulations require agencies, before selecting any candidate from outside the agency, to give full consideration to qualified displaced DOD employees who have filed a timely application. See attachment 3-11 for a sample notice to potential applicants. The law does not extend entitlement to placement, but requires "genuine consideration" be given to displaced DOD employees. Eligibility for full consideration is tied to either a specific notice of or actual separation from the Federal service by Reduction in Force (RIF). (Please see FPM Bulletin 330-94 for further discussion on the qualification requirements for eligibility.) To receive full consideration, the qualified employee must request full consideration with a job application and include a copy of his/her specific RIF notice of separation and/or a copy of the SF-50, Notification of Personnel Action documenting the RIF separation. For any position for which a covered displaced employee has applied and is eligible for full consideration, the agency must document the consideration given. This documentation must be retained with other records pertaining to the filling of the vacancy and must be sufficient to reconstruct the board.

12. APPLICATION PROCEDURES. Applicants are responsible for following the instructions in the vacancy announcement. Specifically, applicants will submit a Position Application, Application for Federal Employment, any required Supplemental Application Forms (SAFs) and a copy of their training record to their servicing HRM office. Also, if a mobility or supervisory/managerial statement is requested, that should be submitted along with the application. The HRM office will add a copy of the applicant's most recent performance rating and a properly completed Qualifications Rating Sheet and forward the application to the announcing office.

Applicants are responsible for submitting a complete history of their applicable work experience. The qualifications rating sheets prepared by the servicing HRM office only document that the applicant meets minimum qualification and time-in-grade requirements and will not be used by promotion board members to evaluate experience.

Consideration of Absent Employees. An employee who is absent from duty while on any type of leave, active military duty, or on detail to another post or agency and who does not reasonably have access to vacancy announcements is entitled to be considered for vacancies if he/she so requests. An employee who plans to be absent is responsible for leaving application forms with the servicing HRM office indicating the positions and locations for which they wish to be considered.

Late Applications. When it appears that an application will arrive at the announcing office after the closing date, the local

HRM office which has received an application will notify the announcing office by telephone or electronic mail no later than

noon (announcing office time) of the date after the closing date. HRM offices will mail applications so that they arrive at the announcing office no later than five working days after the closing date. If HRM offices determine that the application may not arrive by the fifth day, they may fax the application to the announcing office prior to the receipt of the hard copy by the announcing office.

13. DETERMINING BASIC ELIGIBILITY. Applicants are considered eligible for the position if they meet or will meet minimum OPM qualification standards, time-in-grade requirements and any specified selective placement factors within thirty days after the closing date of the announcement. The local HRM office will make an initial determination whether the applicant meets minimum requirements and complete the appropriate qualifications rating sheet. The announcing office will review the initial determination of qualifications.

If KSA procedures are used to evaluate experience, the servicing HRM office will complete the qualifications rating sheet, leaving the element ratings blank. The announcing HRM office will complete the element ratings.

If the servicing HRM office makes an initial determination that an applicant meets minimum qualification requirements, but the announcing HRM office disagrees with this determination, a representative of the announcing office will notify the servicing office of their determination, so that the applicant may be notified of the final determination.

The servicing HRM office will make every effort to notify the applicant of the final qualification determination prior to the promotion board being held.

14. RATING AND RANKING

a. Merit Promotion Boards will be held for all positions, regardless of the number of applicants. For positions that were advertised without KSA's, all applicants with at least a fully successful performance rating will be grouped together. For positions that were advertised with multiple grade levels the number of applicants with at least a fully successful performance rating will be grouped on the Best Qualified List under the appropriate grade level.

b. Using the appropriate scoring instructions, members of the promotion board will individually consider the criteria outlined below with their respective point ranges, and award points for each factor as well as total points for each candidate.

c. Rating Factors

(1) Performance. This factor measures the applicant's current performance in the present position. The performance evaluation considered by promotion board members must be the most recent rating and not more than thirteen months old. If the applicant does not have a current performance rating, this factor is presumed to be "fully successful." Points are deducted from the performance factor for disciplinary or adverse actions within the last two years.

(2) Experience. Promotion board members will consider how well the applicant's experience has prepared the candidate for the position to be filled. Experience outside the BOP and volunteer experience should be considered as well as BOP experience. The type, quality and recency of experience should be given appropriate weight in relation to the position to be filled. For KSA and Federal Wage System positions, the score for experience is the total number of points awarded by application of the rating guide or crediting plan.

A Human Resource representative may serve as the sole rater for General Schedule KSA boards. However, a panel may be formed consisting of a Human Resource representative and a subject matter expert (SME) or supervisor of the position to be filled. The SME must be at least equal in grade to the position, and the supervisor must have a working knowledge of the position.

The KSA raters will review the SAFs of each qualified applicant and use the crediting plan to determine a rating for each element.

Points may be assigned only at the levels indicated on the crediting plan (1, 3, and 5). Credit must be given to the highest level possible, based on any single accomplishment that satisfies the level definition. The task examples provided under each level definition serve as a point of reference when crediting an applicant's training and experience. These examples are only to be used as benchmarks; an applicant is not required to satisfy any specific example but must demonstrate training or experience which satisfies the level definition. If an applicant fails to satisfy the "Barely Acceptable" level of an element or fails to submit the SAF for an element, a score of zero (0) should be assigned.

(3) Education and Training. The amount and recency of education and training and its relation to the position to be filled should be considered in rating this factor. This factor is not rated for KSA or Federal Wage System positions as credit has been included in the rating guide or crediting plan total. To ensure consistency and reduce the amount of time spent in promotion boards, it is recommended that a representative of the HRM office rate this factor for all promotion board members prior to the board.

(4) Awards. Board members may award points for incentive awards within the past five years. To be considered under this factor, letters of commendation must have been issued by the Chief Executive Officer or a higher level. This factor is not rated for KSA positions as credit has been included in the rating guide total. To ensure consistency and reduce the amount of time spent in promotion boards, it is recommended that a representative of the HRM office rate this factor for all promotion board members prior to the board.

d. Recording Applicant Scores

(1) Experience/KSA's. For non-KSA positions, board members will use Attachment 3-12 (Scoring Instructions for Promotion Boards not using KSA Procedures) to determine the number of points to enter under "EXPERIENCE" on form BP-375(33).

For KSA and Federal Wage System positions, follow the instructions on the appropriate forms. (Attachment 3-13) Board members will first record each applicant's element scores on the Qualification Rating Form (BP-508(33)). For KSA positions, under Section H "Job Element Rating," they will record the job element score as "Highly Acceptable," "Acceptable," or "Barely Acceptable." Under the "AWARDS" column, raters will record any awards related to the element which are discussed on the SAF. Total awards points across all KSA's cannot exceed 5 points. The raters will then add the job element score and award score across the page, recording the sum under the "TOTAL" column. The KSA rating officials must agree on all ratings for job elements and awards; signing and dating the BP-508(33) indicates their agreement. Finally, the total score will be entered under "JOB ELEMENT RATING & AWARDS" on a Merit Promotion Ranking Form for KSA Boards, form BP-520(30). For Federal Wage System positions, each job element and score will be recorded under Section H.

(2) Performance. The promotion board members will

independently determine each applicant's performance score. They will utilize the Scoring Instructions for

Non-KSA positions (Attachment 3-12). For KSA positions, use Attachment 3-13 to determine this score. For non-KSA boards, each member will use a Merit Promotion Ranking Form (BP-375(33)) to record applicant performance scores in the "PERFORMANCE" column. For KSA boards, each member will use a (BP-520(30)) to record scores in the "PERFORMANCE RATING" column.

(3) Education and Training. This criterion applies only to non-KSA positions. After determining the education and training score using Attachment 3-12, the result is entered under "EDUCATION & TRAINING" on the BP-375(33) form. Education and training is included in the job element score for KSA and Federal Wage System positions.

(4) Awards will first be recorded on the BP-508(33). For non-KSA boards, credit for awards will be indicated on the BP-375(33).

15. DETERMINING THE BEST-QUALIFIED GROUP. The best-qualified applicants are those eligible candidates who rank at the top when compared with other eligible candidates for promotion.

Based on the criteria listed above, each individual promotion board member will record the total number of points for each applicant on the Merit Promotion Ranking Form. The HRM representative will add together the three total scores for each applicant and record them on a separate Merit Promotion Ranking Form. The candidates are then ranked in order of their composite scores and the top scoring candidates are placed in the best-qualified group. Questions concerning the number of best-qualified applicants should be settled by a majority vote of the board members, however, nothing in this section should be construed as requiring the promotion board to place any applicant in the best-qualified group if a majority of the board believes no candidate merits such designation.

16. SELECTION PROCEDURES

a. Promotion Certificate. A promotion certificate including the names of all applicants found to be best-qualified will be forwarded to the selecting official along with the application of each best-qualified applicant. Best-qualified applicants will be listed on the promotion certificate in alphabetical order. If the position has been announced at more than one grade level, the best-qualified applicants will be grouped by the grade level for which they are eligible.

b. Non-competitive Applicants eligible for non-competitive

appointments and/or conversions, reassignment, change to lower grade, reinstatement or transfer whose selections would not be covered by the provisions of this plan will be submitted to the selecting official by memorandum separately.

c. Expiration of Promotion Certificates. A promotion certificate is valid for sixty days after the date of the promotion board.

d. Action by the Selecting Official. The selecting official may select any best-qualified applicant, may fill the position through some other type of placement action or may decide not to fill the position. If additional vacancies occur during the life of the promotion certificate, the selecting official may make additional selections from the best-qualified group.

e. Interviews. Selecting officials may interview best-qualified applicants, however, if any best-qualified applicant is interviewed, all must be interviewed.

f. Effective Date. Personnel actions resulting from promotion boards will normally be effective when the selectee assumes the new position. The effective date must be the beginning of a pay period. Travel for relocation will normally begin after the effective date when the selectee is on the gaining institution's or office's rolls.

g. Upon request, the HRM will give the local union president an oral status report on any selection still pending one week after the promotion board has met.

17. INFORMING EMPLOYEES

a. Vacancy Announcements. Each HRM office will maintain a complete copy of all active vacancy announcements issued by Bureau of Prisons facilities. Each HRM office will ensure that employees have ready access to vacancy announcement information. This may be accomplished by displaying the announcements on bulletin boards or by displaying a list of open announcements on bulletin boards and maintaining a complete copy in the HRM office. If a list is displayed, at a minimum, it must include the announcement number, position title, series, grade, salary range, location and closing date.

b. Selection Information. Within thirty days after the date of selection (or decision not to fill the position), the HRM will notify all applicants of the following:

(1) The name, grade, title and location of the selectee;

(2) Whether the applicant was qualified and included in the best-qualified group or non-competitive group; and

(3) If the applicant was not qualified, the basis for the disqualification.

c. Selection Announcement. Selections by Regional Directors and Central Office selecting officials will be published in the Monday Morning Highlights. Selections by Wardens will be published in the institution's newsletter. Selection announcements will include the name of the selectee and their current and new positions and locations.

18. QUESTIONS, COMPLAINTS AND GRIEVANCES

a. General. An employee who has a question, concern or complaint about the general application of the promotion plan or a specific promotion action should attempt to resolve the matter informally by obtaining information from the HRM office.

b. Grievance Procedures. If the employee believes the matter has not been resolved informally, he/she may file a grievance under the procedures contained in the Master Agreement.

c. Matters Appropriate for Consideration as a Grievance. The only matters not a basis for a formal grievance are:

(1) Failure to be selected for promotion when proper promotion procedures are used, that is, non-selection from a group of properly rated, ranked and certified applicants, and

(2) An action required to be taken by the Federal Bureau of Prisons under provisions of statute or instructions of the Office of Personnel Management.

d. Access to Information. The grievant and his/her representative, if any, are entitled to access to all relevant information concerning the applicant only. The grievant's representative may examine the entire promotion file on behalf of the grievant, however, in accordance with the Privacy Act, the representative must maintain the confidentiality of the promotion file. The representative may not disclose any information which would tend to identify any applicant other than the grievant.

e. Procedural Errors. If a member of a promotion board believes that a procedural error has occurred in a promotion board or that a document contains an improper entry, the following procedure will be used:

(1) The member will call the discrepancy to the attention of the other board members before it adjourns and ask for the appropriate adjustment or that the board be deferred until the discrepancy is resolved. If the majority of the board agrees, the board will be deferred and the document returned to the responsible official for adjustment.

(2) If the majority of the board does not agree to defer or correct the improper document or procedure or if the responsible official fails to correct the document, the complaining member may indicate his/her protest on the promotion certificate.

19. PROMOTION RECORDS. Each HRM office will maintain all records of its promotion actions for two years. Records will include all documents necessary to show that each promotion action was effected in accordance with this promotion plan and appropriate regulations of the Department of Justice and the Office of Personnel Management.

20. TEMPORARY PROMOTION

a. An employee who will be assigned to a higher grade position in the unit for three full weeks or more and who is qualified will be temporarily promoted and will receive the rate of pay for the higher grade position effective the first day of the first full pay period of the assignment. Temporary promotions will not be made for less than three full weeks. Short-term assignments will not be made for the purpose of avoiding temporary promotions.

b. Selection for temporary promotion in excess of 120 days will be made by the selecting official in accordance with this plan. This does not apply to positions where rotation among assignments is part of a career development program. When competitive procedures are used and when a temporary promotion is expected to last one year or less, the area of consideration will normally be limited to the local commuting area.

c. Temporary promotions will be made at the level where the promotion opportunity exists.

21. DISCIPLINARY PENALTIES. Any official found to have improperly discriminated on the basis of an employee's race, color, religion, sex, age, national origin, political or marital status, disability or membership or nonmembership in an employee organization or on the basis of personal favoritism in the rating or selection of an employee may be subject to disciplinary action as circumstances warrant.

335.2 MERIT PROMOTION PLAN FOR SUPERVISORY/MANAGEMENT POSITIONS

1. PURPOSE AND SCOPE. This section prescribes the procedures to be used throughout the Federal Bureau of Prisons to implement Federal merit promotion policy. This Merit Promotion Plan is designed to provide an effective, fair method of evaluating and selecting employees for promotion and for selecting employees for training programs that may lead to promotion; give selecting officials a choice from among the best-qualified candidates; ensure that consideration is given each qualified applicant without regard to personal favoritism, race, color, religion, sex, age, national origin or disability; establish procedures for evaluating candidates for promotion; provide incentive for self-improvement of employees; provide training, career counseling and assistance to employees which will enable them to make the best use of their capabilities and take full advantage of promotional opportunities; establish clear procedures for operation of the merit promotion program.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Order 1335.1B

b. PL 100-238

c. FPM Bulletin 300-94

3. COVERAGE. This plan applies to the promotion of any employee to supervisory/management positions. It also covers the following placement actions:

a. Filling a position with known promotion potential by reassignment, promotion, transfer, change to lower grade, detail or reinstatement; e.g., apprentice, initial positions in a career ladder, trainee positions filled below the established or anticipated grade.

b. Selections for details of more than 120 days to a higher graded position or to a position with known promotion potential.

c. Reinstatement of employees to positions at a higher grade than the last grade held by the candidate.

d. Transfer of employees to positions at a higher grade than the last grade held by the candidate.

e. Temporary promotion of employees to a higher grade for more than 120 days.

f. Selections for training required for promotion.

4. EXCLUSIONS. This plan does not cover any other type of placement action such as reassignment, transfers of employees from other agencies, selections from Office of Personnel Management or Special Examining Unit certificates of eligibles or any other placement action not specifically covered in Paragraph C.

5. EXCEPTIONS. These actions may be made without merit promotion competition under any of the following circumstances:

a. If the employee occupies a position with known promotion potential and the initial selection for the position was made under competitive procedures or from an OPM or SEU certificate. Examples of such positions include career-ladder positions, apprentice, trainee or understudy positions or positions covered by an OPM approved training agreement.

b. When an employee's position is reconstituted at a higher grade as a result of accretion of new duties and responsibilities or to correct an error in position classification.

c. Reinstatement, transfer, or promotion of an employee up to the highest grade previously held on a permanent basis under career or career-conditional appointment, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.

d. Promotion occurring during a reduction-in-force when a slightly higher pay rate is attained resulting technically in a promotion.

e. Corrective action taken under this plan or other existing appeal procedures.

f. A temporary promotion of 120 days or less.

g. Detail to a higher grade position of 120 days or less.

h. Promotion of employees who are within reach on an OPM or SEU certificate of eligibles.

6. PROMOTION BOARDS. Promotion boards may be designated on an ad hoc or permanent basis by the appropriate selecting official, subject to the following conditions:

a. The selecting official may not be a member of the board, and

b. Promotion boards must consist of at least three members, one of whom must be a representative of the human resource management office.

7. AREA OF CONSIDERATION

a. Minimum Area of Consideration. The minimum area of consideration is the geographic area in which it is expected that sufficient best-qualified applicants will be located to fill the position. Positions at and above the assistant department head level will normally be announced nationwide. The announcing office will initially circulate vacancy announcements throughout the minimum area of consideration, however, nothing in this plan precludes circulation of the announcement in a wider area if past experience indicates this will be necessary to solicit sufficient applicants. No minimum area of consideration may be smaller than the local commuting area.

b. Outside Applicants. Qualified applicants from outside the Bureau of Prisons will receive the same consideration as candidates from within the Bureau of Prisons.

c. Reannouncement. The selecting official may request a vacancy be reannounced regardless of the number of qualified applicants from the original announcement.

8. METHOD OF LOCATING CANDIDATES. The primary method of locating candidates is a one-time vacancy announcement which must be distributed at least throughout the minimum area of consideration. A listing of national announcements is available from SENTRY.

Nothing in this plan is to be construed as limiting supervisors' rights and obligations to counsel and encourage employees to apply for announced vacancies.

9. VACANCY ANNOUNCEMENT REQUIREMENTS. Vacancy announcements will be prepared and circulated by the Human Resource Management Office under the jurisdiction of the selecting official. All national announcements will be distributed by electronic mail. Except for omnibus announcements for new institutions described below, at a minimum, vacancy announcements must include the

following information:

a. Announcement number;

b. Number of vacancies;

c. Date of issuance;

d. Titles, series, grade and salary range of the position;

e. Location of the position;

f. Closing date for acceptance of applications. The closing date must be at least twelve working days after the issue date and is the last day on which an employee may submit an application to their local HRM office;

g. Brief statement of the duties of the position;

h. Brief statement of the qualification standards for the position;

i. If qualification standards are modified under the provisions of the General Policies and Instructions for the Qualification Standard Handbook X-118, a brief description of the modified standards must be included in the announcement;

j. Quality ranking factors or selective placement factors, if any;

k. KSAs if any, along with any identification numbers. The identification number corresponds to the Supplemental Application Form and will appear next to each KSA on the announcement. If KSA positions are announced at multiple grade levels, a separate list of KSA's will be required for each grade level, unless two or more grade levels have identical KSAs. See Attachment 3-9 for an example of a vacancy announcement using KSAs.

l. If the position has known promotion potential, a statement to that effect including the potential grade;

m. Application procedures, including forms to be submitted;

n. A statement that travel and transportation expenses are authorized, if that is the case;

o. A statement indicating whether the position is included or excluded from the bargaining unit;

p. A statement that individuals selected, who are under the FERS Retirement System and who have not had three years "primary" law enforcement retirement coverage, will not be covered by law enforcement retirement while in this position. To regain coverage, individuals must return to a position with "primary"

coverage.

q. If the position is with the National Institute of Corrections (NIC), a statement that employees who transfer to these positions will lose law enforcement retirement coverage, will need to return to a position with "primary" law enforcement coverage to regain coverage, and must sign a statement acknowledging that they understand these provisions (Attachment 3-10).

r. For positions that require mobility (i.e. trainee positions), it must be stated in the announcement and applicants must complete a mobility statement (Attachment 3-21).

s. If the announcement will be distributed outside the Bureau of Prisons, the following statements will be included as appropriate:

(1) In accordance with Public Law 100-238, a maximum entry age of 36 has been established for initial appointment to a position in a Bureau of Prisons institution.

(2) Initial appointment to a position in the Bureau of Prisons institution is subject to satisfactory completion of the Introduction to Correctional Techniques course at Glynco, Georgia.

(3) Applicants for initial appointment to a position in the Bureau of Prisons are subject to a urinalysis test for drug detection.

t. Current BOP employees will be instructed to submit their applications to the servicing HRM office for transmittal to the announcing office. Non-BOP employees will be notified to apply directly to the announcing office.

u. A statement detailing the requirement of successful completion of a supervisory/managerial probation period, if this successful completion is a requirement for the position.

Exception to above requirements. To expedite staffing of new institutions, omnibus vacancy announcements covering more than one position may be issued. Such announcements must include the announcement number, number of vacancies, position title, series, grade and salary range, date of issuance and closing date. Statements of duties and qualifications requirements may be omitted from omnibus announcements and interested applicants instructed to contact their servicing HRM office for additional information.

10. PROCEDURES FOR LISTING VACANCY ANNOUNCEMENTS WITH OPM

a. Procedures for vacancies normally filled from within (e.g., unit manager, counselor, etc). A statement must be included on

the vacancy announcements indicating that only Department of Justice employees will be considered. THESE VACANCY ANNOUNCEMENTS DO NOT HAVE TO BE LISTED WITH OPM. However, these vacancy announcements must contain the following remarks:

> AREA OF CONSIDERATION: LIMITED TO CURRENT DEPARTMENT OF JUSTICE EMPLOYEES WITH STATUS ONLY.
>
> COMPETITIVE STATUS IS NOT REQUIRED IF THE PERSON SELECTED IS A DISABLED INDIVIDUAL WHO IS ELIGIBLE FOR APPOINTMENT UNDER SCHEDULE A OF THE EXCEPTED SERVICE, OR IS A VETERAN WHO*IS ELIGIBLE FOR APPOINTMENT UNDER THE VETERANS READJUSTMENT APPOINTMENT AUTHORITY, OR THE DIRECT-HIRE AUTHORITY TO * APPOINT VETERANS WITH SERVICE-CONNECTED DISABILITIES OF 30% OR MORE. APPROPRIATE DOCUMENTATION TO SUPPORT THIS CLAIM FOR ELIGIBILITY WILL BE REQUIRED. SELECTION WILL BE MADE WITHOUT DISCRIMINATION FOR ANY NON-MERIT REASON SUCH AS RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, PHYSICAL DISABILITY, MARITAL STATUS OR MEMBERSHIP IN AN EMPLOYEE ORGANIZATION.

b. Procedures for Vacancies Normally Open to Outside Sources. For those positions that are normally filled from outside sources, the vacancy announcement must be listed with OPM and the procedures outlined in FPM Bulletin 300-94 must be followed. The following remark will be included on these vacancy announcements:

> AREA OF CONSIDERATION: CURRENT FEDERAL EMPLOYEES WITH STATUS AND APPLICANTS WITH NON-COMPETITIVE APPOINTMENT ELIGIBILITY (I.E., OUTSTANDING SCHOLAR, REINSTATEMENT, TRANSFER). COMPETITIVE STATUS IS NOT REQUIRED IF THE PERSON SELECTED IS A DISABLED INDIVIDUAL WHO IS ELIGIBLE FOR APPOINTMENT UNDER SCHEDULE A OF THE EXCEPTED SERVICE, OR IS A VETERAN WHO IS ELIGIBLE FOR APPOINTMENT UNDER THE VETERANS
> * READJUSTMENT APPOINTMENT AUTHORITY, OR THE DIRECT-HIRE *
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> Note: Local vacancy announcements that are open to outside applicants will also be sent to the local state employment office.

Consideration Requirements. The regulations require agencies, before selecting any candidate from outside the agency, to give full consideration to qualified displaced DOD employees who have filed a timely application. See Attachment 3-11 for a sample notice to potential applicants. The law does not extend

entitlement to placement, but requires "genuine consideration" be given to displaced DOD employees. Eligibility for full consideration is tied to either a specific notice of or actual separation from the Federal service by Reduction in Force (RIF). (Please see FPM Bulletin 330-94 for further discussion on the qualification requirements for eligibility.) To receive full consideration, the qualified employee must request full consideration with a job application and include a copy of his/her specific RIF notice of separation and/or a copy of the SF-50, Notification of Personnel Action documenting the RIF separation. For any position for which a covered displaced employee has applied and is eligible for full consideration, the agency must document the consideration given. This documentation must be retained with other records pertaining to the filling of the vacancy and must be sufficient to reconstruct the board.

11. APPLICATION PROCEDURES. Applicants are responsible for following the instructions in the vacancy announcement. Specifically, applicants will submit a Position Application, any required Supplemental Application Forms (SAFs) and a copy of their training record to their servicing HRM office. Also, if a mobility or supervisory/managerial statement is requested, that should be submitted along with the application. The HRM office will add a copy of the applicant's most recent performance rating and a properly completed Qualifications Rating Sheet and forward the application to the announcing office.

Applicants are responsible for submitting a complete history of their applicable work experience. The qualifications rating sheets prepared by the servicing HRM office only document that the applicant meets minimum qualification and time-in-grade requirements and will not be used by promotion board members to evaluate experience.

Consideration of Absent Employees. An employee who is absent from duty while on any type of leave, active military duty, or on detail to another post or agency and who does not reasonably have access to vacancy announcements is entitled to be considered for vacancies if he/she so requests. An employee who plans to be absent is responsible for leaving application forms with the servicing HRM office indicating the positions and locations for which they wish to be considered.

Late Applications. When it appears that an application will arrive at the announcing office after the closing date, the local HRM office which has received an application will notify the announcing office by telephone or electronic mail no later than noon (announcing office time) of the date after the closing date. HRM offices will mail applications so that they arrive at the announcing office no later than five working days after the closing date. If HRM offices determine that the application may

not arrive by the fifth day, they may fax the application to the announcing office prior to the receipt of the hard copy by the announcing office.

12. DETERMINING BASIC ELIGIBILITY. Applicants are considered eligible for the position if they meet or will meet minimum OPM qualification standards, time-in-grade requirements and any specified selective placement factors within thirty days after the closing date of the announcement. The local HRM office will make an initial determination whether the applicant meets minimum requirements and complete the appropriate qualifications rating sheet. The announcing office will review the initial determination of qualifications.

If KSA procedures are used to evaluate experience, the servicing HRM office will complete the qualifications rating sheet, leaving the element ratings blank. The announcing HRM office will complete the element ratings.

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The servicing HRM office will make every effort to notify the applicant of the final qualification determination prior to the promotion board being held.

13. RATING AND RANKING

a. Merit Promotion Boards will be held for all positions, regardless of the number of applicants. For positions that were advertised without KSA's, all applicants with at least a fully successful performance rating will be grouped together. For positions that were advertised with multiple grade levels, the number of applicants with at least a fully successful performance rating will be grouped on the Best Qualified List under the appropriate grade level.

b. Using the appropriate scoring instructions, members of the promotion board will individually consider the criteria outlined below with their respective point ranges, and award points for each factor as well as total points for each candidate.

c. Rating Factors

(1) Performance. This factor measures the applicant's current performance in the present position. The performance evaluation considered by promotion board members must be the most recent rating and not more

than thirteen months old. If the applicant does not have a current performance rating, this factor is presumed to be "fully successful." Points are deducted from the performance factor for disciplinary or adverse actions within the last two years.

(2) Experience. Promotion board members will consider how well the applicant's experience has prepared the candidate for the position to be filled. Experience outside the BOP and volunteer experience should be considered as well as BOP experience. The type, quality and recency of experience should be given appropriate weight in relation to the position to be filled. For KSA and Federal Wage System positions, the score for experience is the total number of points awarded by application of the rating guide or crediting plan.

A Human Resource representative may serve as the sole rater for General Schedule KSA boards. However, a panel may be formed consisting of a Human Resource representative and a subject matter expert (SME) or supervisor of the position to be filled. The SME must be at least equal in grade to the position, and the supervisor must have a working knowledge of the position.

The KSA raters will review the SAFs of each qualified applicant and use the crediting plan to determine a rating for each element.

Points may be assigned only at the levels indicated on the crediting plan (1, 3, and 5). Credit must be given to the highest level possible, based on any single accomplishment that satisfies the level definition. The task examples provided under each level definition serve as a point of reference when crediting an applicant's training and experience. These examples are only to be used as benchmarks; an applicant is not required to satisfy any specific example but must demonstrate training or experience which satisfies the level definition. If an applicant fails to satisfy the "Barely Acceptable" level of an element or fails to submit the SAF for an element, a score of zero (0) should be assigned.

(3) Education and Training. The amount and recency of education and training and its relation to the position to be filled should be considered in rating this factor. This factor is not rated for KSA or Federal Wage System positions as credit has been included in the rating guide or crediting plan total. To ensure

consistency and reduce the amount of time spent in promotion boards, it is recommended that a representative of the HRM office rate this factor for all promotion board members prior to the board.

(4) Awards. Board members may award points for incentive awards within the past five years. To be considered under this factor, letters of commendation must have been issued by the Chief Executive Officer or a higher level. This factor is not rated for KSA positions as credit has been included in the rating guide total. To ensure consistency and reduce the amount of time spent in promotion boards, it is recommended that a representative of the HRM office rate this factor for all promotion board members prior to the board.

d. Recording Applicant Scores

(1) Experience/KSAs. For non-KSA positions, board members will use Attachment 3-12 (Scoring Instructions for Promotion Boards not using KSA Procedures) to determine the number of points to enter under "EXPERIENCE" on form BP-375(33).

For KSA and Federal Wage System positions, follow the instructions on the appropriate forms. Board members will first record each applicant's element scores on the Qualification Rating Form (BP-508(33)). For KSA positions, under Section H "Job Element Rating," they will record the job element score as "Highly Acceptable," "Acceptable," or "Barely Acceptable." Under the "AWARDS" column, raters will record any awards related to the element which are discussed on the SAF. Total award points across all KSAs cannot exceed 5 points. The raters will then add the job element score and award score across the page, recording the sum under the "TOTAL" column. The KSA rating officials must agree on all ratings for job elements and awards; signing and dating the BP-508(33) indicates their agreement. Finally, the total score will be entered under "JOB ELEMENT RATING & AWARDS" on a Merit Promotion Ranking Form for KSA Boards, form BP-520(30). For Federal Wage System positions, each job element and score will be recorded under Section H.

(2) Performance. The promotion board members will independently determine each applicant's performance score. They will utilize the Scoring Instructions for Non-KSA positions (Attachment 3-12). For KSA positions, use Attachment 3-13 to determine this score. For non-KSA boards, each member will use a Merit Promotion Ranking Form (BP-375(33)) to record applicant performance scores in the "PERFORMANCE" column. For KSA boards, each member will use a (BP-520(30)) to record scores in the "PERFORMANCE RATING" column.

(3) Education and Training. This criterion applies only to non-KSA positions. After determining the education and training score using Attachment 3-12, the result is entered under "EDUCATION & TRAINING" on the BP-375(33) form. Education and training is included in the job element score for KSA and Federal Wage System positions.

(4) Awards will first be recorded on the BP-508(33). For non-KSA boards, credit for awards will be indicated on the BP-375(33).

14. DETERMINING THE BEST-QUALIFIED GROUP. The best-qualified applicants are those eligible candidates who rank at the top when compared with other eligible candidates for promotion.

Based on the criteria listed above, each individual promotion board member will record the total number of points for each applicant on the Merit Promotion Ranking Form. The HRM representative will add together the three total scores for each applicant and record them on a separate Merit Promotion Ranking Form. The candidates are then ranked in order of their composite scores and the top scoring candidates are placed in the best-qualified group. Questions concerning the number of best-qualified applicants should be settled by a majority vote of the board members, however, nothing in this section should be construed as requiring the promotion board to place any applicant in the best-qualified group if a majority of the board believes no candidate merits such designation.

15. SELECTION PROCEDURES

a. Promotion Certificate. A promotion certificate including the names of all applicants found to be best-qualified will be forwarded to the selecting official along with the application of each best-qualified applicant. Best-qualified applicants will be listed on the promotion certificate in alphabetical order. If the position has been announced at more than one grade level, the best-qualified applicants will be grouped by the grade level for which they are eligible.

b. Non-competitive Applicants eligible for non-competitive appointments and/or conversions, reassignment, change to lower grade, reinstatement or transfer whose selections would not be covered by the provisions of this plan will be submitted to the selecting official by memorandum separately.

c. Expiration of Promotion Certificates. A promotion certificate is valid for sixty days after the date of the promotion board.

d. Action by the Selecting Official. The selecting official may select any best-qualified applicant, may fill the position through some other type of placement action or may decide not to

fill the position. If additional vacancies occur during the life of the promotion certificate, the selecting official may make additional selections from the best-qualified group.

e. Interviews. Selecting officials may interview best-qualified applicants, however, if any best-qualified applicant is interviewed, all must be interviewed.

f. Effective Date. Personnel actions resulting from promotion boards will normally be effective when the selectee assumes the new position. The effective date must be the beginning of a pay period. Travel for relocation will normally begin after the effective date when the selectee is on the gaining institution's or office's rolls.

16. INFORMING EMPLOYEES

a. Vacancy Announcements. Each HRM office will maintain a complete copy of all active vacancy announcements issued by Bureau of Prisons facilities. Each HRM office will ensure that employees have ready access to vacancy announcement information. This may be accomplished by displaying the announcements on bulletin boards or by displaying a list of open announcements on bulletin boards and maintaining a complete copy in the HRM office. If a list is displayed, at a minimum, it must include the announcement number, position title, series, grade, salary range, location and closing date.

b. Selection Information. Within thirty days after the date of selection (or decision not to fill the position), the HRM will notify all applicants of the following:

(1) The name, grade, title and location of the selectee;

(2) Whether the applicant was qualified and included in the best-qualified group or non-competitive group;

(3) If the applicant was not qualified, the basis for the disqualification.

c. Selection Announcement. Selections by Regional Directors and Central Office selecting officials will be published in the Monday Morning Highlights. Selections by Wardens will be published in the institution's newsletter. Selection announcements will include the name of the selectee and their current and new positions and locations.

17. QUESTIONS, COMPLAINTS AND GRIEVANCES

a. General. An employee who has a question, concern or

complaint about the general application of the promotion plan or a specific promotion action should attempt to resolve the matter informally by obtaining information from the HRM office.

b. Grievance Procedures. If the employee believes the matter has not been resolved informally, he/she may file a grievance under the procedures contained in the agency grievance procedure.

c. Matters Appropriate for Consideration as a Grievance. The only matters not a basis for a formal grievance are:

(1) Failure to be selected for promotion when proper promotion procedures are used, that is, non-selection from a group of properly rated, ranked and certified applicants, and

(2) An action required to be taken by the Federal Bureau of Prisons under provisions of statute or instructions of the Office of Personnel Management.

d. Access to Information. The grievant and his/her representative, if any, are entitled to access to all relevant information concerning the applicant only. The grievant's representative may examine the entire promotion file on behalf of the grievant, however, in accordance with the Privacy Act, the representative must maintain the confidentiality of the promotion file. The representative may not disclose any information which would tend to identify any applicant other than the grievant.

e. Procedural Errors. If a member of a promotion board believes that a procedural error has occurred in a promotion board or that a document contains an improper entry, the following procedure will be used:

(1) The member will call the discrepancy to the attention of the other board members before it adjourns and ask for the appropriate adjustment or that the board be deferred until the discrepancy is resolved. If the majority of the board agrees, the board will be deferred and the document returned to the responsible official for adjustment.

(2) If the majority of the board does not agree to defer or correct the improper document or procedure or if the responsible official fails to correct the document, the complaining member may indicate his/her protest on the promotion certificate.

18. PROMOTION RECORDS. Each HRM office will maintain all records of its promotion actions for two years. Records will include all documents necessary to show that each promotion action was effected in accordance with this promotion plan and appropriate regulations of the Department of Justice and the Office of Personnel Management.

19. TEMPORARY PROMOTION

a. Selection for temporary promotion in excess of 120 days will be made by the selecting official in accordance with this plan. This does not apply to positions where rotation among assignments is part of a career development program. When competitive procedures are used and when a temporary promotion is expected to last one year or less, the area of consideration will normally be limited to the local commuting area.

b. Temporary promotions will be made at the level where the promotion opportunity exists.

20. DISCIPLINARY PENALTIES. Any official found to have improperly discriminated on the basis of an employee's race, color, religion, sex, age, national origin, political or marital status, disability, or membership or nonmembership in an employee organization or on the basis of personal favoritism in the rating or selection of an employee may be subject to disciplinary action as circumstances warrant.

335.3 MANAGEMENT SELECTION SYSTEM

1. PURPOSE AND SCOPE. This section prescribes the procedures to be used in the identification and selection of applicants for the positions of Warden and Associate Warden. Procedures have been designed to parallel the current merit promotion system used by the Bureau of Prisons.

2. DIRECTIVES AFFECTED

Directives Referenced

a. 5 CFR 335.103

b. DOJ Order 1335.1B

3. PROGRAM OBJECTIVES. This selection system is designed to:

a. Provide an effective, fair method of evaluating and selecting employees for promotion.

b. Give the Executive Staff a choice from among the best-qualified candidates.

c. Ensure consideration is given to each qualified applicant without regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, age, national origin or nondisqualifying physical handicap.

d. Establish procedures for evaluating candidates for promotion.

e. Establish clear procedures to ensure compliance with merit principles.

4. COVERAGE. This selection system applies to the promotion of any employee to the positions of Warden, GS-006-15 and Associate Warden, GS-006-14.

5. AREA OF CONSIDERATION. For positions advertised at GS-14 and above, the Bureau Personnel Director has been delegated personnel authority to make exceptions to the Department-wide minimum area of consideration requirement. An exception may be granted if a sufficient number of highly qualified candidates (3 or more) are available for selection within the Bureau of Prisons. With this in mind, vacancy announcements for these positions will limit the area of consideration to Bureau of Prisons employees only.

6. APPLICATION PROCEDURES. A blanket vacancy announcement, for all locations, will be issued on an annual basis. Applicants will access the application document via the Bureau of Prisons Documents System (BOPDOCS). Completion of the application document will include: responses to the required Knowledge, Skills, and Abilities (KSA) elements, performance evaluation and awards information, a synopsis of BOP position history, and designation of preferred locations. Although candidates are allowed to list location preferences, submission of an application indicates willingness to be selected at any location.

Applicants are responsible for faxing the application documents to the Bureau Personnel Director. The faxed documents transmit directly into an electronic system capable of screening for basic qualifications and computing total scores. A graphic image of the application will also be available for retrieval.

The application process will reopen at the midpoint of the one-year period for applicants who did not apply during the original announcement period and for those who were ineligible for consideration by the original closing date. Location preferences may only be changed by any applicant during this midpoint of the yearlong consideration period.

Consideration of Absent Employees. An employee who is absent from duty while on any type of leave, active military duty, or on detail to another post or agency is entitled to be considered for vacancies if he/she so requests. An employee who plans to be absent is responsible for leaving application forms with the servicing HRM office, who will fax the forms to the Personnel Director during the announcement period.

Late Applications. It is the responsibility of the applicant to ensure all forms are faxed to the Personnel Director by the closing date of the announcement period. Therefore, no late applications will be accepted for this selection system.

7. DETERMINING BASIC ELIGIBILITY. Applicants are considered eligible for the position applied for if they meet or will meet minimum OPM qualification standards, time-in-grade requirements and law enforcement officer/age qualifications within thirty days after the closing date of the announcement. Questions concerning the above areas will be contained in the application documents and will be self-reported by the applicants.

If an applicant responds negatively to any of the basic qualification questions, he/she will be instructed (in the application) not to continue with the application process. If the announcing office receives an application and makes the determination the applicant does not meet minimum qualification requirements, notification of this determination will be provided to the applicant.

8. RATING AND RANKING. Instead of the traditional process of a promotion board rating and ranking candidates to determine the "best qualified" (BQ) list, this system breaks this procedure into three distinct components:

a. Knowledge, Skills and Abilities Evaluation Panels will evaluate the applicants' competencies based on the KSA responses;

b. the candidates' performance evaluation ratings and awards information will be compiled and rated through an electronic means; and

c. the scores from steps a and b above are combined to determine individual ratings. A national BQ list will be derived based on these scores.

To elaborate on (a) above, KSA Evaluation Panels, consisting of senior level administrators (one of which has previously incumbered the position to be filled), will review and rate the KSA portion of the applications. Scores are derived through the use of validated crediting plans and are based on the quality of the candidates' experience, education and training. Each panel will have an HRM expert available who, as the recorder, will serve as the technical advisor, coordinate input of applicant scores, and ensure all records are kept for historical reference. The confidentiality of applicants is maintained throughout this process. The KSA Evaluation Panel members rate applications identified only by an anonymous identification number.

When scoring KSA's, points may be assigned only at the levels indicated on the crediting plan (1, 3, and 5). Credit must be given to the highest level possible, based on any single accomplishment satisfying the level definition. The task examples provided under each level definition serve as a point of reference when crediting an applicant's education, training and experience. These examples are only to be used as benchmarks; an applicant is not required to satisfy any specific example but must demonstrate experience, education or training which satisfies the level definition. If an applicant fails to satisfy the "Barely Acceptable" level of an element or fails to submit

a KSA element, a score of zero (0) should be assigned. Candidates' performance evaluation rating and awards information will be retrieved through the National Finance Center (NFC) database.

The performance evaluation used in scoring must be the most recent rating and not more than 13 months old. If an applicant does not have a current performance rating, this factor will be presumed as "fully successful".

Points will be given for awards received within the past five years.

9. DETERMINING THE BEST QUALIFIED GROUP. Based on the computer generated top scores, a national BQ list is identified by using vacancy rates and promotion trends multiplied by a reasonable number of candidates per vacancy, using statistical methods. The entire BQ group is considered for each vacancy and location preferences are noted, but not binding.

Applicants scoring below the BQ list "cut-off" score are ineligible for promotion (to these positions) during the one-year consideration period. Applications received during the announcement period occurring at the year's midpoint will be rated; those scoring within the BQ range of scores being added to the national BQ list. Recent vacancy rates and promotion trends will be re-evaluated each year to determine the size of the BQ group for both positions.

10. APPLICATION FOR REASSIGNMENT. Reassignment candidates for Warden and Associate Warden apply under the vacancy announcement as well. An abbreviated application is submitted (i.e., location preferences, position history) but KSA elements are not completed and the application is not scored. These applications comprise a supplemental list for selection consideration along with the promotion list. It should be noted, however, **any** employee is subject to reassignment in order to meet the needs of the Bureau, whether or not an application is submitted.

11. SELECTION PROCEDURES. Summarized work histories of each BQ list applicant and reassignment candidate will be available for review. Vacancies will be filled at Executive Staff meetings or teleconferences, with final selections being made by the Director.

12. OPERATIONAL ISSUES.

a. Personnel changes during the annual consideration period: The receipt of new awards or performance evaluations during the year will have no impact until the new application period. A candidate promoted during the year to Warden or Associate Warden is eliminated from the system. However, the candidate continues to be eligible for reassignment.

b. Rating information: Rating scores are valid for the yearlong period. Additionally, scores and application packets will remain valid for one period only. Due to potential changes in performance ratings, level of competencies and the recency of awards, applicants may not extend their rating scores over application periods, but must reapply for continued consideration.

c. Record-keeping: This selection system will have an electronic archive allowing for replication of the rating, ranking, and selection process, if necessary.

13. SELECTION INFORMATION. Selections made utilizing the Management Selection System will be published in the Monday Morning Highlights.

335.4 OPEN-CONTINUOUS ANNOUNCEMENT SYSTEM

1. PURPOSE AND SCOPE. To provide procedures for the implementation of the open-continuous announcement system.

2. COVERAGE. These procedures apply to the announcement of supervisory positions in the GS-007 Correctional Officer Series, at all grade levels.

3. PROCEDURES

* a. Standard vacancy announcements for supervisory positions are available on SENTRY under Mail ID "BOP Vacancy." Copies of * these announcements will be permanently posted on bulletin boards maintained by each HRM office.

b. Applicants who wish to apply for any of these positions will complete an open continuous application form for each type of position and grade level for which they wish to be considered. Specific application requirements are included in the vacancy announcements.

c. Applicants may apply, or change their choice of locations, at any time, however, applications on file as of May 1 each year will be purged and the applicant must reapply to receive continuing consideration. Applications dated by the applicant April 15 or later each year will be considered current and will not be purged on May 1.

d. The servicing HRM office will prepare a complete copy of the application and forward it promptly to each regional office for which the applicant has applied. Servicing HRM offices are responsible for ensuring the application is complete, current and accurate. Servicing HRM offices are also responsible for sending to each regional office where the applicant has applied new documents which show changes during the life of the application, for example, new performance ratings or new qualifications rating sheets showing evidence of incentive awards or disciplinary action.

e. Each Regional HRM office is responsible for maintaining a system for filing and retrieving applications for the locations it services.

f. Applicants will be considered eligible for the position if they meet the minimum qualification requirements and time-in-grade restrictions within 30 days of the regional office's receipt of the application. Applicants not meeting the minimum requirements within thirty days of receipt will be returned to the servicing HRM office.

g. The date a regional HRM office generates a list of applicants for a particular position at a particular location is considered the closing date for receipt of applications. Applications received after that date will not be considered.

h. Servicing HRM offices will ensure that applicants who leave the service submit a new open-continuous application form indicating their withdrawal from the system or the servicing office will complete a withdrawal on their behalf. Servicing HRM offices will also ensure that applicants who change positions or locations submit an updated application form reflecting the new information if they wish to continue to be considered.

i. Regional HRM offices will review the Monday Morning Highlights and electronic mail selection announcements and delete from their systems the application of anyone selected for a different position. Applicants who change positions or locations must reapply to receive continuing consideration. Applicants may request certification from the regional offices, through their servicing HRM office, that they are entered in the system for the positions and locations for which they applied.

335.5 PRIORITY PLACEMENT AND REFERRAL SYSTEM

1. PURPOSE AND SCOPE. It is the policy of the Bureau of Prisons to give priority consideration to employees who are involuntarily reduced in grade, not for cause, and to operate a sound priority placement program under guidelines developed by the Office of Personnel Management, the Department of Justice and the Federal Bureau of Prisons. The purpose of the priority placement program is to offer positions and facilitate placement of covered employees in the shortest possible time.

2. EMPLOYEES COVERED. Competitive status employees who have been certified by their servicing HRM office as being reduced in grade as a result of reduction in force, an erroneous classification, granted pay retention by the Bureau Personnel Director or granted priority consideration as a result of an EEO complaint, grievance or appeal, employees whose positions have been targeted to be abolished within 90 days, are eligible for coverage under the priority placement program.

3. ACTIONS COVERED. Competitive personnel actions such as selection through merit promotion procedures, selection from an OPM register, and transfer and reinstatement may not be made until the procedures for considering applicants on the Priority Placement List (PPL) and the Priority Placement Referral System (PPRS) have been followed. Career promotions, lateral reassignments and other actions excluded from the merit promotion plan are permitted without a review of the PPL.

4. APPLICATION FOR THE PRIORITY PLACEMENT PROGRAM

a. Employees who are eligible for the priority placement program will receive written notification of their eligibility along with the SF-50, Notice of Personnel Action, effecting the action, or as part of a notice of decision or settlement agreement.

b. Covered employees who wish to register for the Priority Placement List will complete an open-continuous application form for each type of position and grade for which they wish consideration, and submit it to their servicing HRM office along with a complete, current SF-171. Use of the open-continuous form allows the employee to choose more than one location for each type of position.

c. The servicing HRM office will complete a qualifications rating sheet for each series and grade applied for, certifying that the applicant meets the minimum qualification requirements for that position and grade level.

d. The servicing HRM office will forward a copy of the application, qualifications rating sheet and decision or notice which makes the employee eligible for the PPL to the Staffing Section, Central Office. The servicing HRM office will retain a copy of these documents, along with the applicant's SF-171, for future distribution to offices which are filling vacancies for which the applicant has registered.

e. At the time of consideration, the announcing office will request a new qualification rating sheet for the PPL applicant from the servicing HRM office.

5. DURATION OF ELIGIBILITY. Employees will remain on the PPL for three years from the effective date of the action that resulted in their loss of grade unless deleted under Paragraph 9 below. Employees given priority consideration as a result of a grievance, appeal or EEO settlement or decision will remain on the PPL until they have either been placed or received the consideration granted in the decision or settlement.

6. ELECTION NOT TO ENROLL. If an eligible employee elects not to register for the PPL, the servicing HRM office must counsel the employee as to the consequences of this decision. The employee must be advised that election not to enroll significantly reduces the chances for placement into a position at the former grade and may result in a reduction in grade and loss of future earnings upon expiration of grade and/or pay retention.

7. MAINTENANCE OF THE PPL. The Staffing Section is responsible for maintaining and publishing the PPL. The Staffing Section will maintain a current PPL on Sentry and route updated lists to all HRM offices as changes occur.

8. CONSIDERATION OF PPL AND PPRS APPLICANTS

a. Before a vacancy may be announced, the HRM office delegated selection authority for the position will review the PPL and PPRS. If there are no applicants on the PPL or PPRS for the vacancy, the vacancy may be announced and normal merit promotion procedures followed. A copy of the PPL and PPRS will be included in the merit promotion file.

b. If the PPL includes an applicant for the vacancy, the announcing HRM office will secure from the applicant's servicing HRM office a current qualifications rating sheet, SF-171 and performance appraisal. These documents will be reviewed by the selecting official. The selecting official will consider the

applicant's performance and compare his/her experience to the requirements of the position being filled.

c. The Staffing Section will notify PPRS applicants who do not meet the age requirements of their ineligibility for consideration. The announcing HRM office will secure from the Staffing Section a copy of the PPRS applicant's application. The announcing HRM office will obtain a copy of the PPRS applicant's most recent SF-50 and performance appraisal. These documents will be reviewed by the selecting official. The selecting official will consider the applicant's performance and compare his/her experience to the requirements of the position being filled.

d. If the selecting official decides not to select the PPL or PPRS candidate, the reasons for the non-selection will be made in writing and signed by the selecting official. A copy of the justification for non-selection will be filed in the promotion file and a copy will be sent to the PPL applicant.

e. Once the selecting official has reviewed and not selected any PPL or PPRS applicants, the vacancy may be announced and normal merit promotion procedures followed.

9. DELETION FROM THE PRIORITY PLACEMENT LIST. The Central Office Staffing Section will remove an applicant's name from the PPL upon his/her:

a. Written request to be removed from consideration;

b. Selection through any procedure which places the employee back into the grade from which reduced;

c. Declination of a valid offer;

d. Expiration of the three-year eligibility period;

e. Receiving priority consideration as specified in a grievance, appeal or complaint settlement or decision; or

f. Placement in a lower-graded position at the employee's request or for personal cause.

Servicing HRM offices will notify the Staffing Section immediately when an employee is to be deleted from the PPL because of his/her selection, declination or other circumstance which terminates eligibility for the PPL.

335.6 DETAILS FOR TRAINING FOR TRADES AND CRAFTS POSITIONS

1. PURPOSE AND SCOPE. For several years the Bureau of Prisons has endorsed the concept of filling some trades and crafts positions at the trainee level. "In-house" trainee selections provide an additional avenue of career advancement for employees and the person placed in the position already possesses the required correctional skills.

2. PROCEDURES. Trainee positions have not always been structured correctly. In the past, wage trainee positions have been restructured in one of three ways:

a. The Wage Supervisor (WS) rating of the target position was lowered. This method has been questioned by OPM, which maintains that in order for a person to supervise trades and crafts work, the person must possess the required knowledge and skills of the trade. Therefore, it is OPM's opinion that a FWS rating for a wage trainee is inappropriate.

b. The target position was restructured to be nonsupervisory during the training period and filled as a WFS position. This method does nothing to reduce the knowledge, skills and abilities required in the trade or craft and resulted in the continued inability to qualify current employees for the target position.

c. The use of a "detail-for-training". In this method, the target position is filled by competitive detail while the selected employee acquires the necessary skills, knowledge, and abilities to qualify for the target position by on-the-job training.

In reviewing these methods of restructuring positions to accommodate trainees, it appears that method c. is the one most consistent with OPM requirements and our negotiated Merit Promotion Plan. Therefore, this method will be utilized Bureau-wide when a wage position is to be filled at the trainee level.

Staffing procedures for positions under the "trainee" concept are as follows:

(1) A detail-for-training, not to exceed one year, to the target position will be competitively announced and filled in accordance with the negotiated Merit Promotion Plan.

(2) The supervisor of the target position will develop a detailed, written training program to be accomplished by the selectee within 12 months or less. (This

program is not intended for trades that have a lengthy apprenticeship.) The supervisor will be responsible

for monitoring and documenting completion of the training plan. The Employee Development Manager will provided assistance in the development of the training plan.

(3) The individual selected and the supervisor of the position will be required to sign a training agreement. A sample training agreement is shown in Attachment 3-17.

(4) Upon completion of the training program, the target position may be announced locally and selection made through normal merit promotion procedures. Alternatively, the trainee may be promoted to the target position without further competition if the target position was clearly stated in the original detail-for-training announcement.

(5) The crediting plan for Apprentice Positions, dated July 1984, will be used in filling these details-for-training.

(6) The details will be for periods of 120 days up to a total of one year. The trainee will be retained in the current series and grade. The detail will be documented with a remark such as: "Detailed for training to an Electrical Equipment Repairer position."

(7) The trainee will remain eligible for step increases and career promotions based on the current series and grade.

338.1 QUALIFICATION STANDARDS FOR ADMINISTRATIVE POSITIONS

1. PURPOSE AND SCOPE. To establish and define qualification standards for administrative positions. All employees in federal correctional facilities have a primary responsibility for the detention, direction, supervision, inspection, training, employment, care and transportation of inmates incarcerated in these facilities. Therefore, they are covered by the special retirement provisions for law enforcement officers as defined in Chapters 83 and 84 of Title 5, United States Code. Employees in administrative positions may be covered under these law enforcement retirement provisions if experience as a law enforcement officer is a basic qualification requirement for the administrative position.

2. DIRECTIVES AFFECTED

Directive Referenced

5 USC, Chapters 84 and 85

3. DEFINITION. An administrative position is defined as a position in the Central Office or in a regional office which requires the incumbent to develop policies, to provide expert advice in an area of correctional specialty, or to provide guidance, direction, supervision, advice or evaluation for a program or programs in correctional facilities. Examples of such programs include, but are not limited to:

Security	Federal Prison Industries
Case Management	Food Service
Education	Health Services
Human Resource Management	Legal Administration
Financial Management	Research/Program Development
Facilities Operations	Community Corrections
Employee Development	Inmate Systems Management
Computer Services	Psychology Services
Safety Administration	Religious Services

4. EXPERIENCE. Central Office and regional administrators must have experience in correctional facilities if they are to be effective in the primary responsibilities of directing and evaluating these operating programs in field institutions. Therefore, it is the policy of the Bureau of Prisons that every effort will be made to find qualified applicants with correctional experience for administrative positions. Individuals selected for administrative positions who have not had experience in a correctional facility will receive

orientation and training in various correctional subjects, in accordance with established policy, to enhance their understanding of the correctional environment.

338.2 MODIFYING QUALIFICATIONS STANDARDS FOR INSERVICE PLACEMENT

1. PURPOSE AND SCOPE. The Office of Personnel Management has authorized agencies to modify experience requirements for certain inservice placement actions. This authority was originally published in FPM Letter 338-11 and has now been incorporated into the General Policies and Instructions for the Qualification Standard Handbook, published in March 1990. To ensure that the authority is used appropriately and that applicants are given fair consideration, HRM offices will follow the policies, guidelines and procedures in this section when modifying qualification standards.

2. DIRECTIVE AFFECTED

Directive Referenced

General Policies and Instructions for the Qualifications Handbook.

3. PROVISIONS FOR USE OF MODIFIED STANDARDS

a. The normal experience requirements may be modified when the applicant's background includes related experience which demonstrates the knowledge, skills and abilities necessary for successful performance in the new position.

b. Either the general experience requirement or the specialized experience requirement or both may be modified.

c. Minimum education, licensure or certification requirements may not be modified.

d. Experience requirements may be modified only if the applicant is being considered for reassignment, voluntary change to lower grade or transfer or reinstatement to the same or lower grade than that currently or previously held. Experience requirements may be modified for reassignment, change to lower grade, transfer or reinstatement to a position with greater promotion potential than the current position under merit promotion procedures. Applicants for immediate promotion must meet the full experience requirements described in the qualification standard.

4. WHEN TO USE MODIFIED STANDARDS. Two of the objectives of the Bureau of Prisons' merit promotion plan are to provide an effective, fair method of evaluating applicants and to give the

selecting official a choice from among the best-qualified applicants for a position. Normally, the process involves making

an initial determination about the applicant's qualifications by comparing the experience with the qualification standard. Occasionally, it may be decided that applicants who do not meet all of the experience requirements in the standard can still be expected to perform successfully in the new position because they have closely related experience. On these occasions, it is appropriate to modify the experience requirements. Placement in trainee or upward mobility positions are examples of appropriate use of modified standards. The authority to use modified standards should be used sparingly and only when it is expected that an insufficient number of best-qualified applicants will qualify under the normal standard.

5. HOW TO MODIFY STANDARDS

a. Consultation with Program Managers. Before deciding to use a modified standard, HRM's should consult with the Department Head or program manager to determine whether the normal experience requirements can be modified and to determine what the modified requirements should be.

b. Determining Modified Requirements. Modified experience requirements must demonstrate that the applicant gained the necessary knowledge, skills and abilities (KSA's) through related experience. Therefore, HRM's must identify the KSA's for the position being filled. Review of the qualification standard, position classification standard, position description and consultation with subject-matter experts (Department Head or program manager) are useful in identifying the KSA's for the position.

6. PROCEDURES

a. Vacancy Announcement. When a modified standard is used, the vacancy announcement will so state and will identify the modified requirements to be met. The following language is recommended:

In accordance with the General Policies and Instructions for the Qualification Standards Handbook, experience requirements may be modified. Applicants may qualify on the basis of related experience which provided evidence of (list KSA's).

b. Qualifications Rating Sheet. Servicing HRM offices will document the applicant's experience on the qualifications rating sheet and indicate whether the applicant qualifies under the normal requirements described in the standard or the modified requirements described in the vacancy announcement. Applicants who meet the full requirements of the standard will not be shown on the qualifications rating sheet as qualifying under the

modified standard. Applicants are responsible for providing adequate information about their experience with their

applications. Servicing HRM offices may not credit experience which is not supported by the application documents nor may they assume that KSA's have been demonstrated based on job title alone.

Announcing HRM offices will review the qualifications rating sheets of all applicants to ensure that modified standards have been applied consistently.

c. SF-52 and SF-50. When a selectee qualifies under a modified standard, the SF-52 and the SF-50 documenting the selection will include a remark that the selectee qualified based on a modified standard.

d. Subsequent Promotions. Selectees whose placement in a position was based on a modified standard are eligible for subsequent promotions based on the add-on rule. When the applicant does not meet total length of experience requirements but does meet the difference in the length of experience required for the current and proposed positions, the applicant is considered to be qualified. Qualifications rating sheets for subsequent promotions will document that the applicant qualifies under the add-on rule. Further discussion of the add-on rule can be found in the General Policies and Instructions for the Qualification Standards Handbook, Section F9.

338.3 JOB ELEMENT EXAMINING PLAN FOR TRADES AND LABOR POSITIONS

1. PURPOSE AND SCOPE. This section describes the procedures to be used in determining whether an applicant for a trades and labor position meets the minimum qualification requirements. Applicants will be rated by a rating panel using the appropriate crediting plan to evaluate the applicant's knowledge, skills and abilities.

2. DIRECTIVES AFFECTED

Directives Referenced

a. Job Qualification System for Trades and Labor Occupations

b. Bureau of Prisons Crediting Plans

3. RATING PANELS. Rating panels determine the applicant's eligibility for a position by comparing the applicant's responses on the supplemental application form to the descriptive examples in the appropriate crediting plan and assigning a numerical score. Rating panels will consist of a representative of the HRM office and a subject matter expert.

4. APPROVED JOB ELEMENT. The job elements for each type of position are shown in Appendix A, Handbook X-118C and in the BOP crediting plan for the trade (occupation). The approved elements for each type of position include the following screen-out elements:

a. For non-supervisory FWS positions, the screen-out element is #1, "Ability to do the work of the position without more than normal supervision."

b. For Wage Leader (WL) and Wage Supervisor (WS) positions, the screen-out element is #73, "Ability to lead or supervise."

c. For General Foreman positions, the screen-out element is #73-A, "Ability to supervise through subordinate supervisors."

Additionally, all trade and craft positions in the Federal Bureau of Prisons have the screen-out element #100-C, "Aptitude for work with inmates." The approved elements for apprentice and general foremen level positions are found in Appendix B, Handbook X-118C.

5. CREDITING PLANS. Crediting plans have been developed for the trades and crafts positions commonly found in BOP institutions. Should new or additional crediting plans be necessary, they will be developed in accordance with instructions in Handbook X-118C and in a similar manner and style to those now existing. The approved sets of job elements for each job family, along with the element "Aptitude for work with inmates" (#100-C) are included in each crediting plan, along with descriptions and point values for various levels of acceptable experience and training. In the development of new crediting plans, trades and crafts personnel (Subject Matter Experts) should participate as they can best describe shop practices, materials, equipment, etc., using the terminology of the trade.

Crediting plans are restricted documents, available only to members of rating panels. Employees may not have access to crediting plans because the information contained in them may give an applicant unfair advantage in applying for jobs.

6. OPM COMPETITIVE ANNOUNCEMENTS. HRM offices developing or working with OPM offices in the development of Federal Wage System job announcements and crediting plans will include the screen-out element #100-C, "Aptitude for work with inmates," in any such announcement and crediting plan. As a screen-out element, applicants who do not demonstrate an aptitude for work with inmates will be found not qualified for the position.

A letter dated October 26, 1970, from the Central Office of the Civil Service Commission (now the Office of Personnel Management) stipulated that for supervisory or leader trades and labor jobs, "barely acceptable or potentially satisfactory" ability may be required in Element 100-C for minimum eligibility on the screen-out element. It was further agreed that information obtained in pre-employment interviews that reflects adversely on the applicant's aptitude for work with inmates may be used as a basis for objecting to an applicant on a certificate of eligibles.

7. RATING PROCEDURES. The rating panel uses the descriptions in the crediting plan as a yardstick for assessing the qualifications of the applicant. Point values assigned for each element represent the consensus of the panel members, not individual scores or an average of individual scores. Screen-out elements may be rated first to eliminate obviously unqualified applicants. To be eligible, an applicant must obtain a score of at least two points on each of the screen-out elements and the total score must be at least equal to one-half the total possible points.

8. DEMONSTRATED ABILITY VS. POTENTIAL ABILITY. Applicants for

positions at all levels (apprentice/trainee or journeyman) may be found qualified if the following conditions are met:

a. Applicants score at least two points on each screen-out element. The points may be based on the applicant's demonstrated ability or potential ability.

b. The total number of points an applicant scores on all elements must be at least two times the number of elements.

c. If the position to be filled is at the journeyman level (including all leader, foreman and general foreman positions), points credited for potential ability in the remaining elements (those which are not screen-out elements) may not be counted in the total.

d. If the position to be filled is at the apprentice or trainee level, points credited for potential ability in the remaining elements (those which are not screen-out elements) may be counted in the total.

9. PHYSICAL REQUIREMENTS

a. The following physical requirements were approved for use with BOP trades and labor positions. The duties of all Federal Wage System positions in the Bureau of Prisons and Federal Prison Industries, Inc. (UNICOR) daily require arduous physical exertion and unusual mental pressure. In times of emergency, which are frequent, duties require extreme physical exertion such as restraint of inmates, participation in escape hunts, protracted and irregular hours of duty, etc. Therefore, applicants must be of sound health capable of meeting the following physical standards:

(1) Performing efficiently the duties of the position; be free from defects or diseases as may constitute employment hazard to themselves or to others; and have no deformities, disfigurements or abnormalities which tend to be conspicuous.

(2) Vision of at least 20/100 (Snellen) in the better eye, without correction, corrected to at least 20/70 (Snellen) in one eye and 20/30 (Snellen) in the other. Defective vision must not be due to active or progressive organic disease. Applicants must be able to read printed material the size of typewritten characters with comparative ease.

(3) For the positions of automotive mechanic, electrician, electronic technician and machinist, applicants must be able to distinguish basic colors. For the positions of painter and welder, the ability to distinguish shades of color is required.

(4) Hearing in each ear must be normal, that is, 15/15 in each ear by the whispered voice test. Hearing aids are not acceptable.

(5) Hernia (with or without truss), organic heart disease (whether or not compensated), severe varicose veins, serious deformities or disabilities of extremities (including weak feet), mental or nervous disease, chronic constitutional disease, marked abnormality of speech, facial disfigurement or other serious physical defect or disease will disqualify for appointment.

b. The above requirements are modified by the following paragraph:

The physical requirements of this standard are based on the arduous or hazardous nature of the duties typically performed by most of the positions covered by the standard. However, since individual positions may not include all such duties, a physical condition or impairment may be disqualifying for appointment only if there is a direct relationship between the condition and the nature of the duties of the specific position to be filled. In some instances, a physical impairment will not disqualify an applicant for appointment if the condition is compensated for by a satisfactory prosthesis, mechanical aid or by reasonable accommodation. Reasonable accommodation may include, but is not limited to: the use of assistive devices, job modification or restructuring, provision of readers and interpreters or adjusted work schedule.

338.4 PASS/FAIL SYSTEM FOR INTRODUCTION TO CORRECTIONAL TECHNIQUES

1. PURPOSE AND SCOPE. It is essential that all staff working in a correctional environment be at least minimally proficient in the knowledge, skills, and abilities (KSAs) needed for correctional work. Validation research has identified these critical KSAs. Therefore, the attainment of proficiency in these areas, operationally defined as the successful completion of the Introduction to Correctional Techniques Program (ICTP), is a condition of employment for all staff in correctional institutions.

* In order to obtain the necessary KSAs, all covered employees must successfully complete the ICTP. Successful completion is defined by the attainment of an acceptable level of performance, as defined by the Staff Training Academy, in three areas: firearms, physical abilities, and a written test of job knowledge. Physicians, dentists, and chaplains may elect to waive the firearms portion, however, the other evaluative areas are applicable. Students who do not attain an acceptable level of performance in all three areas will fail the ICTP and their employment will be terminated. *

2. DIRECTIVES AFFECTED

Directive Referenced

PS 3906.14 Physical and Medical Standards for Newly Hired Correctional Employees
PS 3906.16 Employee Development Manual

3. EMPLOYEES COVERED

a. All employees appointed after December 31, 1983 to positions defined as primary law enforcement positions and whose appointments meet the following conditions are covered:

(1) Career and career-conditional appointments, including reinstatements and transfers.

(2) Excepted service appointments exceeding one year and temporary appointments for which there is an expectation of conversion to a permanent appointment.

(3) Reinstatements of former Bureau of Prisons' employees whose break in service (from the Bureau of Prisons) exceeds three years.

(4) Public Health Service employees and officers stationed in a correctional facility are also covered by these pass/fail requirements.

b. The pass/fail requirement for the physical abilities testing component of the Introduction to Correctional Techniques course is in effect for staff entering on duty after January 1, 1997.

c. Any employee appointed to a non-law enforcement position after December 31, 1983 and who attends the ICTP, but does not satisfactorily complete the training, is not eligible to be assigned to a primary law enforcement position. Selection of a non-law enforcement employee for a law enforcement position in which the employee did not have the opportunity to successfully complete the ICTP is considered tentative. Only upon successful completion of the ICTP may the selection be finalized, and the employee allowed to begin the relocation process.

4. NOTIFICATION OF REQUIREMENT. Requests for certificates of eligibles and vacancy announcements will include a notice that successful completion of the ICTP is a condition of employment.

* Prospective employees for law enforcement positions shall be notified of the requirement to successfully complete the ICTP at the time of the pre-employment interview or prior to selection, if currently employed with the Bureau. Non-law enforcement employees will acknowledge the requirement to successfully complete the ICTP before selection into a law enforcement position. Applicants and employees initially assuming a law enforcement position will acknowledge this requirement by signing Attachment 3-18. *

338.5 APPOINTMENT ABOVE THE MINIMUM RATE BASED ON SUPERIOR QUALIFICATIONS

1. PURPOSE AND SCOPE. To establish criteria and procedures for appointment above the minimum rate based on superior qualifications for non-attorney positions.

2. DIRECTIVES AFFECTED

Directives Referenced

5 CFR §531.203(b)

3. APPROVAL. An above the minimum rate allows for the appointment of a superior candidate appointed at a salary rate above the minimum step of the qualifying grade.

Above the minimum rate requests are used to attract top quality candidates from outside the government service who meet one of the following:

SUPERIOR QUALIFICATIONS - Candidates who have superior qualifications **and** who would forfeit income that would justify a salary above the base pay for the grade; or

SPECIAL NEED - Candidates who have a unique combination of education and experience that meets a special need of the agency.

The above the minimum rate request must be approved **prior** to the candidate's entry on duty date.

* It must be the applicant's initial appointment into government service or after a break in government service of at least 90 days. Experts and consultants such as dentists, medical officers, etc., who are currently providing services for the Bureau under contract paid by non-appropriated funds, may be offered an above the minimum rate appointment. Above the minimum rates may not be used for reassignments of current government employees.

Approval of above the minimum rate appointments based on superior qualifications for non-attorney positions was delegated to the Personnel Director, Bureau of Prisons, effective November 23, 1992. This authority is used to make appointments that do not exceed a candidate's existing pay by 20 percent.

In addition, the Bureau Personnel Director has been granted delegated authority to approve above the minimum rate appointments that are:

a. more than 20 percent higher than a candidate's existing pay;
b. based on a special need of the agency; and
c. based on a reasonable expectation of employment (if unemployed).

This additional authority will only be used in rare instances and will not be approved solely on the basis of a candidate's existing pay. The candidate's qualifications for the position in relation to other candidates, and any specialized job requirements or special need of the agency shall carry equal weight.

Above the minimum rate requests for attorney positions will continue to be approved by the Director, Office of Attorney Personnel Management.

4. PROCEDURES. An above the minimum rate request is prepared by the hiring office and forwarded to the Staffing Section, Central Office for approval.

Submission of the required documents for an above the minimum rate request must include the following:

- Cover Memo;
- Justification;
- Application or Resume;
- Copy of the SF-52;
- Copy of the Certificate of Eligibles or other hiring authority documentation;
- Copy of the position description and cover sheet; and
- Copy of the earnings statement, employment offer or other salary verification.

Criteria for each item listed above include the following: *

a. Cover Memo. A cover memo (Attachment 3-19) addressed from the Chief of Staffing, Central Office, to the Bureau Personnel Director, will include the candidate's name, proposed position, organizational location, and legal appointing authority.

b. Justification. The justification must address the following issues in regard to the candidate:

(1) superior qualifications,
(2) comparison to other candidates,
(3) recruitment efforts,
(4) salary requirements, and
(5) recruitment bonus offer.

The justification must clearly demonstrate that the candidate has superior qualifications. This would include a detailed description of the candidate's educational background,

experience, and any pertinent licenses, certifications, awards, publications or accomplishments. This must be supported by the application or resume and other available documentation.

If there are other available qualified candidates, it must be demonstrated why this candidate's credentials exceed the credentials of the other candidates. Specific reasons must be given for those candidates not selected.

Recruitment efforts to attract such a candidate must be addressed in the justification. Examples include attendance at job fairs, regional advertising campaigns, and the fact the position has remained vacant for an extended period of time.

* The candidate's unwillingness to accept the minimum salary rate of the position must be indicated in the justification.

A statement shall be included indicating a recruitment bonus was offered in lieu of or in addition to the above the minimum rate. If a recruitment bonus was offered, but declined, the reason must be given for this decision. *

c. Application. The application or resume must be signed and include complete descriptions of experience, educational credentials, and salary requirements.

d. SF-52. A copy of the SF-52 with complete signatures, the name of the employee, and the proposed grade and step.

e. Certificate of Eligibles. A copy of the Certificate of Eligibles on which the candidate's name appears along with proper annotations of non-selections of other candidates, if applicable. If other hiring authorities are used, include the documentation (i.e. merit promotion certificate and selective factors).

f. Position Description (PD) and Cover Sheet. A copy of the PD with all required signatures on the cover sheet.

* g. Employment Verification. A copy of earning statements not over three months old, photocopy of the previous year tax forms or W-2, salary verification by an accountant or current employer on company letterhead, or written employment offers, whichever is applicable.

Written employment offers less than three months old must promise a comparable salary and indicate the position is currently available to the candidate. Also, all documentation submitted as evidence of present or past salary must match the salary indicated on the application or resume for the last position held. *

h. Above the Minimum Rate Checklist. The Above the Minimum Rate Checklist (Attachment 3-20) shall be signed by the Human Resource Manager to certify the above the minimum rate request is complete and will be included as the top cover sheet in the package.

Proper documentation shall be noted on the Above the Minimum Rate Checklist (Attachment 3-20) as to the date received and date forwarded to the Central Office. All other information on the Above the Minimum Rate Checklist must be noted and certified by signature from the Human Resource Manager prior to mailing to the Central Office.

Questions regarding appointments above the minimum rate may be directed to the Staffing Section.

338.6 MAXIMUM ENTRY AGE FOR LAW ENFORCEMENT POSITIONS

1. PURPOSE AND SCOPE. To delineate maximum entry age for law enforcement positions.

2. DIRECTIVES REFERENCED

a. 5 U.S.C. 8331.

b. DOJ Order 1338.1B

3. PROVISIONS. Under the provisions of Public Law 93-350 (5 U.S.C. 8331 (20) (A) (D), Congress provided federal agencies with the authority to establish maximum age limits in which original appointments may be made to positions of law enforcement officers. The definition of law enforcement officer, for the purpose of this provision, specifically includes employees of the Bureau of Prisons whose duties require contact with individuals incarcerated in federal correctional facilities.

On June 4, 1975, the U.S. Civil Service Commission (now the Office of Personnel Management) concurred with the Attorney General's decision to set the maximum age for original entry into all positions within correctional facilities of the Bureau of Prisons as the date immediately preceding one's 35th birthday. This maximum age limit is an exception to the Age Discrimination in Employment Act and was upheld in Stewart v. Smith 673 F.2d 485 (DC Cir. 1982).

Effective June 4, 1991, under the authority of Public Law 100-238, the Attorney General raised the maximum entry age for law enforcement positions in the Department of Justice to the date immediately preceding one's 37th birthday.

* 4. EXCEPTIONS. The Department of Justice has excepted medical officers, dental officers, Catholic chaplains, Islamic chaplains, Jewish Rabbis and physician assistants from the maximum entry age. *

5. WAIVERS. A waiver of the maximum entry age requirements may be requested for any position for which there is a shortage of applicants under the age of 37. A waiver may be granted which allows the appointment of a candidate up to the date immediately preceding their 40th birthday. The Director of the Bureau of Prisons is authorized by the Attorney General to approve a waiver of the maximum entry age for appointments to the positions of nurse and clinical psychologist. Waivers for other occupations require the approval of the Department of Justice. Requests for age waivers are submitted to the Staffing Section and must include:

a. Memorandum from the CEO to the Bureau Personnel Director describing unsuccessful efforts to recruit applicants under the age of 37

b. The proposed entry on duty date;

c. A statement that fully explains the basis for the desired exception;

d. Copy of SF-39 and certificate of eligibles, if the candidate is being considered from an OPM register;

e. Copy of position description for the vacancy; and

f. Copy of applicant's SF-171.

6. TEMPORARY APPOINTMENTS. The Department of Justice has issued an opinion that a temporary appointment is not subject to the maximum entry age, as the age limit applies to the initial permanent appointment to a law enforcement position.

338.7 NONCITIZENS

1. PURPOSE AND SCOPE. To establish procedures for appointment of noncitizens to fill the following positions:

- Clinical Psychologist
- Correctional Officer
- Correctional Treatment Specialist
- Counseling Psychologist
- Medical Officer
- Physician Assistant

3. AUTHORITY. The Office of Personnel Management has delegated to the Bureau of Prisons the authority to appoint noncitizens to fill the positions referenced above in the absence of applicants who are qualified U.S. Citizens.

4. PROCEDURES. Institutions may request approval to hire noncitizens only after all available resources have been exhausted in an effort to hire qualified U.S. Citizens. Realistically, such requests are only justifiable for hard-to-fill positions such as Physician Assistant, Psychologist and Medical Officer.

The three major considerations in making determinations on requests to appoint noncitizens are:

a. No qualified U.S. Citizens available at any grade level.

b. Proof of extensive efforts to recruit qualified U.S. Citizens.

c. Noncitizen applicants must meet all requirements in accordance with the Appropriation Act and qualification standards.

Requests to hire noncitizens are submitted to the Examining Section and must include:

a. Standard Form 59, "Request for Approval of Noncompetitive Action",

b. Memorandum requesting approval to hire a noncitizen and describing efforts to hire U.S. citizens with supporting documentation.

c. Copies of all SF-39's for certificates requested from appropriate register during the last 12 months and current SF-39's for all grade levels showing no available

applicants. DO NOT NAME REQUEST NONCITIZENS ON SF-39's, they are not permitted on federal registers.

d. SF-52, signed by the Chief Executive Officer, for the requested appointment of a noncitizen. The nature of action is "Excepted Appointment" and the appointment authority is Schedule A, Section 213.3102(bb).

e. SF-171 and college transcript of prospective employee.

f. INS Form I9, verification that prospective employee is a legal alien of the United States.

g. Credential evaluation letter for foreign medical graduate, if applicable.

5. PRIOR APPROVAL. Noncitizens may not be appointed or enter on duty until after approval is granted by the Chief of the Examining Section.

6. APPROPRIATION ACT RESTRICTIONS. The current Appropriation Act prohibits the payment of noncitizens from appropriated funds unless they:

a. Owe allegiance to the United States, i.e., are a native of American Samoa.

b. Are an alien of Cuba, Poland, South Vietnam, citizen of Israel or the Baltic countries lawfully admitted to the United States for permanent residence.

c. Are South Vietnamese, Cambodian and Laotian refugees paroled into the United States between January 1, 1975 and September 29, 1979.

d. Are Nationals of countries allied with the United States in the current defense effort. The following countries currently are allied with the United States in a defense effort:

Argentina	Italy
Australia	Japan
Bahamas	Korea, Republic of
Belgium	Luxembourg
Bolivia	Mexico
Brazil	Netherlands
Canada	New Zealand
Chile	Nicaragua
Colombia	Norway
Costa Rica	Panama
Cuba	Paraguay
Denmark	Peru
Dominican Republic	Philippines

Ecuador
El Salvador
France
Portugal
Spain
Thailand

Germany, Federal Republic of
Greece
Guatemala
Haiti
Honduras
Iceland
Trinidad and Tobago
Turkey
United Kingdom
Uruguay
Venezuela

Questions on the appointment of noncitizens or submission of requests for approval should be directed to the Examining Section.

339.1 PHYSICAL REQUIREMENTS FOR INSTITUTION POSITIONS

* 1. PURPOSE AND SCOPE. All positions located in correctional institutions are hazardous duty law enforcement officer positions, and require individuals to be physically able and medically qualified to perform correctional work safely and successfully. These positions require a physical examination after a conditional offer of employment has been extended and have higher physical requirements than non-law enforcement officer positions.

2. DIRECTIVES AFFECTED

Directives Referenced

5 CFR, Part 339
OPM Qualification Standards Operating Manual

PS 3906.14 Physical and Medical Standards for Newly Hired Correctional Employees (11/19/96)

3. PHYSICAL STANDARDS. Incumbents of positions in correctional institutions are considered law enforcement officers and must be alert at all times and able to recognize and respond effectively to emergencies. Inability to respond to an emergency may jeopardize the security of the institution and the safety of staff and inmates.

a. Applicants entering on duty and non-law enforcement employees selected for a law enforcement position, after January 1, 1997, must meet the medical guidelines and physical standards established under the Qualification Standard for Positions Requiring Collateral Correctional Skills, and in the Program Statement on Physical and Medical Standards for Newly Hired Correctional Employees.

b. Current employees in law enforcement positions will not normally be subject to a further physical examination. However, employees must be able to perform the following physical activities: *

(1) Walking for up to one hour;

(2) Standing for up to one hour;

(3) Seeing a human figure at a distance of one-fourth of a mile;

(4) Seeing a target at a distance of 250 yards;

(5) Hearing and detecting movement;

(6) Hearing commands and radio broadcasts.

(7) Ability to use various firearms, including pistols, rifles and shotguns;

(8) Ability to perform self-defense movements;

(9) Running an extended distance;

(10) Dragging a body an extended distance;

(11) Carrying a stretcher with one other person;

(12) Ability to smell smoke and drugs;

(13) Climbing stairs; and

(14) Lifting objects weighing 25 pounds.

* 4. ACTION BY THE MEDICAL OFFICER. Each applicant and non-law enforcement employee shall be evaluated based on the physical requirements for law enforcement positions and the abilities of the individual. The Medical Officer shall determine the individual's ability to perform the duties of the position based on a medical history report and physical examination. The Medical Officer shall make a recommendation to retain the applicant for employment based upon his/her findings from the medical evaluation.

The selection of a non-law enforcement employee into a law enforcement position is contingent upon a satisfactory medical evaluation and successful completion of the Introduction to Correctional Techniques Program. *

The procedures described herein are separate from periodic assessments of correctional institution staff and their ability to perform the essential functions of their positions, with or without reasonable accommodation.

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339.3 RECRUITMENT BONUSES AND RETENTION ALLOWANCES

RECRUITMENT BONUSES

1. PURPOSE AND SCOPE. To institute the Bureau's plan for paying a recruitment bonus to a newly appointed employee when it would otherwise be difficult to fill the position with a high quality applicant.

2. DIRECTIVES REFERENCED

PS 2013.01 Financial Management - Debt Management (03/03/94)

4 CFR 102.4
5 CFR Part 575

5 U.S.C. 5753
31 U.S.C. 3716
5 U.S.C. 5333

3. PROCEDURES

* a. Criteria. Recruitment bonuses, up to 25 percent of the annual rate of basic pay, may be provided to employees who are:

- Newly appointed to the Bureau (i.e., the first appointment as a federal employee), or
- Being appointed following a break in service of at least 90 days.

Career experience students (formerly Co-ops), interns, and law clerk trainees are exempt from the 90-day break in service requirement when accepting the first permanent appointment.

The bonus is calculated on the rate of basic pay before any deductions (such as taxes) and exclusive of additional pay of any kind, such as locality-based comparability payments and overtime. However, basic pay does include a special salary rate if one has been established for the occupation and location. *

Each recruitment bonus requires a written service agreement (Attachment 3-25) between the Bureau and the newly appointed employee, under which the employee agrees to a minimum of 24 months of employment with the Bureau in return for a recruitment bonus payment.

b. Review and Approval Authority. Each recruitment bonus must be requested in writing by the appropriate Chief Executive Officer through the Regional Director and approved by the Assistant Directors of Human Resource Management, Administration, and the discipline involved, if any (Attachment 3-24).

Recruitment bonus offers for attorneys and Senior Executive Service employees must be approved by the Deputy Attorney General or his/her designee.

c. Requirements for Paying a Recruitment Bonus. The requirements for paying a recruitment bonus are as follows:

(1) Each recruitment bonus must be based on a **written case-by-case determination** that the candidate is highly qualified to perform the duties of the position to be filled **and** the Bureau would have considerable difficulty in filling the position with a high quality candidate if a recruitment bonus were not paid. These determinations must be made **before** the employee **enters on duty** into the position for which the employee was recruited. The written request must be sent to the Human Resource Management Division, Staffing Section, for routing to the approving officials prior to entrance on duty.

(2) To determine whether a recruitment bonus should be paid or the amount of any such payment, the recommending and approving officials must consider the following factors which must be outlined in the written case-by-case determination:

(a) availability of funds to pay the recruitment bonus to the candidate/employee under current consideration (regional or institutional funding is required);

(b) the success of recent efforts to recruit high quality candidates for similar positions, including indicators such as offer acceptance rates, proportion of positions filled, and the length of time required to fill similar positions;

(c) recent turnover in similar positions;

(d) labor-market factors that may affect the ability of the Bureau to recruit high quality candidates for similar positions now or in the future;

(e) special qualifications needed for the position;

(f) the candidates qualifications; and

(g) the practicality of using the superior qualifications appointment authority provided by 5 U.S.C. 5333 and 5 CFR 531.203(b) alone, or in combination with a recruitment bonus.

(3) The recruitment bonus payment is calculated as a percentage of the employee's rate of basic pay, not to exceed
* 25 percent, and is paid as a lump sum on or after the date the employee enters on duty. The bonus is not considered part of the employee's rate of basic pay for any other purpose. Upon approval, an SF-52 is prepared to authorize the payroll office to

pay the bonus and to document the bonus payment in the employee's Official Personnel Folder. *

d. Department of Justice Reporting Requirements. The Department of Justice (DOJ) requires written documentation for recruitment bonus pay. This documentation must be available for the Office of Personnel Management review upon request. The documentation must include sufficient information to clearly justify the bonus payment, and to explain the criteria used to determine the need for paying the bonus, and the candidate's qualifications must be in sufficient detail to demonstrate that he/she is highly qualified for the position.

In order to justify the recruitment bonus and to comply with DOJ reporting requirements, **all** recruitment bonus requests must be in the **format outlined in Attachment 3-24**.

e. Service Agreements and Pay-Back Requirements

(1) Before a recruitment bonus may be paid, the affected employee must sign a written service agreement (Attachment 3-25) to complete a minimum of 24 months of employment with the Bureau.

(2) Except as provided by Paragraph (3) below, an employee who fails to complete the 24 months shall be indebted to the Federal Government and shall repay the recruitment bonus on a pro rata basis. The pro rata basis for repayment will be determined as follows:

(a) if the employee completes less than one-fourth of the agreed-upon length of service, the full bonus must be repaid.

(b) if one-fourth or more of the service is completed, the amount to be repaid is determined by dividing the number of months **remaining** in the service agreement by the total number of months in the service agreement, and multiplying the result by the bonus amount.

(3) Paragraph (2) of this section does not apply if an employee fails to complete a period of employment established under a service agreement due to circumstances beyond the employee's control, (i.e., disability, retirement, reduction in force, or transfer of functions). If an employee is terminated, repayment of the recruitment bonus is required.

(4) Movement between positions in the Bureau or components of the DOJ does not constitute failure to complete the service agreement. However, if an employee voluntarily moves between DOJ components, the gaining component must reimburse the component that paid the bonus a pro rata share determined using the provisions in Paragraph (2) of this section.

(5) Amounts owed by an employee who fails to complete the period of employment established under a service agreement shall be recovered from the employee in accordance with 4 CFR 102.4, 31 U.S.C. 3716 and the Program Statement on Financial Management-Debt Management.

(6) The right of recovery of an employee's debt under 31 U.S.C. 3716 may be waived in whole or in part by the Attorney General if a determination is made that recovery would be against equity and good conscience or against the public interest.

RETENTION ALLOWANCES

1. PURPOSE AND SCOPE. To authorize a retention allowance up to 25 percent of an employee's basic pay, if unusually high or unique qualifications of the employee or a special need of the Bureau for the employee's services makes it essential to retain the employee, **and** the agency determines that the employee would be likely to leave in the absence of a retention allowance.

2. DIRECTIVES AFFECTED

Directives Referenced

5 U.S.C. 5754

5 CFR Part 575

3. PROCEDURES

a. Criteria. A retention allowance may be offered to an employee who has completed at least 24 months of service with the Bureau. The bonus is calculated on the rate of pay before any deductions and exclusive of additional pay of any kind, such*as locality-based comparability payments. A retention allowance is based on the employee's basic pay. If the employee's pay is based on a special salary rate, it shall be used in calculating the retention allowance. *

b. Review and Approval Authority. Each retention allowance must be approved in writing by the appropriate Executive Staff member (Assistant or Regional Director),(Attachment 3-26) and forwarded to the Human Resource Management Division, Staffing Section, who shall forward the written request to the Director for final approval.

* Annually, the local Human Resource Management office is responsible for reviewing the justification for the employee's retention allowance and determining whether payment is still warranted. Once the determination is made to continue or discontinue the retention allowance, it must be approved in writing by the appropriate Executive Staff member (Assistant or Regional Director) and forwarded to the Human Resource Management

Division, Staffing Section. The written request is then forwarded to the Director for final approval. *

c. Determination to Pay a Retention Allowance. The requirements for paying a retention allowance are as follows:

(1) Each retention allowance must be based on a written case-by-case determination that the candidate possesses unusually high or unique qualifications, **and** the employee would be likely to accept employment outside the Federal government absent a retention allowance.

(2) To determine whether a retention allowance should be paid and the amount of any such payment, the recommending and approving officials must consider the following factors which must be outlined in the written case-by-case determination:

(a) the availability of funds to pay the retention allowance to the employee under current consideration;

(b) the extent to which the employee's departure would affect the Bureau's ability to carry out an activity or perform a function deemed essential to the Bureau's mission;

(c) the success of recent efforts to recruit candidates with qualifications similar to those the employee possesses or for positions similar to the employee's position; and

(d) the availability in the labor-market of candidates for employment who, with minimal training or disruption of services to the public, can perform the full range of duties and responsibilities assigned to the employee's position.

3. Payment of a retention allowance is calculated as a percentage of the employee's rate of basic pay, not to exceed 25 percent, and this is paid in the same manner and at the same time as basic pay. The aggregate of continuing payments, however, may not exceed the rate payable for Level I on the Executive Schedule. Payment of a retention allowance may be continued as long as the conditions giving rise to the original determination to pay the allowance still exist. However, each determination to pay a retention allowance shall be reviewed annually by the recommending Executive Staff member and the Director and must be certified in writing. Adjustments may be made.

Summary charts are available for both recruitment bonuses and retention allowances as a quick reference guide (Attachments 3-22 and 3-23). *

410.1 TRAINING AGREEMENTS

1. PURPOSE AND SCOPE. To describe the Bureau of Prisons' training agreements.

2. DIRECTIVES AFFECTED

Directive Referenced

FPM Chapter 337

3. PROCEDURES

a. The Department of Justice has approved training agreements for Physician Assistants. Under the terms of these agreements, a Physician Assistant may be promoted from GS-7 to GS-9 or from GS-9 to GS-11 after satisfactory completion of a six-month training program. Employees serving on temporary appointments are not eligible for accelerated promotions. The training agreement is included as Attachment 4-1 to this chapter of the manual.

b. Satisfactory completion of the training program will be certified by the employee's department head and the Human Resource Manager before the employee is promoted to the next grade level. The certification forms are included in Attachment 4-1. One copy of the certification will be filed on the left side of the Official Personnel Folder and one copy will be forwarded to the Employee Development Manager for documentation of the employee's training record. Accelerated promotions based on training agreements will be documented on the SF-50 with the remarks code E37 showing that the employee satisfactorily completed training prescribed under an OPM-approved training agreement.

c. Employees who have received an accelerated promotion based on a training agreement are eligible for subsequent promotions based on the "add-on rule" described in FPM Chapter 337 and the OPM Qualifications Handbook. Qualifications rating sheets for subsequent promotions following an accelerated promotion will include a remark to document the employee's eligibility for promotion based on the "add-on rule."

430.1 PERFORMANCE EVALUATION PROGRAM FOR BARGAINING UNIT EMPLOYEES

1. PURPOSE AND SCOPE. The objectives of the performance evaluation program are to help improve performance, strengthen supervisor-employee relationships and communications, identify and inform employees of work requirements and standards, recognize employee accomplishments and good work, identify and correct work deficiencies, and guide personnel actions such as within-grade and quality step increases, promotions, demotions, removals, reassignments, performance awards, and training.

2. DIRECTIVES AFFECTED

Directives Referenced

a. P.S. 3451.02 Awards Program, Incentive Awards, Bureau of Prisons (06/13/89)

b. FPM Chapters 430, 432.

* c. 5 CFR 293, 430, 451, 531 and 771. *

d. 5 U.S.C., Chapters 43 and 45.

3. TOPICS COVERED

Purpose
References
Coverage
Responsibilities
Basic Program Requirements
Rating Period
Job Elements and Performance Standards
Issuing Performance Standards
Monitoring Performance - Performance Log
Progress Review
Final Rating
Final Discussion
Filing and Disposition of Performance Logs and Rating Forms
Probationary Employees
Informing Supervisors and Employees
Performance Rating appeals
Relationship to Within-Grade-Increases
Quality Step Increases and Performance Awards
Addressing Deficient Performance
Minimally Satisfactory Performance

Unacceptable Performance, and
Proposing and Taking Action Based on Unacceptable Performance

4. COVERAGE. This section applies to all employees in the bargaining unit except those serving under appointments of less than 90 days.

5. RESPONSIBILITIES

a. The Assistant Director, Human Resource Management Division, is responsible for the overall administration of this program.

b. The Federal Bureau of Prisons Personnel Director is responsible for ensuring that the performance evaluation program is carried out throughout the system in compliance with current laws and regulations.

c. Chief Executive Officers are responsible for ensuring that there is an effective performance evaluation program at their level of the organization.

d. The Approving Official for outstanding performance ratings is the Chief Executive Officer for institution and regional office staff or the appropriate Assistant Director for Central Office staff. The approving official must be at least two supervisory levels above the employee being rated.

e. The Reviewing Official is the next supervisor above the rating official and is responsible for assigning an overall rating and approving or adjusting individual element ratings. Reviewing officials are also responsible for monitoring the performance appraisal practices of subordinate supervisors and providing advice or instruction as needed. Reviewing officials ensure that recommendations for incentive awards based on performance ratings are consistent with policy and determine whether recommendations for outstanding performance ratings will be forwarded to the approving official.

f. The Rating Official is the first level of management having the full range of supervisory responsibilities, including recommending performance awards. Rating officials are responsible for maintaining the employee's performance log, conducting progress reviews and completing the annual performance rating in accordance with the procedures in this section.

g. Employees are responsible for becoming familiar with the objectives and procedures of the performance evaluation program and for understanding the elements and performance standards for their positions. The employee is responsible for seeking

clarification from the supervisor on any performance standard or any other aspect of this program which is not clear. The

employee should inform the supervisor of any factors or circumstances which the employee believes should be considered in evaluating his/her performance.

h. Human Resource Managers are responsible for providing training, advice and assistance to employees and supervisors on this program. They are also responsible for maintaining adequate supplies of the rating forms and performance standards for distribution to supervisors.

i. Local Procedures. Specific procedures and responsibilities for initiating the issuance of performance standards, monitoring changes in performance standards and rating periods, maintaining rating forms during the rating period, recommending training and incentive awards based on performance ratings and other aspects of this program not described in this section are left to the discretion of the local Chief Executive Officer. Institutions and offices should develop written procedures to ensure that the requirements of this program are fully implemented.

6. BASIC PROGRAM REQUIREMENTS. The basic structure of the performance evaluation program is outlined below and is described in detail in subsequent sections.

a. At the beginning of the rating period, the rating official gives the employee a copy of the performance standards for their position and discusses them. Both the employee and rating official sign the rating form, indicating that the discussion has taken place.

b. Throughout the rating period, the rating official makes entries in the employee's performance log. Each element of the performance standards must be addressed at least once each quarter. The rating official discusses each entry in the performance log with the employee as it is made. Entries in the performance log serve as the basis for the progress review and final rating.

c. Halfway through the rating period, the rating official completes a written progress review and discusses it with the employee. Both the employee and rating official sign the progress review section of the rating form.

d. At the end of the rating period, the rating official evaluates each element of the performance standards, assigns an adjective rating to each element and forwards the rating to the reviewing official. The reviewing official approves or adjusts the individual element ratings, assigns an overall rating (and forwards the rating to the approving official in the case of outstanding ratings) and returns the rating to the rating official for discussion with and signature by the employee.

Except in unusual circumstances, employees must receive their performance rating within three weeks after the end of the rating period.

e. An employee must have worked under a set of performance standards for a minimum of 90 days before receiving a rating based on those standards. A rating official must have supervised an employee for a minimum of 90 days before he or she can rate the employee. These 90-day requirements apply only to final ratings, not to progress reviews. There is no minimum time requirement before a reviewing official can review a rating.

7. RATING PERIOD. The rating period for non-probationary employees begins on April 1 each year and ends March 31 the following year, except as provided below:

a. If an employee changes positions which results in a change of performance standards, their rating period begins on the date of the change and ends on March 31, or 90 days after the date of the change, whichever is later.

b. If an employee changes supervisors, their rating period does not end until they have been under the same supervisor for at least 90 days.

c. If a rating period is extended past March 31 in order to meet one or both of the conditions described above, then the employee's next rating period starts on the day after the above conditions are met and ends on March 31 the following year.

d. The rating period for a probationary employee starts on the effective date of their appointment and ends one year later. Their next rating period starts on the day after their probation ends and ends on March 31 the following year.

8. JOB ELEMENTS AND PERFORMANCE STANDARDS

a. Common job elements and performance standards have been developed for all occupations within the Bureau of Prisons. Elements and standards are issued on pre-printed forms, making it unnecessary to type the elements and standards on the rating form. Rating officials must review these standards and delete any element which is clearly not applicable to a particular position. Rating officials may also develop one additional element with standards and tasks to meet unique or unusual responsibilities for a particular position, however, since all job elements are critical, these responsibilities must be substantial and highly important to the position. If such an element or standard is developed, it must be reviewed and approved for use by the Bureau Personnel Director. Once an element and standard are approved for use, it will be typed on the preprinted elements and standards which apply to that position.

b. A job element is an aspect of the position consisting of one or more duties or responsibilities which is sufficiently important that inadequate performance of the element would result in unacceptable performance in the position. All job elements are critical.

c. A performance standard is a statement of the expectations or requirements established by management for an element at a particular rating level. A performance standard may include factors such as quality, quantity, timeliness and manner of performance.

d. Tasks are examples of job duties that are representative of a job element under the performance standards. Not all tasks described under an element are applicable to all occupations covered by that performance standard. The tasks described in the performance standards are examples of typical duties which would be performed in that job element.

e. The performance appraisal program allows for rating individual elements, as well as overall performance, at one of five levels. The performance standards and tasks are described at only three levels. Rating officials may infer performance at one of the levels not described by comparing the employee's actual performance to the levels which are described. For example, if an employee's performance is better than the examples given for the "fully successful" level, but does not meet the examples given for the "outstanding" level, the employee's performance should be rated at the "exceeds" level.

9. ISSUING PERFORMANCE STANDARDS. At the beginning of the rating period, the rating official will discuss the elements, standards and tasks for the position with the employee. This discussion should take place as soon as possible after the start of the rating period, normally within 30 days. The rating official and employee will sign and date the rating form, certifying that the elements and standards are understood. If a new element and standards are added during the rating period (or if an element is deleted), the rating official and employee will again discuss them and sign and date the rating form. If the rating official changes during the rating period but there is no change in performance elements and standards, it is not necessary for the new rating official to review the standards with the employee or sign the rating form, however, rating officials are always responsible for discussing performance standards and responding to employees' requests for clarification of the standards.

If an employee is detailed or temporarily promoted to another position in the Bureau of Prisons and the assignment is expected to last at least 90 days, the employee will be given the

performance standards for the temporary assignment within 30 days of beginning the detail or temporary promotion. An interim

rating will be prepared at the end of the detail or temporary promotion and the weight given to this interim rating will be proportional to it's share of the total appraisal period.

If an employee is detailed outside the Bureau of Prisons, reasonable efforts will be made to obtain appraisal information from the outside organization which shall be considered in arriving at the employee's rating of record. If the employee has served in the Bureau for the minimum time period, the employee must be rated. The rating will take into account appraisal information obtained from the borrowing organization. If the employee has not served in the Bureau for the minimum time period, but has served the minimum time period in the outside organization, reasonable efforts will be made to prepare a rating based on the appraisal information from the borrowing organization or the rating will be deferred until the employee is able to serve the minimum time period in the Bureau or the borrowing organization is able to provide appraisal information.

If an employee transfers to the Bureau from another agency, any summary ratings which are forwarded from the former agency and which cover the same time period as the Bureau's rating period will be considered in arriving at the employee's rating of record. The weight given to a rating from a former agency will be proportional to the share of the rating cycle covered by it. The rating of record most recently rendered by the former agency will be the employee's current rating of record until it is superseded by a rating of record issued by the Bureau.

10. MONITORING PERFORMANCE - PERFORMANCE LOG. The performance appraisal process requires that rating officials observe and note employee performance continuously throughout the rating period. Rating officials must record examples of employee performance to ensure that the rating at the end of the rating period is an accurate and fair appraisal of the employee's performance during the whole rating period. The performance log is used to document and substantiate the final rating.

a. Format. Attachment 4-2 is a sample performance log, although, any form the rating official finds useful, including 5 x 8 cards, is acceptable.

b. Time Requirements. The rating official must record performance incidents in the log so that each element is addressed at least once each quarter. If no significantly positive or negative performance is noted for a particular element during a quarter, the rating official will make an entry describing typical performance over the course of the quarter. Rather than waiting until the end of the quarter, rating officials must make entries in the log as the performance is noted in order to meet the following time requirements. Rating

officials must record specific incidents in the performance log within fifteen working days of becoming aware of the incident.

After an entry has been made in the performance log, the employee will be given an opportunity to see the entry as soon as practicable and before the entry is used officially, but no later than fifteen working days after the entry is made. The employee will be asked to initial the entry, indicating only that the entry was discussed, not necessarily that they agree with it. These time requirements may be adjusted, if necessary, because of the rating official's or employee's absence.

c. Content of Performance Log Entries. Performance log entries will document instances of important or significant job-related performance, both positive and negative. Log entries must document the actual behavior of the employee, not personality traits or judgmental conclusions drawn by the supervisor. Instances of performance recorded in the log must be related to one or more elements of the employee's performance standards and include, at a minimum:

(1) the date of the performance incident,

(2) what the employee did that was particularly effective or ineffective,

(3) circumstances surrounding or contributing to the performance incident such as the consequences of the performance, whether the employee had sufficient time and resources or whether circumstances outside the employee's control contributed to the performance,

(4) level of performance assigned.

d. Multiple Supervision. If an employee is supervised by more than one supervisor during the rating period, those supervisors are responsible for providing the rating official with any comments or incidents for consideration for inclusion in the performance log. This provision does not apply to employees who are detailed to another supervisor for 90 days or more and who receive new standards and an interim rating in accordance with paragraph 9 of this section.

e. Documenting Unacceptable Performance. Instances of unacceptable performance recorded in the performance log require additional actions by the supervisor. Refer to Paragraph 22 of this section for information on addressing unacceptable performance.

11. PROGRESS REVIEW. In addition to the frequent informal discussions of performance resulting from performance log entries, the rating official will conduct at least one formal progress review during the rating period.

a. One progress review is required for non-probationary employees and it will be conducted at the halfway point of the rating period.

b. Three progress reviews are required for probationary employees and they will be conducted at the end of the third, sixth and ninth months of the probationary year.

c. The rating official will make narrative comments for each job element in the progress review section of the performance appraisal form. No adjective rating is assigned to the elements at this time. The rating official will discuss the progress review with the employee and both will sign the form at the bottom of the progress review section. There is no provision or requirement for the reviewing official to review or comment on the progress review, however, reviewing officials may examine the progress reviews prepared by their subordinate supervisors.

d. Progress reviews and the annual rating for probationary employees require two performance appraisal forms. One form is used to record the 3-month and 6-month progress reviews and a second form is used for the 9-month progress review and annual rating. Rating officials must ensure that a probationary employee signs the top of both forms, indicating their understanding of their performance standards and that they sign the bottom of the form upon completion of each of the progress reviews and the annual rating. The rating official does not assign adjective ratings for any of the probationer's progress reviews; adjective ratings are assigned to the elements only for the final rating at the end of the probationary period. Likewise, there is no provision or requirement for the reviewing official to review or comment on the 3-month, 6-month or 9-month progress reviews of probationary employees, however, rating officials may examine the progress reviews prepared by their subordinate supervisors. The reviewing official assigns the overall rating and makes narrative comments on the final annual rating of a probationary employee.

12. FINAL RATING

a. Determining Element Ratings

(1) The rating of an employee's performance in each job element is based upon the incidents recorded in the performance log.

(2) Each element will be rated at one of five levels: Unacceptable, Minimally Satisfactory, Fully Successful, Excellent or Outstanding.

(3) Each element will be rated at the level which reflects the level assigned to the majority of performance log entries for that element. If there are an equal number of performance log entries at two different levels, the rating official may assign either of the two levels unless there is an intermediate level or levels. For example, if two log entries are "fully successful" and two are "excellent," the rater may assign either "fully successful" or "excellent" as the element rating. If two log entries are "fully successful" and two are "outstanding," the rater must assign "excellent" as the element rating.

(4) Special provisions apply when rating an element as unacceptable. Refer to Paragraph 22 of this section for the procedures for documenting unacceptable performance.

(5) The rating official will mark the block on the rating form which reflects the adjective rating for each element, write narrative comments in the space provided for each element and write narrative comments on the employee's overall performance in the "rater's comments" section of the form. Rating officials are also encouraged to complete the training and career development section of the form with recommendations for training or other developmental activities.

(6) For dual or multiple supervision, all supervisors of 90 days or more should provide input into the rating process and initial the rating form as rating officials. Reviewing officials may also seek input from supervisors of lesser periods of time.

b. <u>Overall Rating</u>

(1) The overall rating is assigned by the reviewing official, based on the individual element ratings. Reviewing officials assign the overall rating by marking the appropriate block and writing narrative comments in the "reviewer's comments" section of the form.

(2) Except in the case of outstanding ratings, the rating assigned by the reviewing official is the final rating. If the proposed rating is outstanding, the Chief Executive Officer or Assistant Director is the approving official. Reviewing officials must adjust individual element ratings to be consistent with the overall rating, however, any such changes by the reviewer must be substantiated by the comments in the reviewing official's block on the rating form.

(3) Unacceptable performance in one or more elements mandates an overall rating of unacceptable.

(4) An overall rating of minimally satisfactory is demonstrated by minimally satisfactory performance in more than one element and no element rated as unacceptable.

(5) An overall rating of fully successful is demonstrated by a rating of fully successful or higher in a majority of the elements, no more than one minimally satisfactory element and no unacceptable element.

(6) An overall rating of excellent is demonstrated by a rating of excellent or higher in a majority of the elements and no element rated less than fully successful.

(7) An overall rating of outstanding is demonstrated by a rating of outstanding in a majority of the elements and no element rated less than excellent. When an outstanding rating is approved by the approving official, the rating official must also recommend the granting of additional recognition in the form of a cash or non-cash award or a quality step increase for those employees who are otherwise eligible. Refer to the Incentive Awards Manual for the criteria for performance awards.

(8) In the event of an equal number of element ratings, the reviewing official has full discretion in approving the overall rating that best reflects the employee's performance.

* 13. FINAL DISCUSSION. After the reviewing official has approved the final rating (and the approving official has approved an outstanding rating), the rating form is returned to the rating official for discussion with the employee. No rating will be discussed with the employee until after the reviewing official and, if necessary, the approving official, has approved the final rating. The rating official should give adequate time and attention to this part of the evaluation process, reviewing with the employee the strengths and weaknesses noted in the performance appraisal. Rating officials are strongly encouraged to specify areas in which their employees should seek out training, education, or other developmental activities to improve skills and/or knowledge or enhance career advancement and promotion potential (using Section H on the appraisal form for this purpose). The employee will sign the bottom of the form indicating that the performance rating has been discussed and the employee will receive a copy of the rating. The original copy of the rating, with signatures, will be returned to the HRM office

for recording and filing. This is also an appropriate opportunity to review the performance standards for the next rating period and obtain the rater's and employee's signatures on the blank form which will be used for the next rating period. *

14. FILING AND DISPOSITION OF PERFORMANCE LOGS AND RATING FORMS

a. Distribution instructions for the rating form are printed on the form.

b. The original, signed copy of a completed rating form, including continuation sheets, will be filed in the HRM office, either in the employee's individual Employee Performance File or on the left side of the employee's Official Personnel Folder. A copy of the employee's performance standards may be filed with the rating form or may be maintained in a separate master file of performance standards.

* c. Completed performance ratings will be retained for four years and will be forwarded to a gaining agency in the event of the employee's transfer. *

d. Rating officials will retain the performance log for one year after the performance rating based on the log is approved.

e. If a rating is increased or changed as a result of a successfully pursued grievance or other proceeding, the amended rating will be filed and the contested rating removed and destroyed.

f. The final adjective rating will be keyed into the NFC system, in accordance with instructions in the Payroll/Personnel Processing Manual.

15. PROBATIONARY EMPLOYEES

a. The probationary period is an extension of the examination and selection process and provides an opportunity for management to assess the total suitability of new employees. It is the policy of the Federal Bureau of Prisons to provide probationary employees with an intensive program to ensure that they are provided with direction in their jobs and are capable of performing effectively.

b. Probationary employees receive formal progress reviews immediately following the third, sixth and ninth months of employment, as described in paragraph 11 of this section.

c. The supervisor of a probationary employee must, no earlier than the beginning of the fourth month and no later than the end of the tenth month of probation, submit a signed certification that the employee's performance and conduct have been found satisfactory or that the employee's performance and conduct have been found unsatisfactory. The certification must include a recommendation as to whether the employee should be retained beyond the probationary period. The earlier progress reviews form the basis for this certification and recommendation as to

retention. A probationary employee may be separated after the tenth month following a positive certification and recommendation if performance or conduct deteriorate.

d. Failure to meet the standards of performance and satisfactorily complete training will be a basis for disqualifying an employee during the probationary period. No part of this section is to be interpreted as discouraging or preventing the initiation of removal action at any time during the probationary year if it is determined, after a full and fair trial, that the employee's performance or conduct is not satisfactory. Employees in the competitive service who are serving a probationary period are excluded from the provision of FPM Chapter 432 governing performance-based reduction in grade and removal actions.

16. INFORMING SUPERVISORS AND EMPLOYEES. In recognition of the importance of the performance appraisal program and its significance to both supervisors and employees, a copy of this section of the manual will be provided to all bargaining unit employees upon its issuance and to new bargaining unit employees when they enter on duty. In addition, the Human Resource Manager will ensure that all current rating and reviewing officials receive a copy of this section and will give new rating and reviewing officials a copy when they assume such a position.

Human Resource Managers are responsible for providing advice and assistance to supervisors on all aspects of this program and are encouraged to conduct periodic formal training to review the purposes and procedures of performance appraisal.

Supervisors are responsible for discussing the performance evaluation program with their subordinates, including explaining the purpose of the program, rating procedures and how the process furthers employee and management goals.

17. PERFORMANCE RATING GRIEVANCES. Bargaining unit employees may seek to change their performance ratings by using the negotiated grievance procedure contained in the Master Agreement.

18. RELATIONSHIP TO WITHIN-GRADE INCREASES. To be eligible for a within-grade step increase, an employee must meet the requirements described in 5 CFR 531.404 (General Schedule) or 5 CFR 532.417 (Prevailing Rate System). One of these requirements is that the employee must demonstrate an acceptable level of competence in the duties and responsibilities of their position. Acceptable level of competence is determined by the employee's most current rating of record being an overall rating of fully successful or higher. The rating of record used as the basis of a within-grade increase determination must have been assigned no earlier than the most recently completed appraisal period. If a decision to grant or deny the within-grade increase is

inconsistent with the most recent rating of record, a more current rating of record must be prepared. If the employee's most recent rating of record is fully successful or higher and the performance has deteriorated below an acceptable level of competence, a new rating of record must be prepared on which to base the decision to deny the increase. Similarly, if the most recent rating of record was below fully successful and the performance has improved to an acceptable level of competence, a new rating of record must be prepared on which to base the decision to grant the increase.

A supervisor who determines that an employee does not or may not demonstrate an acceptable level of competence will notify the employee in writing at least 60 days before the date on which the employee will complete the required waiting period for a within-grade increase. At least 15 days prior to the end of the waiting period, the supervisor will tentatively determine whether withholding the increase is warranted. If the employee fails to demonstrate an acceptable level of competence, the next higher supervisory level will review the supervisor's tentative determination. If both supervisors agree to withhold the increase, the immediate supervisor will so advise the employee in writing, stating the reasons for withholding the increase and referring to the advance notice given to the employee.

General Schedule employees are entitled to request reconsideration of a decision to withhold a within-grade increase and to present orally and in writing the reasons he/she believes the decision should be reversed. If the decision is to grant the increase, the employee will be certified as meeting the acceptable level of competence and the increase will be granted retroactively as of the end of the waiting period.

General Schedule and Federal Wage System employees may contest a performance rating on which a negative determination is based under the negotiated grievance procedure contained in the Master Agreement.

19. QUALITY STEP INCREASES AND PERFORMANCE AWARDS. Refer to the Incentive Awards Manual for eligibility criteria for Quality Step Increases and performance awards.

20. ADDRESSING DEFICIENT PERFORMANCE. Addressing performance deficiencies and taking performance-based actions appropriately are important aspects of a sound performance management system. Procedures and requirements for addressing performance which falls below the fully successful level are discussed in the following paragraphs.

21. MINIMALLY SATISFACTORY PERFORMANCE. When instances of performance or overall performance is deemed to be minimally satisfactory, the supervisor should determine what action is best suited to the particular circumstances after discussion with the employee. Counseling, training and closer supervision are the most commonly practiced options available. These efforts should be thoroughly documented. If minimally satisfactory performance continues, the supervisor has the option of continuing counseling, training or closer supervision or finding that the employee's performance has become unacceptable.

22. UNACCEPTABLE PERFORMANCE. These procedures will be followed at any time during the rating cycle when a supervisor records an instance of unacceptable performance in one or more elements of the performance standards in the employee's performance log.

a. Unacceptable Performance Warning. When a supervisor records an instance of unacceptable performance, he/she will issue the employee a written warning of a potentially unacceptable performance rating. This warning letter must include:

(1) Notification of the element or elements in which performance is unacceptable.

(2) Specific examples of the unacceptable performance.

(3) The performance requirements or standards which must be attained in order to demonstrate acceptable performance. The acceptable level of performance for purposes of retention in the position under the Bureau's five-level performance appraisal system is the level between the "unacceptable" level and the "fully successful" level, specifically performance which is "minimally successful".

(4) An reasonable opportunity period to demonstrate acceptable performance on the elements at issue. This opportunity period will normally not be less than 30 days nor more than 90 days following the issuance of the warning letter and will be determined under the circumstances of the particular case. The initially established period may be extended at the agency's discretion for extenuating circumstances such as extended periods of absence during the opportunity period.

(5) Notice that the employee must improve to the acceptable level by the conclusion of the opportunity period and must sustain that level of performance for at least one year from the start of the opportunity period.

(6) A structured performance improvement plan (PIP) to provide the employee opportunities to demonstrate acceptable performance. The PIP may include such activities as developmental assignments, structured employee assistance or counseling, formal training, on-the-job training, mentoring or any other activity which the supervisor believes will afford the employee an opportunity to demonstrate acceptable performance. Careful records must be kept of assistance offered and results achieved under the PIP.

(7) Explanation of actions which may be initiated if the unacceptable performance continues or if acceptable performance is not demonstrated.

Human Resource Managers will assist supervisors in preparing performance warning letters. Warning letters must be approved by the Regional HRM Office and the LMR Section before being issued to the employee.

b. Improved Performance During the Opportunity Period. If, at the conclusion of the opportunity period, the rating official determines that the employee has improved to an acceptable level in the element which formed the basis for the opportunity period, no further action will be taken. When it is time for the annual rating, the rating official will consider the instance of unacceptable performance along with other recorded instances of performance for that element and give it appropriate weight in assigning the rating for that element.

c. Additional Unacceptable Performance During the Opportunity Period. If, at the conclusion of the opportunity period, the rating official determines that the employee has not improved to an acceptable level in the element which formed the basis for the opportunity period, then the rating official will prepare a performance rating, whether or not it is time for the annual rating. The element will be rated unacceptable and the proposed overall rating will be unacceptable.

(1) If it is not time for the annual rating and the reviewing official does not concur with the proposed unacceptable rating, then no rating will be issued. However, if at any time during the remainder of the rating period the supervisor notes another instance of unacceptable performance in the same element, he/she will again propose an unacceptable rating.

(2) If it is time for the annual rating and the reviewing official does not concur with the proposed unacceptable rating, then the reviewing official's rating is the final rating. The reviewing official must adjust the individual element ratings to support the overall

rating given and substantiate these changes in the reviewing official's comments on the rating form.

(3) Whether it is time for the annual rating, if the reviewing official concurs with the proposed unacceptable rating, then an unacceptable rating will be issued together with a notice of proposed action in accordance with paragraph 23 of this section.

d. Additional Unacceptable Performance During the Twelve Months Following the Beginning of the Opportunity Period. In order to demonstrate acceptable performance following a performance warning letter, employees are required to improve their performance to an acceptable level and sustain that level of performance for twelve months following the beginning of the opportunity period. Therefore, if a supervisor notes unacceptable performance in the same element which formed the basis for the warning letter at any time during the twelve months following the beginning of the opportunity period, he/she will prepare a proposed unacceptable rating as described in Paragraph 22c. above. This is the case even if the employee did demonstrate acceptable performance during the opportunity period and/or received a performance rating of minimally successful or better since the issuance of the warning letter.

23. Proposing and Taking Action Based on Unacceptable Performance. When the reviewing official approves and issues an unacceptable performance rating, the reviewing official will also issue a notice of proposed action in accordance with the following procedures:

a. An employee who receives an unacceptable rating may be reassigned.

b. A non-probationary employee whose reduction in grade or removal is proposed is entitled to:

(1) Thirty calendar days advance written notice which specifies the action proposed, the specific instances of unacceptable performance on which the proposed action is based and the elements involved in each instance of unacceptable performance. These instances must have occurred within one year prior to the notice of proposed action;

(2) The right to be represented by an attorney or other representative;

(3) Fifteen calendar days to respond orally and/or in writing to the deciding official. The response time may be extended for a specified time as determined by the deciding official, but not for more than an additional thirty days; and

(4) A final written decision within 30 days after the expiration of the 30-day advance notice period. The written decision must specify the instances of unacceptable performance upon which the action is based and may include any instances of unacceptable performance which occurred during the one-year period prior to the issuance of the advance notice. An action may be based solely on instances of unacceptable performance occurring during the opportunity period or may be based on instances of unacceptable performance occurring before, during and after the opportunity period, as long as the instances took place during the one-year period preceding the issuance of the notice of proposed action. Although the agency is allowed to use instances of pre-opportunity period performance to support an action (though not exclusively), there is no incentive to do so unless the agency wishes to cite such instances as support for its overall performance determination. The final decision must also include notice of the employee's right to appeal the action to the Merit Systems Protection Board or to file a grievance under the negotiated grievance procedure (but not both), the time limits for filing an appeal or grievance, a copy of the MSPB appeal form and a copy (or access to a copy) of the MSPB regulations.

430.2 PERFORMANCE EVALUATION PROGRAM FOR NON-BARGAINING UNIT EMPLOYEES

1. PURPOSE AND SCOPE. The objectives of the performance evaluation program are to help improve performance, strengthen supervisor-employee relationships and communications, identify and inform employees of work requirements and standards, recognize employee accomplishments and good work, identify and correct work deficiencies, and guide personnel actions such as within-grade and quality step increases, promotions, demotions, removals, reassignments, performance awards, and training.

2. DIRECTIVES AFFECTED

Directives Referenced

a. P.S. 3451.02 Awards Program, Incentive Awards, Bureau of Prisons (06/13/89)

b. FPM Chapters 430, 432.

c. DOJ Order 1430.3A Performance Management System (PMS) for General Schedule and Prevailing Rate Employees

d. 5 CFR 293, 430, 451, 531, and 771.

e. 5 U.S.C., Chapters 43 and 45

3. TOPICS COVERED

Purpose
References
Coverage
Responsibilities
Basic Program Requirements
Rating Period
Job Elements and Performance Standards
Issuing Performance Standards
Monitoring Performance - Performance Log
Progress Review
Final Rating
Final Discussion
Filing and Disposition of Performance Logs and Rating Forms
Probationary Employees
Informing Supervisors and Employees
Performance Rating appeals
Relationship to Within-Grade-Increases
Quality Step Increases and Performance Awards
Addressing Deficient Performance

Minimally Satisfactory Performance

Unacceptable Performance
Proposing and Taking Action Based on Unacceptable Performance

*

4. COVERAGE. This section applies to all non-bargaining unit employees, except the following: *

a. Employees serving under appointments of less than 120 calendar days,

b. Persons providing services on a contract basis,

* *

c. Attorneys classified in the GS-905 series,

d. Positions filled by non-career executive assignments,

e. Employees in the Senior Executive Service.

5. RESPONSIBILITIES

a. The Assistant Director, Human Resource Management Division, is responsible for the overall administration of this program.

b. The Federal Bureau of Prisons Personnel Director is responsible for ensuring that the performance evaluation program is carried out throughout the system in compliance with current laws and regulations.

c. Chief Executive Officers are responsible for ensuring that there is an effective performance evaluation program at their level of the organization.

d. The Approving Official for outstanding performance ratings varies with the organizational level of the employee being rated.

(1) Institution Chief Executive Officers are the approving officials for Bureau of Prisons and UNICOR employees at and below the assistant department head level.

(2) Regional Directors are the approving officials for institution employees above the assistant department head level and regional office employees below the Deputy Regional Director. This does not preclude input by the appropriate Assistant Director.

(3) Assistant Directors are the approving officials for Central Office employees except for those employees for whom the Director is the reviewing official. Assistant
* Directors are the approving officials for managerial employees for whom the Regional Directors are the reviewing officials. *

e. The Reviewing Official is the next supervisor above the rating official and is responsible for assigning an overall rating and approving or adjusting individual element ratings. Reviewing officials are also responsible for monitoring the performance appraisal practices of subordinate supervisors and providing advice or instruction as needed. Reviewing officials ensure that recommendations for incentive awards based on performance ratings are consistent with policy and determine whether recommendations for outstanding performance ratings will be forwarded to the approving official.

Regional Directors are the reviewing officials for Associate Wardens (Industries, Education and Training) and Superintendents of Industries, with input from the Assistant Director, Industries, Education and Training Division.

f. The Rating Official is the first level of management having the full range of supervisory responsibilities, including recommending performance awards. Rating officials are responsible for maintaining the employee's performance log, conducting progress reviews and completing the annual performance rating in accordance with the procedures in this section.

Regional Administrators may suggest to rating officials significant incidents for inclusion in the performance log that relate to the quality of professional services provided. These suggestions may be particularly useful for departments in specialized program areas.

Institution Chief Executive Officers are the rating officials for Associate Wardens (I&E) and Superintendents of UNICOR. UNICOR Division Managers may suggest to the CEO significant incidents for inclusion in the performance log that relate to UNICOR corporate goals and policies.

g. Employees are responsible for becoming familiar with the objectives and procedures of the performance evaluation program and for understanding the elements and performance standards for their positions. The employee is responsible for seeking clarification from the supervisor on any performance standard or any other aspect of this program which is not clear. The employee should inform the supervisor of any factors or circumstances which the employee believes should be considered in evaluating his/her performance.

h. Human Resource Managers are responsible for providing training, advice, and assistance to employees and supervisors on this program. They are also responsible for maintaining adequate supplies of the rating forms and performance standards for distribution to supervisors.

i. Local Procedures. Specific procedures and responsibilities for initiating the issuance of performance standards, monitoring changes in performance standards and rating periods, maintaining rating forms during the rating period, recommending training and incentive awards based on performance ratings, and other aspects of this program not described in this section are left to the discretion of the local Chief Executive Officer. Institutions and offices should develop written procedures to ensure that the requirements of this program are fully implemented.

6. BASIC PROGRAM REQUIREMENTS. The basic structure of the performance evaluation program is outlined below and is described in detail in subsequent sections.

a. At the beginning of the rating period, the rating official gives the employee a copy of the performance standards for their position and discusses them. Both the employee and rating official sign the rating form, indicating that the discussion has taken place.

b. Throughout the rating period, the rating official makes entries in the employee's performance log. Each element of the performance standards must be addressed at least once each quarter. The rating official discusses each entry in the performance log with the employee as it is made. Entries in the performance log serve as the basis for the progress review and final rating.

c. Halfway through the rating period, the rating official completes a written progress review and discusses it with the employee. Both the employee and rating official sign the progress review section of the rating form.

d. At the end of the rating period, the rating official evaluates each element of the performance standards, assigns an adjective rating to each element and forwards the rating to the reviewing official. The reviewing official approves or adjusts the individual element ratings, assigns an overall rating (and forwards the rating to the approving official in the case of outstanding ratings), and returns the rating to the rating official for discussion with and signature by the employee. Except in unusual circumstances, employees must receive their performance rating within three weeks after the end of the rating period.

e. An employee must have worked under a set of performance standards for a minimum of 90 days before receiving a rating based on those standards. A rating official must have supervised an employee for a minimum of 90 days before he or she can rate the employee. These 90-day requirements apply only to final ratings, not to progress reviews. There is no minimum time requirement before a reviewing official can review a rating.

7. RATING PERIOD. The rating period for non-probationary employees begins on April 1 each year and ends March 31 the
* following year. The rating period may be adjusted as follows:

a. If an employee changes positions which results in a change of performance standards, the rating period begins on the date of the change and ends on March 31, or 90 days after the date of the change, whichever is later. *

b. If an employee changes supervisors, the rating period does not end until he/she has been under the same supervisor for at least 90 days.

* c. If a rating period is extended past March 31 in order to meet one or both of the conditions described above, then the employee's next rating period starts on the day after the above conditions are met and ends on March 31 the following year. *

d. The rating period for a probationary employee starts on the
* effective date of the appointment and ends one year later. The next rating period starts on the day after probation ends and ends on March 31 the following year. *

8. JOB ELEMENTS AND PERFORMANCE STANDARDS

a. Common job elements and performance standards have been developed for all occupations within the Bureau of Prisons. Elements and standards are issued on pre-printed forms, making it unnecessary to type the elements and standards on the rating form. Rating officials must review these standards and delete any element which is clearly not applicable to a particular position. Rating officials may also develop one additional element with standards and tasks to meet unique or unusual responsibilities for a particular position; however, since all job elements are critical, these responsibilities must be substantial and highly important to the position. If such an element or standard is developed, it must be reviewed and approved for use by the Bureau Personnel Director. Once an element and standard are approved for use, they will be typed on the preprinted elements and standards which apply to that position.

b. A job element is an aspect of the position consisting of one or more duties or responsibilities which is sufficiently important that inadequate performance of the element would result in unacceptable performance in the position. All job elements are critical.

c. A performance standard is a statement of the expectations or requirements established by management for an element at a particular rating level. A performance standard may include factors such as quality, quantity, timeliness, and manner of performance.

d. Tasks are examples of job duties that are representative of a job element under the performance standards. Not all tasks described under an element are applicable to all occupations covered by that performance standard. The tasks described in the performance standards are examples of typical duties which would be performed in that job element.

e. The performance appraisal program allows for rating individual elements, as well as overall performance, at one of five levels. The performance standards and tasks are described at only three levels. Rating officials may infer performance at * one of the levels not described by comparing the employee's actual performance to the levels which are described. For example, if an employee's performance is better than the examples given for the "fully successful" level, but does not meet the examples given for the "outstanding" level, the employee's performance should be rated at the "exceeds" level.

9. <u>ISSUING PERFORMANCE STANDARDS</u>. At the beginning of the rating period, the rating official will discuss the elements, standards, and tasks for the position with the employee. This discussion should take place as soon as possible after the start of the rating period, normally within 30 days. The rating official and employee will sign and date the rating form, certifying that the elements and standards are understood. If a new element and standards are added during the rating period (or if an element is deleted), the rating official and employee will again discuss them and sign and date the rating form. If the rating official changes during the rating period but there is no change in performance elements and standards, it is not necessary for the new rating official to review the standards with the employee or sign the rating form; however, rating officials are always responsible for discussing performance standards and responding to employees' requests for clarification of the standards.

If an employee is detailed or temporarily promoted to another position in the Bureau of Prisons and the assignment is expected to last at least 90 days, the employee will be given the performance standards for the temporary assignment within 30 days of beginning the detail or temporary promotion. An interim rating will be prepared at the end of the detail or temporary promotion and the weight given to this interim rating will be proportional to its share of the total appraisal period.

If an employee is detailed outside the Bureau of Prisons, reasonable efforts will be made to obtain appraisal information from the outside organization which shall be considered in arriving at the employee's rating of record. If the employee has served in the Bureau for the minimum time period, the employee must be rated. The rating will take into account appraisal information obtained from the borrowing organization. If the employee has not served in the Bureau for the minimum time period, but has served the minimum time period in the outside organization, reasonable efforts will be made to prepare a rating based on the appraisal information from the borrowing organization or the rating will be deferred until the employee is able to serve the minimum time period in the Bureau or the borrowing organization is able to provide appraisal information.

If an employee transfers to the Bureau from another agency, any summary ratings which are forwarded from the former agency and which cover the same time period as the Bureau's rating period will be considered in arriving at the employee's rating of record. The weight given to a rating from a former agency will be proportional to the share of the rating cycle covered by it. The rating of record most recently rendered by the former agency will be the employee's current rating of record until it is superseded by a rating of record issued by the Bureau.

10. MONITORING PERFORMANCE - PERFORMANCE LOG. The performance appraisal process requires that rating officials observe and note employee performance continuously throughout the rating period. Rating officials must record examples of employee performance to ensure that the rating at the end of the rating period is an accurate and fair appraisal of the employee's performance during the whole rating period. The performance log is used to document and substantiate the final rating.

a. Format. Attachment 4-2 is a sample performance log, however, any form the rating official finds useful, including 5 x 8 cards, is acceptable.

b. Time Requirements. The rating official must record performance incidents in the log so that each element is addressed at least once each quarter. If no significantly positive or negative performance is noted for a particular

element during a quarter, the rating official will make an entry describing typical performance over the course of the quarter.

Rather than waiting until the end of the quarter, rating officials must make entries in the log as the performance is noted in order to meet the following time requirements.

Rating officials must record specific incidents in the performance log within fifteen working days of becoming aware of the incident.

After an entry has been made in the performance log, the employee will be given an opportunity to see the entry as soon as practicable and before the entry is used officially, but no later than fifteen working days after the entry is made. The employee will be asked to initial the entry, indicating only that the entry was discussed, not necessarily that they agree with it.

These time requirements may be adjusted, if necessary, because of the rating official's or employee's absence.

c. Content of Performance Log Entries. Performance log entries will document instances of important or significant job-related performance, both positive and negative. Log entries must document the actual behavior of the employee, not personality traits or judgmental conclusions drawn by the supervisor. Instances of performance recorded in the log must be related to one or more elements of the employee's performance standards and include, at a minimum:

(1) the date of the performance incident,

(2) what the employee did that was particularly effective or ineffective,

(3) circumstances surrounding or contributing to the performance incident such as the consequences of the performance, whether the employee had sufficient time and resources or whether circumstances outside the employee's control contributed to the performance,

(4) level of performance assigned.

d. Multiple Supervision. If an employee is supervised by more than one supervisor during the rating period, those supervisors are responsible for providing the rating official with any comments or incidents for consideration for inclusion in the performance log. This provision does not apply to employees who are detailed to another supervisor for 90 days or more and who receive new standards and an interim rating in accordance with paragraph 9 of this section.

e. Documenting Unacceptable Performance. Instances of unacceptable performance recorded in the performance log require additional actions by the supervisor. Refer to Paragraph 22 of

this section for information on addressing unacceptable performance.

11. PROGRESS REVIEW. In addition to the frequent informal discussions of performance resulting from performance log entries, the rating official will conduct at least one formal progress review during the rating period.

a. One progress review is required for non-probationary employees and it will be conducted at the halfway point of the rating period.

b. Three progress reviews are required for probationary employees and they will be conducted at the end of the third, sixth and ninth months of the probationary year.

c. The rating official will make narrative comments for each job element in the progress review section of the performance appraisal form. No adjective rating is assigned to the elements at this time. The rating official will discuss the progress review with the employee and both will sign the form at the bottom of the progress review section. There is no provision or requirement for the reviewing official to review or comment on the progress review, however, reviewing officials may examine the progress reviews prepared by their subordinate supervisors.

d. Progress reviews and the annual rating for probationary employees require two performance appraisal forms. One form is used to record the 3-month and 6-month progress reviews and a second form is used for the 9-month progress review and annual rating. Rating officials must ensure that a probationary employee signs the top of both forms, indicating their understanding of their performance standards and that they sign the bottom of the form upon completion of each of the progress reviews and the annual rating. The rating official does not assign adjective ratings for any of the probationer's progress reviews; adjective ratings are assigned to the elements only for the final rating at the end of the probationary period. Likewise, there is no provision or requirement for the reviewing official to review or comment on the 3-month, 6-month or 9-month progress reviews of probationary employees, however, rating officials may examine the progress reviews prepared by their subordinate supervisors. The reviewing official assigns the overall rating and makes narrative comments on the final annual rating of a probationary employee.

12. FINAL RATING

a. Determining Element Ratings

(1) The rating of an employee's performance in each job element is based upon the incidents recorded in the performance log.

(2) Each element will be rated at one of five levels: Unacceptable, Minimally Satisfactory, Fully Successful, Excellent or Outstanding.

(3) Each element will be rated at the level which reflects the level assigned to the majority of performance log entries for that element. If there are an equal number of performance log entries at two different levels, the rating official may assign either of the two levels unless there is an intermediate level or levels. For example, if two log entries are "fully successful" and two are "excellent," the rater may assign either "fully successful" or "excellent" as the element rating. If two log entries are "fully successful" and two are "outstanding," the rater must assign "excellent" as the element rating.

(4) Special provisions apply when rating an element as unacceptable. Refer to Paragraph 22 of this section for the procedures for documenting unacceptable performance.

(5) The rating official will mark the block on the rating form which reflects the adjective rating for each element, write narrative comments in the space provided for each element and write narrative comments on the employee's overall performance in the "rater's comments" section of the form. Rating officials are also encouraged to complete the training and career development section of the form with recommendations for training or other developmental activities.

(6) For dual or multiple supervision, all supervisors of 90 days or more should provide input into the rating process and initial the rating form as rating officials. Reviewing officials may also seek input from supervisors of lesser periods of time.

b. Overall Rating

(1) The overall rating is assigned by the reviewing official, based on the individual element ratings. Reviewing officials assign the overall rating by marking the appropriate block and writing narrative comments in the "reviewer's comments" section of the form.

(2) Except in the case of outstanding ratings, the rating assigned by the reviewing official is the final rating. If the proposed rating is outstanding, the Chief Executive Officer or Assistant Director is the approving official. Reviewing officials must adjust

individual element ratings to be consistent with the overall rating, however, any such changes by the reviewer must be substantiated by the comments in the reviewing official's block on the rating form.

(3) Unacceptable performance in one or more elements mandates an overall rating of unacceptable.

(4) An overall rating of minimally satisfactory is demonstrated by minimally satisfactory performance in more than one element and no element rated as unacceptable.

(5) An overall rating of fully successful is demonstrated by a rating of fully successful or higher in a majority of the elements, no more than one minimally satisfactory element, and no unacceptable element.

(6) An overall rating of excellent is demonstrated by a rating of excellent or higher in a majority of the elements and no element rated less than fully successful.

(7) An overall rating of outstanding is demonstrated by a rating of outstanding in a majority of the elements and no element rated less than excellent. When an outstanding rating is approved by the approving official, the rating official must also recommend the granting of additional recognition in the form of a cash or non-cash award or a quality step increase for those employees who are otherwise eligible. Refer to the Incentive Awards Manual for the criteria for performance awards.

(8) In the event of an equal number of element ratings, the reviewing official has full discretion in approving the overall rating that best reflects the employee's performance.

* 13. FINAL DISCUSSION. After the reviewing official has approved the final rating (and the approving official has approved an outstanding rating), the rating form is returned to the rating official for discussion with the employee. No rating will be discussed with the employee until after the reviewing official (and, if necessary, the approving official) has approved the final rating. The rating official should give adequate time and attention to this part of the evaluation process. Rating officials are strongly encouraged to specify areas in which their employees should seek out training, education, or other developmental activities to improve skills and/or knowledge or enhance career advancement and promotion potential (using Section H on the appraisal form for this purpose). The employee will sign the bottom of the form, indicating that the performance rating has been discussed, and a copy of the rating will be given to the employee. The original copy of the rating, with signatures, will be returned to the HRM office for recording and filing. This is also an appropriate opportunity to review the performance standards for the next rating period and obtain the rater's and employee's signatures on the blank form which will be used for the next rating period. *

14. FILING AND DISPOSITION OF PERFORMANCE LOGS AND RATING FORMS

a. Distribution instructions for the rating form are printed on the form.

b. The original, signed copy of a completed rating form, including continuation sheets, will be filed in the HRM office, either in the employee's individual Employee Performance File or on the left side of the employee's Official Personnel Folder. A copy of the employee's performance standards may be filed with the rating form or may be maintained in a separate master file of performance standards.

* c. Completed performance ratings will be retained for four years and will be forwarded to a gaining agency in the event of the employee's transfer. *

d. Rating officials will retain the performance log for one year after the performance rating based on the log is approved.

e. If a rating is increased or changed as a result of a successfully pursued grievance or other proceeding, the amended rating will be filed and the contested rating removed and destroyed.

f. The final adjective rating will be keyed into the NFC system, in accordance with instructions in the Payroll/Personnel Processing Manual.

15. PROBATIONARY EMPLOYEES

a. The probationary period is an extension of the examination and selection process and provides an opportunity for management to assess the total suitability of new employees. It is the policy of the Federal Bureau of Prisons to provide probationary employees with an intensive program to ensure that they are provided with direction in their jobs and are capable of performing effectively.

b. Probationary employees receive formal progress reviews immediately following the third, sixth and ninth months of employment, as described in paragraph 11 of this section.

c. The supervisor of a probationary employee must, no earlier than the beginning of the fourth month and no later than the end of the tenth month of probation, submit a signed certification

that the employee's performance and conduct have been found satisfactory or that the employee's performance and conduct have been found unsatisfactory. The certification must include a recommendation as to whether the employee should be retained beyond the probationary period. The earlier progress reviews form the basis for this certification and recommendation as to retention. A probationary employee may be separated after the tenth month following a positive certification and recommendation if performance or conduct deteriorate.

d. Failure to meet the standards of performance and satisfactorily complete training will be a basis for disqualifying an employee during the probationary period. No part of this section is to be interpreted as discouraging or preventing the initiation of removal action at any time during the probationary year if it is determined, after a full and fair trial, that the employee's performance or conduct is not satisfactory. Employees in the competitive service who are serving a probationary period are excluded from the provisions of FPM Chapter 432 governing performance-based reduction in grade and removal actions.

16. INFORMING SUPERVISORS AND EMPLOYEES. In recognition of the importance of the performance appraisal Program and its significance to both supervisors and employees, a copy of this section of the manual will be provided to all non-bargaining unit employees upon its issuance and to new non-bargaining unit employees when they enter on duty. In addition, the Human Resource Manager will ensure that all current rating and reviewing officials receive a copy of this section and will give new rating and reviewing officials a copy when they assume such a position.

Human Resource Managers are responsible for providing advice and assistance to supervisors on all aspects of this program and are encouraged to conduct periodic formal training to review the purposes and procedures of performance appraisal.

Supervisors are responsible for discussing the performance evaluation program with their subordinates, including explaining the purpose of the program, rating procedures and how the process furthers employee and management goals.

17. PERFORMANCE RATING GRIEVANCES. Non-bargaining unit employees may seek to change their performance ratings, or Performance log entries by using the agency grievance procedure contained in Section 771.1 of this Manual.

18. RELATIONSHIP TO WITHIN-GRADE INCREASES. To be eligible for a within-grade step increase, an employee must meet the requirements described in 5 CFR 531.404 (General Schedule) or 5 CFR 532.417 (Prevailing Rate System). One of these requirements is that the employee must demonstrate an acceptable level of competence in the duties and responsibilities of their position. Acceptable level of competence is determined by the employee's most current rating of record being an overall rating of fully successful or higher. The rating of record used as the basis of a within-grade increase determination must have been assigned no earlier than the most recently completed appraisal period. If a decision to grant or deny the within-grade increase is inconsistent with the most recent rating of record, a more current rating of record must be prepared. If the employee's most recent rating of record is fully successful or higher and the performance has deteriorated below an acceptable level of competence, a new rating of record must be prepared on which to base the decision to deny the increase. Similarly, if the most recent rating of record was below fully successful and the performance has improved to an acceptable level of competence, a new rating of record must be prepared on which to base the decision to grant the increase.

A supervisor who determines that an employee does not or may not demonstrate an acceptable level of competence will notify the employee in writing at least 60 days before the date on which the employee will complete the required waiting period for a within-grade increase. At least 15 days prior to the end of the waiting period, the supervisor will tentatively determine whether withholding the increase is warranted. If the employee fails to demonstrate an acceptable level of competence, the next higher supervisory level will review the supervisor's tentative determination. If both supervisors agree to withhold the increase, the immediate supervisor will so advise the employee in writing, stating the reasons for withholding the increase and referring to the advance notice given to the employee.

General Schedule employees are entitled to request reconsideration of a decision to withhold a within-grade increase and to present orally and in writing the reasons he/she believes the decision should be reversed. If the decision is to grant the increase, the employee will be certified as meeting the acceptable level of competence and the increase will be granted retroactively as of the end of the waiting period.

General Schedule and Federal Wage System employees may contest a performance rating on which a negative determination is based under the agency grievance procedure contained in Section 771.1.

19. QUALITY STEP INCREASES AND PERFORMANCE AWARDS. Refer to the Incentive Awards Manual for eligibility criteria for Quality Step

Increases and performance awards.

20. ADDRESSING DEFICIENT PERFORMANCE. Addressing performance deficiencies and taking performance-based actions appropriately are important aspects of a sound performance management system. Procedures and requirements for addressing performance which falls below the acceptable level are discussed in the following paragraphs.

* Acceptable performance is performance that meets the performance * standard or requirement at the level above unacceptable. Under the Bureau of Prisons performance appraisal program, this level is the minimally satisfactory level.

21. MINIMALLY SATISFACTORY PERFORMANCE. When instances of performance or overall performance are deemed to be minimally satisfactory, the supervisor should determine what action is best suited to the particular circumstances after discussion with the employee. Counseling, training, and closer supervision are the most commonly practiced options available. These efforts should be thoroughly documented. If minimally satisfactory performance continues, the supervisor has the option of continuing counseling, training, or closer supervision or finding that the employee's performance has become unacceptable.

* 22. UNACCEPTABLE PERFORMANCE. These procedures will be followed at any time during the rating cycle when a supervisor records an instance of performance below the acceptable level in one or more elements of the performance standards in the employee's performance log. Again, employee performance below the minimally successful level is considered unacceptable. *

a. Unacceptable Performance Warning. When a supervisor records an instance of unacceptable performance, he/she will issue the employee a written warning of a potentially unacceptable performance rating. This warning letter must include:

(1) Notification of the element or elements in which performance is unacceptable.

(2) Specific examples of the unacceptable performance.

(3) The performance requirements or standards which must be attained in order to demonstrate acceptable performance. The acceptable level of performance for purposes of retention in the

position under the Bureau's five-level performance appraisal system is the level between the "unacceptable" level and the "fully successful" level, specifically performance which is "minimally successful." *

(4) A reasonable opportunity period to demonstrate acceptable performance on the elements at issue. This opportunity period will normally not be less than 30 days nor more than 90 days following the issuance of the warning letter and will be determined under the circumstances of the particular case. The initially established period may be extended at the agency's discretion for extenuating circumstances such as extended periods of absence during the opportunity period.

(5) Notice that the employee must improve to the acceptable level by the conclusion of the opportunity period and must sustain that level of performance for at least one year from the start of the opportunity period.

(6) A structured performance improvement plan (PIP) to provide the employee opportunities to demonstrate acceptable performance. The PIP may include such activities as developmental assignments, structured employee assistance or counseling, formal training, on-the-job training, mentoring or any other activity which the supervisor believes will afford the employee an opportunity to demonstrate acceptable performance. Careful records must be kept of assistance offered and results achieved under the PIP.

(7) Explanation of actions which may be initiated if the unacceptable performance continues or if acceptable performance is not demonstrated.

Human Resource Managers will assist supervisors in preparing performance warning letters. Warning letters must be approved by the Regional HRM Office and the LMR Section before being issued to the employee.

b. Improved Performance During the Opportunity Period. If, at the conclusion of the opportunity period, the rating official determines that the employee has improved to an acceptable level in the element which formed the basis for the opportunity period, no further action will be taken. When it is time for the annual rating, the rating official will consider the instance of unacceptable performance along with other recorded instances of performance for that element and give it appropriate weight in assigning the rating for that element.

c. Additional Unacceptable Performance During the Opportunity Period. If, at the conclusion of the opportunity period, the rating official determines that the employee has not improved to an acceptable level in the element which formed the basis for the opportunity period, then the rating official will prepare a performance rating, whether or not it is time for the annual rating. The element will be rated unacceptable and the proposed overall rating will be unacceptable.

(1) If it is not time for the annual rating and the reviewing official does not concur with the proposed unacceptable rating, then no rating will be issued. However, if at any time during the remainder of the rating period the supervisor notes another instance of unacceptable performance in the same element, he/she will again propose an unacceptable rating.

(2) If it is time for the annual rating and the reviewing official does not concur with the proposed unacceptable rating, then the reviewing official's rating is the final rating. The reviewing official must adjust the individual element ratings to support the overall rating given and substantiate these changes in the reviewing official's comments on the rating form.

(3) Whether or not it is time for the annual rating, if the reviewing official concurs with the proposed unacceptable rating, then an unacceptable rating will be issued together with a notice of proposed action in accordance with Paragraph 23 of this section.

d. Additional Unacceptable Performance During the Twelve Months Following the Beginning of the Opportunity Period. In order to demonstrate acceptable performance following a performance warning letter, employees are required to improve their performance to an acceptable level and sustain that level of performance for twelve months following the beginning of the opportunity period. Therefore, if a supervisor notes unacceptable performance in the same element which formed the basis for the warning letter at any time during the twelve months following the beginning of the opportunity period, he/she will prepare a proposed unacceptable rating as described in Paragraph 22c above. This is the case even if the employee did demonstrate acceptable performance during the opportunity period and/or received a performance rating at or above the acceptable level since the issuance of the warning letter.

23. PROPOSING AND TAKING ACTION BASED ON UNACCEPTABLE PERFORMANCE. When the reviewing official approves and issues an unacceptable performance rating, the reviewing official will also issue a notice of proposed action in accordance with the

following procedures:

a. An employee who receives an unacceptable rating may be reassigned.

b. An employee who is serving a one-year probationary period as a newly appointed supervisor or manager and who does not satisfactorily perform their supervisory (or managerial) duties, may be returned to their former (or comparable) position and pay without right of appeal.

c. A non-probationary employee whose reduction in grade or removal is proposed is entitled to:

(1) Thirty calendar days advance written notice which specifies the action proposed, the specific instances of unacceptable performance on which the proposed action is based and the elements involved in each instance of unacceptable performance. These instances must have occurred within one year prior to the notice of proposed action;

(2) The right to be represented by an attorney or other representative;

(3) Fifteen calendar days to respond orally and/or in writing to the deciding official. The response time may be extended for a specified time as determined by the deciding official, but not for more than an additional thirty days; and

(4) A final written decision within 30 days after the expiration of the 30-day advance notice period. The written decision must specify the instances of unacceptable performance upon which the action is based and may include any instances of unacceptable performance which occurred during the one-year period prior to the issuance of the advance notice. An action may be based solely on instances of unacceptable performance occurring during the opportunity period or may be based on instances of unacceptable performance occurring before, during and after the opportunity period, as long as the instances took place during the one-year period preceding the issuance of the notice of proposed action. Although the agency is allowed to use instances of pre-opportunity period performance to support an action (though not exclusively), there is no incentive to do so unless the agency wishes to cite such instances as support for its overall performance determination. The final decision must also include notice of the employee's right to appeal the action to the Merit Systems Protection Board or to file a grievance under the agency grievance procedure (but not both), the time limits for filing an appeal or

grievance, a copy of the MSPB appeal form and a copy (or access to a copy) of the MSPB regulations.

24. PMRS PAY ISSUES

a. As a general rule, any employee who occupies a PMRS position on the effective date of the merit pay increase is eligible for a PMRS merit increase. Exceptions to this general rule are described in subparagraph d below. For most PMRS employees, the merit increase determination is based on an actual rating as of the end of the normal annual performance rating period, June 30 each year. A substantial portion of the compensation of PMRS employees is linked directly to performance and varies in amount to recognize differences in quality of performance.

b. An actual performance rating will be given to an employee who:

(1) Has served at least 90 days in his/her current PMRS position as of June 30. The rating official will complete and forward the individual element ratings to the reviewing official no later than 15 working days after June 30. The reviewing official will review the element ratings and assign an overall performance rating no later than 10 working days after the individual element ratings are assigned.

(2) Has served at least 90 days in his/her current PMRS position as of September 30. The rating official must complete and forward the individual element ratings for these employees to the reviewing official within 5 working days of the date the employee meets the 90 day minimum appraisal period requirement. The reviewing official must review the element ratings and assign an overall performance rating as soon as possible. Ratings must be approved and finalized before the beginning of the first full pay period in October in order for the employee to receive consideration for PMRS performance awards.

c. If an employee cannot be given an actual rating under the above procedures, he/she cannot be rated for PMRS merit increase determination purposes. The following procedures, in the sequence shown, will govern the computation of merit increases for employees who cannot be given an actual rating:

(1) Extend the PMRS rating of record from the prior performance appraisal period. The rating of record must be for performance in a PMRS position, either in the Department of Justice or from another agency with a performance appraisal system covered under 5 USC, Chapter 43.

(2) If there is no PMRS rating of record which can be

extended, the employee will receive the merit increase equivalent to that for a fully successful rating.

d. The following categories of PMRS employees may not receive a PMRS merit increase:

(1) An employee initially appointed to the PMRS on or before the effective date of a merit increase and who received an increase to basic pay (such as a promotion, within-in-grade increase, quality step increase) within the 90 days prior to the effective date of the merit increase may not receive a merit increase. This includes an increase occurring on the effective date of the merit increase. Actions covered include: conversions to the PMRS, reassignments to the PMRS from another federal pay system, promotions into the PMRS and temporary promotions into the PMRS.

(2) Employees newly appointed to the Government for less than the 90-day minimum appraisal period are not eligible for merit increases. A reinstated employee is considered to be newly appointed. Employees reemployed under a reemployment priority list placement or those receiving a new appointment without a break in service of one or more workdays are not considered newly appointed for the purpose of merit increase determinations.

e. An employee who is demoted, reassigned or promoted from one PMRS position to another PMRS position at the end of the performance appraisal period is eligible for a merit increase. The increase will be computed based on the performance rating as determined by the above procedures and the salary payable as of the first full pay period in October.

f. Only employees who occupy PMRS positions as of June 30 and who were given performance ratings based on actual performance as of that date or as of the end of the extended rating period (September 30) are eligible for performance awards. Ratings of record will not be extended for performance award purposes.

g. Specific instructions for recording PMRS performance ratings in NFC will be provided to servicing HRM offices annually.

430.3 PERFORMANCE EVALUATION PROGRAM FOR SENIOR EXECUTIVE SERVICE MEMBERS

1. Purpose and Scope. Performance appraisals in the Senior Executive Service (SES) are used to measure the effectiveness of federal executives in the efficient and effective attainment of the Bureau's mission and program objectives. The appraisals serve as the basis for determining performance awards and identifying the strengths and weaknesses of SES members.

2. DIRECTIVES AFFECTED

Directives Referenced

a. Section 430.2 of the manual.

b. 5 CFR Part 430.

c. 5 U.S.C., Chapter 43.

3. RESPONSIBILITIES

a. SES Wardens are rated by the appropriate Regional Director and reviewed by the Director.

b. SES members in UNICOR are rated by the Assistant Director, Industries, Education and Training Division, and reviewed by the Director.

c. Other SES members who are supervised by an Assistant Director are rated by that Assistant Director and reviewed by the Director.

d. All other SES members are rated by the Director with no review.

e. All completed SES performance appraisals are reviewed by the Director who makes award recommendations to the Department of Justice Performance Review Board.

f. The Department of Justice Performance Review Board reviews all SES performance evaluations and award recommendations. The DOJ PRB recommends SES members for awards through the Assistant Attorney General for Administration to the appropriate appointing authority, i.e. the Deputy or Associate Attorney General.

4. PROCEDURES

a. SES evaluations will be based on performance log entries and one of the three sets of elements and standards for senior executives:

(1) Standard Set #7 for SES Wardens
(2) Standard Set #8 for SES Attorneys
(3) Standard Set #9 for other SES members

b. The performance appraisal period for SES members is July 1 through June 30 of the following year, unless advanced or delayed by appropriate authority.

c. The senior executive member must have served for the prescribed minimum appraisal period of 90 days before a rating of record can be assigned.

d. SES evaluations will be completed using DOJ-522, Performance Appraisal Form

e. At the time of the rating, the rating official will advise the senior executive of his/her right to respond in writing to any aspect of the rating and to have that rating and written response reviewed at a higher executive level. If a senior executive wishes to request a higher executive review, the request must be made to the rating official within 7 calendar days from the date of the issuance of the initial rating.

500.1 ORGANIZATION CHARTS AND FUNCTIONAL STATEMENTS

1. PURPOSE AND SCOPE. It is essential that each employee understand the management structure of the organization and that all employees are either directly or ultimately responsible to the Chief Executive Officer. Written organization charts which graphically depict the administrative structure and lines of authority facilitate this understanding.

2. PROCEDURES

a. Each office and institution will publish and maintain a current organization chart which depicts the administrative structure and lines of authority of the organization.

b. Each authorized position (or groups of identical positions) will be shown on the chart along with the position title, series, grade and master record number.

c. Each office and institution will publish a functional chart describing the main functions and missions of each unit (typically, each department) in the organization.

d. Organization charts and functional statements will be available to staff and may be published as an Institution Supplement.

3. MAINTENANCE. Organization charts will be updated whenever there is a change in the lines of authority, position title, series, grade or master record number. There are several computer software programs available which facilitate immediate changes to organization charts. At a minimum, offices and institutions will publish a current organization chart annually and will maintain a current copy with pen and ink changes at all times.

4. CERTIFICATION. If the institution chooses to publish its organization charts as an Institution Supplement, the Chief Executive Officer' signature on the supplement will serve as the certification of accuracy. In the absence of an Institution Supplement, the Chief Executive Officer's signature on a cover sheet will certify the accuracy of the organization charts.

511.1 POSITION CLASSIFICATION

1. PURPOSE AND SCOPE. This chapter sets forth the requirements and responsibilities for position classification in the Federal Bureau of Prisons. The information in this chapter applies to both General Schedule and Federal Wage System positions unless specific reference is made to one category or the other.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Order 1511.4B

b. DOJ Order 1511.1B

3. RESPONSIBILITIES

a. Chief Executive Officers are responsible for assuring integration of classification with other phases of human resource management, providing support and direction for the classification program and assuring involvement and cooperation of supervisors and managers in the classification process. Chief Executive Officers certify that the annual review of positions required by the Department of Justice has been conducted for positions at their organizational level.

b. Supervisors determine the duties and responsibilities for subordinates, write position descriptions and certify their accuracy. Supervisors should have a working knowledge of classification principles and policies and should be familiar with classification and qualification standards for positions in their unit. They review the need for each position and promptly report those which are unnecessary. They keep their subordinates informed of their right to appeal, to review standards and to discuss classification of their position with HRM staff.

c. Employees are responsible for being familiar with the duties and responsibilities outlined in their position description and for bringing any questions or discrepancies to their supervisor's attention.

d. Human Resource Managers are responsible for classifying positions in accordance with the delegation of authority described in chapter 250.1 of this manual. In addition, the Bureau Personnel Director and Regional Human Resource Managers have post-audit authority over positions classified at subordinate levels of the organization. The Bureau Personnel Director may revoke the classification authority delegated to lower levels in the organization if the subordinate office or

institution does not classify its positions in accordance with published standards.

4. CLASSIFICATION FILES AND RECORDS

a. Active Position Descriptions will be filed by decision unit. At a minimum, SF-52's authorizing current classification and any subsequent SF-52's which abolish or establish identical additional (I.A.) positions will be attached to the position description, or a separate filing system.

b. Canceled Positions Descriptions will be maintained in a separate file for five years after the date of cancellation.

5. CLASSIFICATION MAINTENANCE AND REPORTS. A sound classification and position management program requires periodic review and updating to insure the accuracy of position descriptions and classification determinations.

a. A qualified human resource specialist will review each position and personnel action, regardless of the reason for submission, to insure that the position description is technically adequate for classification purposes. If a new position is being established or if an existing position is being redescribed, the human resource specialist will evaluate it, conducting a site audit when appropriate.

b. Position changes will be posted to the organization chart as soon as the position action has been effected.

6. CYCLIC REVIEW. An annual review of at least one-fourth of all General Schedule and Federal Wage System positions in the organization is required by the Department of Justice. The Bureau of Prisons is required to certify to the Department of Justice annually that at least one-fourth of the basic positions have been reviewed for necessity, soundness of design, adequacy of description and accuracy of classification. This review must be done on a cycle which insures that each position is reviewed at least once every four years.

a. Procedure

(1) Each institution and office will establish a written schedule for reviewing their positions which insures that each position is reviewed at least once every four years. It is recommended that the schedule be staggered by organizational segments.

(2) At the scheduled time of the review, first line supervisors will review each position under their control to determine if the position is needed and if the position description is accurate and complete. Positions which are found to be unnecessary will be

abolished. Position descriptions which are not accurate and complete will be rewritten and submitted

to the HRM Office for appropriate classification
* action. *

(3) To facilitate the review, it is recommended that the supervisor and human resource specialist review any vacant position prior to filling it. Review of vacant positions counts toward the annual requirement.

(4) A human resource specialist will participate in the review to provide assistance and assure that descriptions are adequate for classification. Position descriptions requiring no change will be recertified by
* both the supervisor and classifier on the position description coversheet. Personnel offices will maintain records and files of any site audits until the next program review. *

b. Reporting Requirements. Each facility will submit a position survey report to their respective Regional HRA by September 15 each year. The report will be signed by the Chief Executive Officer of the facility and certify that: at least one-fourth of all positions have been reviewed; those found to be unnecessary have been abolished; the position descriptions of those found to be necessary are accurate in relation to duties and responsibilities and all reviewed positions are classified consistently with Office of Personnel Management standards. Regional Directors will submit consolidated reports for their regions to the Pay and Position Management Section by October 1 each year. The Bureau Personnel Director will submit the Bureau of Prisons' report to the Department of Justice by October 15.

7. APPLICATION OF NEW CLASSIFICATION STANDARDS. Within six months of receipt of a new classification standard, any positions allocated to the series covered by that standard will be reviewed against the new standard and redescribed/ reclassified as necessary. Such reviews will be initiated at the level where the position exists.

8. CONSULTATION WITH DOJ. In accordance with DOJ Order 1511.4B, the Bureau of Prisons is required to consult with the Department of Justice on proposed classification actions affecting 20 or more substantially similar positions which would change the grade or pay system of the position. Due to the similarity of positions among institutions, any proposed classification action which would affect the grades of a large number of positions at a single activity must be reviewed by the Pay and Position Management Section prior to implementation. Institutions proposing such actions will forward their proposal to PPM through the Regional HRA.

9. CLASSIFICATION APPEALS. Employees have the right to appeal the correctness of the title, series, grade or pay category assigned to their position. General Schedule employees may appeal through the agency procedures or directly to the Office of Personnel Management. Wage System employees must exhaust the agency procedures before appealing to the Office of Personnel Management. Specific appeal procedures are described in DOJ Order 1511.1B.

In response to a classification appeal filed with the Department of Justice or the Office of Personnel Management, institution and regional HRA's will immediately contact the Pay and Position Management Section, clear the contents of the response with PPM and forward copies of all correspondence concerning the appeal to PPM.

511.2 POSITION DESCRIPTIONS

1. PURPOSE AND SCOPE. The primary purposes of position descriptions are to describe the major duties and responsibilities of the incumbent and to provide the basis for classifying and filling the job. Position descriptions are useful in other areas of human resource management, however, in that they also help determine training needs, analyze the structure of the organization and evaluate the use of employees' skills and abilities.

2. DIRECTIVES AFFECTED

Directive Referenced

FPM, Chapter 511

3. LANGUAGE Position descriptions are written in the third person singular, present tense and active voice. Subjects of sentences are omitted. Major duties and responsibilities will be definitely established and clearly described in short, specific sentences. Terms such as "coordinates," "processes," or "assists" are not specific enough to direct the employee nor adequate for classification. Guidance on writing position descriptions can be found in the Instructions for the Factor Evaluation System and the Federal Personnel Manual, Chapter 511.

4. FORMAT

a. Non-Supervisory General Schedule Positions. Positions which are covered by classification standards issued in the Factor Evaluation System format will be described in FES format. Other positions will be described in the format of the standard by which they will be evaluated.

b. Supervisory General Schedule Positions will be described in the format of the standard by which they will be evaluated with the following additions:

(1) Types of employees supervised, and

(2) The supervisor's responsibility and authority, if any, for planning and assigning work; evaluating performance; giving advice, counsel or instructions; recommending or approving appointments, promotions, awards or disciplinary actions; handling grievances; assessing and meeting training needs.

c. Federal Wage System Positions will be described in accordance with the instructions in chapter 511.3.

5. ADDITIONAL STATEMENTS will be included in or appended to position descriptions, as appropriate.

a. Supervision of Inmates. In order to evaluate whether collateral correctional duties are present in a position, the description of any position which has regular and recurring responsibility for supervision of inmates will include a description of the number of inmates supervised and their duties. The statement will also describe the employee's responsibility for training, assigning work, directing and counseling the inmates.

b. Collateral Duties. The position descriptions of employees who have been assigned collateral duties such as EEO, affirmative action, recruiting, alternate positions and training instructors will be appended to reflect their collateral duties.

c. Mobility Requirement. The following statement will be added to the position description of supervisory and managerial positions:

* Effective accomplishment of the mission of the Bureau of Prisons frequently requires geographic relocation of supervisory and managerial personnel to meet the legitimate needs of the Bureau and to better use the skills of available staff. Accordingly, the incumbent is subject to these provisions and is susceptible to geographic relocation at the discretion of management in the interest of the efficiency of the service.

d. Law Enforcement Coverage. Position descriptions for all positions located in correctional institutions will include language explaining primary law enforcement coverage and duties. Position descriptions for Regional Office and Central Office positions which have been determined to be under secondary coverage will include language explaining secondary law enforcement coverage and duties. Examples of primary and secondary law enforcement language may be found in standardized position descriptions on BOPDOCS. *

6. MASTER RECORD NUMBERS. Classifying offices will use the numbering system in the HRMM (Attachment 5-3) to assign a unique identification number to each of the positions it classifies.

511.3 CLASSIFICATION OF FEDERAL WAGE SYSTEM POSITIONS

1. PURPOSE AND SCOPE. Federal Wage System positions in the Federal Bureau of Prisons are different from those in other Federal agencies in that wage supervisor/leader employees in the Bureau supervise or lead inmate workers. Wage supervisor positions are classified based on technical and administrative supervision over subordinates while wage leader positions are classified based on the level of highest graded work led. Wage leader position descriptions should be formatted referencing Part I of the Job Grading Standard for Leader.

2. FORMAT FOR WAGE SUPERVISOR POSITION DESCRIPTIONS. It is essential that wage system supervisor position descriptions accurately and completely describe the supervisory responsibility, work performed by inmates and authority for the work operations supervised. This format follows the Job Grading Standard for Federal Wage System Supervisors.

a. Introduction: This section should briefly describe the location and primary purpose of the position and work unit.

b. Major Duties: This section should describe work performed by the incumbent supervisor. These duties should include law enforcement duties, any special skills required, and non-supervisory work performed by the incumbent. Also provide a statement about the supervision received.

Factor 1: Nature of Supervisory Responsibility

Planning: Describe the nature and scope of planning responsibility in terms of work sequences, establishment of deadlines and priorities, role in determining manpower, skill levels, and materials needed to accomplish assignments. Also describe any coordination with other shops. Specify if authority exists for redirecting workers and equipment to accomplish unusual or unexpected work. In addition, describe the time frames generally associated with planning projects, i.e., day-to-day, week-to-week, month-to-month, etc.

Work Direction: Describe how work assignments and supervision are provided to subordinates. Describe any authority to change work methods necessary to accomplish assignments.

Administration: Describe how subordinates are evaluated and recommended for promotion, training, and disciplinary action. If appropriate, indicate if subordinate leave schedules are planned and maintained. Also describe the

degree of counseling and motivation exercised over subordinates.

Factor 2: Level of Work Supervised

A. Occupations Involved

Describe the work actually performed by subordinates in accomplishing work assignments. Select occupation(s) reflecting the main purpose or mission of the work for which the incumbent is accountable. For example, where the primary purpose of the work supervised is to receive and store supplies, the supervisor might direct the operation of fork lifts and motor vehicles to accomplish the main purpose of the work. In this situation, both types of work should be listed; however, fork lift and motor vehicle operation are facilitating functions. If several different types of work are performed, describe these separately, even if one type of work is significantly smaller in terms of subordinates involved.

B. Knowledge and Responsibility of Subordinates

1. Skill and Knowledge: Describe the skill and knowledge required by subordinates to accomplish the above work.

2. Responsibility: Describe the nature and degree of guidance given to, and supervision received by, subordinates in accomplishing work.

Note: The overall level of responsibility of inmates is limited due to the high degree of supervision which must be provided by wage supervisors. Regardless of ability, in most cases, inmates are not permitted to use all tools due to security reasons. In addition, inmates are often escorted and directly supervised until tasks are accomplished.

Factor 3: Scope of Work Operations Supervised

A. Scope of Assigned Work Function and Organizational Authority: Describe the purpose of the work and the degree of supervisory authority over the work exercised by the incumbent. Also indicate if any subordinate supervisors (including inmate "lead" workers) are supervised by the incumbent.

B. Variety of Function: Describe all trade practices and work functions supervised by the incumbent.

C. Workforce Dispersion: Describe the duration of projects, number of work sites, frequency of dispersion, and the necessity to monitor work in dispersed areas.

550.1 COMPENSATORY TIME

1. PURPOSE AND SCOPE. To establish procedures for using compensatory time off in lieu of overtime pay.

2. DIRECTIVES AFFECTED

5 U.S.C. 5543
5 CFR 550.114
Operating Manual Federal Wage System, Subchapter S8
* DOJ 1551.1C

3. REGULATIONS

a. Prevailing rate employees (Federal Wage System or FWS) may request and be granted compensatory time off equal to time spent in irregular or occasional overtime worked in lieu of overtime pay. *

b. General Schedule (GS) employees below GS-12 may request and be granted compensatory time off equal to time spent in irregular or occasional overtime worked in lieu of overtime pay.

c. Employees at GS-12 and above are required to take compensatory time off equal to time spent in irregular or occasional overtime worked in lieu of overtime pay.

A memorandum must be submitted for requests to waive the restriction on overtime pay for employees at GS-12 and above from the Warden through the Regional Director to the Director for a final decision.

d. Compensatory time must be used by the end of the leave year following the leave year in which it was earned. Utilizing sound judgement as to on-going workforce needs in terms of program and operational requirements, managers and supervisors must make every effort to allow employees to use earned compensatory time.

(1) Fair Labor Standards Act (FLSA) covered employees will be compensated for any unused compensatory time at the FLSA overtime rate in effect for the employee at the time in which the compensatory time was earned.

(2) Employees exempt from coverage under FLSA will forfeit any unused compensatory time, unless:

- the compensatory time was requested and subsequently denied and

- the latest request was made between September 1 and September 30 of the leave year following that in which the compensatory time was earned, in which case the employee shall receive overtime pay at the overtime rate in effect when the compensatory time was earned.

e. Compensatory time is considered a form of premium pay and is subject to all applicable maximum earnings limitations.

f. Compensatory time off in lieu of overtime pay is not an employee's absolute right. Management may deny requests for compensatory time off and pay overtime.

4. PROCEDURES

a. Authorization for Compensatory Time

The approving official will indicate in writing when compensatory time off, rather than overtime pay, is the authorized manner of compensation for officially ordered and approved overtime worked.

b. Crediting and Use of Compensatory Time

(1) Compensatory time is to be credited and used in increments of quarter hours (15 minutes).

(2) Periods of irregular, unscheduled overtime work, no matter how small, will be accumulated daily and totaled by the Timekeeper at the end of the workweek. Fractions of less than one-quarter hour will be dropped from the total.

(3) Employee requests to use earned compensatory time must be made in writing using a Standard Form 71 (Application for Leave) or an acceptable substitute form of memorandum. The appropriate official may approve or deny the request. Denial of the request must be noted on the request form and include the official's signature and the date the request was denied.

(4) Appropriate entries must be made on the employee's Time and Attendance Report (T&A) to account for all compensatory time as it is earned and used.

572.1 TRAVEL AND TRANSPORTATION FOR INTERVIEWS AND RECRUITMENT

1. PURPOSE AND SCOPE. In the past, agencies were permitted to pay travel and transportation expenses for new appointees when they determined there was a shortage of qualified candidates for a vacancy. Payment of travel expenses for interviews could be authorized for GS/GM-14 and above positions and for certain GS-10 to GS/GM-13 positions having unique qualification requirements.

The Federal Employees Pay Compensation Act now allows payment of travel expenses for interviews and for the move to the first duty station for new appointees for any position. There are no longer any restrictions as to grade level or determination of a shortage category.

2. DIRECTIVES AFFECTED

Directives Referenced

a. FPM Chapter 572

b. Federal Travel Regulations, Chapter 2

3. PROCEDURES

a. The selecting official may authorize payment of interview and/or relocation expenses for a vacancy being filled under his/her selection authority, subject to the availability of funds for relocation. There is no special funding for this purpose. Although there are no restrictions as to the positions which may warrant payment of travel expenses, effective management of resources would suggest that payment not be made when there are other similarly qualified candidates who are willing to pay their own expenses.

b. Federal Travel Regulations limit allowable expenses in connection with the relocation of a new appointee. Expenses which are not covered include real estate transactions, temporary quarters, house hunting trip, miscellaneous and en route per diem for family members. Financial Management staff at the selecting official's level should be consulted for additional information on allowable expenses and availability of funds before offering to pay interview or relocation expenses.

600 ATTENDANCE AND LEAVE

600.1 ELECTRONIC TIME AND ATTENDANCE REPORTING (PC-TARE)

1. PURPOSE AND SCOPE. To outline requirements and responsibilities associated with the National Finance Center's (NFC) Personal Computer Time and Attendance Remote Entry System (PC-TARE) for the processing of time and attendance data.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Orders 1630.1B and 2160.6C

b. NFC Payroll/Personnel Processing Manual (PPPM), (Time and Attendance Report Form AD-321), Title I, Chapter 21 and Title VI, Chapter 10, Sections 1 and 2 (PC-TARE Security Officers and PC-TARE For Timekeepers.)

3. T & A TRANSMISSION TIME FRAMES. T & A's should be completed and transmitted to the NFC by the close of business of the Monday following the pay period. This will ensure that time and attendance has been recorded for those units that have employees working over the weekend.

* 4. RESPONSIBILITIES. The requirements and responsibilities involved in the proper processing of Time and Attendance reports are established by Department of Justice Order 2120.6C. In carrying out these requirements and responsibilities, it is essential that all levels of managers, supervisors, timekeepers/timekeyers, and employees are knowledgeable of their role in compliance with this Order.

a. Chief Executive Officers. Chief Executive Officers or their designees must approve, in advance, the granting of overtime and compensatory time. In addition, the Chief Executive Officer (or designee) will delegate the responsibility for keying T & A's.

b. Supervisors

(1) Individual supervisors shall: be aware of existing leave policy and regulations published in DOJ Order 1630.1B; ensure that staff understand leave policy and regulations; and, exercise fair and honest enforcement of this policy and regulations.

(2) Supervisors of organizational units are responsible for designating timekeepers and alternates and for notifying the Human Resource Office in writing of any change in timekeepers.

(3) Supervisors are responsible for furnishing timekeepers with all necessary documentation (i.e. Form BP-369 (35)) concerning any employee overtime worked or compensatory time earned during the pay period. Supervisors should also ensure that documentation pertaining to corrected/amended T & A's is submitted promptly to the timekeeper/keyer.

(4) Supervisors are responsible for ensuring that employees do not certify their own time and attendance reports.

(5) Supervisors are responsible for certifying, by signing the T & A form, that time and leave for each of their employees has been accurately recorded. Supervisors should also ensure that adequate T & A records are maintained to support the entries made.

(6) Supervisors are responsible for ensuring that leave errors are promptly resolved and that any adjustments are properly documented. Leave audits should be performed in correcting most leave discrepancies and should be certified in writing by the supervisor. However, when leave audits are not appropriate, a memorandum to the file should be completed and signed by the supervisor detailing the reason adjustments were made. (See Section 5. Leave Adjustment Procedures.)

c. Human Resource Managers

(1) The Human Resource Manager is responsible for ensuring that timekeepers/timekeyers are adequately trained by a qualified and knowledgeable person(s) (at a minimum, annual refresher training) in both keying and the recording of time and attendance. *

(2) The Human Resource Manager or other responsible official within the Human Resource Office is responsible for obtaining and sending time and attendance data to the National Finance Center each pay period. Other personnel may be designated to do the actual uploading, but the responsibility remains with the Human Resource Manager.

* (3) The Human Resource Manager is responsible for ensuring that appropriate time and attendance reports are run each pay period and maintained to verify the accuracy and completeness of the time and attendance data processed. (See Attachment 6-6 for minimum report requirements.)

(4) The Human Resource Manager is responsible for ensuring that time and attendance files are forwarded to the receiving timekeeper upon employee transfer within the Bureau of Prisons.

(5) The Human Resource Manager is responsible for ensuring that accurate leave balance information (accessions) and updated accounting code data (accessions, transfers, and reassignments) be furnished to the timekeeper/timekeyer for the employees assigned to them. (See Attachment 6-7 for Timekeeper Information Sheet.)

(6) The Human Resource Manager is responsible for ensuring and documenting that a representative sample of each department's time and attendance files (a minimum of 5 files per department is recommended) are reviewed annually, and that appropriate corrective measures were taken to remedy any discrepancies (i.e. leave audits, corrections, additional T & A training, etc.).

(7) The Human Resource Manager is responsible for ensuring that adjustments to leave balances in PC-TARE and/or TINQ are sufficiently documented (i.e. leave audit, memorandum, screen prints, etc.) and a clear audit trail exists to explain why the adjustments were made. *

d. <u>Timekeepers and/or Timekeyers</u>

(1) Timekeepers and/or timekeyers are responsible for accurately recording and keying time and attendance data for the employees assigned to them. This may include the recording of their own time as well as the time of their immediate supervisors.

* (2) Timekeepers are responsible for ensuring that each time and attendance report is certified, in writing, as accurate by the supervisor prior to having the time and attendance data sent to the National Finance Center.

(3) Timekeepers are responsible for ensuring that any leave audits or adjustments are certified, in writing, as accurate by the supervisor. The original audit certification (or memorandum when audit is not appropriate) and supporting documentation should be maintained in the time and attendance file. An additional copy should be provided to the Human Resource Office. *

(4) Timekeepers are responsible for making a copy of the signed time and attendance report and promptly distributing it to the respective employee.

* (5) Timekeepers are responsible for maintaining an individual time and attendance file for each employee assigned to them. Included in this file should be the original certified time and attendance reports detailing tour of duty and daily time records (i.e. worksheet, etc.). For departments with various tours of duty, duty rosters kept in a separate file may be used as documentation if retained for six years. Other supporting documentation such as SF-71's, overtime authorizations, and military orders, etc., will be filed by the timekeeper in the individual employee's T&A file to support the entries made on the T&A report. Time and attendance records will be filed by individual employee and maintained for six years (or for one year if there has been a GAO audit). Time and attendance records will be sent to the Human Resource Office for forwarding to the gaining institution, upon employee transfer within the Bureau of Prisons. In the event a prior T & A has to be corrected, this must be performed electronically by the former institution where the T & A disks reside. *

(6) Timekeepers and/or timekeyers are responsible for delivering the "XMIT" diskettes which contain the time and attendance data to the Human Resource Office at the close of the pay period in time to allow for timely transmission to NFC.

* e. Employees

(1) Employees are responsible for furnishing timekeepers with SF-71, "Application for Leave" forms, and/or supporting documentation, regardless of leave type (annual leave, scheduled and unscheduled sick leave, compensatory time used, administrative leave, jury duty, military leave, and leave without pay, etc.), or for confirming leave taken by initialing the T & A report when an approved SF-71 is not on file. (SF-71's are required for leave of 5 days or more.)

(2) Employees are responsible for promptly reviewing their time and attendance reports and notifying their timekeeper of any discrepancies.

(3) If employees wish to retain a personal copy of their T & A file, they are responsible for maintaining one with the copies of the T & A's provided to them each pay period by the timekeeper.

5. LEAVE ADJUSTMENT PROCEDURES

a. Leave audits (AD-717) must be performed when leave discrepancies arise on the P0152 Leave Error Report and the reason for the discrepancy is not immediately apparent or easily explained.

b. Legitimate and apparent errors (i.e., incorrect keying, late SF-71 submission, etc.) may be adjusted by transmission of a corrected T & A.

c. When leave audits are performed, the AD-717 must be signed by the supervisor. The original is to be filed in the employee's individual T & A file.

(1) When balances must be adjusted in the PC-TARE Master Record, screen prints (before and after adjustments are made) must be attached to the original AD-717 for documentation purposes. A copy of the completed leave audit and supporting documentation must be forwarded to the Human Resource Office.

(2) When the Human Resource Office receives leave audits which require adjustments to TINQ, screen prints (before and after adjustments are made) must be attached to the leave audit documentation. This documentation must be filed by pay period with the P0049 Audit Trail of Leave Updated Report and P0152 Leave Error Report, and retained for 26 pay periods.

d. When leave discrepancies are apparent, and leave audits are not appropriate, a memorandum to the file must be completed and signed by the supervisor, detailing the specific adjustments required and the reasons adjustments are to be made.

(1) If the PC-TARE Master Record must be adjusted, screen prints (before and after adjustment) must be attached to the memorandum and filed in the individual employee's T & A file. Once completed, a copy of the memorandum and supporting documentation must be forwarded to the Human Resource Office.

(2) If TINQ must be adjusted, the original memorandum to file must be placed in the individual employee's T & A file, and an additional copy must be sent to HRM for processing. When the Human Resource Office receives the memorandum to file, screen prints (before and after TINQ adjustment) must be attached to the memorandum for documentation purposes and filed by pay period with the P0049 Audit Trail of Leave Updated Report and P0152 Leave Error Report, and retained for 26 pay periods in the Human Resource Office. *

* 610.1 INSTITUTION SHIFT STARTING AND STOPPING TIMES

1. PURPOSE AND SCOPE. To establish basic parameters for shift starting and stopping times for employees working at Bureau institutions and the procedures to establish these practices at all Bureau institutions.

2. COVERAGE. This section applies to all institution employees who are required to pick up keys or other equipment while passing through control on their way to their assigned duty post.

3. CRITERIA. Each institution shall have approved work schedules with shift starting and stopping times, for employees who work at the institution, to begin and end at the point employees pick-up and drop-off equipment (keys, radios, body alarms, work detail pouches, etc.) at the control center. Therefore, employees who pick-up equipment at the control center, shall have their shifts scheduled to include reasonable time to travel from the control center to their assigned duty post and return (at the end of the shift). If an employee arrives at the key line in a reasonable time to get equipment by the beginning of the shift, this employee is not to be considered late.

4. PROCEDURES. Institution posts that meet the above criteria must have approved rosters which meet required shift starting and stopping times. Wardens shall formulate a plan for all affected posts. Union participation at the local and regional levels in formulating plans is strongly encouraged. The Warden must submit a plan to his/her appropriate Regional Director **only if the plan includes an overlap in work schedules.** The plan, at a minimum, will include the following:

a. List of affected positions/duty posts;
b. Complete custodial roster;
c. Detailed summary of any costs incurred by the implementation of this plan.

5. SCHEDULE APPROVAL AND IMPLEMENTATION. The authority to approve the work schedules rests with the Regional Director. Once approval is received, each Warden shall ensure that requirements for shift starting and stopping times, and details of the approved institution plan, are clearly communicated to all institution employees. If at any time the schedule needs to be revised, follow procedures stated in this section.

6. SCHEDULING CONSIDERATIONS

a. An institution employee whose shift starts at 7:30 a.m. must be at the control center and have received his/her equipment no later than 7:30 a.m. to be considered "on time" for the start of his/her shift. To accomplish this, each location should ensure minimum waiting time for the employee in the key line.

If that same employee's shift ends at 4:00 p.m., he/she should drop-off his/her keys/equipment in the control center at 4:00 p.m., the scheduled quitting time. Reasonable travel time to and from the duty post to the control center would be compensable as part of the employee's tour of duty. Local supervisors should establish expectations that require employees to arrive and leave their duty post in a timely and reasonable manner. If an employee arrives at the key line in a reasonable time to get equipment prior to the shift, but does not receive the equipment by the beginning of the shift because of unforeseen circumstances, this employee is not to be considered late.

b. Due to these parameters, schedules may have to be adjusted and shifts overlapped for posts which require relief, as employees must be given time to arrive later and leave posts earlier to be at the control center on time. The length of time necessary to provide the overlap depends on the post location and the reasonable travel time to and from the control center to that post.

c. Although waiting time in key lines prior to the beginning of a shift is not "work time", such waiting time is to be reduced to a minimum to assist a smooth transition from shift-to-shift and more timely and predictable movement from the control center to the post. One way to accomplish this is through staggered shift starting and stopping times for day watch positions and placing additional personnel in the control center during busy shift changes. Another option is to assign equipment and keys to posts. If appropriate, assign key ring to 24-hour posts instead of requiring staff to wait in key line to exchange their chit upon arriving and departing work.

d. Physical layout of facilities is to be taken into consideration when establishing a work schedule.

e. If one equipment issue pass is insufficient, institutions should consider installing a second equipment issue pass at the control center.

f. Compressed work schedules may be an appropriate option (follow procedures for compressed work approval).

g. Each institution should consider incorporating practices which include increased costs or resources only after all other options have been exhausted.

h. Overtime may be considered for certain posts/shifts; however, this option is not meant to restrict the employer's management of overtime.

Overtime regulations, procedures, and requirements are not affected by this policy. *

630.1 ADMINISTRATIVE LEAVE IN CONJUNCTION WITH RELOCATION

1. PURPOSE AND SCOPE. Chief Executive Officers are delegated authority to grant administrative leave to employees in conjunction with their relocation to another Bureau of Prisons facility in accordance with established criteria.

2. CRITERIA

a. The purpose of such administrative leave is to carry out tasks necessary and related to the relocation such as real estate transactions, opening or closing bank accounts, enrolling or withdrawing children from school, packing, loading or unloading household goods, connecting utilities, registering or licensing vehicles, obtaining a driver's license, etc. This leave may not be used to delay the employee's travel en route to the new location.

b. Employees may be granted up to 40 hours of administrative leave, whether or not the move is being paid by the government and whether or not the employee takes a house-hunting trip. The leave may be used prior to the move, following the move or in any combination. In no case may the administrative leave exceed 40 hours.

c. Administrative leave authorized for relocation may be taken no sooner than official notification of the relocation and no later than 90 days after the employee reports for duty or the employee's family vacates the permanent residence at the old duty station.

d. Administrative leave authorized for relocation will be recorded on the employee's time and attendance report under object class code 1408.

e. Administrative leave authorized for relocation may be granted to both an employee and spouse if the spouse is a Bureau of Prisons employee and has been accepted for employment at the new location.

630.2 RESTORATION OF ANNUAL LEAVE

1. PURPOSE AND SCOPE. Forfeited annual leave may be restored to the employee if the forfeiture came about as a result of illness, exigencies of the public business, administrative error or unjustified or unwarranted personnel action.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Orders 1630.1B, dated 7/22/91

b. 5 CFR, Part 630.305.

c. 5 U.S.C., Section 6304

3. PROCEDURES

a. Initial request for restoration of forfeited annual leave is the responsibility of the employee. Human Resource Managers are to ensure that Request for Restoration of Forfeited Annual Leave (Attachment 6-1) is accurately completed by the employee.

b. Human Resource Managers will review the request and attachments, ensuring that it meets the requirements set forth in DOJ Order 1630.1B.

c. Institution Human Resource Managers will complete and sign the checklist (Attachment 6-2), attach it to the request and forward the request and attachments to their Regional Human Resource Administrator.

d. Regional Human Resource Administrators will review the request and determine whether the request warrants approval of restoration of forfeited annual leave. Approved requests will be returned to the institution HRM for processing.

e. Central Office employees will submit their requests to the Central Office HRM Office for review and approval. Approval requests will be processed in COPO.

f. Although the Regional Human Resource Administrators and the Central Office HRM are the approving officials, requests are closely reviewed and subject to rejection.

g. Approved requests will be processed by the appropriate HR office in accordance with the NFC Human Resource Operations Guide.

630.3 VOLUNTARY LEAVE TRANSFER PROGRAM

1. PURPOSE AND SCOPE. The purpose of this section is to establish guidelines and procedures for the administration of the VLTP in the Bureau of Prisons. This program permits federal employees to donate annual leave for the use of other federal employees who are experiencing a medical emergency.

2. DIRECTIVES AFFECTED

Directives Referenced

a. 5 CFR 630.907, 5 CFR 630.911, and 5 CFR 630.913.

b. DOJ Order 2120.6C Reporting Employee Time and Attendance

c. P.L. 100-566.

d. FPM Letter 630-33, dated 10/4/89.

3. DESIGNATION OF COMMITTEES. All requests to participate in the VLTP as donor or recipient will be processed through a VLTP Screening Committee. Screening Committees must be established at institutions, regional offices and the Central Office. Screening Committees should have three or more members consisting of a Chairperson and two or more members. Designation of the size and membership of the committee is at the discretion of the Chief Executive Officer. The committee must include a representative from the HRM Department and a representative from the Medical Department. Other member(s), which may include a member of the bargaining unit, is (are) selected at the discretion of the CEO. All members serve on the committee as a collateral duty.

Screening Committees have authority to approve or deny requests to participate in the VLTP. Upon approval of an employee to be a recipient under the program, the VLTP Screening Committee is responsible for forwarding the appropriate authorization to the HRM office to key the personnel transaction. Institution and regional office committees provide service to local employees. The Central Office will have two committees: a local committee established to provide service to local employees and a national committee established for oversight. The National VLTP Committee will be composed of the Bureau Personnel Director, the Deputy Medical Director and the Chief of Financial Management. Records should be maintained by the screening committees in order to evaluate the effectiveness of the program.

4. ADMINISTRATION. All requests to participate in the VLTP as donor or recipient must be submitted on official application forms (Attachments 6-3 and 6-4) to the local screening committee. An employee who has been affected by a medical emergency may submit an application to become a leave recipient. If an employee is not capable of making application a personal representative of the potential recipient may make written application on behalf of the employee. An immediate family member, guardian or trustee may request agency assistance for application.

Except for extenuating circumstances, donors and recipients of leave under the VLTP must be employees of the same bureau. Examples of extenuating circumstances include: no employees will donate leave to an approved leave recipient; an insufficient amount of leave is donated; or a family member employed by another bureau of the Department of Justice or by another federal agency requests to transfer annual leave to the recipient. See attachment 4 of FPM Ltr. 630-33 for request form OF630-B, Request to Donate Annual Leave to Leave Recipient (outside agency) under the leave transfer program. In cases where an insufficient amount of leave is donated by Bureau employees, the local VLTP Screening Committee should request advice and/or assistance from the National VLTP Committee. An applicant to be a recipient must be informed of the committee's decision in writing within ten working days after the committee's receipt of the application.

When insufficient donations are received locally, the institution may request nationwide solicitation. The request should be addressed to the Personnel Director but sent via EMS to the Pay and Position Management section (BOP PPM) for processing. Requests should include the name of the recipient, a brief statement indicating the total number of hours donated at the local level, and the nature of the emergency. The National VLTP Committee will review the request with approval of the Personnel Director. Once the request has been approved the institution will be notified and given permission to solicit contributions nationwide. The employee must give permission prior to issuing the Bureau-wide request.

All decisions of the screening committee will be based upon a majority vote. The local screening committee will decide on the propriety of a request to be approved as a recipient based upon proof of a medical emergency and that leave balances are, or will be, within established criteria. The criteria are:

a. For an approved leave recipient whose medical emergency is a medical condition of his/her own, or to provide care and attendance to a member of the immediate family who has a contagious disease (a disease for which public health officials require that a patient be quarantined, isolated or restricted), the sick and annual leave balances must be zero (or negative)

prior to the official transfer of donated annual leave.

b. For an approved leave recipient whose medical emergency is a medical condition of his/her family (other than a contagious disease), only the employee's annual leave balance need be zero (or negative) prior to the transfer of donated leave.

In accordance with 5 CFR Section 630.907, if a recipient is in a transferred leave status for an entire pay period, the annual and sick leave accruals of the employee may accumulate up to a maximum of 40 hours for subsequent crediting and use by the employee effective the beginning of the pay period after the date on which the employee's medical emergency terminates.

The screening committee will review each request for designation as a donor of annual leave to an approved leave recipient to ensure that the recipient is not the donor's immediate supervisor. No one may donate leave to his/her immediate supervisor. The screening committee will review each donor's request to ascertain that the donor is not transferring more leave than is permitted under the guidelines outlined below:

A leave donor may transfer to an approved leave recipient the lesser of his/her: accrued annual leave balance; one half of the amount of annual leave he/she will accrue during the current leave year; or, if the prospective leave donor is projected to have "use or lose" annual leave that could be subject to forfeiture at the end of the leave year, the number of hours remaining in the leave year (as of the date of transfer) during which he/she is scheduled to work and receive pay.

The decision to donate annual leave is irrevocable once the leave has been transferred. The minimum amount of annual leave which can be transferred from a donor to a leave recipient is four hours.

Annual leave transferred may be substituted retroactively for periods of leave without pay (LWOP) or advanced annual and/or sick leave granted on or after the date verified by the VLTP screening committee as the commencing date of the medical emergency. Screening committees may, if necessary, with the concurrence of the approved leave recipient, publicize in an appropriate manner the name, nature of the medical emergency, estimate of leave requirements and other pertinent information.

VLTP screening committees will establish appropriate control and follow-up systems to monitor the eligibility of recipients for continued participation. Except for documented emergencies that will obviously be of extended duration, the VLTP screening committee will require, as appropriate, the periodic submission of supporting documentation by the employee.

5. TERMINATION OF PARTICIPATION. The medical emergency affecting an individual shall terminate (1) at the end of the pay period in which the committee determines that the emergency no longer exists; (2) when the recipient's employment is terminated; (3) at the end of the pay period in which notice is received that application for disability retirement has been approved. When necessary, and after coordination with the recipient's supervisor, the VLTP screening committee will issue notifications to recipients of their termination as participants. These notices must provide the reason(s) for the termination.

When a recipient is terminated from participation in the VLTP, the committee will determine the amount of leave to be refunded to each donor and will provide the servicing HRM office with this information.

If an employee's medical emergency is terminated due to death or OPM approval of disability retirement, any transferred annual leave remaining in the recipient's account will be used first to liquidate any annual and/or sick leave advanced to the employee, then to replace any leave without pay, prior to restoration of such leave to the leave donor(s).

Any transferred annual leave remaining to the credit of a leave recipient when the medical emergency terminates shall be restored to the leave donor in full hour increments. The minimum amount of leave which can be restored to a leave donor under 5 CFR Section 630.911 is one hour. The restoration formula is as follows:

a. Divide the number of hours of unused transferred annual leave by the total number of hours of annual leave transferred to the leave recipient.

b. Multiply the ratio obtained above by the number of hours of annual leave transferred by each leave donor.

c. Round the result obtained above to the next lower whole hour amount. This is the amount restored to each leave donor.

d. If the total number of leave donors exceeds the total number of hours of annual leave to be restored, no unused transferred annual leave shall be restored.

If the VLTP expires before the termination of the medical emergency affecting a leave recipient, any annual leave transferred to the recipient before the expiration of the VLTP shall remain available for use by the leave recipient until the termination of the medical emergency.

6. MEDICAL EMERGENCY. The definition of medical emergency is limited to a medical condition of an employee or a family member that is likely to require an employee's absence from duty for a prolonged period of time (at least 80 hours) and result in substantial loss of income to the employee because of the unavailability of paid leave.

A medical emergency could be a serious medical problem of the employee of a member of the employee's family. Absence for maternity reasons could constitute a medical emergency only during the period of the employee's physical incapacitation for duty and must be supported by documentation from the attending physician. The determination that a medical situation constitutes an emergency will be made by the local VLTP screening committee on a case-by-case basis after careful consideration of the medical reasons and documentation provided by the employee or someone acting on the employee's behalf.

7. SUPERVISORS' RESPONSIBILITIES. Supervisors must be familiar with the VLTP and cooperate with the VLTP screening committees in the administration of this program. Supervisors cannot disqualify or prohibit an employee from applying for approval as a leave recipient under the VLTP. However, the responsibilities and rights of immediate supervisors regarding the approval and use of transferred annual leave and accrued sick or annual leave are not abrogated by an employee's approval as a leave recipient.

Immediate supervisors should monitor the use of transferred leave and notify the VLTP screening committee of any concerns they may have over the inappropriate use of transferred leave.

8. TIMEKEEPERS' RESPONSIBILITIES. The Timekeeper must apply leave so that appropriate sick and/or annual leave balances are at zero in accordance with section 4a or b, for the employee while that employee is in a recipient status. The Timekeeper will keep a running accrual of leave that would have been received by the recipient if he/she had been in a regular duty status.

9. VLTP RECORDS. The Human Resource Assistant will receive documentation on an approved recipient for Voluntary Leave Transfer. The Human Resource Assistant will then enter a "yes" in the designated field on TINQ screen 01 for the recipient.

The Human Resource Manager will notify the timekeeper that the employee is an active recipient of the Voluntary Leave Transfer Program and instruct them to zero out leave balances in accordance with section 4a or b.

10. HUMAN RESOURCE OFFICE RESPONSIBILITIES. The Human Resource Manager will certify donations of leave for each recipient.

The Human Resource Assistant will adjust the donating employees "ANNUAL LV USED YTD" field through TINQ and will adjust the recipients "ANNUAL LV ACCRUALS YTD" field through TINQ.

The Human Resource Manager will, at the end of the Medical/Family Emergency, notify the Human Resource Assistant and the Timekeeper that the employee is being removed from the Voluntary Leave Transfer Program. Upon this notification, the Timekeeper will recredit the leave that the employee would have received had the employee been in a regular duty status. The recredit will be what the employee would have received or **40 hours**, whichever is less. This includes Annual Leave and Sick Leave. An employee who is out for an extended period under section 4a will continue to accrue sick and annual leave up to 40 hours each. An employee who is out under section 4b will continue to accrue annual leave up to 40 hours. Sick leave balances are unaffected for situations covered by section 4b.

Upon notification, the Human Resource Assistant will adjust the "ANNUAL LV ACCRUALS YTD" through TINQ to show the accrued leave or 40 hours, whichever is applicable (as described above).

11. APPEALS. There are no statutory or regulatory appeal procedures under this program; appeals are limited to those available under the negotiated or agency grievance procedures.

12. COERCION. An employee may not directly or indirectly intimidate, threaten or coerce or attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with any right such employee may have with respect to donating, receiving or using annual leave under this program.

630.4 LEAVE FOR MATERNITY PURPOSES

1. PURPOSE AND SCOPE. To establish employee and management responsibilities for requesting and granting leave for maternity purposes. Leave for maternity purposes is defined as a combination of sick leave, annual leave and leave without pay to cover the time required for physical examinations and the period of incapacitation and recuperation related to pregnancy and the birth of a child.

2. EMPLOYEE RESPONSIBILITY. A pregnant employee should request leave as far in advance as possible, including the type of leave, appropriate dates and anticipated duration.

Where working conditions are strenuous or hazardous, management will consider a request for the temporary modification of working conditions to protect the mother's health and that of her unborn child. This request should contain a medical certification as to the nature of the limitations which are recommended.

3. MANAGEMENT RESPONSIBILITY. Management must apply the same leave policies, regulations and procedures for maternity purposes as are applicable to any other type of leave request. Childbirth or complications of pregnancy are temporary disabilities and must be treated, for leave purposes, in the same manner as any other physical condition which incapacitates an employee. Also, every reasonable effort should be made to accommodate a valid request for modification of duties.

4. LEAVE FOR CHILDBIRTH. Sick leave is appropriate for the period of incapacitation for delivery and recuperation. It is understood that some deliveries require longer recuperation than others, therefore, medical certification defining the length of recuperation necessary must be provided. An employee may also request annual leave, advanced sick/annual leave or leave without pay. In most cases, this leave for incapacitation and recuperation will be for a period of up to six weeks.

5. INFANT CARE. Annual leave and/or leave without pay may also be approved to allow the parent time to adjust to a new family member and develop a close relationship with the infant.

6. ADOPTION LEAVE. Reserved pending publication of OPM regulations.

7. DURATION OF LEAVE. The total length of leave granted, out of necessity, must be determined on a case-by-case basis. Determination as to which category of leave is granted (sick, annual or leave without pay) will be made by the supervisor based on the leave request submitted by the employee. However, medical certification, defining the length of recuperation necessary, must be provided to support any requested sick leave. The maximum combination of leave granted will ordinarily not exceed six months.

630.5 HOME LEAVE

1. PURPOSE AND SCOPE. The purpose of this section is to establish guidelines and procedures for granting of Home Leave to those BOP individuals recruited from the United States for service abroad, including Puerto Rico.

2. DIRECTIVES AFFECTED

Directives Referenced

a. FPM, Chapter 630

b. DOJ Order 1630.1D Leave Administration

c. Civilian Personnel Law Manual, Title 2, Chapter 5.E (Home Leave)

d. Civilian Personnel Law Manual, Title 4, Chapter 2.D (Renewal Agreement Travel)

e. 5 U.S.C., Section 6304 (b) and 6305 (a).

3. PROCEDURES. The contents of the references are not repeated herein; however, the following clarification is offered:

To be eligible for Home Leave, the BOP employee must have completed twenty-four months of continuous creditable service in Puerto Rico and agree to an additional tour of duty of not less than twelve months, (Attachment 6-5). Home Leave is to be taken in the United States. Home Leave may not be used in Puerto Rico.

Prior to being transferred to Puerto Rico, the employee must complete "Foreign Assignment, Initial Written Agreement, Overseas Transfers" for a twenty-four month period. (See Financial Management)

BOP Employees will earn no more than 5 days of Home Leave for each twelve month period.

The renewal travel agreement provisions are intended to provide expense reimbursement for round-trip travel and transportation by civilian government employees and their families between tours of duty overseas for the purpose of taking home leave.

Approval of Home Leave will be at the discretion of the Warden and may be approved in combination with other leave of absence.

* 640.1 COMPRESSED WORK SCHEDULES

1. PURPOSE AND SCOPE. To provide general information regarding compressed work schedules and to specify the procedural guidelines for submitting and obtaining clearance for compressed work schedules.

2. DIRECTIVES REFERENCED

a. Public Law 95-390, Federal Employees Flexible and Compressed Work Schedules Act (9/9/78)

b. 5 U.S.C., Chapter 61, Subchapter II

c. 5 CFR, Part 610, Subpart D

3. OVERVIEW. Issues regarding compressed work schedules include:

a. A compressed work schedule enables a full-time employee to work his or her 80-hour biweekly work requirement in less than 10 workdays. All compressed work schedules are fixed schedules, meaning the times of arrival and departure are regular and fixed. There are no provisions under this type of schedule for flexible tour of duty hours. In determining schedules, Chief Executive Officers (CEOs) have the authority to set core hours (designated hours and days during which an employee must be present for work) based on the needs of the discipline or work unit.

b. The Bureau currently uses two types of compressed work schedules, where it is feasible to do so. These schedules are the 4-day workweek and the 5-4/9 plan.

- The 4-day workweek is a fixed tour of duty which is limited to four 10-hour days per week.

- The 5-4/9 plan consists of a fixed tour of duty limited to eight 9-hour days and one 8-hour day within a biweekly pay period.

Workdays in excess of 10 hours are not recommended for inclusion in a compressed work schedule. These schedules may have a detrimental effect on institutional security and could inhibit employee ability to adequately supervise inmates due to excess fatigue caused by the longer shifts. Schedules consisting of 12-hour days may be determined under limited circumstances.

c. Compressed work schedules are not an employee entitlement and may be negotiated at the local level. Supervisors are responsible for establishing and monitoring their employees' work schedules, and determining if adequate personnel coverage will be provided to ensure the effective and efficient functioning of the work unit. Supervisors have the flexibility to request a compressed work schedule for one employee, or a group of employees, based on the work needs of the office and the demonstrated performance and reliability of the individuals involved.

The duties of some positions do not lend themselves to this type of work schedule. Position complement may also restrict participation.

d. An employee on a compressed work schedule who transfers to another office must follow the schedule in effect in the new office.

e. If an employee goes to another position while remaining within the same office, the supervisor must evaluate the impact of participation on the work requirements of the new assignment.

f. Any employee for whom a compressed work schedule would impose a severe personal hardship may request exclusion from the schedule. The local CEO will consider requests for exclusion from participation because of a personal hardship on a case-by-case basis. However, if a majority of the bargaining unit employees vote on this type of schedule, the outcome is binding upon all participating employees.

g. The servicing Human Resource Management Office shall maintain records documenting the type of schedule(s) in use and the number of participating employees. Any documents containing an evaluation of the program in terms of effectiveness or impact shall also be maintained.

4. PROCEDURES. Requests for compressed work schedules will be approved on a case-by-case basis. The following procedural guidelines are to be followed when submitting a request:

a. Compressed work schedules shall be negotiated at the local level with the Chief Executive Officer having approval authority. Requests shall be negotiated in accordance with the current Master Agreement and the terms of 5 U.S.C. Chapter 61, Subpart II.

b. The completed compressed work schedule request package shall include the following:

(1) A cover memorandum from the CEO to the Office of General Counsel (OGC), Labor Law Branch.

(2) A complete copy of the schedule requested (see Attachment 6-8).

(3) A letter of approval from the local union president if the schedule impacts members of the local bargaining unit (see Attachment 6-9).

(4) A signed memorandum of understanding for all employees covered by the schedule (see Attachment 6-10).

(5) A Supervisory Pre-Implementation Questionnaire (see Attachment 6-11).

(6) A U.S. Department of Justice Flexible Work Option Request Form completed by each employee participating in the compressed work schedule.

c. Supervisors shall coordinate requests with the local bargaining unit and their servicing Human Resource Office to ensure consistent processing of requests.

d. The compressed work schedule request package approved at the local level and three copies of the package (to be forwarded by OGC to the Council of Prison Locals, the appropriate discipline's Assistant Director and the Employee Relations Section) shall be forwarded by the institution's servicing Human Resource Office to the Office of General Counsel, Labor Law Branch, for a legal and technical review. Schedules shall not be implemented until the final review is completed.

e. If upon completion of the review at the national level, a schedule is determined to be insufficient from a legal or technical standpoint, the Office of General Counsel, Labor Law Branch, will provide a written response to the parties involved at the local level explaining the adverse impact the schedule would have upon the agency. At this time, the local parties may attempt to:

(1) Renegotiate the schedule or,

(2) Exercise their statutory appeal rights.

If no adverse agency impact is determined, OGC notification to implement the schedule will be provided.

f. Six months after implementation of an approved schedule:

(1) The supervisor must complete a Six Month Supervisory Assessment of Compressed Work Schedule form (see Attachment 6-12).

(2) The form, along with a cover memo which includes the institution name and the department/unit working the schedule, shall be submitted to the Office of General Counsel. OGC will coordinate a technical and legal review with the appropriate discipline Assistant Director and the Labor Management Relations Branch.

g. If it is determined the compressed work schedule has an adverse impact on the agency, OGC will issue a letter directing termination. If terminated, local parties may attempt to:

(1) Renegotiate the schedule or,

(2) Exercise their statutory appeal rights.

h. If a schedule is discontinued for reasons other than an adverse agency impact, OGC shall be notified of the discontinuance and the reason(s) for it. *

711.1 LABOR-MANAGEMENT AND EMPLOYEE RELATIONS

1. PURPOSE AND SCOPE. To establish procedures involving bargaining with the union in relation to violation of negotiated agreements.

2. DIRECTIVES AFFECTED

Directives Referenced

a. Master agreement between the Federal Bureau of Prisons and AFGE, Council of Prison Locals.

b. Applicable local Supplemental Agreements.

3. PROCEDURES. In instances involving bargaining with the Union or interactions with bargaining unit employees, care should be taken to ensure that the provisions of the Master Agreement or any Supplemental Agreement are not violated.

711.2 PROCESSING GRIEVANCES AND UNFAIR LABOR PRACTICES

1. PURPOSE AND SCOPE. To establish procedures for processing grievances and unfair labor practices.

2. PROCEDURES

a. Grievances. In the case of grievances, local Human Resource Manager shall process responses to grievances filed under agency or negotiated procedures up to the step immediately prior to arbitration or hearing. The local HRM shall secure approval of the final response from the Regional HRM (and from Labor Management Relations (LMR) on a needs basis), before issuing the response. Upon selection of an arbitrator, the local HRM will send a copy of the grievance file to the LMR Section. The date for the hearing, if any, shall be determined in consultation with the LMR Section.

b. Unfair Labor Practices. In the case of unfair labor practices, the local HRM shall notify LMR upon receipt of a charge of an Unfair Labor Practice (ULP) and send a copy of the charge to LMR. The Chief of Labor Management Relations shall be designated as the representative for the Agency on the ULP designation of representative form. The LMR Section shall coordinate, with the assistance of the local HRM, any communications between the institution and the FLRA. These include interviews, responses and settlement discussions. If the Federal Labor Relations Authority files an official complaint, the institution shall immediately notify the Regional HRM and LMR, then forward the entire file to LMR. LMR shall prepare the response to the complaint.

711.3 EMPLOYEE JOB ACTION CONTINGENCY PLAN

1. PURPOSE AND SCOPE. Each Chief Executive Officer will develop a local contingency plan addressing the steps to be taken in the event of an employee work stoppage. All supervisory staff will be required to read the local plan and sign a log certifying that they have done so.

713.1 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

1. PURPOSE AND SCOPE. To establish procedures indicating policies and procedures governing the Federal Bureau of Prisons. The Federal Bureau of Prisons, which includes the Federal Prison Industries, Inc. (UNICOR) and the National Institute of Corrections, is fully committed to equal opportunities in employment. This commitment goes beyond the letter of the law, extending to the spirit of the law and to making certain that we offer full and equal employment opportunities to all employees and applicants in all aspects of human resource management policies and practices.

2. DIRECTIVES AFFECTED

Directive Referenced

P.S. 3713.13 Affirmative Action Program (10/22/90)

3. PROCEDURES. Complete information on the policies and procedures governing the Federal Bureau of Prison's Equal Employment and Affirmative Action Programs is included in the current Program Statements and Operations Memoranda covering these subjects, which are published separately from this manual.

713.2 UPWARD MOBILITY PROGRAM

1. PURPOSE AND SCOPE. To establish objectives of the Upward Mobility Program. The Upward Mobility is a systematic management effort to develop career opportunities for lower level employees who are in positions or occupational series which do not enable them to realize their full potential.

2. DIRECTIVES AFFECTED

Directives Referenced

a. DOJ Order 1411.2A Upward Mobility

b. FPM Chapter 713

c. General Policies and Instructions for the Qualifications Standard Handbook.

3. OBJECTIVES. The following comprise the objectives of the Upward Mobility Program.

a. To assist employees in identifying and fulfilling their career goals.

b. To provide a system which enables employees and managers to better utilize the knowledge, skills and abilities of employees.

c. To provide training and developmental opportunities for employees to better enable them to meet the current and future missions of the Bureau of Prisons.

d. To enable the Federal Bureau of Prisons to meet current and future staffing needs by preparing employees to meet those needs and increasing the number of qualified applicants.

e. To motivate employees to achieve their full potential, enhancing morale and employee satisfaction.

f. To implement merit principles and affirmative action goals.

4. RESPONSIBILITIES

a. The Assistant Director, Human Resource Management Division, is responsible for the development and implementation of the upward mobility program throughout the Federal Bureau of Prisons.

b. Chief Executive Officers at all levels of the organization are responsible for fostering a climate in which employees are encouraged to achieve their full potential and are provided training and developmental opportunities to do so.

c. Human Resource Managers and Employee Development Managers are jointly responsible for developing and implementing the elements of an upward mobility program at their facilities.

d. Employees are responsible for identifying their career goals, taking advantage of training and developmental opportunities which will help them fulfill their goals and for seeking the advice and assistance of their supervisors, human resource managers, employee development managers and others who will help them achieve their full potential. Employees are ultimately responsible for their own careers.

5. COVERAGE

a. Employees Covered. Any permanent employee with one year of service in the Federal Bureau of Prisons in single increment series GS-1 through GS-8 and equivalent Federal Wage System employees, as determined by the representative rate comparisons. Applicants with less than one year of service may apply for a position designated as upward mobility, but will not have the upward mobility benefits. Supervisory employees may not be included in formal upward mobility programs.

b. Positions Covered. Any position may be identified as a target or bridge position in the upward mobility program except those for which OPM qualification standards describe a positive education requirement.

6. ELEMENTS OF UPWARD MOBILITY. The objectives of upward mobility can be met through a variety of existing human resource management and employee development programs. Among them are:

a. Workforce Utilization Planning. Through the regular activities of workforce utilization committees (see Section 312.1 of this manual), institutions identify projected vacancies, turnover data, anticipated workload or mission changes and other factors which affect the ability to meet staffing and mission needs. The assessment of these factors often reveals opportunities to restructure positions, fill positions below the full performance level or identify training needs, all of which can lead to upward mobility opportunities for staff.

b. Details for Training. In order to take advantage of our current employee's correctional skills, the Federal Bureau of Prisons endorses the concept of competitive details for training.

These details are announced under merit promotion procedures and afford the employee an opportunity to acquire the knowledge, skills and abilities needed to move into the target position. Details for training also allow an employee to "try on" a new line of work before committing themselves to a different career path. Refer to Sections 335.1, 335.2 and 335.6 for additional information and procedural requirements for details for training.

c. Filling Positions Below the Full Performance Level. It is common practice in the Federal Bureau of Prisons to announce vacancies under merit promotion procedures at multiple grade levels. This practice benefits management by increasing the applicant pool and benefits employees by enabling them to enter a career ladder with promotion potential.

d. Modifying Qualification Requirements. As described in OPM X-118 General Policies and Instructions Handbook and Section 338.2 of this manual, general and specialized experience requirements may be modified to allow placement of applicants who have closely related experience. Judicious use of this provision furthers upward mobility goals by enhancing opportunities to change career paths.

e. Career Development Program. X-118 General Policies and Instructions Handbook Qualifications must be met unless modified as in Paragraph 6.d. above. Career development programs are designed to help employees identify career goals through skills preference inventories. Employees have an opportunity to achieve their goals through preparation of Position Development Plans (for their current positions), including formal training, developmental assignments, cross-development courses, self-study courses, and counseling.

7. PROGRAM REQUIREMENTS. Each year, as part of the Annual Staffing Plan developed by the Workforce Utilization Committee, each institution will identify the positions or types of positions which will be filled through the upward mobility techniques described in Paragraph 6 above. The identification of upward mobility positions should be based on an assessment of anticipated vacancies, the availability of potential applicants and impact on the organization, that is, whether positions can be restructured or filled at a lower level, qualifications modified or other actions taken without a negative effect on the operation of the institution. The fact that a particular position is not identified in the annual staffing plan as an upward mobility position does not prevent the institution from using any or all of the techniques in Paragraph 6 to fill it.

8. PAY CONSIDERATIONS. When an employee is receiving pay which is higher than the maximum rate of the grade in which he or she is placed under a formal upward mobility or apprenticeship program, pay retention is mandatory. To document an employee's eligibility for pay retention, the vacancy announcement for any position or detail for training which is covered by the upward mobility program will identify it as an upward mobility opportunity. Further, the SF-50 documenting the employee's selection will include a remark showing that the employee is participating in an upward mobility program. An employee is not entitled to pay retention if they were selected for an upwardly mobile position that has the same or less promotion potential than their current position.

715.1 EXIT INTERVIEW/SURVEY PROGRAM

1. PURPOSE AND SCOPE. To establish procedures for effecting exit interview/survey program. Management is constantly seeking ways to analyze and improve operations. Information from employees who have decided to leave the service can be particularly valuable in helping to identify issues which affect employee morale, satisfaction and retention.

2. PROCEDURE

a. Exit Survey. As part of the clearance process, the HRM will provide each separating employee with a confidential exit survey (Attachment 7-1) along with a business reply envelope addressed to:

Bureau of Prisons
Human Resource Research and Development
320 First Street, N. W.
Washington, D. C. 20534

Except in unusual circumstances, such as when an employee quits without notice and walks off the job, employees should complete the survey before leaving the facility. HRM offices will provide space and opportunity for the employee to complete the survey. If the employee refuses to complete the survey before leaving, HRM offices will give the employee the survey form and envelope and encourage them to complete it and mail it. The names of employees who refuse to complete the survey should be forwarded to the HRD office so that response rates can be tracked.

b. Exit Interview. Personal exit interviews are no longer required, however, HRM's may, at the discretion of the Chief Executive Officer, continue to conduct exit interviews in order to gather information locally regarding separating employees. The exit interview form is Attachment 7-2.

731.1 Personnel Security, Suitability, and Investigation Program

1. PURPOSE AND SCOPE. To establish personnel security, suitability, and investigation procedures applicable to the Bureau and to establish sensitivity requirements for all positions.

2. DIRECTIVES AFFECTED

* a. Department of Justice Order 2610.2A

b. PS 3420.08, Standards of Employee Conduct (03/07/96)

c. PS 6021.01 Commissioned Officer Student Training/Extern Program (09/16/94) *

3. RESPONSIBILITIES

a. The Bureau of Prisons' Chief of Labor Management Relations and Security Branch is responsible for the overall administration of the Personnel Security, Suitability, and Investigation Program. The responsibility for this program is delegated to the Human Resource Management Division, which is required to designate a Personnel Security Program Officer.

* b. The Chief, Security and Background Investigation Section is designated as the Personnel Security Program Officer and is responsible for issuing Bureau-wide guidance and procedures for the proper background investigation of all Bureau employees; ensuring that background investigations are reviewed and documented; and that all derogatory information is resolved. The Program Officer ensures that these guidelines provide for the appropriate employment security approval of Bureau employees.

c. Background investigations for Attorney and Law Clerk positions will be conducted by the FBI through the Office of Attorney Personnel Management. These background investigations will be reviewed by the General Counsel, Bureau of Prisons. Schedule C and non-career SES background investigations will be handled by the Department of Justice SEPS office and will not be reviewed by the Bureau of Prisons.

d. Regional Human Resource Administrators are responsible for the administration of the Personnel Security, Suitability, and Investigation Program within their region. Regional Administrators will ensure appropriate background investigations are initiated on regional office staff, and supervise the resolution of issues and initial adjudication of investigations on employees throughout the region.

e. Institution Human Resource Managers are responsible for pre-employment screening and initiating appropriate background

investigations on institution employees, assisting with the resolution of any and all derogatory information as needed.

f. Human Resource Security Specialists are responsible for processing and reviewing background investigations. The human resource security specialist ensures all derogatory information has been satisfactorily resolved, or if issues remain unresolved refers to higher management official for further review. *

4. PROCEDURES

a. DESIGNATIONS. All positions within the Bureau of Prisons are designated as sensitive positions for national security purposes. There are three categories of sensitive positions - SPECIAL SENSITIVE, CRITICAL SENSITIVE and NON-CRITICAL SENSITIVE. There are three levels of risk designation described in 5 CFR 731 - High, Moderate and Low. All positions within the Bureau are designated at the High or Moderate risk level as determined by the position's potential for adverse impact to the efficiency of the service.

Each category has distinct background investigation requirements. The three categories of sensitivity and risk designations are generally defined below:

SPECIAL SENSITIVE POSITIONS - any position which involves the highest degree of trust, to include all Heads of Department Components. Positions with Top Secret access to National Security Information, Federal Emergency Management Agency special access programs, witness security programs and ADP-Computer positions whose duties meet the requirement set forth in this paragraph.

CRITICAL SENSITIVE POSITIONS - any position which involves fiduciary, public contact, or other duties demanding the highest degree of public trust. Positions with Secret or Confidential access to National Security Information, ADP-computer positions responsible for the planning, direction and implementation of a computer security program; the direction, planning and design software; or, accessing a system during the operation or maintenance in such a way and with relatively high risk, to cause grave damage or realizing a significant personal gain. Additionally, these positions involve the development or approval of plans, policies, or programs which affect the overall operations of the Bureau of Prisons.

NON-CRITICAL SENSITIVE POSITIONS - any position which involves duties that may directly or indirectly adversely affect the overall operations of the Bureau of Prisons, and duties that demand a high degree of confidence and trust. This includes ADP-computer positions concerning the direction, planning, design, operation or maintenance of a computer system, and whose work is reviewed by a higher authority at the Special-Sensitive or Critical-Sensitive levels to insure the integrity of the system.

* Special Sensitive and Critical Sensitive positions are designated High Risk due to the potential for exceptionally serious impact involving duties especially critical to the agency or a program mission with broad scope of policy or program authority. Non-Critical Sensitive positions are designated Moderate Risk due to the potential for moderate to serious impact involving duties of considerable importance to the agency or program mission with significant program responsibilities and delivery of customer services to the public such as:

- Policy development and implementation;
- Mid-level management assignments;
- Non-management positions with authority for independent or semi-independent action; or
- Delivery of service positions that demand public confidence or trust.

All positions identified as Moderate Risk are considered law enforcement positions for this purpose.

The sensitivity determination chart (Attachment 7-3) identifies the sensitivity category and risk designation of all positions within the Bureau of Prisons. Any employee entering:

- A SPECIAL SENSITIVE position must have a SINGLE SCOPE BACKGROUND investigation (SBI).

- A CRITICAL SENSITIVE position will be required to have a FULL-FIELD BACKGROUND investigation (BI).

- A NON-CRITICAL SENSITIVE position will require a LIMITED BACKGROUND investigation (LBI).

All positions are subject to five year reinvestigations.

b. RECORD KEEPING. All personnel offices are required to maintain logs with the following information, at a minimum:

(1) Background Investigation Log

- Name
- EOD
- OPM investigation receipt date;
- Date temporary security file forwarded to regional specialist

(2) Credit Check Log

- Name
- Social Security Number
- Date of Inquiry

Security Specialists shall maintain a log with the following information, at a minimum:

- OPM completion date;
- Date of receipt from OPM;
- Date approval was requested from SBIS;
- Date approval was received. *

c. PRE-EMPLOYMENT PROCEDURES. Central Office, Regional, and Institutional Human Resource Managers will ensure that the following procedures are applied to all individuals who are initially hired under career-conditional or career appointments in the Federal Bureau of Prisons.

* Temporary/Excepted appointments which exceed six months will also be covered by these procedures. *

STEP 1. An Inquiry as to Availability (OF-5) form (Attachment 3-7) may be used to initially contact qualified individuals being considered for Bureau employment. At a minimum, the following information will be addressed on the OF-5:

(a) A statement advising the individual that he/she must schedule and report for an interview in order to be considered for employment.

* (b) A Questionnaire for Public Trust Positions (SF-85P), and Declaration for Federal Employment (OF-306), will be attached with instructions that they must be completed and brought to the personnel office on the day the interview is scheduled. *

(c) A statement advising the individual that a credit check will be run prior to their reporting for an interview.

(d) A statement advising the individual that an NCIC record check will be run prior to the scheduled interview.

* STEP 2. Prior to the Pre-Employment Interview the applicant will be given a form (Attachment 7-4) emphasizing the importance of complete, accurate and truthful information. The applicant must sign the form acknowledging receipt and understanding of the information provided. The Human Resource Manager or designated alternate will conduct a pre-employment interview (integrity interview) in accordance with published guidelines. Only individuals who have received the pre-employment interviewing training shall perform the pre-employment interview. If information is gathered, and confirmed by the candidate during the pre-employment interview which indicates the candidate does not meet the employment standards for the Bureau of Prisons, the Human Resource Manager or designated alternate may terminate the employment screening process at this point. (Note: OPM does not always sustain an objection based on admissions of behavior

defined as exceeding the Guidelines of Acceptability.)

Candidates found to be suitable in the pre-employment interview will be referred to the interview panel as outlined in the following steps.

WAIVERS TO STANDARDS OF ACCEPTABILITY. There may be occasions where an applicant's past behavior is defined as unacceptable by the Guidelines of Acceptability, but due to extenuating circumstances the selecting official still wishes to select the applicant. When this situation arises, the selecting official must request that the Guidelines of Acceptability be waived. *

Such a waiver can only be granted by the respective Regional Director or Assistant Director. This waiver must be in writing and include:

- The details and circumstances surrounding the applicant's derogatory behavior which is outside the guidelines.
- The reasons why this applicant should receive further consideration.
- The availability of other suitable applicants.

A copy of this waiver must be maintained in the employee's temporary security file and must be forwarded to SBIS when adjudicating their investigation. Employment of an applicant who falls outside the guidelines without the proper waiver may be grounds for taking disciplinary action against the party/parties responsible for the selection.

STEP 3. The prospective employee will be given ample time to read and complete the below listed forms prior to the panel interview:

- Employee Notification of Federal Prison System Training Requirements.
- * Statement of Selective Service Registration Status (Attachment 7-17).
- Employment Eligibility Verification (Form I-9). *

STEP 4. A panel interview will be conducted in accordance with published guidelines. The results will be used to make selection determinations.

* STEP 5. Candidates successful to this point of the employment screening process and who are receiving serious * consideration for Bureau employment will be vouchered. The vouchering process will include the following:

- Fingerprint Card (SF-87) will be completed;

- At a minimum, employers over the last five years and three personal references will be vouchered. Telephone vouchering is acceptable provided it is documented in writing for the record;

- Use Attachment 7-6 for both written and telephonic vouchering; and

- Law enforcement agency checks covering five years will be conducted using Attachment 7-7.

Vouchering responses must be received before an applicant can enter on duty. Follow-up vouchering shall be completed to document instances of failure to respond.

STEP 6. Candidates successful to this point may be referred to the selecting official for conditional selection. The candidate conditionally selected will be given a conditional offer of employment. The conditional offer of employment notifies the applicant that final selection is contingent upon satisfactory results of the following:

- Physical Examination, including height/weight determination if required;

- Urinalysis for detection of illegal drug and marijuana usage;

- Completion of the SF-85P-S; and

- Medical Information Release Form (Attachment 7-5) only as necessary to address the physical examination or SF-85P-S.

Note: Only after the applicant receives the conditional offer of employment is the SF-85P-S, U.A. and physical examination completed. If the results of any are unsatisfactory, the selecting official may withdraw the conditional offer of employment.

The conditional offer of employment must be made and/or withdrawn in writing by the selecting official. *

STEP 7. Requesting Limited Background Investigations (LBI).

* OPM must initiate and receive the appropriate background investigation prior to new employees reporting for duty. In order to ensure waiver of the pre-appointment investigation, selecting officials must certify that the applicant has been the subject of a satisfactory pre-employment interview and the

background investigation has been initiated with OPM.

This certification will be documented by using Attachment 7-8. The original certification must be completed and mailed to the SBIS for every new appointee no later than the end of the pay period the appointee enters on duty. There is no provision for waiver of this requirement. A copy of thethe certification should be maintained in the local security file. *

The following forms will be used to complete the investigative package requesting and authorizing OPM to initiate an investigation. As a standard Bureau practice, it must be compiled in the following sequential order:

LBI

1. SF-85P (Original)
2. SF-85P-S (Original) *
3. One Fingerprint Card (SF-87)
4. Application or Resume
5. Pre-employment (Integrity) Interview (copy)
6. Declaration for Federal Employment (OF-306) *

Note: Signatures on the above forms should not be more than 120 days old. A duplicate copy of this package along with all pre-employment documents will be maintained in the employee's security file until SBIS approval is granted. Once approval is received, all of this material will be destroyed.

The "Agency Use" blocks of the SF-85P will be completed as follows for all new investigations of Non-Critical Sensitive employees:

```
+)))))))))))))))))))))))))),
*A  Type of        T        *
*   Investigation  *  T  T  *
.))))))))))))))))))2))2))2))-
```

All initial investigations for Non-Critical Sensitive employees will be Limited Background Investigations (LBI) 120 Day Service. This will be coded 20C. For coding other investigations see Sections 5(b) and 5(c). * *

```
+)))))))))))))))))))))))))))))),
*B  Extra    T                 *
*   Coverage *  T  T  T  T  T  *
.))))))))))))2))2))2))2))2))2))-
```

Block B will always be coded 6,7. This instructs the OPM investigators to ask the special questions for law enforcement and designates attachments (the pre-employment interview form).

```
     +)))))))))))))))),
     *C  Risk       *  *
     *   Level      *  *
     .))))))))))))))2))-
*         All initial non-critical sensitive investigations will be
          coded 5.  See Sections 5(b) and (c) for other
          investigations.                                          *

     +)))))))))))),
     *D Compu/ T  *
     *   ADP   *  *
     .))))))))))2))-
          This will be coded C for all Computer or ADP positions and
          left blank for all others.

     +)))))))))))))))))))))),
     *E  Nature of  T        *
     *   Action Code*  T  T  *
     .))))))))))))))2))2))2))-
          If this is a new employee this will be left blank.  If the
          investigation is a reinvestigation use the NOA from the last
*         personnel action.  Not a mandatory completion item.        *

     +)))))))))))))))))))))))))))))))),
     *F  Date of T Month TDay  TYear *
     *   Action  *   T   *  T  *  T  *
     .))))))))))))2)))2)))2))2))2))2))-
          If this is a new employee this will be left blank.  Enter
          effective date (Month/Day/Year) of the NOA entered in block
*         E for reinvestigations.  Not a mandatory completion item.  *

     +)))))))))))))))))))))))))))))))))))))),
     *G  GeographicT                          *
     *   Location  *  T  T  T  T  T  T  T  T  *
     .))))))))))))))2))2))2))2))2))2))2))2))2))-
          Enter the 9-digit "Worldwide Geographic Location Code" from
          FPM Supplement 292-1, Book III to show the actual duty
          station for the position.

     +)))))))))))))),
     *H  PositionT  *
     *   Code    *  *
     .))))))))))))2))-
          Block H will be left blank

     +)))))))))))))))))))))))))))))))))))))))))))))))))))),
     *I  Position T                                       *
     *   Title    *                                       *
     .))))))))))))2))))))))))))))))))))))))))))))))))))))-
          Enter the title for the position for which the investigation
          is being requested.
```

```
     +)))))))))))))))))),
     *J     T           *
     *   SON*  T  T  T  *
     .)))))2))2))2))2))-
*         Enter your Submitting Office Number (SON).  Each location is
          assigned an SON, which is the same as your location's SOI.
          If you do not know your SON contact the SBIS Lead Security
          Specialist.                                                 *

     +))))))))))))))))))))0)))0)))))))))))))))))))))))))))),
     *K  Location of       /)))1None                          *
     *   Official Personnel/)))1NPRC                          *
     *   Folder            *   *At SON                        *
     .))))))))))))))))))))2)))2))))))))))))))))))))))))))))-
*         Check the "at SON" Block if the OPF is located in your
          office; otherwise indicate the address where it is located.
                                                                      *

     +))))))))))))))))),
     *L    T           *
     *  SOI*  T  T  T  *
     .)))))2))2))2))2))-
*         Enter the SOI for the designated Regional Security
          Specialist, or the institution SOI if it is to be received
          and adjudicated locally.                                    *

     +))))))))))))))0)))0)))))))))))))))))))))))))))))))))),
     *M  Location of/)))1None                                 *
     *   Security   /)))1At SOI                               *
     *   Folder     *   *NPI                                  *
     .))))))))))))))2)))2))))))))))))))))))))))))))))))))))-
*         Write in the address of your facility if the security file
          is located in your office, this lets OPM know you have
          retained the temporary security file.                       *

     +))))))))))))))))))))))))))))))))))),
     *N  OPAC-ALC T                      *
     *   Number   *  T  T  T  T  T  T  T  *
     .))))))))))))2))2))2))2))2))2))2))2))-
          Enter your institution OPAC number

     +))))))))))))))))))))))))))))))))))))))))))))))))))))))),
     *O  Accounting Data                                          *
     *   and/or Agency   T                                        *
     *   Case Number     *                                        *
     .))))))))))))))))))2))))))))))))))))))))))))))))))))))))-
          You are not required to fill out this block.  It may be used
          for local accounting data.

     +))))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
     *P RequestingTName and TitleTSignature TTelephone # TDate*
     *  Official  *              *          *            *    *
     .))))))))))))2))))))))))))))2))))))))))2))))))))))))2))))-
```

Enter the name, title, and signature of official requesting investigation (Human Resource Manager or designee), the date and the commercial telephone number, include area code.

STEP 8. Completed OPM Background Investigations.

Upon completing a Bureau-requested background investigation, the OPM forwards the investigative report to the SOI indicated on the investigation form. The appropriate Personnel Security Specialist shall review completed OPM investigations within 15 working days after receipt. When an employee who is the subject of a scheduled OPM investigation is selected for transfer to another location, the local personnel office will notify their Regional Security Specialist. The Regional Security Specialist will coordinate any change in SOI number with OPM if the investigation has not been completed.

If OPM has completed the background investigation, the Regional Security Specialist shall make every effort to get the investigation completed and approved by SBIS before the employee transfers. Forwarding a background investigation which is received prior to transfer to a gaining personnel office without resolution may result in disciplinary action.

* **HUMAN RESOURCE MANAGERS AND SECURITY SPECIALISTS ARE NOT TO HAVE UNAUTHORIZED ACCESS TO OR ADJUDICATE THEIR OWN INVESTIGATIONS OR REINVESTIGATIONS.**

STEP 9. Resolution of Derogatory Information.

If there is derogatory information uncovered in the background investigation, every attempt will be made by the Personnel Security Specialist to resolve it. Resolutions *
should be documented in accordance with instructions provided in this chapter.

d. EMPLOYMENT SECURITY APPROVAL. When an OPM background investigation is cleared by the appropriate Personnel Security Specialist, the following forms and material will be completed and forwarded in the following order, back to front, to the SBIS requesting approval:

- Application or resume
- * Employment/Personal Reference Vouchering
- Law Enforcement Vouchering
- NCIC (National Crime Information Center) or NLETS (National Law Enforcement Telecommunications Systems)
- Pre-employment Credit Check
- Declaration for Federal Employment (OF-306)
- Questionnaire for Public Trust Positions (SF-85P)
- Supplemental Questionnaire for Selected Positions (SF-85P-S)

- BOP Pre-employment Interview Questionnaire (original signed by applicant)
- OPM Background Investigation Report
- Information resolving the issues, if applicable
- Recommendation for retention from the appropriate official, if applicable
- Certification of Investigation
- OFI-79A

This material should be placed in OPM Form-66 (folder with an appropriate investigative file label covering the words Official Personnel Folder) and forwarded to:

Bureau of Prisons
Security and Background Investigation Section
4211 Cedar Springs Road, Suite 200
Dallas, TX 75219 *

**<u>NOTE</u>: "D" ISSUE CASES WILL BE FORWARDED THROUGH THE REGIONAL DIRECTOR OR ASSISTANT DIRECTOR TO THE SBIS. THESE CASES MUST BE ACCOMPANIED BY A WRITTEN RECOMMENDATION FOR APPROVAL FROM THE CEO
* AND REGIONAL DIRECTOR OR ASSISTANT DIRECTOR. IF THE CLEARANCE RECOMMENDATION IS NOT GRANTED AT THE CENTRAL OFFICE HUMAN RESOURCE MANAGEMENT LEVEL BECAUSE OF SERIOUS ISSUES, THE FILE WILL BE FORWARDED TO THE DIRECTOR, FEDERAL BUREAU OF PRISONS FOR FINAL REVIEW AND DECISION.**

e. <u>EXCEPTIONS</u>. This section addresses all of the routine and normal circumstances that are excepted from these personnel security and investigative procedures. Any circumstance not listed must be assumed to be covered by the above procedures.

(1) Transfers to the Bureau from other DOJ agencies:

BI/LBI is not required if approval at the same or higher security level has been previously granted. Authorized staff can check what type of investigation was done on a DOJ employee by calling SBIS at (214) 767-9955 or FTS 729-9955. Pre-employment interview is required prior to selection.

(2) Reinstatement (former Bureau employees only):

Employees with a break-in-service of less than one year will require a pre-employment interview, urinalysis and all appropriate vouchering - no BI/LBI is necessary, unless the last investigation/reinvestigation was done 36 months prior to reinstatement then an update must be completed. If the break in service exceeds 12 months all pre-employment screening and a new investigation must be completed. *

<u>Note</u>: The Office of Internal Affairs (OIA) shall be contacted prior to reinstating any employees to check for possible derogatory information on file.

* (3) Temporary/Excepted Appointments (less than six months): These appointments will require all pre-employment screening as outlined in Section 4(c). Additionally, name and fingerprint checks must be initiated prior to EOD. If the position requires the incumbent to have access to sensitive information, a * National Agency Check with Inquiries (NACI) should be initiated with OPM, using the SF-85, Questionnaire for Non-sensitive Positions. The name and fingerprint checks are part of the NACI and need not be initiated if the NACI is requested.

(4) Public Health Service Officer: It is essential that all employees meet the same security standards. Therefore, all new Public Health Service employees will be subject to the following checks prior to establishing a reporting date at any Bureau facility.

* (a) Pre-Employment Interview
(b) Credit Check
(c) NCIC
(d) Vouchering (Past five years employers, three personal references, five years law enforcement vouchering)

Additionally, a Limited Background Investigation (LBI) must be scheduled with OPM on all new PHS officers before they may report to any Bureau facility, following the same procedures in Part C, Step 5, 6 and 7 above. (<u>Note</u>: Step 6 - A conditional offer of assignment is extended to PHS officers). LBI's for PHS Senior Co-Steps are initiated and adjudicated by SBIS.

Procedures for PHS Jr. Co-Steps are found in the Program Statement on Commissioned Officer Student Training/Extern Program. All other completed background investigations will be adjudicated and forwarded to the SBIS for final approval as described in Part C, Step 8 above.

PHS Officers who had an investigation conducted by PHS will also have a PRIR every five years, initiated and adjudicated by the Bureau (see "Five Year Investigative Updates"). As a reminder, PHS employees must also be briefed on the Program Statement on Standards of Employee Conduct and sign the acknowledgement that they are aware of the standards. *

Note: PHS conducts a background investigation on its officers. Completed investigations may be requested if a review is necessary.

(5) Cancellations of Full-Field or Limited Background Investigations. To cancel a background investigation, the initiating office should call the Office of Personnel Management, Office of Federal Investigations,
* Boyers, PA at (412) 794-5228. The regional security specialist should be notified of any cancellations by assigned institutions. SBIS should be notified if the Warden's certification has been forwarded prior to the cancellation.

5. FIVE-YEAR REINVESTIGATIONS & INVESTIGATIVE UPDATES. As a standard practice, incumbents of all Bureau positions, including PHS officers, shall be subject to five year reinvestigations. The investigative agency's completion date of the last investigation is used to project due dates for subsequent five year reinvestigations. The appropriate human resource office shall initiate the reinvestigation (PRIR) and mail it to OPM, as regional procedures dictate. Five-year reinvestigations shall be initiated within the fiscal year the last investigation reaches five-years old. *

a. NON-CRITICAL SENSITIVE UPDATES

INVESTIGATION REQUIREMENTS. Employees in non-critical sensitive positions will be required to complete the following forms:

- SF-85P
* - SF-87 (Fingerprint card)

Note: The SF-85P should be completed the same for a PRIR as for the LBI, except for Block A which should be coded 12C and Block B which should be coded with an "R" for reinvestigation. (Information should cover a five year period. If a period of employment or residence extends beyond the five year period, the entire time of that employment or residence should be listed.)

b. PROPER ORDERING OF PAPERWORK. The completed investigative paperwork should be ordered from bottom to top:

- SF 85P
- OPM Investigation
- Any resolution of derogatory information
- OFI-79A
- Certification of Investigation

On top of these investigative papers, place a memo requesting

the update of the employee's security file (Attachment 7-9). The entire package should be hole punched on the top and a two prong

fastener should be used to bind it together. THIS INFORMATION SHOULD NOT BE PLACED IN A NEW SECURITY FILE. SBIS will file this information in the employee's security file maintained in Dallas. The completed investigative papers should be mailed to:

Bureau of Prisons
Security and Background Investigation Section
4211 Cedar Springs Road, Suite 200
Dallas, TX 75219 *

c. RESOLUTION OF DEROGATORY INFORMATION. Any derogatory information uncovered during a reinvestigation will be handled the same as derogatory information revealed during an initial investigation. No derogatory information should be disclosed outside the personnel security staff. If information of a serious nature (arrests, drugs, serious financial problems, etc.) is uncovered, the Chief Executive Officer should be informed. The CEO will be responsible for the decision to pursue disciplinary/adverse action or request an Office of Internal Affairs (OIA) investigation.

* **NOTE: "D" ISSUE CASES WILL BE FORWARDED THROUGH THE REGIONAL DIRECTOR OR ASSISTANT DIRECTOR TO THE SBIS. THESE CASES MUST BE ACCOMPANIED BY A WRITTEN RECOMMENDATION FOR APPROVAL FROM THE CEO AND REGIONAL DIRECTOR OR ASSISTANT DIRECTOR. IF THE CLEARANCE RECOMMENDATION IS NOT GRANTED AT THE CENTRAL OFFICE HUMAN RESOURCE MANAGEMENT LEVEL BECAUSE OF SERIOUS ISSUES, THE FILE WILL BE FORWARDED TO THE DIRECTOR FOR FINAL REVIEW AND/OR APPROVAL.** *

d. CRITICAL SENSITIVE INVESTIGATIONS & REINVESTIGATIONS

(1) NEW HIRES. All employees newly hired directly into a critical-sensitive position will require a Background Investigation (BI).

(2) REINVESTIGATIONS. For employees newly assigned into critical-sensitive positions:

* If the employee's last investigation was an LBI and is less than 60 months old an LBI upgrade must be initiated (BGI).

If the employee's last investigation was an LBI and is more than 60 months old, a BI must be initiated.

Employees who occupied a Critical Sensitive Position during their last investigation and have been in a critical-sensitive position for five years must have a PRIR initiated.

The following forms need to be completed:

- SF-85P (Original) (See Note)
- SF-87 (Fingerprint Card) *

Note: An initial background investigation (BI) or reinvestigation (PRIR) initiated on a staff member having NSI access at the Secret or Confidential levels MUST be submitted on an SF-86 in lieu of the SF-85P. A BI (25C) or appropriate upgrade (BGI or BDI) or a PRIR (12C) is coded in Block A on the SF-86.

The "Agency Use" blocks of the SF-85P will be completed as follows for all investigations of critical-sensitive employees,
* except those having NSI access at the Secret or Confidential Level (noted separately). *

```
+))))))))))))))))))))))))))),
*A  Type of                 *
*   Investigation  *  T  T  *
.))))))))))))))))))2))2))2))-
    BI                                      25C
    BGI Upgrade (Upgrade LBI to BI)         27C
```

* For BI or BGI with NSI access at Secret or Confidential level, use same codes, but complete the SF-86. *

```
+))))))))))))))))))))))))))))),
*B  Extra    T                 *
*   Coverage *  T  T  T  T  T  *
.))))))))))))2))2))2))2))2))2))-
```

Block B will be coded 6 on initial investigations only. This instructs the OPM investigators to ask the special questions for law enforcement.

```
+))))))))))),
*C  Risk   *
*   Level  *
.))))))))))-
```

Most critical-sensitive investigations will be coded 6.
* For BI or BGI with NSI access at Secret or Confidential level, BLOCK C on SF-86 entitled "Sensitivity Level" should be coded "3".

```
+))))))))))))),
*D  Compu/T  *
*   ADP   *  *
.))))))))2))-
```

On SF-85P, Computer/ADP jobs will be coded C, all others will be left blank.

For BI or BGI with NSI access at Secret or Confidential level, BLOCK D on SF-86 entitled "Access" should be coded "1" if have or need Confidential Access or "2" if have or

need Secret access.

```
+)))))))))))))))))))))),
*E  Nature of  T        *
*   Action Code*  T  T  *
.)))))))))))))2))2))2))-
     For reinvestigations use the NOA from their last personnel
     action. (Not mandatory)

+)))))))))))))))))))))))))))))),
*F  Date of T Month TDay  TYear *
*   Action  *   T   *  T  *  T  *
.))))))))))2)))2)))2))2))2))2))-
     Enter the effective date (Month/Day/Year) of the NOA entered
     in block E. (Not mandatory)                                  *

+)))))))))))))))))))))))))))))))))))))),
*G  GeographicT                         *
*   Location  *  T  T  T  T  T  T  T  T  *
.))))))))))))2))2))2))2))2))2))2))2))2))-
     Enter the 9-digit "Worldwide Geographic Location Code" from
     FPM Supplement 292-1, Book III to show the actual duty
     station for the position.

+)))))))))))))),
*H  PositionT  *
*   Code    *  *
.))))))))))2))-
     Block H will be left blank

+)))))))))))))))))))))))))))))))))))))))))))))))))),
*I  Position T                                     *
*   Title    *                                     *
.))))))))))))2))))))))))))))))))))))))))))))))))))))-
     Enter the title for the position for which the investigation
     is being requested.

+)))))))))))))))))),
*J     T           *
*   SON*  T  T  T  *
.))))))2))2))2))2))-
*    Enter your SON.  If you do not know your SON contact the
     SBIS.                                                        *

+))))))))))))))))))))0)))0)))))))))))))))))))))))))))),
*K  Location of       /)))1None                        *
*   Official Personnel/)))1NPRC                        *
*   Folder            *   *At SON                      *
.))))))))))))))))))))2)))2))))))))))))))))))))))))))))-
     Check the "At SON" Block

+)))))))))))))))),
*L    T           *
*  SOI*  T  T  T  *
```

.)))))2))2))2))2))-

* If the employee holds a Critical Sensitive or higher position <u>and</u> is a GS/GM 13 or above, a Human Resource Manager at any level or a Personnel Security Specialist enter "DJ85". All others, enter SOI of Regional Security Specialist or institution SOI if adjudicated locally. *

```
+)))))))))))))))0)))0)))))))0)))))))))))))))))))))))))))),
*M  Location of/)))1None   *  Other Address                *
*   Security   /)))1At SOI *                               *
*   Folder     *   *NPI    *                               *
.)))))))))))))))2)))2)))))))2)))))))))))))))))))))))))))))-
```

* Fill in the other address section with the following information:

Bureau of Prisons
Security and Background Investigation Section
4211 Cedar Springs Road, Suite 200
Dallas, TX 75219

If you coded "DJ85" in block L check the "at SOI" block and no address is required. *

```
+)))))))))))))))))))))))))))))))))))),
*N  OPAC-ALC T                        *
*   Number   *  T  T  T  T  T  T  T  *
.)))))))))))))2))2))2))2))2))2))2))2))-
```

Enter your institution OPAC number

```
+)))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
*O  Accounting Data                                        *
*   and/or Agency   T                                      *
*   Case Number     *                                      *
.)))))))))))))))))))2)))))))))))))))))))))))))))))))))))))-
```

You are not required to fill out this block. It may be used for local accounting data.

```
+)))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
*P RequestingT Name and TitleTSignature TTelephone #TDate*
*  Official  *                *          *           *    *
.)))))))))))))2)))))))))))))))2)))))))))))2)))))))))))))2))))-
```

For all critical sensitive investigations enter the name, title, and signature of official requesting investigation (Human Resource Manager or designee), the date and the commercial phone number, include area code. Mail directly to OPM.

* e. <u>SPECIAL SENSITIVE INVESTIGATIONS AND REINVESTIGATIONS</u>. Positions designated as Special Sensitive require a Single Scope Background Investigation. Most employees are in this category due to their access to National Security Information (NSI) at the

Top Secret level. When a supervisor indicates that there is a need for an employee to have Top Secret access to NSI, request a

memorandum justifying the need for access from the supervisor, then contact SBIS to ascertain if the employee holds a clearance or if the employee will need an upgraded investigation. SBIS will initiate contact with the employee if a new or upgraded investigation is needed and will complete the process of requesting NSI access.

(1) NEW HIRES. All employees newly hired directly into a special-sensitive position will require a Single Scope Background Investigation (SBI).

(2) REINVESTIGATIONS. Employees newly assigned into special sensitive positions:

If the employee's last investigation was a BI and is from 0 through 12 months old a BI update must be initiated (SDI), code (31C).

If the employee's last investigation was a BI and is from 13 to 60 months old a BI upgrade must be initiated (SGI), code (32C).

If the employee's last investigation was an LBI, an internal Bureau reinvestigation, or is more than 60 months old a SBI, (code 30C), must be initiated.

Employees who occupied a Special Sensitive Position during their last investigation (SBI) and have been in a special sensitive position for five years must have a PRIS (code 13C) initiated using the SF-86.

The following forms need to be completed:

- SF-86 (Original)
- SF-87 (Fingerprint Card)
- OFI-36 - Submitted only if employee has foreign-born relatives.

The "Agency Use" blocks of the SF-86 will be completed as follows for all investigations of special sensitive employees.

```
+)))))))))))))))))))))))))))),
*A  Type of        T        *
*   Investigation  *  T  T  *
.)))))))))))))))))2))2))2))-
     SBI                            30C
     SDI Update (BI 0-13 mos. old) 31C
     SGI Upgrade (Upgrade BI to SBI)32C
                 (14 - 60 mos. old)
     PRIS (5 yr. reinvestigation)  13C
```

```
+)))))))))))))))))))))))))))))),
*B  Extra    T                 *
*   Coverage *  T  T  T  T  T  *
.)))))))))))2))2))2))2))2))2))-
```

Block B will be coded 6 on initial investigations only. This instructs the OPM investigators to ask the special questions for law enforcement. If employee has foreign born relatives and has completed an OFI-36, also use code 7 to signify attachments.

```
+)))))))))))))))))))),
*C  Sensitivity        *
*   Level        T  T  *
.))))))))))))))))2))2))-
```

All Special Sensitive investigations will be coded "4".

```
+)))))))))))),
*D  AccessT  *
*         *  *
.)))))))))2))-
```

If employee has or will need NSI access at the Top Secret level, enter code "3". If position is special sensitive, but does not require NSI access, leave blank.

```
+)))))))))))))))))))))),
*E  Nature of  T        *
*   Action Code*  T  T  *
.))))))))))))))2))2))2))-
```

For reinvestigations use the NOA from their last personnel action. (Not mandatory)

```
+)))))))))))))))))))))))))))))))),
*F  Date of T Month TDay  TYear *
*   Action  *   T   *  T  *  T  *
.))))))))))))2)))2)))2))2))2))2))-
```

Enter the effective date (Month/Day/Year) of the NOA entered in block E. (Not mandatory)

```
+)))))))))))))))))))))))))))))))))))))),
*G  GeographicT                         *
*   Location  *  T  T  T  T  T  T  T  T  *
.))))))))))))2))2))2))2))2))2))2))2))2))-
```

Enter the 9-digit "Worldwide Geographic Location Code" from FPM Supplement 292-1, Book III to show the actual duty station for the position.

```
+)))))))))))))),
*H  PositionT  *
*   Code    *  *
.))))))))))2))-
```

Block H will be left blank.

```
+)))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
*I  Position T                                            *
*   Title    *                                            *
.)))))))))))2)))))))))))))))))))))))))))))))))))))))))))))-
```

Enter the title for the position for which the investigation is being requested.

```
+)))))))))))))))))),
*J     T           *
*   SON*  T  T  T  *
.))))))2))2))2))2))-
```

Enter your SON. If you do not know your SON contact the SBIS.

```
+)))))))))))))))))))))0)))0)))))))))))))))))))))))))))))),
*K  Location of       /)))1None                           *
*   Official Personnel/)))1NPRC                           *
*   Folder            *   *At SON                         *
.))))))))))))))))))))2)))2))))))))))))))))))))))))))))))-
```

Check the "At SON" Block

```
+)))))))))))))))))),
*L    T           *
*  SOI*  T  T  T  *
.)))))2))2))2))2))-
```

Enter "DJ85" for all levels.

```
+)))))))))))))))0)))0)))))))0)))))))))))))))))))))))))))),
*M  Location of/)))1None   *  Other Address               *
*   Security   /)))1At SOI *                              *
*   Folder     *   *NPI    *                              *
.))))))))))))))2)))2)))))))2))))))))))))))))))))))))))))-
```

Check the "at SOI" block and no address is required.

```
+)))))))))))))))))))))))))))))))))))),
*N  OPAC-ALC T                        *
*   Number   *  T  T  T  T  T  T  T  *
.))))))))))))2))2))2))2))2))2))2))2))-
```

Enter your institution OPAC number

```
+)))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
*O  Accounting Data                                       *
*   and/or Agency   T                                     *
*   Case Number     *                                     *
.))))))))))))))))))2)))))))))))))))))))))))))))))))))))))-
```

You are not required to fill out this block. It may be used for local accounting data.

```
+)))))))))))))))))))))))))))))))))))))))))))))))))))))))))))),
*P RequestingT Name and TitleTSignature TTelephone #TDate*
*  Official  *               *          *           *    *
.))))))))))))2)))))))))))))))2))))))))))2))))))))))))2))))-
```

For all special sensitive investigations enter the name, title, and signature of official requesting investigation

(Human Resource Manager or designee), the date and the commercial phone number, include area code. Mail to SBIS if this is the first special sensitive investigation for the employee. If this is not the first special sensitive investigation for the employee, mail directly to OPM. *

f. PROCESSING COMPLETED REINVESTIGATIONS. Upon completion of the investigation OPM sends a completed background investigation report to the SOI indicated on the investigative form. These investigative files will be reviewed as follows:

* (1) The Security Specialist at each institution/region and the Central Office will review the completed investigation files for employees who are in non-critical sensitive positions at any grade level and employees who are in critical/sensitive positions not identified in (2) below. The Security Specialists will resolve any derogatory information and may also have files forwarded from SBIS on cases initially reviewed by SBIS to resolve derogatory information.

(2) The SBIS will review all completed investigations for all Human Resource Managers, HRM Security Specialist, employees who are in critical sensitive GM/GS-13 positions, and all employees in special sensitive positions. The SBIS will determine who will be responsible for resolving any derogatory information.

(3) When all derogatory information has been resolved, the appropriate official will attach any documentation outlining the resolution of issues, the investigative report, SF-85P/SF-86, and a short memorandum (Attachment 7-9) requesting a review of the updated investigative report. Do not place this information in a file folder. The packet should then be forwarded to:

Bureau of Prisons
Security and Background Investigation Section
4211 Cedar Springs Road, Suite 200
Dallas, TX 75219

Upon final approval the SBIS will forward the signed Certification of Investigation to the appropriate Security Specialist. Regional Security Specialists will mail the original signed Certification of Investigation to the local personnel office. The Certification of Investigation is to be filed in the employee's OPF. Upon receipt of the signed Certification of Investigation, employees shall be notified of investigation approval. *

6. RESOLUTION OF DEROGATORY INFORMATION

a. INTRODUCTION. The review of background investigations and the resolution of derogatory information is an essential part of

the process for determining whether an individual is eligible for government employment or access to National Security Information. These functions should be conducted, whenever possible, by designated security personnel outside of the employee's supervisory chain. The supervisor's knowledge of derogatory information may affect the supervisor's objectivity regarding performance appraisal, promotions, etc., of the employee.

b. PURPOSE. The purpose of this document is to assist those individuals in the Bureau who initially review background investigations for employment or security approvals and for those individuals who conduct Subject Interviews for the purpose of resolving and documenting derogatory information. Derogatory information appears in a background investigation in a number of ways. Some information is derogatory information on its face and is both easily recognized and identified. There is other information that, standing alone is somewhat innocuous. When this information is reviewed in the context of other information, it may also require resolution.

* c. POLICY. The Bureau does not discriminate on the basis of:

- race,
- color,
- religion,
- sex,
- national origin,
- disability, or
- sexual orientation.

Every person seeking or holding employment with the Bureau is judged in hiring and in connection with any other employment action--including, without limitation, disciplinary action; issuance, denial, or revocation of a security clearance; or dismissal--on the basis of his or her:

- abilities,
- demonstrated performance,
- experience,
- conduct,
- character,
- judgment,
- stability,
- discretion,
- integrity,
- responsibility,
- candor, and
- other appropriate qualifications.

The Bureau may inquire into and examine a person's performance, experience, conduct, character, judgment, stability, discretion, integrity, responsibility, and candor to determine suitability

for employment and trustworthiness. In the context of determining eligibility for security clearances or access to

sensitive information, the Bureau may investigate and consider any matter that would reasonably subject the applicant or employee to coercion; but no inference concerning susceptibility to coercion may be raised solely on the basis of the race, color, religion, sex, national origin, disability, or sexual orientation of the applicant or employee.

It is the policy of the DOJ and the Bureau that all derogatory information be favorably resolved before employment security approval is granted and a decision on continued employment is made. The resolution will require the adjudicator to identify the information, explain why it is considered insignificant, or provide documented resolution. It is not sufficient to resolve derogatory information by merely indicating that the subject exhibits acceptable job performance. *

* In determining whether Federal employment and/or access to classified information is clearly consistent with Executive Branch objectives and the national security, adjudication of background investigations or reinvestigations that reveal activity or conduct that may render a person susceptible to coercion will be subject to the following guidelines:

(1) If the background investigation or reinvestigation demonstrates that the applicant/employee is open regarding his or her conduct, no personal interview or other action is warranted.

(2) If the background investigation or reinvestigation indicates, or raises an unresolved question as to whether the person is concealing any conduct that reasonably would subject the person to coercion, the HRM/HR Security Specialist will arrange for an interview with the employee to discuss:

(a) The issue of concealed conduct that was raised during the background investigation or reinvestigation, and whether or not the person is in fact concealing any conduct that reasonably would subject the person to coercion. If the discussion demonstrates that the person is not concealing any such conduct, no further action is warranted.

(b) If the person may be concealing conduct that reasonably would subject the person to coercion, the interviewer will continue to discuss:

- The Bureau's concern regarding the potential for coercion, pressure, manipulation, or blackmail;
- The Employee Standards of Conduct requirement that the employee immediately submit a written report of any attempt at coercion or blackmail to the CEO.

The interviewer should prepare a memorandum documenting the discussion and the employee's acknowledgement of the reporting requirements and submit it with the employee's security file. The employee is not required to sign any documentation. *

Resolution of derogatory information should afford the subject an opportunity to comment on the derogatory information or a chance to offer his/her "side of the story." Resolution of derogatory information is a critical part of the adjudication process for several reasons. Information which appears derogatory can be refuted or mitigated in some instances by the subject of the background investigation. Similarly, the subject may be able to present circumstances which clarify the derogatory information.

A Federal district court in New York, in the case of Jane Doe v. Civil Service Commission (483 F. Supp. 539, S.D.N.Y., 1980) has determined the Due Process provisions of the United States Constitution require that the subject of a government conducted background investigation be provided an opportunity to comment on "derogatory" information which may have a bearing upon the subject's employment prospects.

It should be mentioned that resolution of derogatory information is not intended as a punitive action against the
* employee nor does it indicate that the Bureau is taking adverse action against the employee. Rather the opportunity to comment *
on derogatory information is an essential part of the adjudication process that is premised upon both practical and legal considerations.

Executive Order (E.O.) 10450, entitled "Security Requirements For Government Employment," establishes as the criteria for government employment that individuals must be "reliable, trustworthy, of good conduct and character and of complete and unswerving loyalty to the United States."

Derogatory information is any information that, in the opinion of a reasonably objective person, tends to indicate that an individual may not be possessed of one or more of these qualities.

d. DEROGATORY INFORMATION. E.O. 10450 attempts to provide examples of information which may disqualify an individual for government employment. Listed below are general areas of concern for adjudicators, some specific concerns and examples of resolution.

(1) Loyalty. E.O. 10450 requires that applicants for Federal employment be loyal to the United States Government. Quite naturally, this loyalty trait becomes even more significant if a person requires access to this nation's most sensitive

information. Therefore, any information which indicates that the subject is not loyal should be identified as derogatory. The

loyalty issue is one that has become increasingly complex due to judicial rulings and recent court decisions.

Any background investigation which presents information which questions an employee's loyalty to the United States must be brought to the attention of the SBIS. If an applicant is found to be unsuitable for employment, the SBIS does not need to be advised.

If, however, it is decided that the applicant is otherwise suitable for employment, the loyalty issue must be brought to the attention of the SBIS prior to hiring that individual.

Several examples which should bring into question an individual's loyalty are:

- Advocating force or violence to overthrow the government of the United States;
- Establishing contact with a seditionist, anarchist or with any representative of a foreign government whose interests may be contrary to the interests of the United States; or
- Membership in organizations which systematically commit criminal acts against the United States Government.

These and similar situations must be brought to the attention of the SBIS.

(2) Close Relatives and Associates. In reviewing a background investigation, attention should be given to evidence that the subject of the investigation has close relatives or associates residing outside of the United States or who are citizens of a foreign country, especially hostile countries (OPM no longer identifies "communist bloc countries" as the only nations of concern). Any information which tends to show the individual may be subjected to coercion or pressure should be identified as derogatory information and resolved, including frequent and/or prolonged foreign travel.

For example, a naturalized American with close relatives under the control of a communist-bloc country could be coerced by a foreign government and faced with a very difficult choice between the safety of those relatives and the interest of the national security. By threatening the relatives, pressure can be applied which might cause an individual to act contrary to the national security.

In resolving information regarding close relatives or associates, it is important to understand the nature of the relationship and the frequency of contact between the subject and

the relatives or associates. Therefore, the following information should be obtained from all applicants/employees

where evidence of foreign relatives or associates is identified in the background investigation case papers or the actual background investigation:

- Name and address of the foreign citizen (i.e., aunt, uncle, cousin, close friend, etc.);
- Relationship between subject and foreign citizen (i.e., aunt, uncle, cousin, close friend, etc.);
- The frequency of contact- past, present and future-- with the foreign citizen; or
- The form of such contact (personal visits, letters, cards or telephone calls).

(3) Undesirable Character Traits. Any trait(s) which may show the individual to be unreliable, untrustworthy or open to compromise is significant in the adjudication of the case. This information may be given by an open or confidential source, be derived from an arrest record or be indicated by the falsification of employment applications or personal history statements. All such information must be viewed in relation to the rest of the file. Isolated incidents in a person's background are viewed less significantly than a continuing or emerging pattern of behavior. The adjudicator should try to obtain a complete picture for employment and/or access to National Security Information.

Undesirable character traits could also place an individual in a compromising situation where coercion or pressure might be used to blackmail an applicant/employee. The following examples are provided:

* (a) Sexual Conduct. The Bureau does not pass judgment on the sexual orientation of employees; however, sexual conduct and behavior become important to the adjudication of a background investigation when there is evidence that the individual could be coerced or blackmailed due to sexual conduct. Should it be determined that an applicant/employee could be subjected to coercion because of sexual conduct, this information must be addressed and resolved. If sexual conduct becomes germane, homosexual and heterosexual conduct will be treated the same. *

(b) Alcoholism. Excessive use of alcohol presents many problems for the adjudicator. Any information which tends to show that the individual uses alcohol to excess, or any information that shows alcohol use affecting job performance should be identified as derogatory information. If you have determined that the employee has used alcohol to excess, you should determine the extent of the employee's current use, determine if alcohol use has ever affected job performance and determine if alcohol use has ever resulted in the loss of a job, arrest by police, automobile accident or treatment for alcoholism.

(c) Mental Disorders, Treatment. Medical treatment for a mental condition, as distinguished from marriage counseling and social services counseling for family problems, is significant and must be clarified to determine whether the subject's job performance may be adversely affected. The purpose of identifying this kind of information is to remove any reasonable doubt regarding the current seriousness of a problem. Temporary depression related to the death of a loved one or the failure of a marriage is to be expected, whereas long term depression would cause considerably greater concern.

In resolving derogatory information of this nature, obtain the following information:

* Check the Supplemental Questionnaire for Selected Positions (Standard Form SF-85P-S) to see how the applicant/employee answered question 5 to determine if he/she answered honestly. *

* Medical treatment for a mental/emotional disorder must be accompanied by a recommendation from a competent medical authority that the applicant/employee is capable to perform the duties of a sensitive position.

If the applicant/employee answered "no" to question 5 on the SF-85P-S and there is evidence of medical treatment (i.e., treatment by a psychiatrist as opposed to a marriage counselor) for a mental condition, obtain a written, detailed explanation regarding the apparent falsification. If the employee answered "yes" to question 5, details should be found in item 5. Unless it is provided in item 5, the following should be obtained:

- what is/was the disorder?
- when did the disorder first appear?
- does the subject still suffer from this disorder?
- is the subject currently undergoing treatment for this disorder?
- has this disorder ever resulted in the subject's loss of a job?
- ensure that a recommendation from a competent medical authority, that the applicant/employee can perform the duties of a sensitive position, has been obtained. *

(4) Financial Responsibility. Most recent espionage cases have been the result of the pressure of indebtedness.
* This is an area of serious concern. Just Financial Obligations, 5 CFR 2635.809 states,in part:

> **". . . Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes that are imposed by law."**

Indebtedness becomes a legitimate concern when an individual begins to fall behind on credit card payments, alimony, child support, rent, car loans, etc. Nonpayment of a just debt after 90 days is considered delinquent and requires resolution. It is important to determine if the individual considers the debt just. Some debts are clearly not the responsibility of an individual and may be the result of careless record keeping by credit reporting agencies. *

Refusal to admit to a just debt is not enough to resolve an unfavorable credit record. A derogatory credit report must be resolved by the individual and appropriate documentation provided. Any disputes between the subject and the credit agency must be resolved by the subject and documentation submitted. Similarly, the repossession of an automobile for non-payment, and eviction from rental housing for non-payment, should be explained by the subject and documentation provided.

(5) Dishonesty. As required by E.O. 10450, individuals entering federal service must be:

> **"...trustworthy...and of good conduct and character..."**

* This requires that applicants answer honestly when completing all employment documents.

Discrepancies on these forms may be an indication that the applicant/employee has falsified one of the forms to either conceal past behavior, or to exaggerate or misrepresent qualifications or suitability. In either case, all discrepancies must be resolved.

All security/suitability documents are used as the basis for the background investigation and must be completed in detail. As an adjudicator, a careful review of all security/ suitability forms is mandatory.

If there is a discrepancy in any of the information supplied, it must be resolved. To resolve this information, the adjudicator should:

- Present the original information to the subject (either in writing or verbally);

- Present the conflicting information that was developed in the background investigation; and

- Either ask the employee to explain, in writing, the discrepancy or summarize the employee's explanation for the discrepancies and include as documentation in the file submitted to SBIS. *

(6) Arrests. An arrest, regardless of the offense or when it was committed, is derogatory information and should be so stated. The nature and severity of the offense and when it was committed will have a bearing on the adjudication. Generally, the more recent the offense the greater impact it will have on the adjudication. An arrest for drunk and disorderly conduct would be less serious if the applicant/employee was arrested at a young age on a college campus, for instance. While this incident would probably not require significant resolution, it must still be noted as derogatory information. An arrest for driving while intoxicated (DWI) is a serious offense and more than one arrest for DWI in the space of a few years is extremely serious. The questions regarding alcohol, as listed above, should be used in this situation. An arrest that resulted in a conviction and fine/imprisonment must be accompanied by sufficient evidence that the applicant/employee has been rehabilitated.

(7) Drug Usage. The widespread abuse in America today of drugs to include marijuana, makes it increasingly likely that an adjudicator will have to address this problem. Despite its widespread use, marijuana is in most states an illegal substance - possession and use are punishable, criminal offenses. Other narcotic and nonprescription drugs have also been widely used as "recreational" drugs. The illegal use of prescription or nonprescription drugs by a Department employee will not be tolerated. Evidence of such use is derogatory information and should be so noted. In resolving drug related derogatory information, the offense must be viewed against the age of the applicant/employee and when the offense occurred. Drug usage is a serious problem and requires resolution.

* If there is evidence in the background investigation of previously undisclosed use, arrest for use, possession or sale of illegal drugs, the following information should be obtained:

- Detailed information concerning when the illegal drug(s) were first used;
- What drug(s) were used;
- How often the drugs were used;
- The last time the drug was used; and
- Any treatment for drug usage.

In addition, the subject should be warned that as an employee of the DOJ, the illegal use or sale of drugs will not be tolerated. *

(8) Confidential Source Information. Background investigations will sometimes contain information provided by sources who request confidentiality under the Privacy Act. It is not permissible, in most cases, to include this information in the resolution of derogatory information because of the risk of identifying the source. Any background investigations which contain unresolved derogatory information provided by a protected source should be forwarded to the SBIS for resolution.

(9) Classified Information. Similarly, National Security Information classified at the "Confidential," "Secret," and "Top Secret" levels sometimes appears in background investigations. Background investigations containing such information requiring resolution should be forwarded to the SBIS.

* 7. PROCEDURES TO RESOLVE DEROGATORY INFORMATION. Once derogatory information has been identified, either during the pre-employment process or in the review of the background investigation, it must be resolved. Resolution usually is presented in the form of written documentation obtained through an interview with the employee (referred to as a "Subject Interview") or written questions given to the subject (referred to as "Written Interrogatories"). Written documentation must be provided to allow the SBIS to verify the information, if necessary.

For example, if a background investigation surfaces information regarding credit indebtedness, it is not sufficient for the subject to assert that his/her record contains an error; tangible, written documentation must be provided. In the case above, the subject will have to contact his/her local credit reporting agency if the record is in error. Correspondence to and from the credit reporting agency resolving the error would serve as the basis of acceptable documentation.

Note: Derogatory information revealed in the pre-employment screening process that falls within the Guidelines of Acceptability or for which a waiver was obtained does not have to be formally addressed in adjudicating the investigation. The adjudicator should make note that the information was considered during the pre-employment screening and is within the Guidelines or a waiver was obtained. Waivers should be submitted with the investigation. *

Methods of Resolution

There are two basic methods for resolving derogatory information: the Subject Interview and Written Interrogatories. Each method

is designed to fit varying circumstances and is discussed in detail below.

a. Subject Interviews. This method is used when the information requiring resolution is neither serious enough to bar an applicant from employment nor to remove an employee from a sensitive position. Subject Interviews are generally used to ensure that an individual is notified of the existence of a
* problem and the Bureau's expectations as to future conduct. For example, evidence of marijuana usage could be of concern to the Bureau, but might not, by itself, be the basis for *
non-selection or removal. It is important, however, that a determination be made regarding current use and that the individual be advised of DOJ policy regarding drug usage. A Subject Interview may be used for these purposes.

(1) Arranging for the Interview. The Subject Interview is not a formal proceeding and should not be treated as such. Bureau applicants or employees are permitted, as a matter of courtesy, to have representation present during interviews. The representative may act in an advisory capacity only. The subject should be advised of this when the interview is scheduled. The subject should also be advised of the purpose of the interview (i.e., to discuss information received as a result of the background investigation). Arrangements for the interview should be made by the interviewer with the subject. Every effort shall be made to be discreet regarding the interview to avoid stigmatizing the subject.

(2) Conducting the Interview. The interview should be designed to allow the subject an opportunity to comment on, refute or mitigate information in the background investigation. The interview, therefore, is an information gathering vehicle and not a cross examination. The interviewer should emphasize the purpose of the interview, the reason for the interview and
* briefly describe the area(s) of concern to the Bureau. The questions to be used during the interview should be thought out carefully in advance prior to the interview. The subject should be advised that he/she is not obliged to answer any of the questions. *

If the subject declines to answer, the statement found as Attachment 7-10 should be signed by the subject. If the subject agrees to the Subject Interview, the statement found as Attachment 7-11 should be signed by the subject.

(3) Documenting the Interview. At the conclusion of the interview, the interviewer(s) should prepare the documentation. Generally, a memorandum for the record is sufficient documentation. This memorandum should outline the interview, list the subject's responses and advise the SBIS if the subject was advised, for example, of the Department's policy on drug usage. The information obtained during the interview should be analyzed and a recommendation for or against employment,

continued employment and/or access to National Security Information, if appropriate, should be contained in the memorandum. This documentation should be attached with the background investigation when it is forwarded to the SBIS. If serious information is uncovered during the Subject Interview, the Security Staff may decide to issue written interrogatories.

b. Written Interrogatories. When information is identified in a background investigation which is serious enough to consider
* disciplinary or adverse action, written interrogatories should *
be used. Written questions are a more formal approach than a Subject Interview to resolving derogatory information. Written Interrogatories are covered by a letter to the subject (see sample Attachment 7-12) briefly explaining the procedure and establishing suspense dates for responding. In addition, written questions contain a statement of the subject's rights (see Attachment 7-13) which the subject is required to read and sign.

The written questions should focus specifically on information in the background investigation. There is no "one" way of structuring the written questions; however, the Security Staff has adopted the following format (see sample questions, Attachment 7-14).

- Narrative. Before asking specific questions, the derogatory information is synopsized or directly quoted from the background investigation.

- Request for Comments. The narrative is followed by a statement inviting the subject to comment on the information.

- Introduction to Questions. Even if the subject provides comments, there is usually specific information needed to resolve derogatory information; therefore, the subject is instructed to answer specific questions in addition to providing any comments.

- General Question. This question is usually written to obtain a "yes" or "no" response.

- Follow-up Questions. If the subject answers "yes" to general question, there will usually be follow-up questions.

- Ending Statement. This statement is included at the end of the last question to allow the subject an opportunity for any final comments. The final page of the written interrogatory package is a certification statement which the subject must sign.

Essentially this statement holds the subject accountable for the accuracy of any written responses (see Attachment 7-15).

Subject Interviews and Written Interrogatories are designed to afford the subject of a background investigation due process, and an opportunity to comment on questionable information contained in the background investigation. The results of these methods for resolving derogatory information should be forwarded to the SBIS, along with the background investigation, with a recommendation for or against granting an employment approval pursuant to E.O. 10450.

731.2 CONTRACT SECURITY

1. PURPOSE AND SCOPE. To establish security and supervision requirements for contract and consultant personnel involved in the delivery of services to Bureau of Prisons facilities.

2. DIRECTIVES AFFECTED

Directive Referenced

P.S. 5300.14 Volunteers, Involvement in Programs (10/01/91)

3. RESPONSIBILITIES

a. Program Managers will be responsible for all appropriate vouchering and gathering of information for security files. Program managers will also be responsible for a monthly report of contract employees. This will list all current contract employees and will additionally list any contract employees who are no longer providing services to the institution.

b. Contracting Officers will be responsible for aspects of advertising and administering any contracts.

c. Personnel Security Officers will be responsible for only those duties included in this Program Statement.

NOTE: Volunteer security procedures are outlined in the Program Statement, Volunteer, Involvement in Programs.

4. INVESTIGATIVE REQUIREMENTS

a. Investigative requirements for Contractors and Employees of Contractors: There are 3 basic types of contracts that BOP facilities may initiate at the institution level. Depending on the need for contracted services, the following requirements will apply to contractors and, or their employees. **Exceptions to these requirements may be based on emergency needs for the services to be delivered. The Regional Correctional Services Administrator, after consultation with the Regional Director, will approve or disapprove all requested exceptions in writing. A copy of the request shall be placed in the appropriate contract personnel security file.**

The program manager receiving the services of the contractor (e.g., Mechanical Services, Industries, Education, etc.) will be responsible for conducting the appropriate vouchering, law enforcement checks, and ensuring the appropriate fingerprinting

and urinalysis testing is completed. The Personnel Security Specialist will conduct the NCIC and name check, and ensure that the fingerprint cards (FD-258s) are mailed to the FBI.

A security file will be established for each contract employee by the responsible program manager. The Personnel Security Specialist will be responsible for maintaining these files.

(1) Individual Contracts

(a) This includes all contracts with individuals delivering compensated services to an institution where the delivery of these services requires frequent and unsupervised contact with inmates. The following investigative procedures will be applied and appropriate forms completed before an individual is permitted inside an institution:

Responsibilities of Personnel Security Officer

- National Crime Information Center (NCIC) Check
- Name Check

Responsibilities of Program Manager

- FD-258 Fingerprint Check
- Law Enforcement Agency Checks (Attachment 7-7)
- Vouchering of employers over the past five years (Attachment 7-6)
- Completed SF-171 (Application for Federal Employment)
- Completed Contractor Pre-employment Form (attachment 7-16)
- Release of Information

NOTE: These requirements will be agreed to by the individual interested in obtaining a contractual agreement with the BOP before the contract is granted.

In addition to the above procedures, the Financial Management Contracting Officer will ensure through the contracting process that each prospective individual contractor is advised that a urinalysis is required before the contract is awarded. If the test is positive the contractor will be disqualified from being awarded the contract. This requirement must be included in the solicitation or request for services.

Exceptions: Individual contractors who have been delivering the same services to an institution over a period of 3 or more years may be exempt from these procedures at the discretion of the Chief Executive Officer.

Chief Executive Officers may exempt consulting physicians entering the institution on an infrequent basis (i.e. less than once a week) from the required investigative procedures. Chief Executive Officers should use prudent judgement in this matter and may exempt other individuals whose services have been identified as difficult to contract. These exemptions **must be in writing and signed by the Chief Executive Officer**. These exemptions will be placed in the individual's personnel security file.

(b) Short term contracts: This includes only those short term contracts for individual services that last less than 30 days. These procedures may be applied only for contract employees who will be escorted at all times while inside the secure confines of the institution or will be outside the institution with no possibility of contact with inmates.

Individuals contracted under these conditions will require the following investigative procedures.

- National Crime Information Center (NCIC) Check
- Completion of the Contractor Pre-employment Form (attachment 7-16)

The Personnel Security Officer will be responsible for maintaining a file with this information.

(2) Construction/Maintenance Contracts: This includes all contracts involving construction/maintenance projects of institutional facilities that are advertised and granted competitively through appropriate Federal Government and Contracting Regulations.

In major projects of this type, construction and maintenance crews are usually required to work within the secured perimeter of an institution. There is usually little or no inmate contact permitted, and there is usually close BOP supervision by institution staff of the contractor's employees. Mobility in and out of the institution compound is closely monitored and controlled.

The following investigative procedures apply to all new contracts of this type being advertised by the Bureau of Prisons. The appropriate investigative forms shall be completed on all of the contractor's and/or subcontractor's crew members before an individual is permitted within the secure perimeter of an institution.

Prospective contractors must be advised through the contracting advertisement process that the following security measures will be applied to all contract employees who will be working under the terms of the contract:

- National Crime Information Center (NCIC) Check
- Name Check
- Fingerprint Check (FD-258)
- Application for Federal Employment (SF-171)
- Completion of the Contractor Pre-employment Form (attachment 7-16)
- Release of Information

Prospective contractors will also be apprised that individuals on their crews who are determined **not** suitable by BOP requirements will be unable to work within the secure perimeter of an institution. This will be a condition of the contract.

In addition, a pre-bid conference shall be held by the contracting office, with the contractor and other concerned staff to discuss on-the-job security procedures. The security briefing should be conducted by correctional services personnel emphasizing the security aspects of the institution. **NOTE: NO URINALYSIS TEST FOR THE DETECTION OF DRUG USAGE WILL BE REQUIRED FOR THESE INDIVIDUALS.** The following procedures will be followed when processing construction/maintenance contract employees:

Responsibilities of the Personnel Security Officer

- National Crime Information Center (NCIC) Check
- Name Check

Responsibilities of the Program Manager

- FD-258 Fingerprint Check
- Completion of Application for Federal Employment (SF-171)
- Completion of the Contractor Pre-employment Form (attachment 7-16)
- Completion of Release of Information

All security forms and documentation will be filed in the individual's contract personnel security file which will be maintained by the Personnel Security Officer.

If derogatory information is uncovered after the individual has been permitted inside the secured perimeter of an institution, a decision must be made by

the institution personnel security officer as to (1) the suitability of the individual; and (2) as to

whether to permit the contract employee further access to the institution. This should be done in consultation with the Warden and/or Chief Correctional Supervisor. If it is determined that the contract employee cannot be allowed further access to the institution, the Financial Management Contracting Officer will be notified in writing so that he/she can apprise the contractor as soon a possible. All institution gate passes will be withdrawn.

The primary consideration in making these types of determinations should be that the individuals past or present conduct will not promote the efficient operation of the Bureau of Prisons and that this conduct may indicate a risk for abusing the Bureau of Prisons' mission. Examples of disqualifying conduct are:

Criminal, dishonest, infamous, or notoriously disgraceful conduct;

Habitual use of intoxicating beverages to excess;

Use and/or distribution of narcotic, drugs, or other controlled substances;

Reasonable doubt of loyalty to the United States.

Exceptions: Chief Executive Officers may exempt contractors who will not be entering the secure perimeter of the institution and will not have any contact with inmates. This exemption must be in writing and maintained by the Personnel Security Officer. Contractors who will be providing service to new institutions before inmates are assigned to that location may be exempted by the Regional Director.

(3) Contracting of Total or Partial Program Services: The contracting of food and medical services includes the delivery of program services (e.g., preparing food for inmates) **which will require frequent and unsupervised contact** between the contractor's employees and inmates. The following requirements apply to those individuals involved in the delivery of food and medical services within an institution.

Responsibilities of Personnel Security Officer

- National Crime Information Center (NCIC) Check
- Name Check

Responsibilities of Program Manager

- FD-258 Fingerprint Check
- Law Enforcement Agency Checks (Attachment 7-7)
- Vouchering of employers over the past five years (Attachment 7-6)
- Completed SF-171 (Application for Federal Employment)
- Release of Information

NOTE: These requirements will be agreed to by the individual interested in obtaining a contractual agreement with the BOP before the contract is granted.

In addition to the above procedures, the Financial Management Contracting Officer will ensure through the contracting process that each prospective individual contractor is advised that a urinalysis is required before the contract is awarded. If the test is positive the contractor will be disqualified from being awarded the contract. This requirement must be included in the solicitation or request for services.

Exceptions: Individual contractors who have been delivering the same services to an institution over a period of 3 or more years may be exempt from these procedures at the discretion of the Chief Executive Officer.

Chief Executive Officers may exempt consulting physicians entering the institution on an infrequent basis (i.e. less than once a week) from the required investigative procedures. Chief Executive Officers should use prudent judgement in this matter and may exempt other individuals whose services have been identified as difficult to contract. These exemptions **must be in writing and signed by the Chief Executive Officer**. These exemptions will be placed in the individual's personnel security file.

b. WITNESS SECURITY CONTRACTS. All contract employees that are directly involved with working with Witness Security inmates; related sensitive information; data; and/or any material that may provide disclosure of a Witness Security inmate's identity will be required to have a limited background investigation completed. While the investigation is being conducted, these contract employees may start their contractual services only if they have been thoroughly vouchered as described in section a. (1) a. Individual contracts and the urinalysis criteria is met. Cost of the LBI will be included in the contract for services.

6. IDENTIFICATION PASSES. The requirements established in this Program Statement are the minimum standards. Additional requirements concerning identification passes may be added by issuing a local institution supplement.

There are two types of contract gate passes: Contract escorted (BP-225), and Contract-unescorted (BP-226). Escorted passes should be issued to contract employees who require an escort while in the institution. Unescorted passes will be worn by persons not requiring an escort. These passes should carry the Associate Warden's seal, be signed by the Associate Warden (Programs) and renewed every year.

Two cards will be utilized on each person. One card will be completed on both sides and maintained in the control center. The other card will be completed on one side (personal data should not be completed), laminated and worn by the employee on an area which is visible. Institution will purchase a clip-on lamination set for this purpose.

Institutions will be responsible for accountability and assignment of their own numerical system. The numbers assigned to the card to be worn and the card maintained in the control center will be the same.

7. FILE RETENTION. The Personnel Security Officer will review security files monthly. Files will be compared to the responsible program manager's monthly report. Any files for contractors not currently employed will be moved to an inactive file. If these contract employee are inactive for six months their files will be destroyed and a new investigation will be required before they can reenter the institution.

8. EXEMPTIONS. Exemptions to the procedures outlined in this Program Statement not specifically addressed may be granted by the respective Regional Director. Requests for exemptions should be based on the needs of the particular individual and/or the work setting involved. Exemptions will be based on an evaluation of the risk involved and may not be made solely on the availability of supervisory resources. A copy of the waivers should be filed in the appropriate individual contract personnel security file.

731.3 URINALYSIS TESTING FOR EMPLOYMENT

* 1. PURPOSE AND SCOPE. To establish urinalysis testing procedures for employment of applicants and contractors.

2. RESPONSIBILITIES

a. The Bureau of Prisons maintains a contract with a national reviewer who is responsible for reviewing applicant and contractor drug test results. The national reviewer is primarily responsible for electronically transmitting urinalysis results to the appropriate Human Resources office utilizing management software, **S**pecimen **M**anagement **A**nd **R**esults **T**racking (**SMART**), developed for the Federal government.

b. The National Drug-Free Workplace Coordinator shall ensure each HRM office receives software for the electronic transmission of applicant and contractor donor information and certified test results.

3. PROCEDURES. These procedures will significantly decrease the length of time required to obtain a completed drug test result. The software, **SMART**, will be utilized and installed on one HRM computer equipped with a modem. Access to **SMART** records shall be password protected.

Procedures for obtaining urine specimens shall be in accordance with the Program Statement on Drug Free Workplace.

a. At Time of Physical. For each applicant or contractor tested, Health Services shall provide the EMPLOYER copy of the chain-of-custody document to the HRM office. Taking information from this form, an HRM staff member shall enter the following information into the **SMART** system:

- Donor Name and Social Security Number
- Donor Gender
- Reason for Test: Applicant or Contractor
- Specimen Number
- Institution City and State Abbreviation
- Collection Date

This information must be transmitted to the contractor the same day as specimen collection. Failure to transmit in a timely manner may cause delay in receipt of the certified test result.

The EMPLOYER copy (blue) of the specimen chain-of-custody form shall become a part of the pre-employment interview packet.

b. Applicant/Contractor Drug Test Results. Completed test results will be made available to HRM offices through the **SMART** software.

Each time the local **SMART** system is connected to the contractor **SMART** system, the local **SMART** will be updated with specimen data obtained since the last connection. A user may access the **SMART** system to check the status of a particular result even if there are no new donor cases to transmit.

c. Other Information Available through **SMART**. Other information which can be accessed by the HRM office through the local **SMART** system includes the day the:

- Specimen is received at the laboratory;
- Laboratory reported test result to the contractor; and,
- Contractor made the certified test result available to the Bureau.

d. Test Result Appears Delayed. If a problem with a specific case is suspected, HRM staff may contact the contractor or the Drug-Free Workplace Coordinator for assistance.

e. Using **SMART**. The contractor will provide software documentation for **SMART**. The National Drug-Free Workplace Coordinator shall provide additional instructions for Bureau use.

4. BASIC PROGRAM REQUIREMENTS. A urinalysis test shall be administered to all Bureau applicants and contractors seeking employment. Whenever the results of a urinalysis are positive, and this result cannot be justified by the presence of prescription drugs, the individual shall not be employed with the Bureau.

Vacancy announcements that are released outside the Bureau and OF-5's (Inquiries of Availability) shall include a statement that a urinalysis test is required for outside applicants for appointment to a Federal Bureau of Prisons position. *

750.1 PROCESSING DISCIPLINE AND ADVERSE ACTIONS

1. PURPOSE AND SCOPE. To establish procedures for processing discipline and adverse actions.

2. PROPOSING OFFICIALS. Normally, the following officials will be the proposing officials for disciplinary and adverse actions. Variations to fit unique circumstances are permitted and nothing in this section precludes the proposing official being at a higher or lower level than specified.

a. Institutions

(1) Department Heads are the proposing officials for subordinate staff in their departments.

(2) Associate Wardens, Assistant Superintendents (of Federal Prison Camps) and Superintendents of UNICOR are the proposing officials for subordinate department heads.

(3) Chief Executive Officers are the proposing officials for Associate Wardens, Assistant Camp Superintendents, Superintendents of UNICOR and for any other staff members who report directly to the Chief Executive Officer.

b. Regional Offices

(1) Regional Administrators are the proposing officials for subordinate regional office staff.

(2) Deputy Regional Directors are the proposing officials for regional administrators.

(3) Regional Directors are the proposing officials for Deputy Regional Directors, institution Chief Executive Officers and for any other staff members who report directly to the Regional Director.

c. Staff Training Centers. The respective supervisor is the proposing official for staff training center personnel.

d. National Institute of Corrections. The respective supervisor is the proposing official for NIC personnel.

e. Central Office

(1) Branch Chiefs or UNICOR Division Managers are the proposing officials for subordinate staff in their

branches or divisions.

(2) Deputy Assistant Directors/Commissioners are the proposing officials for Branch Chiefs in their divisions.

(3) Assistant Directors are the proposing officials for Deputy Assistant Directors and other staff who report directly to an Assistant Director in their divisions.

3. DECIDING OFFICIALS. Normally, the following officials will be the deciding officials for discipline and adverse actions. Variations to fit unique circumstances are permitted and nothing in this section precludes the deciding official being at a higher level than specified.

a. Institutions. The Chief Executive Officer is the deciding official for all cases proposed by a subordinate.

b. Regional Offices. The Regional Director is the deciding official for all cases proposed by a Regional Administrator, Deputy Regional Director or institution Chief Executive Officer.

c. Staff Training Centers. The Director, Management and Specialty Training Center, Chief of Instructional Systems Design or the Director of the Staff Training Academy is the deciding official for all cases proposed by a subordinate.

The Deputy Assistant Director, Human Resource Management Division, is the deciding official for all cases proposed by a subordinate Branch Chief.

d. National Institute of Corrections. The Director of NIC is the deciding official for all cases proposed by a subordinate.

The Director is the deciding official for all cases proposed by the Director of NIC.

e. Central Office. The appropriate Assistant Director or Deputy Assistant Director is the deciding official for all cases proposed by Regional Directors and all cases proposed by a subordinate at the Central Office level.

The appropriate Assistant Director is the deciding official for all cases proposed by a Deputy Assistant Director.

The Director is the deciding official for all cases proposed by an Assistant Director.

4. APPROVAL OF PROPOSAL AND DECISION LETTERS

a. Disciplinary Actions. Institution HRM offices will secure the approval of the Regional HRM office and consult LMR as needed prior to issuing any disciplinary action proposal or decision letter. Institutions may obtain technical assistance from Regional HRM offices regarding appropriate charges, supporting evidence, appropriate penalties and other aspects of the case. Regional HRM offices should obtain advice or assistance from the LMR Section as needed in making these determinations.

b. Adverse Actions. Institution HRM offices will secure technical assistance and advice from the Regional HRM office and approval from the LMR Section prior to issuing any adverse action proposal or decision letter. Technical assistance on adverse action cases may be obtained by institutions directly from LMR.

c. Clearance from Office of Internal Affairs. Institution HRM offices must verify that the proper clearance for initiating an action has been received from the Office of Internal Affairs. The required verification includes:

(1) Local investigations: The investigation was authorized and the investigator's final report was approved by OIA.

(2) Other investigations: The final report was received from OIA.

Verification may be verbal and must be made prior to requesting approval of disciplinary or adverse action letters.

d. Performance Warning Letters. Institution HRM offices will secure the approval of the Regional HRM office and the LMR Section prior to issuing a performance warning letter. See Sections 430.1 and 430.2 for additional instructions on contents of performance warning letters.

5. NOTIFICATION TO THE LMR SECTION

a. Disciplinary Actions. At the time a proposal or decision letter is issued in a disciplinary action, the HRM office will forward a copy of the letter to LMR.

b. Adverse Actions. Prior to issuing a proposal or decision letter in an adverse action, the HRM office will forward a copy of the final draft to LMR for approval and verification that their recommendations and guidance have been implemented. It is not necessary to send LMR a copy of the letter after issuance or a copy of the complete adverse action file.

6. GRIEVANCES AND MSPB APPEALS. Upon receipt of a request for arbitration of a disciplinary action or an adverse action, the HRM will immediately notify the Regional HRM and LMR and forward a copy of the grievance file to LMR.

Upon receipt of notice of an MSPB appeal, the HRM will respond to the MSPB order for documents and prepare an identical tabbed case file for LMR and MSPB. The Chief of Labor Management Relations will be designated as the representative for the Agency.

771.1 AGENCY GRIEVANCE PROCEDURE

1. PURPOSE AND SCOPE. This section provides a grievance procedure applicable to all Federal Bureau of Prisons employees to aid in the settlement of matters of employee dissatisfaction.

2. DIRECTIVES AFFECTED

Directives Referenced

a. FPM Chapter 771

b. DOJ Order 1752.1A Discipline and Adverse Actions

c. DOJ Attorney Personnel Memorandum #91-7A

d. DOJ Order 1771.1B.

e. 5 CFR 771, 315.

f. 5 U.S.C. 3321.

3. EMPLOYEES COVERED. These procedures apply to all employees of the Federal Bureau of Prisons except employees who are members of the bargaining unit and are thereby covered by the Master Agreement between the Bureau of Prisons and the Council of Prison Locals, AFGE.

4. POLICY. The Bureau of Prisons strongly endorses the concept that grievances be resolved informally between the employee and supervisor, if possible, and, if not, at the earliest possible step of the grievance procedure. Any employee covered by this section is entitled to present a grievance under this procedure.

5. ACTIONS COVERED. This procedure applies to any matter of employee concern or dissatisfaction which is subject to the control of management officials of the Department of Justice except that the following matters are excluded:

a. Matters listed in 5 CFR 771.

b. The return of an employee from an initial appointment as a supervisor or manager to a non-supervisory or non-managerial position for failure to satisfactorily complete the probationary period under 5 USC 3321(a)(2) and 5 CFR 315.

c. A performance rating of a member of the Senior Executive

Service.

d. Any aspect of a removal, separation or termination of an excepted service employee and termination for inadequate performance or conduct during a probationary or trial period.

6. PROCEDURE

a. General

(1) Each step of the procedure must be completed before proceeding to the next step.

(2) An employee alleging a grievance must present it within fifteen calendar days after the incident occurs. A grievance concerning a continuing practice or condition may be presented at any time. An employee is entitled to a representative of his/her choice in pursuing a grievance, subject to the conditions in 5 CFR 771.

(3) A grievance will be rejected for any of the following reasons: the employee fails to complete the informal procedure; the grievance is not timely filed; it consists of a matter or matters excluded from coverage under this procedure; the requested relief is not personal to the grievant; or the grievance does not contain sufficient detail to identify and clarify the basis for the grievance. Any rejection of a grievance will be in writing, stating the reason(s) for the rejection.

(4) A grievance contesting a performance rating or any part of a performance rating is an exception to the informal and formal procedures outlined in this section. Performance rating grievances are processed in accordance with the procedures in paragraph 4 of this section.

b. Informal Procedure. An employee must complete action under the informal procedure before a grievance will be accepted under the formal procedure, except that a grievance about a disciplinary action subject to this procedure may be initiated at a higher step if the supervisor does not have the authority to grant the relief sought by the grievant.

(1) An employee alleging a grievance as specified in this section must present the matter in writing to his/her immediate supervisor, either alone or with a representative.

(2) The immediate supervisor will give consideration to all available facts and will notify the employee of the disposition of the grievance as soon as possible but no

later than five calendar days following the date the grievance was presented.

c. Formal Procedure

* (1) If the grievance is not satisfactorily resolved informally, the employee, directly or through a representative, may present the grievance in writing to the agency's deciding official (the Warden or designee) within five calendar days following the informal decision. For regional office employees, the agency's deciding official is the Regional Director or designee. For Central Office employees, the agency's deciding official is the Assistant Director of the respective division, or designee. The grievance must include the specific nature of the grievance, the personal relief requested by the grievant, and the signature of the grievant or the grievant's representative.

(2) The agency's deciding official shall review the grievance and notify the grievant of a decision within ten calendar days following receipt of the grievance. If the relief sought by the grievant is granted, the decision to that effect is final and there is no further right of administrative appeal.

(3) Except for grievances involving disciplinary actions, if the relief requested is not granted and the grievant is not satisfied with the proposed resolution, the grievance shall be resolved in one of the two following ways. A grievance involving a disciplinary action must be referred to a fact-finder.

(a) If the central facts of the grievance are not in dispute, the grievance shall be forwarded to the next higher level supervisor who, in consultation with the Bureau Personnel Director and the Chief of Labor Management Relations, shall make a final decision; or

(b) If the central facts of the grievance are in dispute or the grievance involves a disciplinary action, the agency's deciding official shall forward the grievance file to the Chief of Labor Management Relations within five calendar days with a request for appointment of a fact-finder. A request for appointment of a fact-finder shall include the name, mailing address and telephone number of the grievant, grievant's representative (if any) and the agency's deciding official.

The fact-finder's inquiry shall be conducted in accordance with the provisions of the DOJ Order 1771.1B. The fact-finder's report and recommendations shall be sent to the agency's

deciding official. Normally, the fact-finder's recommendations will be accepted and a final

decision issued accordingly within ten calendar days of receipt. If the agency's deciding official does not accept the fact-finder's recommendations, the reasons for the disagreement shall be reduced to writing and sent to the next higher level management official, along with the grievance file, for final decision. A copy of the fact-finder's recommendations and reasons for disagreement shall be sent to the grievant or the grievant's representative at the same time. *

d. Performance Rating Grievances

(1) A grievance contesting a performance rating or any part of a performance rating will be resolved by a Performance Rating Grievance Committee (PRGC) which is the sole administrative procedure for contesting a performance rating. This procedure does not apply to attorneys or members of the Senior Executive Service.

(2) The time limits described in paragraph 1b of this section apply to performance rating grievances. Specifically, an employee must present a performance rating grievance to their servicing HRM office within fifteen calendar days of receiving an official reviewed rating.

(3) An employee is entitled to be represented at any stage of a performance rating grievance, however, neither the employee nor the representative has the right to be present at PRGC meeting or deliberations and there is no right to an oral presentation before the PRGC.

(4) Upon receipt of a performance rating grievance, the PRGC will be convened on an ad hoc basis and will consist of three members: (1) the Human Resource Manager who will chair the committee; (2) a member designated by the grievant and (3) a member designated by the Chief Executive Officer. The grievant's and agency's members must be current Department of Justice employees who were not involved in the performance rating in question and who live within the commuting area of the facility in which the grievance arose.

(5) The PRGC is empowered to provide an impartial review of employee requests for review of overall performance ratings and/or individual element ratings or remarks that are part of the official rating. The purpose of the PRGC is to make an impartial determination based upon the facts presented for review. The committee's review extends only to evidence which relates directly to the employee's performance and is based on a review

of the written record. The official record will consist of the employee's comprehensive statement, the

rating official's reply, the employee's final statement and the attachments to these submissions. The committee is authorized to:

- Increase an overall rating,
- Increase an element rating,
- Remove remarks,
- Leave the rating unchanged,
- Return the rating to the rating or reviewing official for further consideration, in which case the PRGC will render a final decision following such further consideration.

(6) The PRGC will settle all issues by majority vote and will issue a written decision which includes a summary of the facts considered and the corrective action, if any, to be taken. Except as described below, the written decision of the PRGC is final and binding and is not subject to further administrative review.

(7) In accordance with 5 CFR 430.407(e), a member of the Performance Management Recognition System may request that a decision of a PRGC be reconsidered. In that case, an official at a higher level in the organization than the rating, reviewing or approving official, unless there is no one at a higher level, will review the record and issue a decision. The decision of the higher level official is final and there is no further administrative review. It is the responsibility of the PMRS employee to submit a copy of the PRGC decision, together with all of the supporting materials, when he or she requests reconsideration. New arguments, issues or rebuttals will not be presented. Reconsideration of a PRGC decision is limited to a review of the official record.

810.1 WORKER'S COMPENSATION

1. PURPOSE AND SCOPE. To establish procedures for the administration of the Worker's Compensation Program. All Federal Bureau of Prison employees' claims of job-related injury or occupational disease will be processed as quickly as possible. Responsible officers will exercise diligence in the investigation of accidents and in the administrative aspects of this program to preclude any delay in the submission of claims.

2. DIRECTIVES AFFECTED

Directive Referenced

FPM Chapter 810

3. PROCEDURES. Administration of this program will be in accordance with regulations of the Federal Employees' Compensation Act and Chapter 810 of the Federal Personnel Manual. This program is the responsibility of the employee's Occupational Safety and Health Program.

831.1 FEDERAL PRISON RETIREES ASSOCIATION

1. PURPOSE AND SCOPE. To describe the Federal Prison Retirees Association. The Federal Prison Retirees Association is a nationwide private social organization. Membership in the Association or inclusion in their directory is voluntary.

2. MEMBERSHIP APPLICATION. The Privacy Act of 1974 prohibits HRM offices from providing the Retirees Association with names and addresses of retirees; therefore, HRM offices will give a copy of the Retirees Association membership application (Attachment 8-1) to each retiring employee and survivors of deceased employees.

875.1 PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM

1. PURPOSE AND SCOPE. To describe the Public Safety Officer's Benefits Program.

2. DIRECTIVES AFFECTED

Directive Referenced

Statutes cited in this section are contained in P.L. 98-473, the Public Safety Officers' Benefits Act (PSOB).

3. BENEFITS. Public Law 98-473, the Public Safety Officer's Benefit Act (PSOB), provides for a $100,000 payment to the eligible survivors of law enforcement officers who die as the direct and proximate result of a personal injury sustained in the line of duty. This Act covers all correctional officers as well as any other BOP employee killed while performing correctional officer-type functions. The benefit was increased from $50,000 to $100,000 for deaths occurring on or after June 1, 1988. Beginning on October 1, 1988 and on each October 1 thereafter, the benefit is adjusted by the percentage of change in the Consumer Price Index.

a. The PSOB payment is made in the following manner:

(1) If there are no surviving children, to the spouse.

(2) If there is no surviving spouse, to the child or children in equal shares.

(3) If there are children and a surviving spouse, one-half to the spouse and one-half divided among the children in equal shares.

(4) If none of the above, the payment will be made to the parent or parents of the deceased in equal shares.

The deceased must be survived by an eligible survivor for a benefit to be paid.

b. The law defines children as being 18 years of age or younger, a dependent student age 19 to 22 or a person over 18 years of age who is dependent because of physical or mental disability.

c. No benefits under this law will be paid:

(1) If the death was caused by intentional misconduct or

suicide;

(2) If the officer was intoxicated by alcohol or drugs;

(3) If the officer was performing his/her duties in a grossly negligent manner;

(4) To anyone who contributed to the death of the officer. (e.g., if a husband assisted an inmate in an escape attempt which resulted in the death of his Correctional Officer wife, no payment would be made to the husband, but it may be made to the children); or

(5) If the death was caused by an occupational illness or chronic disease, unless there is a traumatic injury which was a substantial factor in the death.

d. The PSOB benefit is paid in addition to other benefits and it is exempt from federal income tax and the federal estate tax.

4. PROCEDURES

a. The local HRM office will initiate the claim by telephoning the Bureau of Justice Assistance. The following information is necessary to file a claim:

(1) Deceased's full name,

(2) Deceased's occupation,

(3) Date of injury and date of death,

(4) City and state where death occurred,

(5) Cause of death and brief description of the circumstances,

(6) Name and address of surviving spouse, if applicable,

(7) Names and ages of surviving children and/or stepchildren, if applicable,

(8) Name, address and telephone number of the person to contact in the local HRM office who will be processing the claim,

(9) If the deceased was single and without children, the names of the parents.

b. The Bureau of Justice Assistance will provide information on the filing of a claim under PSOB. In advance of receiving that information, HRM's should be aware of the kind of documentation which must be submitted with the claim. Following

are examples of information which may be required:

(1) Investigation report and detailed statement of circumstances surrounding the death. The report must be on Department letter head, bear an original signature and be notarized.

(2) If death was caused by an obvious traumatic injury, an affidavit to that effect must be provided by the attending physician. If there is no obvious traumatic injury, a complete autopsy report bearing original signatures and notarized must be provided.

(3) Toxicology report bearing original signature and notarized.

(4) Original copy of death certificate.

(5) Deceased's official position description, bearing the original signature of the HRM and notarized.

(6) Deceased's marriage certificate (original).

(7) Deceased's divorce decree, if applicable (original).

(8) Birth certificates of all surviving children (originals).

(9) If deceased is survived by a child born posthumously, indicate expected delivery date and provide a certified copy of the birth certificate when the child is born.

c. After the above information has been received by the Bureau of Justice Assistance, the appropriate claim forms will be mailed to the local HRM office for completion. The local HRM office will complete the forms promptly and return them to:

Public Safety Officers' Benefits Program
Bureau of Justice Assistance
633 Indiana Avenue, N. W.
Washington, D. C. 20531

d. If assistance is needed or if there are any questions regarding the processing of claims, eligibility or benefits, they should be directed to the Benefits, Awards and Professional Development Section.

880.1 PROCEDURES IN THE EVENT OF STAFF DEATHS

1. PURPOSE AND SCOPE. To establish procedures in the event of staff deaths. It is the policy of the Federal Bureau of Prisons to properly recognize employees in the event of their death and to ensure that surviving family members receive all allowable benefits.

The death of a Bureau employee, whether occurring in the line of duty or off the job, is a tragic event and is especially traumatic for the family. It is extremely important that Bureau employees demonstrate a great deal of sympathy for surviving family members and be sensitive to fulfilling the needs of the family by processing claims for benefits as expeditiously as possible.

The death of an employee is usually unexpected and shocking. Arrangements and benefits are typically researched and planned in a hurry and important and sensitive details may be overlooked. The procedures in this section are designed to ensure that surviving family members receive the maximum allowable benefits in a timely manner and to ensure that the deceased employee's family receives all the support and assistance the Bureau of Prisons can provide.

2. DIRECTIVES AFFECTED

Directives Referenced

a. P.S. 3790.01 Collection of Charitable Funds (10/21/85)

b. FPM Supplement 830-1

c. NFC Payroll/Personnel Processing Manual

3. PROCEDURES FOR STAFF DEATHS

a. The Chief Executive Officer will inform the Director immediately and keep him/her informed of all activities underway.

b. For on the job staff deaths, the CEO will personally notify the immediate family in person. For deaths occurring off the job, the CEO will personally contact the family to offer condolences. Other Bureau staff (e.g. chaplain, psychologist, close friends) may be involved at the time of the notification as deemed appropriate by the CEO.

c. For deaths resulting from inmate assaults, the Bureau of Prisons Congressional Liaison will notify the Department of

Justice Office of Legislative Affairs (Congressional Liaison) and the Congressional offices located within the state in which the institution is located.

d. The Bureau's Public Information Officer will be notified immediately for publication in the Monday Morning Highlights.

e. For deaths resulting from inmate assaults, the U. S. flag will be flown at half-mast for two days at each BOP facility throughout the Federal Bureau of Prisons. This will be coordinated by the Bureau's Public Information Officer.

f. As soon as advisable after notification, the HRM will contact the family and explain all survivor benefits, including annuities, insurance, and Social Security claims. In the case of a job-related staff death, the HRM (or Safety Manager) should inform the family about OWCP benefits and the Safety Manager should provide and process the necessary forms. Every effort will be made to accommodate the family. Long-distance paperwork will be expedited by overnight mail and, when possible, other documents will be hand-carried.

g. The Personnel Branch will designate an individual to work with institution personnel to help expedite and coordinate arrangements and paperwork involved at the Central Office level.

h. The institution Chaplain and/or Psychologist will be on call to provide assistance and counseling to the family. For on the job deaths they should periodically contact the family to offer their services and should maintain a supportive relationship for at least several weeks following the death.

i. Bureau of Prisons staff traveling in the area on official business are encouraged to attend any memorial service, although there is no authority to authorize travel for the purpose of attending a memorial or funeral service. As feasible, for on the job deaths, the CEO may authorize administrative leave and, for off the job deaths liberal annual leave may be granted to attend a memorial or funeral service.

j. For on the job deaths (with the family's concurrence), an honor guard, consisting of BOP uniformed employees, will accompany the body from the service to the final resting place, if local. This will be coordinated at the institution level.

k. The CEO will present the family with the BOP flag and an inscribed BOP carriage clock. The local HRM will order the BOP flag and clock from the BAPD Section, providing the deceased employee's name, position title, beginning date of BOP service, total BOP service and date of death (sentry ID BOP BAPD).

l. For on the job deaths, in accordance with P.S. 3790.1, the CEO will immediately seek the Director's approval for Bureau-wide collection of charitable funds for the family. Approval will be sought, as deemed necessary by the CEO, for off the job deaths.

m. The CEO will encourage participation of surviving family members in future institution and Employee Club functions.

n. HRM's should provide survivor(s) with a copy of the Employee Benefits in Times of Crisis booklet.

4. APPLICATION FOR PUBLIC SAFETY OFFICER'S DEATH BENEFIT COVERAGE UNDER FERS OR CSRS. See Section 875.1 for additional instructions and information on the Public Safety Officer's Benefit.

5. SOCIAL SECURITY. The HRM will immediately contact the local Social Security office as Social Security benefits are not paid automatically and forms are not available beforehand. Be prepared to furnish the following documents:

a. Marriage certificate.

b. Birth certificate of the deceased.

c. Birth certificates of children under 18.

d. Proof of widow or widower's age if 62 or older.

e. Record of income for preceding year.

f. Proof of termination of any previous marriages.

g. Original copies of death certificate (12 or more may be required).

h. The following forms may be applicable in some situations:

(1) SSA-4 - Application for child's insurance benefit. This application is used to file for benefits for a child of a wage earner. It includes children 18 or 19 who are full-time students, or children over 18 who became disabled prior to age 22. The SSA-4 is used whether or not the wage earner is living.

(2) SSA-5 - Application for mother's and father's insurance benefits. This application is used by a widow/widower of a deceased who has an eligible child in care.

(3) SSA-7 - Application for parent's insurance benefits. This application is completed by a dependent parent of a deceased wage earner.

(4) SSA-8 - Application for lump sum death payment.

(5) SSA-10 - Application for widow's and widower's insurance benefits. For a wage earner's widow or widower age 50 to 60 and disabled or age 60 and over.

6. OTHER SURVIVOR BENEFITS. The following organizations may offer death benefits. The HRM should encourage the survivor(s) to contact the organizations listed below.

a. Veterans Administration.

b. Local AFGE Chapter (or chapter where deceased employee was a member).

c. Credit Union.

d. Employees' Club.

e. Local and State victim's compensation programs.

f. State welfare entitlements.

g. U.S. military

h. Federal Prison Retirees Association (see Attachment 8-1)

7. REFERENCES. When processing death claims, HRM's should refer to FPM Supplement 830-1 and the NFC Payroll/Personnel Processing Manual.

990.1 STAFF UNIFORMS AND UNIFORM ALLOWANCES

1. PURPOSE AND SCOPE. Title 5, U.S.C., Section 5901 authorizes agencies to issue a uniform allowance to those employees who are required by the agency to wear a prescribed uniform. The Office of Personnel Management (OPM) is responsible for issuing regulations pursuant to this authority. The U. S. Code currently limits each uniformed employee's maximum allowance to $400 per year. OPM may, from time to time, adjust the maximum allowance by regulation. The allowance for each prescribed uniform shall be negotiated with the Union up to the maximum allowed by law or regulation. Any exceptions or changes in clothing allowance amount will be provided to institutions through Operations Memoranda.

2. DIRECTIVES AFFECTED

Directives Referenced

a. Title 5, U.S.C., Section 5901

b. P.S. 5500.03, Correctional Services Manual, (06/30/89).

c. P.S. 4400.02, Property Management Manual, (07/16/90).

d. P.S. 4700.03, Food Service Manual, (06/10/91).

e. P.S. 6000.03, Health Services Manual, (03/15/90).

3. DEVELOPMENT, MANAGEMENT AND CONTROL OF UNIFORM REQUIREMENTS. The Director retains all authority for prescribing a uniform requirement, authorizing a uniform allowance and specifying uniform items. A Bureau of Prisons Staff Uniform Committee shall convene as directed by the Chairperson to review proposals and formulate recommendations to the Director. Each Warden is delegated the authority, consistent with this policy and the Property Management Manual, to prescribe protective clothing, and develop procedures for wearing any uniform. Local procedures will be developed in accordance with the Master Agreement.

A uniform requirement not currently authorized for staff by this policy is to be established by submitting a proposal to the Executive Staff. If approved by the Executive Staff and the Director, the proposal will be directed to the Committee to formulate a recommendation for the prescribed uniform clothing items and uniform allowance. The recommendation, including a statement of funds availability signed by the Assistant Director, Administration Division, will be forwarded to the Director for

final approval. If requested by the Council of Prison Locals, committee recommendations approved by the Director will be subject to bargaining on impact and implementation.

4. BUREAU OF PRISONS STAFF UNIFORM COMMITTEE

a. Membership. Standing Committee membership shall be:

(1) Deputy Assistant Director, Human Resource Management Division, Chairperson.

(2) Chief, Labor-Management Relations, Coordinator.

(3) Chief, Office of Procurement and Property.

(4) Correctional Services Administrator.

(5) Controller, UNICOR.

(6) President, Council of Prison Locals (or designee).

The Chairperson shall appoint ad-hoc members as needed representing the services most directly concerned with the uniform proposal under consideration.

b. Committee Functions. The Committee shall:

(1) Conduct research in reference to Committee agenda.

(2) Review requests and proposals for changes to current staff uniform policies and allowances, and develop recommendation to the director.

(3) Review proposals and formulate recommendations to the Director concerning uniform clothing items and allowances for newly staff members.

(4) Recommend and review staff surveys and questionnaires pertaining to uniforms and make recommendations based on survey results.

(5) Seek solutions to problems and concerns submitted to the Committee.

(6) Complete other assignments as referred by the Director, the executive staff, the HRM Wardens Advisory Group or the Committee Chairperson.

c. Committee Chairperson Functions. The Chairperson shall:

(1) Receive suggestions, proposals and concerns as submitted by management or union officials for direct response or processing through the committee, as appropriate.

(2) Convene and conduct Committee meetings.

(3) Monitor Committee action and conduct follow-up activities.

(4) Respond to questions, concerns and recommendations that do not warrant a full Committee meeting for discussion and review.

d. Committee Coordinator Functions. The Committee Coordinator shall:

(1) Schedule meetings at the call of the Chairperson, make arrangements for the meeting site, and notify all members.

(2) Prepare and distribute agenda and minutes.

(3) Coordinate pre-meeting and follow-up activities.

5. ISSUANCE OF UNIFORM ALLOWANCE

a. Amount. Each employee who occupies a position for which there is a prescribed uniform will be issued an annual allowance in the appropriate amount shown in Attachment 9-1.

b. Procedures

* (1) Servicing HRM offices shall authorize a uniform allowance for each eligible employee using the Authorization to Receive Uniform Allowance form BP-374(30), when eligibility is established and annually on the employee's eligibility date. *

(2) Any employee who changes from one uniformed position to another position which requires a different uniform shall be given the full authorized amount for the new uniform. The effective date of the change becomes the new anniversary date for issuance of the uniform allowance. Pro rata repayment of the initial allowance is not required.

(3) Any employee detailed to another institution for an extended period due to an emergency situation, in a position requiring a uniform or a different uniform than the employee usually wears, is entitled to a minimum of one-half of the uniform allowance for the detailed position. Any determinations of a reasonable allowance over the minimum is to be made on a case by case basis.

(4) Employees, detailed in non-emergency situations to positions requiring a different uniform, are entitled to an appropriate uniform allowance for the new uniform. For example, an employee who is detailed for a period of six months or less may receive an allowance no more than half of the annual authorized amount.

6. APPROVED VENDORS. Central Office administrators having responsibility for program areas for which a uniform is authorized are responsible for selecting a vendor or vendors to provide uniform clothing items which meet established specifications. Program administrators are also responsible for providing employees with specifications for authorized uniform items and information (such as brochures, order forms and price lists) from approved vendors so that employees can obtain their items of uniform clothing.

7. PROTECTIVE CLOTHING. Protective clothing shall be issued and controlled in accordance with Chapter 47, Property Management Manual.

8. SHOES. Plain toe shoes worn with uniforms must be as prescribed in this section and will not be provided or issued by the government. Safety toe shoes shall be provided at government expense in accordance with Chapter 47 of the Property Management Manual.

9. AUTHORIZED UNIFORMS. Unless otherwise indicated in this section or by the Regional Director, all employees performing duties in the services described below are required to wear the approved uniform while performing official duties. With exception of the optional sweater and wind breaker, uniform clothing shall not be worn off duty, other than between work and residence. Department heads are not authorized to wear a uniform. Authorized uniforms are to be on the Authorized Staff Uniform chart (Attachment 9-2). To the extent that it does not conflict with the principles and policy of this section, the wearing of uniforms may be further addressed in other Bureau policy manuals for particular disciplines. Monogramming shall be in accordance with paragraph 11 of this policy.

a. Dress Uniform. The dress uniform is authorized for Inmate Systems Management employees, Correctional Counselors, and Correctional Services employees (including Special Investigative Agents at the joint discretion of the Warden and Regional Director). Correctional Security Officers or other Correctional Services employees who normally wear the work uniform may be required to wear the dress uniform while performing certain

services. Wardens may exempt administrative staff in Inmate Systems Management and Correctional Services (e.g. Data Coordinator, Administrative Clerk, Secretary, or Receptionist) from wearing the dress uniform. The uniform consists of a navy blue monogrammed blazer; gray trousers, slacks or skirt; white monogrammed shirt; black socks/neutral hose; black, low-cut, oxford-style shoes (except soft leather); black belt; and maroon necktie (males or females) or cross tie (females only).

b. Work Uniform. The work uniform is authorized for Facilities and UNICOR Foremen (including General Foremen and Project Foremen), Warehouse Workers (including Commissary, Laundry/Clothing Room and UNICOR), Farm employees, V.T. Instructors and Security Officers or other Correctional Services employees on specifically assigned posts. Wardens may exempt General Foremen, Project Foremen and V.T. Instructors from this requirement. The work uniform consists of a nickel gray shirt and trousers/slacks; nickel gray jacket; black socks; black, low-cut, oxford-style shoes; and black belt. Female staff may wear a nickel gray skirt at their discretion. Prescribed work boots may be authorized in lieu of the oxford-style shoes on assignments which expose the employee to conditions where a heavy duty shoe is desirable. Examples of such conditions would be dirty, muddy, or slippery conditions or where extra ankle support is needed for climbing, walking or standing.

c. Food Service. The food service uniform consists of navy blue trousers/slacks; white or light blue shirt/blouse; black socks/neutral hose; black, low-cut, oxford-style shoes; black belt; maroon necktie/cross tie; and navy blue monogrammed baseball cap.

d. Recreation. The recreation uniform consists of navy blue trousers/slacks; navy blue monogrammed walking shorts; light blue monogrammed short-sleeved pullover knit shirt; white or navy blue mid-calf sport socks; black high or low-cut coaching shoes; and navy blue monogrammed baseball cap.

e. Nurse. The nurse uniform is a white dress/pantsuit or trousers and shirt typically worn by nurses and consistent with standards for the profession; white socks; and white shoes. White or neutral hose are optional.

f. Staff Training Academy Instructor. The instructor uniform (dress uniform) is the same as the uniform described in paragraph a. above except that the shirt shall not be monogrammed. The Instructor Self-Defense Uniform consists of a maroon pull-over polo shirt; navy blue slacks or shorts; white athletic shoes; white athletic socks or white with blue and gold stripe; and optional navy blue sweat shirt with Bureau emblem.

g. Optional Items - All Uniforms. Where appropriate for health and comfort reasons, and in conformance with local policy and procedures, any uniformed employee may wear a navy blue long-sleeved monogrammed V-neck sweater or navy blue monogrammed wind breaker with the uniform. Monogramming shall be in accordance with paragraph 11 of this section.

11. MANDATORY SOURCES AND SPECIFICATIONS

a. The following authorized uniform clothing items identified in paragraph 10 above must be purchased from an authorized vendor approved by Central Office (Note: items purchased from employee organizations may be considered approved only if they fully meet the specifications of this policy):

(1) The dress uniform blazer, trousers, slacks, skirt, and shirt.

(2) The recreation uniform shirt, slacks, and shorts.

(3) The baseball cap worn with the recreation and food service uniform.

(4) The sweater and wind breaker for optional use with all uniforms.

b. All other authorized uniform clothing items may be purchased from an authorized vendor or from the local market. To assure consistency in the appearance of required uniforms, clothing items not listed in the above paragraph must meet the following specifications:

(1) Food service uniform shirt/blouse - Long or short-sleeve; permanent press, polyester/cotton; light blue or white; traditional, plain dress shirt or blouse; no patterns, fancy stitching, or button down collars.

(2) Nurse uniforms - traditional white dress/pantsuit or trousers/slacks and shirt/blouse; consistent with uniforms accepted and normally worn in hospitals/clinics in the local community.

(3) Nurse shoes - white; heel no higher than 1 1/2 inches; of the type normally worn by nurses in local hospitals/clinics.

(4) Work shirt - nickel gray; long or short-sleeve; permanent press, polyester/cotton; no patterns, fancy stitching, or button down collars; traditional plain work shirt.

(5) Work pants - nickel gray; permanent press, polyester/cotton; no cuffs; full cut; straight legs; minimum 1 1/2 inch belt loops.

(6) Work jacket - nickel gray; permanent press, polyester/cotton; with or without liner.

(7) Necktie - maroon; ready-knotted; clip-on; woven fabric; no wider than four inches; solid color; no pattern. Bow ties are not acceptable.

(8) Cross tie - maroon; woven fabric; solid color; no pattern; button at the front of the neck with breakaway velcro closure in back.

(9) Dress socks - plain black; no pattern or fad styles.

(10) Dress shoes - plain black; hard soled; no patent or soft leather; low-cut; oxford-style; lace up.

(11) Belt - black leather; plain, solid; waist type with tongue buckle; no less than one inch wide; non-ornamental. Belt buckles displaying BOP logo and name of institution may be worn if they do not detract from the uniform's professional look.

12. EMBLEMS, ILLUSTRATIONS AND LETTERING. Bureau of Prisons emblems or lettering shall not be sewn, embroidered, or printed on any item of clothing unless it is herein approved for that clothing item or specifically approved by the Director. Unless expressly authorized by the Director, protective clothing or uniform items shall not display slogans, printing, or lettering other than that identifying the Bureau of Prisons and/or the official name of the institution. Any protective clothing or uniform item which includes the Bureau of Prisons emblem or lettering must be purchased from an approved vendor.

Personal clothing items which may be authorized to be worn with the uniform may not display any emblem, slogan, printing, or lettering.

13. NAME TAGS AND OTHER ADORNMENTS. Name tags, approved by the Director, will be provided by the institution to all employees. Supervisors, managers and uniformed employees are required to wear the provided name tag while in official duty status. All other employees will be encouraged to do so.

In the interest of professionalism, uniformed employees shall not wear jewelry which detracts from the overall professional appearance of the uniform while on duty. As a matter of professionalism, personal safety, or institution security, the Warden may prohibit specific items of jewelry or other adornment altogether.

Adornments denoting any agency or organization other than the Bureau of Prisons, or any cause or belief, shall not be worn on or with the uniform unless specifically authorized by the Director or in accordance with the Master Agreement.

DELEGATION OF INITIAL SELECTION AND CLASSIFICATION AUTHORITIES

Note: This table summarizes delegation of selection and classification authorities. The officials indicated as having the authority to take the action may be required to consult with other officials prior to taking final action. Refer to Section 250.1 for complete delegation authority.	SELECT	CLASSIFY
SES positions	DOJ	DOJ
GS-13 and above (except Medical and Dental Officer, SES, and Attorney positions)	D	PPM
Medical and Dental Officer positions	CEO	HRM
Attorneys, Law Clerks and Law Students	OGC -OR- OAPM	OAPM
Ex-felon	D	N/A
GS-12 and below, FWS, and Medical and Dental Officer positions located in Central Office	AD	COPO HRM
Central Office controlled trainees	AD	PPM
GS-11 and below at Staff Training Centers	Dir/ STC	HRM
GS-12 at Staff Training Centers	SDAD	HRM
UNICOR field positions - GS-12 and below Factory Manager, Assistant Factory Manager, General Foreman (or Lead Foreman supervising staff), Industrial Manager, Industrial Specialist, Business Manager, Assistant Business Manager, Plant Controller, Computer Specialist, and Quality Assurance Manager	AD/ I,E, & VT	PPM
UNICOR GS positions below assistant department head level	CEO	HRM
GS-12 and below located in Regional Offices, Institution department head and assistant department head at and below GS-12	RD	HRA
GS-13 Staff Psychologist at Institutions		PPM
Below assistant department head unless otherwise specified	CEO	HRM
Institution FWS positions, including UNICOR (except General Foreman or Lead Foreman supervising staff)	CEO	HRA

LEGEND:

DOJ	Department of Justice
D	Director, Federal Bureau of Prisons
AD	Assistant Director
AD/I,E, & VT	Assistant Director, Industries, Education, and Vocational Training
RD	Regional Director
Dir/STC	Director, Staff Training Center
SDAD	Senior Deputy Assistant Director
CEO	Institution Chief Executive Officer
COPO HRM	Central Office Human Resource Manager
HRA	Regional Human Resource Administrator
HRM	Institution or servicing Human Resource Manager
OGC	Office of General Counsel
OAPM	Office of Attorney Personnel Management
PPM	Pay and Position Management Section

FILING AND DISPOSITION OF FORMS AND DOCUMENTS USED EXCLUSIVELY BY THE BUREAU OF PRISONS

Following are forms and documents commonly used in the Bureau of Prisons and instructions for their filing and disposition. This list is not all-inclusive. Follow the instructions in the appropriate Program Statement or the form itself for forms and documents not listed in this attachment.

Form/Document	Filing/Retention
Receipts for BOP Program Statements	Left side OPF; retain until superseded or employee leaves BOP
Statement of Proposed Travel in connection with relocation	Left side OPF; purge one year after effective date of move
Outside employment approval	Left side OPF; purge when no longer applicable or when employee leaves BOP
Appointment to collateral duties	Left side OPF; purge when no longer applicable or when employee leaves BOP
Uniform clothing allowance authorization	Left side OPF; purge after one year
Employee's notice of contact with an inmate or ex-inmate	Left side OPF; purge when employee leaves BOP
Off duty conduct reports	Reports leading to disciplinary action are filed in the disciplinary action file; those not leading to disciplinary action are filed separately, not in the OPF
Agreement to attend Glynco and student evaluation	Forward to EDM for filing in probationary training file

DEPARTMENT OF JUSTICE
DOCUMENT REMOVAL CERTIFICATION

PART A: To be completed by employees leaving the Department of Justice: I certify that the documents that I am removing from the Department of Justice have been reviewed and that they do not include any documents the removal of which is prohibited by applicable Department of Justice orders.

_____ _____
Employee's Name (Typed or Printed) Employee's Signature

_____ _____
Organization Date

****

PART B: To be completed by employees relocating within the Bureau of Prisons, or transferring to another organization within the Department of Justice: I certify that I am removing no documents, program statements, correspondence or other record material upon my relocation to a new duty station. Documents being removed, if any, are itemized below.

_____ _____
Employee's Name (Typed or Printed) Employee's Signature

_____ _____
Organization Date

****

File: If the employee is relocating within the BOP, file this form on the left side of the OPF and retain for six months.

If the employee is separating from the Department of Justice, forward this form to Central Office, Office of Archives.

Questions related to removal of documents may be referred to the Office of Archives, Central Office.

U.S. Department of Justice
Federal Bureau of Prisons

VOLUNTEER SERVICE AGREEMENT

between

_____ and _____

Educational Institution | Bureau of Prisons Facility

This agreement forms a basis of mutual understanding between the above parties in matters relating to voluntary services of students enrolled at the above educational institution and assigned to the Federal Bureau of Prisons.

PURPOSE OF THIS AGREEMENT

The anticipated result of this agreement is that each party will assist the other in the accomplishment of program objectives. For the educational institution, it is recognized that such objectives are educational in nature.

While the Federal Bureau of Prisons is also concerned with the enrichment of curricula and student learning, the primary program objective is to bring about a stronger relationship between the efforts of educators and the occupational needs of the Federal Bureau of Prisons and students.

AGENCY RESPONSIBILITIES

The Federal Bureau of Prisons (agency) agrees to:

1. Designate a staff member to act as liaison with the educational institution,

2. Assure that work performed by the student is educationally related,

3. Notify the student of the probable duration of the work assignment,

4. Provide opportunities for students to become involved in early career exploration as a basis for making realistic decisions regarding their future careers,

5. Provide exposure to the work environment as a means of encouraging students to develop work ethics and to acquaint them with various Federal missions,

6. Support affirmative action programs to assure that ethnic and racial minorities, women and the handicapped are informed of occupations available within the Federal Bureau of Prisons.

RESPONSIBILITIES OF THE EDUCATIONAL INSTITUTION

The educational institution agrees to:

1. Designate a representative to work with the agency liaison officer,

2. Inform all likely student candidates of the volunteer service opportunity,

3. Refer all interested and qualified candidates to the agency without discrimination,

4. Furnish the agency with requested information about the student's field of study and academic standing,

5. Inform the agency of any change in a student's status, including termination of study, change from full-time to part-time enrollment, shifts to other major areas of study and failure to maintain required standards of the educational institution or the Federal Bureau of Prisons.

RESPONSIBILITIES OF THE STUDENT

The student agrees to:

1. Be enrolled in a curriculum on a substantially full-time or part-time basis and be pursuing a major field of study closely related to the work assignment,

2. Follow the Federal Bureau of Prisons Standards of Employee Conduct and Responsibility,

3. Adhere to a work schedule mutually agreed upon by the agency and the student,

4. Maintain a grade point average of at least 2.0 on a scale of 4.0 or the equivalent, a grade C or above in all major fields of study at all times and a record that is in all ways predictive of graduation,

5. Be fully aware that he/she is an uncompensated volunteer and is not a Federal employee for any purposes other than injury compensation and laws related to the Tort Claims Act.

SPECIFIC PROVISIONS

1. The student's work assignment will be:

2. The duration of the assignment will be:

3. The student's work schedule will be:

For the Agency: _____
Signature and date

For the Educational Institution: _____
Signature and date

Student: _____
Signature and date

PANEL INTERVIEW WRITING SAMPLE (WITH VIDEO)

Applicant's Name: _____ Date: _____

Position Applying For: _____

INSTRUCTIONS TO APPLICANT: Bureau of Prisons employees are frequently required to write reports, make entries in logs, and respond to correspondence. To help us evaluate your writing skills, please complete the following writing exercise.

You will be presented with two videotaped correctional work scenarios. View the first scenario as practice only; do not write about the first scenario. For the second scenario, imagine that you witnessed this situation at the institution. As a witness, you would be required to write a report describing the situation for institution staff who were not present. For this exercise, write a report for your supervisor discussing the videotaped scenario.

In preparing your report, remember that the report will be conveying critical information to your supervisor who was not present during the incident. In order to be as thorough as possible, you may take notes while viewing the video.

After viewing the video, you will be given 15 minutes to complete this exercise. Please limit your report to the space provided below and on the continuation sheet.

_____

_____

_____

_____

_____

_____

_____

_____

_____

PANEL INTERVIEW WRITING SAMPLE (continued)

Applicant's Name:_____

INSTRUCTIONS FOR ADMINISTERING THE PANEL INTERVIEW

The following instructions explain how to administer the panel interview and rate applicant acceptability. Read these instructions each time you conduct a panel interview.

Also, review the "Panel Interview Individual Rating Form" before conducting the panel interview. The rating form identifies the characteristics (KSAOs) that are being assessed. Keep all KSAOs in mind when considering the applicant's responses.

PRESENTATION OF QUESTIONS AND DOCUMENTATION OF RESPONSES

Using the "Panel Interview Individual Rating Form:" To begin, fill out the applicant's name, the position for which s(he) is applying, and the date on the first page of the "Panel Interview Individual Rating Form." Use this form to record any notes taken during the interview.

Beginning the Panel Interview: Before the interview begins, review all available applicant information such as the suitability interview results and application form. To begin the interview, panel members will introduce themselves to the applicant. Ask general questions designed to put the applicant at ease. For example, the panel may ask questions such as "Why do you want to work in corrections?" or open-ended questions regarding education and work history. Panel members may document questions or responses for this portion of the interview on the "Panel Interview Individual Rating Form," if they are important to your acceptability determination.

At this time, ask follow-up questions you may have pertaining to the information provided in the suitability interview results, application form, etc. You may ask questions pertaining to any job-related work history or background information that you feel needs to be addressed. Remember to keep in mind the general interviewing guidelines when asking these questions, and make sure that all questions asked are job-related.

Presenting Job-Specific Questions: The purpose of these questions is to assess job-specific knowledges, skills, and abilities, as opposed to those related to correctional work in general. The department head panel member will be primarily responsible for asking these questions. When asking the job-specific questions, the panel shall ask similar job-related and non-discriminatory questions of all applicants for the specific vacancy.

For correctional officer applicants, the correctional work situation questions also function as job-specific questions. Therefore, additional job-specific questions (aside from any follow-ups to information provided in the application materials)

are not necessary. <u>However, panel members may ask as many job-</u>

related questions as needed to allow them to make a good judgment regarding the acceptability of the applicant.

Present the following instructions to the non-correctional officer applicant before asking the job-specific questions:

> "This portion of the panel interview is designed to assess specific knowledges, skills, and abilities required for the position for which you are applying. Please answer each question as completely as possible. You may ask that the questions be repeated, if necessary. Do you have any questions before we begin?"

Panel members should note both the applicant's strengths and weaknesses based on his/her responses to the job-specific questions in the "Job-specific KSAOs" section of the "Panel Interview Individual Rating Form." All panel members will use this information in determining the job-specific acceptability of applicants. However, panel members who lack sufficient knowledge of the position being filled to make an acceptability determination, shall rate the applicant N/R.

Presenting Correctional Work Situation Questions: At this time, take the opportunity to provide the applicant with a realistic job description related to working in a correctional setting. Panel members shall describe general work aspects of which the applicant should be aware, including issues related to working with inmates ranging from daily stresses to more disturbing interactions. Once the panel feels that they have adequately discussed the realities of working in a correctional setting, they shall present the situation questions.

Present the following instructions to the applicant before asking the applicant the situation questions:

> "This portion of the panel interview is designed to assess your ability to respond to situations that could occur in a corrections setting. We realize that you are not aware of Bureau policy and ask that you respond to the questions based on what you think you would do if placed in the situation. For each situation you will be asked to explain your response. Please attempt to do so as completely as possible. The explanation of your response, more than the response itself, will indicate the degree to which your answers demonstrate job-related abilities. Please be aware that we may be taking notes as you respond. We will present each question to you, and you may ask for the question to be repeated if necessary. Do you have any questions regarding the procedure before we begin?"

Alternate the presentation of situation questions among the panel

members so that each panel member has the opportunity to ask

approximately the same number of questions of the applicant.

Present all situations to the applicant in the order in which they are provided on the "Correctional Work Situation Questions" form. Ask the situation questions that are on the list. <u>However, panel members may ask additional job-related scenario questions if they are necessary to allow them to make a good judgment regarding the acceptability of the applicant for work in a correctional setting. When asking additional scenario questions, make sure they are job-related and non-discriminatory</u>.

When presenting the situation questions to the applicant, interviewers may paraphrase the written questions if they feel it would be easier for the applicant to understand. If the applicant hesitates or misunderstands a question, prompting or clarification by the panel may be necessary.

Some situations contain two parts: one part requesting a response without knowledge of Bureau policy, and one requesting a response after Bureau policy has been provided. Allow the applicant to respond to the first part of the question before asking the second part of the question. Present all situations before attempting to rate the applicant's abilities.

<u>Ending the Panel Interview</u>: Panel members should ask any follow-up questions which they feel are necessary to make an adequate determination of the applicant's acceptability. Keep in mind the general interviewing guidelines when asking these questions.

Panel members should explore any possible behaviors which would not be appropriate for correctional workers, such as anger, violent behavior, and potential susceptibility to corruption. Therefore, they should ask any job-related questions that they feel are necessary to address behavioral issues. For example, if a panel member senses that the applicant is prone to anger easily, s(he) may ask questions pertaining to how the applicant has dealt with anger in past work situations. However, no questions shall be asked regarding medical history or mental health history.

The applicant shall then be informed of and given the opportunity to ask questions of the panel members, to discuss anything not previously addressed in the interview, or to provide any information the applicant feels if pertinent. Once you have completed the panel interview, dismiss the applicant before completing the rating forms described below.

ASSESSING WRITING SAMPLE

After the applicant has been dismissed, the panel will receive a copy of the applicant's writing sample from HRM staff. Each panel member must read the writing sample before rating the

applicant on correctional work KSAOs (described below). Note any

comments concerning the writing sample in the "KSAO #10" section on the "Panel Interview Individual Rating Form." Refer to these comments when rating the applicant's writing skills.

RATING OF KSAO'S BY INDIVIDUAL PANEL MEMBERS

On the first page of the "Panel Interview Individual Rating Form," make sure you have filled out the applicant's name, the position for which application is made, and the date. After the applicant has responded to all of the situations, use this rating form to rate the applicant's relevant abilities.

The first rating assesses the applicant's acceptability on job-specific KSAOs. The four point rating scale ranges from "Unacceptable" to "Excellent," with an option for "Not Rated," if the panel member lacks sufficient knowledge of the position to make an acceptability determination.

Next, each correctional work KSAO is presented. A 3-point rating scale ranging from "Unacceptable" to "Excellent" follows each correctional work KSAO. To use this scale, circle the one response that best represents the extent to which the applicant shows evidence of the specified characteristic. If a rating of "Unacceptable" is given for any KSAO, be sure to explain the reasons for the rating in the space provided.

When choosing your rating, do not consider whether the applicant's responses were right or wrong based on what would actually be expected on the job. The KSAOs will be used to rate the applicant's demonstration of the <u>general</u> abilities that would be needed in the situation. Job-related training will provide the specific instruction the applicant needs to apply those abilities appropriately.

At the bottom of the form, provide your name, signature and position title.

DOCUMENTING PANEL'S ACCEPTABILITY DETERMINATION

After panel members have separately rated all KSAOs, the Human Resource representative on the panel shall complete the "Panel Interview Assessment Form" based on input from the other panel members. To begin, fill out the name of the applicant, the position for which application is being made, and the date.

Record each panel member's rating for each KSAO in the rater columns on the form. Record an overall assessment for each KSAO in the last column. A majority of the panel members must agree that the applicant is either unacceptable or acceptable for each KSAO. In other words, at least three ratings must be "Excellent" or "Acceptable" for the overall rating on a KSAO to be "Acceptable;" likewise, at least three ratings must be

"Unacceptable" for the overall rating on a KSAO to be

"Unacceptable." If the panel cannot reach a majority decision through initial discussion, the applicant may be called back for follow-up questions. (For the job-specific KSAOs, majority agreement must be reached among all panel members with enough knowledge of the position to rate the applicant.)

At the bottom of the form, the name and signature of the person completing the form must be provided, along with the corresponding rater names and position titles.

If the applicant is acceptable on the job-specific KSAOs (non-correctional officer applicants only) and all correctional worker KSAOs, then the applicant is acceptable and can be considered for employment depending upon the suitability determination. One rating of "Unacceptable" in the overall assessment column of the "Panel Interview Assessment Form" is enough to indicate the applicant is unacceptable for employment.

After the interview is completed, the HRM staff responsible for coordinating the panel interview, shall be given the copies of the instructions, the writing sample, the "Correctional Work Situation Questions," and the rating forms (both individual and assessment).

PANEL INTERVIEW INDIVIDUAL RATING FORM -- Set #1

Applicant's Name: _____ Date: _____

Position Applying For: _____

Each panel member will complete this form for each applicant based on the applicant's responses during the panel interview. Record job-specific and correctional work KSAO ratings in the "RATING" column. Indicate any comments to support your ratings in the "COMMENTS" column, including the source (i.e., application form, suitability interview, situation responses, ...). Continue comments on the back of the page if more space is needed.

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated

KSAO	RATING	COMMENTS
JOB-SPECIFIC KSAOs (Only for non-correctional officer applicants)	U A E N/R	
CORRECTIONAL WORK KSAOs:		
1. Ability to work independently with a minimum of supervision SITUATION QUESTIONS: 1 & 12	U A E	
2. Ability to pay attention to detail SITUATION QUESTIONS: 5 & 6	U A E	
3. Ability to use time and resources effectively to meet deadlines SITUATION QUESTIONS: 2 & 7	U A E	
4. Ability to reason soundly and think out practical solutions to problems SITUATION QUESTIONS: 2 & 8	U A E	
5. Ability to act quickly and decisively under pressure while adhering to emergency instructions SITUATION QUESTIONS: 3 & 9	U A E	

U= Unacceptable	A= Acceptable	E= Excellent	N/R= Not Rated

KSAO	RATING	COMMENTS
6. Ability to function effectively and make decisions independently and objectively under trying circumstances SITUATION QUESTIONS: 3 & 10	U A E	

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated		
KSAO	**RATING**	**COMMENTS**
7. Ability to enforce rules and regulations and make decisions in a fair and impartial manner SITUATION QUESTIONS: 3 & 10	U A E	
8. Ability to effectively communicate with others in a tactful and diplomatic manner SITUATION QUESTIONS: 2, 4, 7, & 11	U A E	
9. Ability to establish and maintain good working relationships with individuals of differing backgrounds, races, ages, religions, sexes, cultures, and behavioral patterns SITUATION QUESTIONS: 4 & 11	U A E	
10. Ability to effectively utilize data in writing concise, clear and understandable reports SEE WRITING SAMPLE	U A E	

Rater Name:_____

Signature:_____

Position Title:_____

(Set #1)

PANEL INTERVIEW INDIVIDUAL RATING FORM -- Set #2

Applicant's Name: _____ Date: _____

Position Applying For: _____

Each panel member will complete this form for each applicant based on the applicant's responses during the panel interview. Record job-specific and correctional work KSAO ratings in the "RATING" column. Indicate any comments to support your ratings in the "COMMENTS" column, including the source (i.e., application form, suitability interview, situation responses, ...). Continue comments on the back of the page if more space is needed.

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated

KSAO	RATING	COMMENTS
JOB-SPECIFIC KSAOs (Only for non-correctional officer applicants)	U A E N/R	
CORRECTIONAL WORK KSAOs:		
1. Ability to work independently with a minimum of supervision SITUATION QUESTIONS: 1 & 7	U A E	
2. Ability to pay attention to detail SITUATION QUESTIONS: 2 & 8	U A E	
3. Ability to use time and resources effectively to meet deadlines SITUATION QUESTIONS: 3 & 9	U A E	
4. Ability to reason soundly and think out practical solutions to problems SITUATION QUESTIONS: 3 & 10	U A E	

U= Unacceptable	A= Acceptable	E= Excellent	N/R= Not Rated

KSAO	RATING	COMMENTS
5. Ability to act quickly and decisively under pressure while adhering to emergency instructions SITUATION QUESTIONS: 4 & 11	U A E	

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated		
KSAO	**RATING**	**COMMENTS**
6. Ability to function effectively and make decisions independently and objectively under trying circumstances SITUATION QUESTIONS: 4 & 13	U A E	
7. Ability to enforce rules and regulations and make decisions in a fair and impartial manner SITUATION QUESTIONS: 5 & 13	U A E	
8. Ability to effectively communicate with others in a tactful and diplomatic manner SITUATION QUESTIONS: 3, 5, 9, & 12	U A E	
9. Ability to establish and maintain good working relationships with individuals of differing backgrounds, races, ages, religions, sexes, cultures, and behavioral patterns SITUATION QUESTIONS: 6 & 12	U A E	
10. Ability to effectively utilize data in writing concise, clear and understandable reports SEE WRITING SAMPLE	U A E	

Rater Name:_____

Signature:_____

Position Title:_____

(Set #2)

PANEL INTERVIEW INDIVIDUAL RATING FORM -- Set #3

Applicant's Name: _____ Date: _____

Position Applying For: _____

Each panel member will complete this form for each applicant based on the applicant's responses during the panel interview. Record job-specific and correctional work KSAO ratings in the "RATING" column. Indicate any comments to support your ratings in the "COMMENTS" column, including the source (i.e., application form, suitability interview, situation responses, ...). Continue comments on the back of the page if more space is needed.

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated

KSAO	RATING	COMMENTS
JOB-SPECIFIC KSAOs (Only for non-correctional officer applicants)	U A E N/R	
CORRECTIONAL WORK KSAOs:		
1. Ability to work independently with a minimum of supervision SITUATION QUESTIONS: 1 & 7	U A E	
2. Ability to pay attention to detail SITUATION QUESTIONS: 2 & 8	U A E	
3. Ability to use time and resources effectively to meet deadlines SITUATION QUESTIONS: 3 & 9	U A E	
4. Ability to reason soundly and think out practical solutions to problems SITUATION QUESTIONS: 4 & 9	U A E	

U= Unacceptable	A= Acceptable	E= Excellent	N/R= Not Rated

KSAO	RATING	COMMENTS
5. Ability to act quickly and decisively under pressure while adhering to emergency instructions SITUATION QUESTIONS: 5 & 10	U A E	

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated		
KSAO	**RATING**	**COMMENTS**
6. Ability to function effectively and make decisions independently and objectively under trying circumstances SITUATION QUESTIONS: 5 & 13	U A E	
7. Ability to enforce rules and regulations and make decisions in a fair and impartial manner SITUATION QUESTIONS: 5 & 11	U A E	
8. Ability to effectively communicate with others in a tactful and diplomatic manner SITUATION QUESTIONS: 3, 4, 6, 11 & 12	U A E	
9. Ability to establish and maintain good working relationships with individuals of differing backgrounds, races, ages, religions, sexes, cultures, and behavioral patterns SITUATION QUESTIONS: 6 & 12	U A E	
10. Ability to effectively utilize data in writing concise, clear and understandable reports SEE WRITING SAMPLE	U A E	

Rater Name:_____

Signature:_____

Position Title:_____

(Set #3)

PANEL INTERVIEW ASSESSMENT FORM

Applicant's Name: _____ Date: _____

Position Applying For: _____

The Human Resource representative from the interview panel will complete this form for each applicant based on the ratings provided by all panel members. Record each panel member's individual job-specific and correctional work KSAO ratings from the "Panel Interview Individual Rating Form" in the corresponding rater column. Indicate overall assessment in the last column.

U= Unacceptable A= Acceptable E= Excellent N/R= Not Rated

KSAO	RATER #1	RATER #2	RATER #3	RATER #4	OVERALL
JOB-SPECIFIC KSAOs (non-correctional officer only)	U A E N/R	U A E N/R	U A E N/R	U A E N/R	U A
CORRECTIONAL WORK KSAOs:					
1. Ability to work independently with a minimum of supervision	U A E	U A E	U A E	U A E	U A
2. Ability to pay attention to detail	U A E	U A E	U A E	U A E	U A
3. Ability to use time and resources effectively to meet deadlines	U A E	U A E	U A E	U A E	U A
4. Ability to reason soundly and think out practical solutions to problems	U A E	U A E	U A E	U A E	U A
5. Ability to act quickly and decisively under pressure while adhering to emergency instructions	U A E	U A E	U A E	U A E	U A
6. Ability to function effectively and make decisions independently and objectively under trying circumstances	U A E	U A E	U A E	U A E	U A
7. Ability to enforce rules and regulations and make decisions in a fair and impartial manner	U A E	U A E	U A E	U A E	U A
8. Ability to effectively communicate with others in a tactful and diplomatic manner	U A E	U A E	U A E	U A E	U A
9. Ability to establish and maintain good working relationships with individuals of differing backgrounds, races, ages, religions, sexes, cultures, and behavioral patterns	U A E	U A E	U A E	U A E	U A
10. Ability to effectively utilize data in writing concise, clear and understandable reports	U A E	U A E	U A E	U A E	U A

Rater #1: _____

_____
Name Position Title

Rater #2: _____

_____
Name Position Title

Rater #3: _____
_____
Name Position Title

Rater #4: _____
_____
Name Position Title

Name of Person Completing this form: _____ Signature: _____

PRE-EMPLOYMENT INTERVIEW WRITING SAMPLE

Instructions to Applicant: Bureau of Prisons employees are frequently required to write reports, make entries in logs and respond to correspondence. To help us evaluate your writing skills, please write a brief response to each of the following questions (continue on additional blank sheets, as necessary).
****

1. How did you first learn about the Bureau of Prisons?

2. What do you think of inmates?

3. Why do you want to work for the Bureau of Prisons?

****

_____ _____
Applicant's Name Date

_____
Position Applied For

(This form may be replicated via WP)

SAMPLE QUESTIONS FOR INTERVIEW PANELS

Interview panels should direct their questions to elicit information which is related to the specific position to be filled and the environment in which the prospective employee would be working. Hypothetical situations should also be presented to the applicant in order to evaluate how he or she might respond in situations typical of the position being filled.

What do you think is the most important function of a correctional institution?

What do you think of inmates?

Tell us about your present job.

Describe your experience working with members of different minority or ethnic groups than your own.

How would you characterize yourself as a supervisor? As a subordinate?

What kind of situations cause you to lose your temper?

What experience have you had working shifts? Working on weekends and holidays? Working overtime?

What experience have you had in a leadership or supervisory role?

What problems have you encountered getting people to follow your orders or instructions?

How do you handle a difficult subordinate?

How do you say "no" to people?

Describe your experience making oral presentations before a group.
Describe your experience in teaching or instructing others.

Describe any experience you have had involving contact with the public. What did you find most difficult about dealing with the public?

How do you handle criticism?

What kind of experience have you had responding to questions or complaints from others? How did you handle it?

How do you handle someone who takes a hostile attitude toward you?

What do you like most about your current job? What do you like least?

How do you feel about being supervised by someone who has less education or experience than you?

What experience have you had dealing with emergency situations?

What experience have you had interpreting and following rules, procedures and regulations?

Do you prefer working as a member of a team or by yourself?

How do you react when your plans are changed by someone else?

Describe your experience working for multiple supervisors. How did you handle conflicting instructions from them?

Describe what you think your job would be if you are selected for this position.

DATA FORM FOR PRE-EMPLOYMENT SCREENING PROCESS

Instructions: Complete this form for each person who participates in ANY stage of the screening process. THIS FORM SHOULD BE COMPLETED ONLY AFTER AN EMPLOYMENT DECISION HAS BEEN REACHED. Return the form to the Human Resources Research and Development Section, Central Office.

1. REPORTING INST. (use 4-digit POI code): ___ ___ ___ ___

2. PRE-EMPLOYMENT INTERVIEW DATE (MM-DD-YY): ___ ___ - ___ ___ - ___ ___

   EMPLOYMENT DECISION DATE (MM-DD-YY): ___ ___ - ___ ___ - ___ ___

3. Applicant Information:

Social Security Number	Series and Grade for which applicant is applying (ex. Corr. Officer, 0007-06)	Date of Birth (MM-DD-YY)
__ __ __ - __ __ - __ __ __ __	___ ___ ___ ___ - ___ ___	___ ___ - ___ ___ - ___ ___

Sex (check one)	Race (check one)	Disabled (check one)
___ Male ___ Female	___ African Amer. ___ Native Amer. ___ Asian ___ White ___ Hispanic ___ Other: _____	___ No ___ Yes ___ Not Determined

VRA Eligible (check one)	Veteran's Preference (check one)	Bilingual (check one)
___ No ___ Yes	__ Not a Vet. __ 5 pts. __ Vet., no pts __ 10 pts.	___ No ___ Yes (Language:_____) ___ Not Determined

Education (check the one which represents the highest level achieved)

__ Some/No High School	__ 2 or more yrs coll./no degree	__ Doctorate (not med.)
__ High School diploma/GED	__ 2 yr college degree (AA)	Medical Degrees
__ Attended Voc/Tech School	__ 4 yr college degree (BA/BS)	__ Nursing Degree
__ Voc/Tech degree	__ Some graduate courses	__ Foreign MD
__ Less than 2 yrs coll./no degree	__ Masters degree (MA/MS)	__ U.S. MD

__ Other:_____

4. FINAL EMPLOYMENT STATUS (select only one):
   ___ Was NOT offered employment ___ Was offered but declined employment

___ Was offered & accepted employment

___ Voluntarily withdrew from screening process

5. During each stage of the employment screening process, several issues may arise which would eliminate an applicant from employment with the BOP. Indicate which problems, if any, were the basis for not offering employment to the applicant. At least one "X" must appear for each stage of the screening process.

POSSIBLE RESULTS OF STAGES	CREDIT CHECK	NCIC CHECK	PES INTERVIEW	PANEL INTERVIEW	FINGERPRINT CHECK	MEDICAL EXAM	URINALYSIS	VOUCHERING	LAW AGENCY CHECKS
Not given to applicant									
No problem found									
Alcohol History problem									
Criminal/Driving History problem									
Dishonest Conduct/Excessive Use of Force problem									
Drug History problem									
Employment History problem									
Financial History problem									
Military History problem									
Medical Illness (specify below)									
Medically determined unable to safely take Physical Ability Test									
Lacks general Correctional Work KSAOs									
Lacks job-specific KSAOs									
Other problem (specify below)									
Pending									

Specify type of "medical illness" or "other problem": _____

_____

_____

_____

6. If applicant was not offered employment based on reasons other than those marked above, please check as many as apply to the circumstances:

___ Position was not filled
___ Position was filled by a **more** qualified applicant
___ Position was filled by an applicant with more Veterans Preference or a VRA appointee
___ Other:_____

(This form may be locally reproduced or replicated via wordprocessing)

APPLICANT NOTIFICATION OF FEDERAL BUREAU OF PRISONS REQUIREMENT TO MAINTAIN A TELEPHONE

(To be read, signed and dated by all applicants at the time of the initial interview.)

I understand that as a condition of my employment, I must at all times during my employment with the Bureau of Prisons, and at my own expense, maintain a telephone at my place of residence, and provide my current telephone number to the Captain and the Human Resource Management Office or other designated office.

_____ _____

Signature of Applicant Date

S A M P L E

REQUEST AND JUSTIFICATION FOR
+)))))))))))))))))))))))))))),

*Certificate No. *
*
*
SELECTIVE FACTORS AND QUALITY RANKING FACTORS
/))))))))))))))))))))))))))))1
(Attach to SF 39) *Date Issued *
*
*
))))))))))))))))))))))))))))

Incumbent must be fluent in speaking, reading and writing Spanish.	The incumbent will be working in a Correctional environment where 22.4 percent, or about 250 inmates are Hispanic. The incumbent will be responsible for the supervision and work assignments of 3 and up to 30 Hispanic inmates. Our recent figures indicate 4.2% of our institution staff are bilingual.

Standard Form 39A.

QUALITY RANKING FACTORS

These special or additional knowledge, appropriate evidences or abilities are desirable for this position.	Because the incumbent is expected to perform this work (Provide a clear description or a specific reference to an item in the position description)	These may be qualifications (optional) of superior

Additional Agency Remarks:

_____

Signature and Title of Appointing Officer

For CSC Use:

U. S. Department of Justice
Federal Bureau of Prisons

INQUIRY OF AVAILABILITY

This form is an inquiry of your availability for the position shown below. It is not an offer of employment. In order to be considered for employment, you must complete a personal interview and a urinalysis test for the detection of drugs. A credit check and criminal records check will be conducted prior to the interview. At a later date, you may receive a conditional offer of employment. If so, you will be required to return for a physical examination.

Applicant Name & Address	Date:
	Position:
	Salary:
	Location:
	Certificate No:

INSTRUCTIONS TO APPLICANT

1. Complete the reverse of this form and return it to the Human Resource Management Office at the above location.

2. Contact (by phone) the Human Resource Management Office during normal business hours to schedule an interview. Return this form no later than the date shown below:

HRM Office Telephone:	Date Response Due:

IF YOU DO NOT CALL TO SCHEDULE AN INTERVIEW, OR IF YOU FAIL TO APPEAR FOR A SCHEDULED INTERVIEW, WE WILL ASSUME YOU ARE NOT INTERESTED IN THE POSITION AND YOUR NAME WILL BE PERMANENTLY REMOVED FROM THE LIST OF ELIGIBLES FOR ALL LOCATIONS.

If this box is checked, your application is not available at this location. Please bring a copy of your application with you to the interview. _____

Thank you for your interest in employment with the Federal Bureau of Prisons.

_____
Human Resource Management Office

APPLICANT RESPONSE

Please check the box(es) which apply and return this form to the Human Resource Management Office. If you are interested in the position, you must also contact the office by telephone to schedule an interview.

	I am available for the position shown on the front of this form. I can report for duty within _____ days after notification that I have been accepted for the position. I have called the HRM Office to schedule a personal interview.
	I do not wish to be considered for the position shown on the front of this form. I am giving my reasons below:
	Salary
	Location
	I will not be available until _____ (date)
	I no longer wish to be considered for any position.
	Other:

_____ _____
Applicant's Signature and Date Daytime Telephone Number

RECORD OF VERBAL DECLINATION

NAME OF CANDIDATE:	
TITLE/SERIES/GRADE OF POSITION:	
LOCATION OF VACANCY:	
CERTIFICATE NUMBER:	DATE OF CONVERSATION:
TYPE OF CONVERSATION:	_____ TELEPHONE _____ PERSONAL INTERVIEW
CANDIDATE'S STATED REASON FOR DECLINING:	
DOES CANDIDATE WANT TO BE REMOVED FROM THE REGISTER? IF APPLICANT DECLINES LOCATION, THEY MAY NOT REMAIN ON THE REGISTER UNLESS THEY SPECIFY ABILITY FOR ANOTHER LOCATION.	_____ YES _____ NO
IF APPLICANT WANTS TO REMAIN ON THE REGISTER, COMPLETE THE FOLLOWING:	
DATE (MONTH/YEAR) APPLICANT WILL BE AVAILABLE:	
WILL ONLY ACCEPT EMPLOYMENT AT (LOCATION):	
WILL ONLY ACCEPT SALARY OR GRADE LEVEL:	
ADDITIONAL REMARKS:	
SIGNATURE OF INTERVIEWER:	
DATE:	

****

NATIONWIDE
VACANCY
ANNOUNCEMENT

[EXAMPLE]

****

ISSUED DATE: XX/XX/93 ANNOUNCEMENT NO: [93-XX-01]
CLOSING DATE: XX/XX/93 POSITION: [Personnel Management Specialist]

GRADE: [GS-201-5/7/9]
SALARY RANGE: [$17,686 to $34,835]
NO. OF VACANCIES: [ONE (1)]
LOCATION: Federal Bureau of Prisons
United States Penitentiary
Leavenworth, Kansas

THE BUREAU OF PRISONS IS AN EQUAL OPPORTUNITY EMPLOYER.
****

INTRODUCTION: [The Human Resource Management Division (HRMD) is recruiting for applicants for the position of Personnel Management Specialist....]

QUALIFICATIONS: [X-118, 201 series]

GENERAL EXPERIENCE: [....]

SPECIALIZED EXPERIENCE: [....]

QUALIFICATIONS WILL BE DETERMINED FROM INFORMATION ON THE SF-171 AND THE SUPPLEMENTAL APPLICATION FORM (EXPERIENCE STATEMENTS). SEE YOUR PERSONNEL OFFICER FOR MORE INFORMATION. APPLICANTS WILL BE RATED ON THE FOLLOWING ELEMENTS:

[GS-5 Applicants:

1. Ability to communicate orally. (001)
2. Ability to communicate in writing. (002)
3. Ability to analyze problems. (004)
4. Ability to plan and organize work. (006)

Gs-7/9 applicants:

1. Ability to communicate orally. (001)
2. Ability to communicate in writing. (002)
3. Knowledge of personnel policies and procedures. (016)
4. Ability to interpret and apply policy. (003)]

APPLICATION PROCEDURES: [SUBMIT POSITION APPLICATION (BP-ADM-119), APPLICATION FOR FEDERAL EMPLOYMENT (SF-171/172), SUPPLEMENTAL APPLICATION FORM, AND A COPY OF YOUR TRAINING RECORDS (STDS 30.25) TO YOUR PERSONNEL OFFICE. STATUS CANDIDATES OUTSIDE THE FEDERAL BUREAU OF PRISONS SHOULD SUBMIT SF-171, CURRENT PERFORMANCE RATING, AND MOST RECENT SF-50 (NOTICE OF PERSONNEL ACTION) TO THE ADDRESS BELOW....]

NIC RETIREMENT COVERAGE CERTIFICATION

I certify that my acceptance of assignment to a position with the National Institute of Corrections (NIC) is with the full understanding that this position is not covered by law enforcement retirement.

I understand that my period of service with NIC will not be credited towards the twenty (20) years of law enforcement coverage that is required for eligibility for law enforcement retirement.

I understand that law enforcement coverage will resume only upon assignment to a position with "primary" law enforcement coverage (a position located at a Bureau institution).

I understand that law enforcement coverage will not resume upon assignment to a position with "secondary" law enforcement coverage (a position located at a community corrections center, training center, regional office, or the central office).

_____ _____
Name (typed or printed) Signature

_____
Date

This certification will be placed on the right side of the Official Personnel Folder as a permanent record.

SAMPLE FORM

NOTICE TO APPLICANTS

A copy of vacancy announcement # _____ and an application packet for the position is enclosed. All the required forms, as indicated on the vacancy announcement, must be submitted in order for you to receive consideration. A complete application packet, postmarked by the closing date, must be received by this office within five working days after the closing date.

The following forms are included with this packet:

- ☐ Vacancy Announcement
- ☐ Application for Federal Employment (SF-171)
- ☐ Mobility Statement
- ☐ Supervisory/Managerial Probationary Agreement
- ☐ Supplemental Application Forms for KSA's (Listed Below)

_____
_____
_____
_____
_____
_____

There may be other forms that are required (such as your latest performance appraisal, training record, transcript, etc). Please check the vacancy announcement to ensure that all required forms are submitted.

Any Department of Defense employee who is entitled to full consideration due to notice of separation and/or separation by reduction in force, must include a copy of the specific RIF notice of separation and/or a copy of the SF-50, Notification of Personnel Action, documenting the RIF separation.

SCORING INSTRUCTIONS FOR PROMOTION BOARDS
For General Schedule Positions

The following score ranges are mandatory. Board members must award points in the range specified.

PERFORMANCE 45 points maximum

Award more points within a range if the performance evaluation covers a period of time when the candidate was working in a position similar to the one being filled.	Outstanding	35-45 pts
	Exceeds	20-30 pts
	Fully Successful	5-15 pts
	Minimally Satisfactory	0 pts
	Unacceptable	0 pts

Subtract:	For Adverse Action within last two years	-15 pts
	For Suspension (14 days or less) in last two years	-10 pts
	For Letter of Reprimand in last two years	- 5 pts

EXPERIENCE

Enter the total score from the job element rating sheet for General Schedule positions.

EDUCATION AND TRAINING

Not used. Credit for education and training is included in the score from the job element rating sheet.

AWARDS

Not used. Credit for awards is included in the score from the job element rating sheet.

SCORING INSTRUCTIONS FOR PROMOTION BOARDS
For Wage Board Positions

The following score ranges are mandatory. Board members must award points within the range specified.

PERFORMANCE 30 points maximum

Award more points within a range if performance evaluation covers a period of time when the candidate working in a position similar to the one being filled.	Outstanding	25-30 pts	the
	Exceeds	15-20 pts	was
	Fully Successful	5-10 pts	
	Minimally Satisfactory	0 pts	
	Unacceptable	0 pts	

Subtract:	For Adverse Action within last two years	-10 pts
	For Suspension (14 days or less) in last two years	- 5 pts
	For Letter of Reprimand within last two years	- 2 pts

EXPERIENCE

Enter the total score from the job element rating sheet using the crediting plan.

EDUCATION AND TRAINING

Not used. Credit for education and training is included in the crediting plan total score on the job element rating sheet.

AWARDS 5 points maximum

Each QSI or SSP within last five years	3 pts
Each Special Act Award within the last five years	2 pts
Each Commendation (from CEO or higher) or suggestion within last five years.	1 pt

SCORING INSTRUCTIONS FOR PROMOTION BOARDS
Management Selection System
Associate Warden Positions

The following score ranges are mandatory. Board members must award points in the ranges specified.

PERFORMANCE	15 points maximum
Outstanding	15 pts
Exceeds	10 pts
Fully Successful	5 pts
Minimal	0 pts
Unacceptable	0 pts

EXPERIENCE	35 points maximum
Ability to recognize, identify, and develop the potential of subordinates	0-1-3-5 pts
Ability to perform supervisory and administrative duties using principles and techniques of supervision	0-1-3-5 pts
Ability to motivate others	0-1-3-5 pts
Knowledge of correctional security procedures	0-1-3-5 pts
Ability to communicate orally	0-1-3-5 pts
Ability to communicate in writing	0-1-3-5 pts
Ability to assign responsibility, delegate authority and provide general program direction	0-1-3-5 pts

EDUCATION AND TRAINING

Credit for education and training is included in the job element score. Coursework should be weighted appropriately with consideration given for its level and job relevance.

AWARDS	5 points maximum
QSI or SSP within the last 5 years	3 pts
Cash award within the last 5 years (includes Time-Off and Special Act)	2 pts
Letter of Commendation (from CEO or higher) within the last 5 years	1 pts

SCORING INSTRUCTIONS FOR PROMOTION BOARDS

Management Selection System
Warden Positions

The following score ranges are mandatory. Board members must award points in the ranges specified.

PERFORMANCE	15 points maximum
Outstanding	15 pts
Exceeds	10 pts
Fully Successful	5 pts
Minimal	0 pts
Unacceptable	0 pts

EXPERIENCE	35 points maximum
Ability to identify and manage potentially disruptive situations in the institution	0-1-3-5 pts
Knowledge of the policy, directives and regulations of the Federal Prison System governing control of institutional operations and security	0-1-3-5 pts
Ability to establish and maintain working relationships with others	0-1-3-5 pts
Ability to communicate orally	0-1-3-5 pts
Ability to persuade and motivate others	0-1-3-5 pts
Ability to plan, organize, and determine priorities	0-1-3-5 pts
Ability to analyze information and establish program objectives and/or performance goals	0-1-3-5 pts

EDUCATION AND TRAINING

Credit for education and training is included in the job element score. Coursework should be weighted appropriately with consideration given for its level and job relevance.

AWARDS	5 points maximum
QSI or SSP within the last 5 years	3 pts
Cash award within the last 5 years (includes Time-Off and Special Act)	2 pts
Letter of Commendation (from CEO or higher) within the last 5 years	1 pts

TRAINING AGREEMENT
Detail for Training

It is understood that selection for and participation in this detail for training does not guarantee promotion to the full performance level of the position upon completion of the detail. It is further understood that while this detail for training is structured not to exceed one year, it may be terminated at any time prior to its expiration date. Failure to successfully complete the training plan or non-selection for the target position will result in the trainee being returned to the position from which detailed or to a position at the same grade level.

_____	_____
Signature, Supervisor of the Position to Which Detailed	Signature, Employee Selected for Detail for Training

Distribution: OPF (Left Side)
EDM (with copy of training plan)

This form is to be read and signed by all applicants for positions covered by the pass/fail requirements for Introduction to Correctional Techniques.

NON-BUREAU OF PRISONS APPLICANTS

I understand that as a condition of my employment, I must attend and successfully complete the three-week Introduction to Correctional Techniques training course. Failure to achieve satisfactory scores in any of the three areas which include, firearms, physical abilities test, or the written test of job knowledge, will result in the termination of my employment.

_____ _____
Signature of Applicant Date

CURRENT BUREAU OF PRISONS NON-LAW ENFORCEMENT EMPLOYEES

I understand that as a condition of my tentative selection into a law enforcement position, I must attend and successfully complete the three-week Introduction to Correctional Techniques training course. Failure to achieve satisfactory scores in any of the three areas which include, firearms, physical abilities test, or the written test of job knowledge, will result in no further consideration for the position.

Only after successful completion of the ICTP may the relocation process begin which would include a house hunting trip, if applicable.

_____ _____
Signature of Applicant Date

(This form may be locally reproduced or replicated via word processing) BP-S-138(30)

(This form may be locally reproduced or replicated via wordprocessing) BP-S-138(30)
SEP 1993

United States Government
Memorandum
Federal Bureau of Prisons

DATE:

FROM: Chief of Staffing

SUBJECT: Request for Approval of Appointment Above the Minimum Rate

TO:
Bureau Personnel Director

1. **Candidate's Name (Last, First, Middle Initial)**
))))))

Candidate's Name:
**&&&

ABOVE THE MINIMUM RATE CHECKLIST

Instructions: Mark an "X" in the appropriate space for each question cited below. If any item is answered **NO**, the request does not conform with applicable guidelines and should **not** be approved.

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/))))))

*** Date sent to Central office, Staffing:**
*****
.))))))

RECRUITMENT BONUSES

Amount	Up to 25% of basic pay. Paid as lump-sum, not part of basic pay.
Eligibility	Newly appointed employee (first government appointment or appointment after 90-day break in service) in a position that would be difficult to fill with a high quality candidate. Career experience students (formerly Co-ops), interns, & law clerk trainees are exempt from the 90-day break in service requirement when accepting the first permanent appointment.
Service Agreement	Twenty-four months. Repayment on pro rata basis if unfulfilled. **
Approvals	Case-by-case basis with written documentation. Must be reviewed and approved by official at a higher level than the official who made the recommendation.
Approval Levels:	
General Schedule (except Attorneys)	Request in writing by the position's CEO through the Regional Director. Approved by the Assistant Directors of Human Resource Management, Administration, and the discipline involved, if any.
Attorney	Deputy Attorney General or designee-through Office of Attorney Personnel Management.
SES, Executive Schedule, Senior Level, Presidential Appointees	Deputy Attorney General or designee-through Assistant Attorney General for Administration.

Reports	Bureau of Prisons submits quarterly reports to DOJ Director, Personnel Staff; DOJ Personnel Staff submits reports to OPM.

** Refer to Chapter 3, Section 339.3., 3.e.

RETENTION ALLOWANCES

Amount	Up to 25% of basic pay. Paid every pay period, not part of basic pay.
Eligibility	Current employee with unusually high or unique qualifications who will leave the Federal service for employment outside of the Executive, Legislative and Judicial branches of government. Employee's appointment must be two years or longer.
Service Agreement	None.
Approvals	Case-by-case basis with written documentation. Must be reviewed and approved by the Director. Must be recertified annually by the Director.
Approval Levels:	
General Schedule (except Attorneys)	Request through the Regional or Assistant Director, as appropriate. Final approval by the Director of the Bureau of Prisons.
Attorney	Deputy Attorney General or designee-through Assistant Attorney General for Administration.
SES, Executive Schedule, Senior Level, Presidential Appointees	Deputy Attorney General Or designee-through Assistant Attorney General for Administration.
Reports	Bureau of Prisons submits quarterly reports to DOJ Director, Personnel Staff; DOJ Personnel Staff submits reports to OPM upon request.

U. S. Department of Justice
Federal Bureau of Prisons

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5) The qualifications of the candidate, in sufficient detail to demonstrate that he/she is highly qualified for the position:

6) The practicality of using the superior qualifications appointment authority, alone or in combination with a recruitment bonus:

7) If the applicant had prior federal government experience, the dates of the most recent service are as follows:

8) Action: Approval _____ Disapproved _____

Date: _____ Signature _____

Date: _____ Signature _____

Date: _____ Signature _____

If approved: Amount Offered (% of salary) _____%

Amount Paid $_____ _____%
(Both dollar amount and percent of salary)

FEDERAL BUREAU OF PRISONS
RECRUITMENT BONUS AGREEMENT

In consideration of a recruitment bonus in the amount of $_____, I agree to remain in the service of the Federal Bureau of Prisons for a minimum period of 24 months. I understand that should I violate this agreement, unless separated for reasons beyond my control and acceptable to the Federal Bureau of Prisons, I shall be indebted to the Federal Government and shall repay the recruitment bonus on a pro rata basis.

_____
Signature/Date

WITNESS:

_____
Signature/Title/Date

U. S. Department of Justice
Federal Bureau of Prisons

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6) Labor market factors that may effect the ability to recruit/promote high quality candidates to this position or to retain the incumbent:

7) Detailed conditions that give rise to the suspicion that the incumbent will quit his/her position without some retention incentive.

8) Action: Approval _____ Disapproved _____
_____Date: _____ Signature _____

If approved: Amount Offered (% of salary) _____%

This amount may be up to 25% of basic pay; paid every pay period, but not included as part of basic pay. This retention allowance must be recertified annually by the Director. *

Department of Justice
Federal Bureau of Prisons
Training Agreement for Physician Assistant

I. Reasons for Training agreement

The Federal Bureau of Prisons continues to experience a scarcity of Physician Assistant candidates, not only at the GS-11 journeyman level, but also at the GS-9 and GS-7 entry levels. In 1983, we were granted the authority to operate a Physician Assistant register to help with our recruiting efforts. The Bureau also has a full-time recruiter for these positions who works in conjunction with the National Recruiting Office and Regional Recruiters located in the field. Even with these efforts, we still run an average turnover rate of almost thirty percent a year. When the previous extension was requested in 1988, there were a total of 45 promotions completed in 1987 due to the training agreement. That total has almost doubled to the sum of 83 for 1989.

This Chapter 338 training agreement provides an exception to time in grade and qualification requirements for promotion from GS-7 to GS-9 or GS-9 to GS-11 after successful completion of the 26 week training program within the first six months of employment, thus enabling us to promote PA's sooner who initially qualify at a grade level that is less than the maximum for the position. It will also help us attract and retain highly qualified people in this critical area of delivering health care to our inmate population. No additional funds will be requested to effect grade adjustments under this agreement and it is anticipated the training program can be operated at no additional cost to the government.

II. Position Coverage

It is anticipated that this program will cover approximately 100 GS-603-7 and GS-603-9 Physician Assistants nationwide in the Bureau of Prisons. The training agreement provides for the accelerated promotion of each participant covered by this program.

III. Method of Selection of Trainees

Trainees will be selected competitively for entry level positions through the Bureau of Prisons delegated register for Physician Assistant and other appropriate mechanisms.

All candidates selected will meet the qualifications standards in accordance with the General Policies and Instructions for the Qualification Standard Handbook X-118.

IV. Knowledge, Skills and Abilities Required

A. Knowledge of techniques used to evaluate a medical problem.

B. Ability to perform and interpret diagnostic and therapeutic procedures.

C. Ability to relate and deal effectively with superiors, peers and others.

D. Ability to deal effectively with patients.

V. Training

The training will be organized as shown below. The training plan covers 26 weeks of training conducted during the first six months as a Physician Assistant. The training is a combination of four weeks of classroom training and 22 weeks of on-the-job training. The training will be conducted under the supervision of the institution Health Systems Administrator (HSA). The HSA can tailor individual parts of the training to suit the needs of the trainees within the overall program. Trainees must complete a minimum of 26 weeks in the program before being eligible for promotion. The HSA can extend the training period for up to three months to cover contingencies and can alter the sequence of the training to allow for learning experience in the actual work situation. The HSA, in consultation with the physician, must certify that the trainee has achieved an acceptable level of competence in all of the areas of training before the trainee can be promoted. At least 50% of the training must be in the target occupation or directly related fields.

A. Institution Familiarization Training. This is classroom training conducted at the institution. It is one week in length and covers staff training, personnel programs, introduction to the BOP and institution, employee conduct and responsibility, institution department orientation, inmate programs and classification, inmate discipline and administrative remedy, report writing, tool and key control, security inspections, count procedures, inmate accountability, contraband identification and control, area shakedown,

pat and strip shakedown, staff-inmate relations, Freedom of Information and Privacy Acts, emergency plans, safety and fire protection, recognition and management of medical emergencies, local resources in handling special inmates and public relations.

B. Introduction to Correctional Techniques. This is classroom training conducted at the Staff Training Center in Glynco, Georgia. It is three weeks in length and covers inmate discipline, physical activities, health screening, institutional disturbances, overview of the Federal Bureau of Prisons, Central Inmate Monitoring, self-defense, hostages, legal issues in emergencies, rights and responsibilities of staff, introduction to correctional law, sexual conflicts in a correctional environment, abnormal behavior in a correctional environment, abnormal behavior and suicide prevention, inmate program planning, contraband, interpersonal communications, custodial procedures (handcuffing, etc.), an escape exercise, role definition, stress management, survival skills and religious issues.

C. On-the-Job Training. The trainee must satisfactorily demonstrate the following knowledge and abilities during the 22-week on-the-job training phase. Numbers indicate the minimum number of instances the ability must be demonstrated.

1. Laboratory - Demonstrate the ability to perform venipuncture (15), fingerstick (5), complete blood count (15), hematocrit (5), gram stain (urethral discharge and sputum), dipstick urinalysis (15), microscopic examination of urine (15) and fasting blood sugar (10). Demonstrate knowledge of the collection, use and interpretation of blood culture, urine culture, sputum culture, stool culture, stool examination for occult blood, urethral discharge culture and throat swab for culture.

2. Radiology - Demonstrate knowledge of the ordering and interpretation of chest x-rays (20), IVP, flat plate abdomen, upper gastrointestinal series, barium enema, and extremities x-rays. Must have performed chest x-rays (lateral and PA or AP), flat plate abdomen, KUB, arm, wrist, leg, knee and ankle.

3. Dental - Demonstrate a knowledge of charting dental examination (20), assisting dentist, bite wing x-rays, temporary fillings, setting up amalgam and removing sutures.

4. Other Diagnostic Studies - Demonstrate ability to perform complete history (20), complete physical examination (20), audiogram (20), a twelve-lead electrocardiogram (20), tonometry, visual screening, sub-cutaneous injections, deep muscle injections, starting an IV (angiocath or intercath, butterfly and needle), advancing a stomach tube, urethral catherization, rectal digital probe, and fundoscopic examination. Demonstrate knowledge of the use and interpretation of electrocardiogram (including rate, rhythm and configuration), angiogram cycles and configuration, defibular applicability and pulmonary function test.

5. Therapeutics - Demonstrate the ability to perform irrigation for impacted cerumen, application and removal of extremity casts (short arm, long arm, short leg and long leg), local anesthesia, suture repair, removal of skin lesion (wart, mole, skin tag or other), debridement and repair of laceration of extremity and removal of foreign body from soft tissue. Demonstrate knowledge of the use of cardiopulmonary resuscitation, inhalation therapy, intubation and fireman's carry.

6. Patient Education - Demonstrate the ability to instruct patients in crutchwalking, range of motion exercises of extremities, lower back exercises, proper use of medications, specialized diets and job limitation.

7. Pharmacy - Demonstrate the filling of prescriptions, labeling of prescriptions, dispensing of medications at pill line, insulin injections, PPD applications, counting needles and syringes, and counting of narcotics. Demonstrate knowledge of ordering medications, stocking supplies and filing prescription forms.

8. Psychiatry - Demonstrate the ability to perform a psychiatric interview, psychiatric counseling, and a neurologic examination. Demonstrate the

knowledge of psychotropic medications, psychosis diagnosis and treatment, neurosis diagnosis and treatment, personality disorder diagnosis and interaction of medications with a psychiatric patient.

9. Administrative Functions - Perform segregation rounds, intake screening, town trips, filling out form 71, CME training session, sick call sign-up, A&O lecture and inmate counts. Demonstrate knowledge of key control, security checks, safety department procedures, food service procedures, mass casualty procedures, suicide prevention procedures, inmate death procedures, inmate discipline procedures, incident reporting procedures and the Health Services Manual.

VI. Documentation

A training file will be maintained on each trainee for a minimum of two years after completion of the training program. A written record of satisfactory completion of the training program will be made a part of the trainee's Official Personnel Folder. Questions about the training agreement may be addressed to the Staffing Section. Questions about the on-the-job training phase of the program should be directed to the Health Services Division.

Federal Bureau of Prisons
Certification of Completion of Training
Physician Assistant

Trainee: _____ Institution: _____

I hereby certify that this trainee has satisfactorily completed all aspects of the training program, is performing at or above a fully successful level and is eligible and recommended for one accelerated promotion as a Physician Assistant in the GS-603 series in accordance with the Chapter 338 training agreement.

_____ _____
Health Systems Administrator Date

_____ _____
Human Resource Manager Date

Distribution: OPF (Left side)
EDM

PERFORMANCE LOG

Instructions on Reverse

Employee: _____ Standard Set# _____

Position: _____ From: _____ To: _____
Rating Period Covered

Date of Entry	Performance Entry	Element	Level	Employee Initials and Date

Instructions for Completing Performance Log

1. Observe and document the employee's performance throughout the rating period.

2. Record performance incidents as they occur, within fifteen working days of becoming aware of the performance.

3. Document instances of important, job-related performance, both positive and negative. Do not describe personality traits. Describe specific behavior related to the performance standards. Performance log entries must include:

   - The date of the performance incident,

   - What the employee did that was particularly effective or ineffective,

   - Circumstances surrounding or contributing to the performance, for example, the consequences of the performance, whether the employee had sufficient time and resources or whether circumstances outside the employee's control contributed to the performance,

   - The element of the performance standard to which the performance incident relates, and

   - The level described or inferred by the standard (unacceptable, minimally satisfactory, fully successful, excellent or outstanding) which matches the performance incident.

4. Document performance entries so that each element of the performance standards is addressed at least once each quarter. If there are no particularly significant incidents in an element during a quarter, describe typical performance in that element over the course of the quarter. By the end of the rating period, there should be at least four entries for each element.

5. Special provisions apply and action is required if you record an instance of performance at the <u>unacceptable</u> level. Contact your Human Resource Manager for assistance before noting unacceptable performance in the log.

6. Give the employee an opportunity to review the entry as soon as practicable, but no later than fifteen working days after you make the entry. Have the employee initial and date the entry after discussion. The employee's initials indicate only that the entry has been reviewed, not that they agree with it.

PRIMARY LAW ENFORCEMENT POSITIONS

Pursuant to 5 CFR Parts 831 and 841, the following is an addendum to this position description.

This certifies that the regular duties of this position require frequent and direct contact with individuals in confinement who are suspected or convicted of offenses against the criminal laws of the United States, as described in Title 18 of the U. S. Criminal Code. These duties are primarily concerned with the detention of individuals suspected or convicted of Federal offenses. In addition, this position is under Public Laws 93-350, 100-238 and related DOJ Order in which a maximum appointment age has been established for initial appointment with the Bureau of Prisons. This requirement ensures a young and vigorous workforce throughout the Bureau of Prisons.

This position is located at the _____ in the _____ department. This position requires frequent and direct daily contact with inmates from short to extended periods of time. These contacts are for the purpose of (e.g. training, care, custody, rehabilitation, etc.) _____.

A requirement of this position is the completion of "Institution Familiarization" and completion of a mandatory course in "Introduction to Correctional Techniques". The training emphasizes self-defense, firearms, security, hostage situations and medical emergencies. Incumbents of this position must also participate in a minimum of 40 hours of annual refresher training, again with an emphasis on the five major areas listed above. Incumbents are certified annually in firearms and self-defense.

Prior to initial appointment to this position, the incumbent must meet the medical standards as specified in the current Bureau of Prisons Human Resource Management Manual.

The duties of this position require constant alertness and awareness in order to maintain the security of the institution, the safe detention of inmates and to prevent any circumvention of the laws of the United States. In all positions located in an institution, staff correctional activities are paramount and precede other duties and responsibilities required by this position. Incumbents regularly perform as law enforcement officers during required training, emergency situations, staff shortages and under any other type of correctional operating crisis.

I CERTIFY THE ABOVE STATEMENTS ARE TRUE AND ACCURATE:

_____

Human Resource Manager

SECONDARY LAW ENFORCEMENT POSITIONS

Pursuant to 5 CFR Parts 831 and 841, the following is an addendum to this position description.

This certifies that the regular duties of this position meet the secondary coverage definition in 5 CFR 842.802 for law enforcement positions. Management has made a determination that this position meets the secondary coverage requirements for the good of the Bureau of Prisons and the Federal Government. This includes using this position for long-range organizational development purposes, cross training, management development, meeting critical needs, etc. In addition, the duties of this position may at times require frequent and direct contact with individuals in confinement who are suspected or convicted of offenses against criminal laws of the United States, as described in Title 18 of the U. S. Criminal Code.

This position is located at the _____ in the _____ department. The position may require contact with inmates; the occurrence and average duration of these contacts may be from short to extended periods of time. These contacts are for the purpose (e.g. training, care, rehabilitation, custody, control, etc.) _____.

This secondary position prerequisite experience was gained in a primary position which has a maximum initial appointment age as set by Public Laws 93-350, 100-238 and DOJ Order. This requirement ensures a young and vigorous workforce is maintained throughout the Bureau.

A prerequisite requirement of this position is the completion of "Institution Familiarization" and completion of a mandatory course in "Introduction to Correctional Techniques". The training emphasizes self-defense, firearms, security, hostage situations and medical emergencies.

Management has determined that the duties of this position require experience and knowledge of the on-the-job responsibilities normally found in a detention facility working as a primary law enforcement officer. Because of the nature and mission of this position, it requires a "hands on" understanding of the operating problems encompassed in working within an institution. The incumbent may be called on to perform as a law enforcement officer in a correctional environment during training, emergency situations and times of staff shortages. This position may also meet the criteria used to identify critical positions in the organizational development of the Bureau of Prisons.

I CERTIFY THE ABOVE STATEMENTS ARE TRUE AND ACCURATE:

_____

Human Resource Manager

1. CREATING AND RECORDING MASTER RECORD NUMBERS

Master Record Numbers are created much like the present DOJ PD number. The MRN contains six characters which identify the calendar year classified, the classifying office number, and a three digit sequential number. All MRN's in the BOP will be constructed in the following manner:

```
A         B        C
X        XX       XXX
T         T        T
*         *        *       Sequential number starting with
*         *        .)))))Q 001 for the first classification
*         *                of the year.
*         *
*         .))))))))))))))Q Classifying office number
*                          (see appendix 1)
*
.)))))))))))))))))))))))))Q Year classified
                           (see appendix 2)
```

A. The year classified field is a single digit field containing only an ALPHA character identifying the calendar year in which the position was classified. The alpha codes for each year are specified in Appendix 2.

B. The classifying office number is a two digit number containing either ALPHA or NUMERIC characters. This should be the office with final classification authority for the position in question. The codes for each office are listed in Appendix 1. You will note that alpha characters O and I are listed as unallocated to avoid confusion with similar numeric characters. Future institutions will be given the next alpha/numeric code available in their region.

C. The sequential number is a three digit field containing only numeric characters. The first position classified in each classifying office each year will be 001, the second 002, and so on.

D. The Master Record Number (MRN) is assigned to the position by the classifying office as described in the attachment to this document. MRN's should be maintained in a log just as we are now keeping a log for Position Description Numbers. The last three digits of the MRN are a sequential number, starting with 001 for the first classification of the calendar year for each classifying office. The next classification is 002, the next is 003 and so on.

2. CREATING AN INDIVIDUAL POSITION NUMBER

The IPN is an eight digit number which will be assigned by the Human Resource Office actually servicing the position/employee. The IPN identifies the location of the position, the cost center in which the position is located and a sequential number for all Identical Additional (IA) positions classified by the MRN.

The IPN is also a sequential number, starting with 001 for all positions served by the MRN. It does not appear that a formal log will be necessary for the IPN since the classifier can look at the existing Individual Position Data, find out how many IPN's are associated with that MRN and use the next IPN available.

All IPN's in the BOP will be constructed in the following manner:

```
 A         B        C
XX       XXX       XXX
 T         T        T
 *         *        *       Sequential number starting with
 *         *        .)))))Q 001 for ALL positions served by
 *         *                one MRN.
 *         *
 *         .)))))))))))))Q Cost Center number
 *                         (see appendix 3)
 *
 .))))))))))))))))))))))))Q Location of Positions or
                           servicing HRM (see appendix 1)
```

A. The servicing HRM office will be a two digit number containing either ALPHA or NUMERIC characters. This will represent the location of the HRM office actually servicing the position/employee. The codes for each office are listed in Appendix 1.

B. The cost center number is a three digit field containing only NUMERIC characters for S&E positions. The number coincides with the cost centers assigned by financial management. See Appendix 3 for further information.

C. The sequential number is a three digit field containing only NUMERIC characters. Each MRN has an IPN with a sequential number of 001. If the MRN provided final classification for more than one position as with identical-additional positions (i.e., Correctional Officer GS-007-07 B + 99), the sequential number will start with 001 and run through 100.

Implementation of this new numbering system will occur at the time we are converted to NFC, now scheduled for April 18, 1993. Officials at DOJ assure us that they will be able to convert our present PD numbers into MRN's electronically, thus eliminating the need to key individual actions on every employee. They have

also indicated that they will be able to establish IPN's for each employee.

3. DEALING WITH STATEMENTS OF DIFFERENCE

* If it is necessary to fill a position at a grade lower than the full performance grade, "Add" a new Master Record to the system, using the grade at which that employee will be working on the position description cover sheet. This type of action will be facilitated by leaving the Master Records in the database in an inactive status whenever the employee is promoted out of that grade. *

For example, if you have three GS-201-09 Personnel Management Specialists, you will have a Master Record Number (MRN) for that grade and three Individual Position Numbers (IPN), one for each of the employees. If one of the specialists were to leave and you filled the position at the GS-5 level, you would inactivate one of the IPN's at the GS-9 level and Add a Master Record and an IPN at the GS-5 level. When promoting this employee to the GS-7 level, you would inactivate (or delete) the GS-5 MRN and IPN and Add a Master Record and an IPN at the GS-7 level. When you later promote the employee to the full performance level of GS-9, the Master Record is already in place so you would inactivate (or delete) the GS-7 level MRN and IPN and reactivate a third IPN at the GS-9 grade.

APPENDIX 1: CLASSIFYING OFFICE NUMBER

01 - Pay and Position Management
A1 - Central Office Personnel Office
B1 - MSTC Aurora (Including Glynco)

02 - Northeast Regional Office
A2 - Allenwood FPC
B2 - Allenwood Low
C2 - Allenwood FCI
D2 - Allenwood USP
E2 - Brooklyn
F2 - Danbury
G2 - Fairton
H2 - Fort Dix
I2 - Unallocated
J2 - Lewisburg
K2 - Loretto
L2 - McKean
M2 - New York
N2 - Otisville
O2 - Unallocated
P2 - Ray Brook
Q2 - Schuylkill

03 - Mid-Atlantic Regional Office
A3 - Alderson
B3 - Ashland
C3 - Butner
D3 - Cumberland
E3 - Estill
F3 - Lexington
G3 - Manchester
H3 - Milan
I3 - Unallocated
J3 - Morgantown
K3 - Petersburg
L3 - Seymour Johnson
M3 - Terre Haute

04 - Southeast Regional Office
A4 - Atlanta USP
B4 - Eglin
C4 - Guaynabo
D4 - Homestead
E4 - Jesup
F4 - Marianna
G4 - Maxwell
H4 - Miami MCC
I4 - Unallocated
J4 - Miami FDC
K4 - Pensacola

L4 - Talladega
M4 - Tallahassee
N4 - Tyndall
O4 - Unallocated

05 - North Central Regional Office
A5 - Chicago
B5 - Duluth
C5 - Englewood
D5 - Florence USP
E5 - Florence FCI
F5 - Florence ADX
G5 - Greenville
H5 - Leavenworth
I5 - Unallocated
J5 - Marion
K5 - Oxford
L5 - Pekin
M5 - Rochester
N5 - Sandstone
O5 - Unallocated
P5 - Springfield
Q5 - Yankton

06 - South Central Regional Office
A6 - Bastrop
B6 - Big Spring
C6 - Bryan
D6 - Carville
E6 - El Paso
F6 - El Reno
G6 - Fort Worth
H6 - La Tuna
I6 - Unallocated
J6 - Memphis
K6 - Millington
L6 - Oakdale FCI
M6 - Oakdale FDC
N6 - Seagoville
O6 - Unallocated
P6 - Texarkana
Q6 - Three Rivers

07 - Western Regional Office
A7 - Boron
B7 - Lompoc FCI
C7 - Lompoc USP
D7 - Los Angeles
E7 - Nellis
F7 - Phoenix
G7 - Dublin

H7 - Safford
I7 - Unallocated
J7 - San Diego
K7 - Sheridan
L7 - Terminal Island
M7 - Tucson

APPENDIX 2: YEAR CLASSIFIED

Code	Year	Code	Year	Code	Year
C	1992	K	2000	S	2008
D	1993	L	2001	T	2009
E	1994	M	2002	U	2010
F	1995	N	2003	V	2011
G	1996	O	2004	W	2012
H	1997	P	2005	X	2013
I	1998	Q	2006	Y	2014
J	1999	R	2007	Z	2015

UNITED STATES GOVERNMENT
MEMORANDUM
Federal Bureau of Prisons

Date:

Reply to
Attn of: Employee Name and Title

Subject: Request for Restoration of Forfeited Annual Leave

To: Human Resource Manager

Institution_____

SSN_____

Leave Year Leave Forfeited_____

Annual Leave Ceiling_____

Annual Leave Balance_____

Annual Leave Forfeited_____

Supporting Data:

List periods of annual leave approved, scheduled, and forfeited. Provide dates and hours which were approved.

I was unable to take this leave for the following reason(s): Note: Unforseen work demands, sick leave, and administrative error are acceptable reasons. Please be specific, use additional sheets as necessary. State any attempts to reschedule leave.

Employee Signature_____

Date_____

Certification by the Supervisor: Annual Leave

Forfeited_____ Date exigency ended_____

The annual leave hours in excess of the maximum permissible were forfeited at the end of the leave year and were the result of the detailed reason(s) claimed by the employee. Any correction(s) or adjustment(s) are included in comments below and have been considered in excess annual leave hours certified. Describe any attempts to reschedule leave.

Comments: (Use additional sheets as necessary)

Signature_____

Date_____

Authorization for Restoration by Designated Official:

Signature_____

Title_____ Date_____

CHECKLIST FOR RESTORATION OF FORFEITED ANNUAL LEAVE

___ 1. Use attachment 6-1, Request for Restoration of Forfeited Annual Leave.

___ 2. Ensure all information is complete, such as SSN, name, name of institution, etc.

___ 3. Ensure that the supporting data section only includes hours actually approved, scheduled <u>and</u> forfeited.

___ 4. Ensure that documents supporting the approval and scheduling are clearly dated by the approving official. To be eligible for restoration, the forfeited leave must have been scheduled and approved in writing prior to the start of the third pay period before the end of the leave year.

___ 5. Ensure that the reasons the employee was unable to take the leave are well-supported and clearly stated in the explanation.

___ 6. The employee must state any attempts to reschedule the leave.

___ 7. If sick leave precluded the use of scheduled annual leave, are the dates of the sickness supportive of the dates of the scheduled annual leave?

___ 8. If leave was forfeited due to administrative error, are the facts surrounding that error clearly stated?

___ 9. Employee and supervisor signatures must be original.

___ 10. Under supervisory certification, does the figure in the Annual Forfeited Leave block agree with the employee's account on the memo? Are these figures supported by the final T&A of the leave year?

___ 11. Is the block "Exigency Ended" completed where duty requirements necessitated the cancellation of scheduled leave?

___ 12. Are supervisory comments supportive of the employee's comments? Do they address attempts at rescheduling?

___ 13. Check the payroll calendar to determine whether a 40-hour scheduled leave week included any holidays. A holiday during a period of scheduled leave reduces the amount of leave forfeited during that period.

___ 14. Check the T&A's to ensure that no portion of the leave shown as cancelled was actually taken.

___ 15. Attach copies of the T&A's for the entire period of time from the date on which annual leave was cancelled or was first interrupted by a period of sickness through the end of the leave year.

_____

Human Resource Manager Date

Request for Approval as a Recipient
Voluntary Leave Transfer Program

Print or type all information. This application must be received by the VLTP Committee no later than 30 days after termination of the medical emergency.
****

1. Name	2. Title	3. SSN
4. Pay Plan/Series/ Grade/Step	3. Annual Salary	6. Office Phone
7. Organization	8. Duty Location	9. SCD
10. Org Code	11. Appropriation Code	
12. Name of Timekeeper	13. Timekeeper's Office Phone	
14. Timekeeper's Duty Location		
15. Name of Designated Agent	16. Designated Agent's Phone	

17. The nature of my medical emergency or medical emergency of my family is as follows (attach any supporting documentation, e.g. medical statements):

18. The commencing date of this medical emergency was: _____

19. The termination date of my medical emergency was: _____

20. I certify the following:

As of _____ (ending date of latest pay period), I have the following annual and sick leave balances. (Attach a copy of the time and attendance report.)

Annual Leave _____ Hours Sick Leave _____ Hours

Since the commencing date of my medical emergency (item 18), I have used the following amount of leave without pay (LWOP) or have been advanced the following amounts of annual or sick leave: (Attach copies of T&A's reflecting granting and use of LWOP or advanced leave.)

LWOP _____ Hours; Advanced AL ____ Hours; Advanced SL _____ Hours

21. My absence from duty without paid leave due to my medical emergency is (or is expected to be) at least _____ workdays and to commence on _____. (Attach supporting documentation.)

22. I have [ ] have not [ ] (check one box) applied to the Office of Personnel Management for Disability Retirement.

23. If approved as a recipient of annual leave under the VLTP, I do [ ] do not [ ] (check one box) authorize the release of any information contained on this form or supporting documentation by the VLTP Screening Committee of my Bureau or the Personnel Staff, Justice Management Division, to publicize my need for leave to potential donors.

24. I understand that my signature on this application constitutes a relinquishment of my right to request a waiver of erroneous payment of pay and serves as due process in this regard under the Federal Debt Collection Act of 1982. This applies only in the event I am erroneously overpaid as a result of my status as an approved leave recipient under the VLTP.

_____ _____

25. Employee Signature (or signature of person acting on behalf of the employee) 26. Date

****

Privacy Act Statement: The information requested on this form is for use in determining an employee's eligibility to participate in the Voluntary Leave Transfer Program authorized by Public Law 100-566. Provision of this information is voluntary, but failure to provide all of the requested information will result in your request not being processed. The information provided could be disseminated to the Office of Personnel Management, the Office of Management and Budget, the General Accounting Office or other government agencies to satisfy reporting requirements under this program, or to publicize, if authorized, your need for leave donors.

Authorization to Transfer Leave From a Donor
Voluntary Leave Transfer Program

Print or type all information and submit this authorization to your local VLTP Screening Committee.
****

1. Name	2. Title	3. SSN
4. Pay Plan/Series/ Grade/ Step	5. Annual Salary	6. Office Phone
7. SCD	8. Organization	9. Duty Location
10. Org Code	11. Appropriation Code	12. Timekeeper
13. Timekeeper's Phone	14. Timekeeper's Duty Location	
15. Designated Agent	16. Designated Agent's Phone	

17. As of _____ (ending date of latest pay period), I have the following annual leave balance: _____ hours. (Attach copy of T&A for the latest pay period.)

18. *My annual leave ceiling is _____ hours.

19. *As of the pay period specified in item #17, I have _____ hours of projected annual leave above my ceiling which could be subject to forfeiture at the end of the leave year. I have scheduled (formally requested and approved by my supervisor) the use of annual leave, sick leave or compensatory time off for the following periods of time during the remainder of this leave year:

Periods of Scheduled Leave	Total Hours
_____ Annual Leave	_____
_____ Sick Leave	_____
_____ Compensatory Time Off	_____

*Not applicable to SES employees

I understand that I cannot donate annual leave in excess of the lesser of: my accrued annual leave balance; one-half of the amount of leave I will accrue during this leave year; or, if I have projected annual leave that would be subject to forfeiture at the end of the leave year, no more than the number of hours remaining in the leave year (as of the date of transfer) for which I am scheduled to work and receive pay. Note: the latter condition will apply only near the end of the leave year and only to those who have "use or lose" leave.

20. Under the VLTP, I hereby authorize the donation or transfer of _____ (no less than 4 hours, and in further increments of full hours only) of my accrued annual leave [ ] or leave restored to a separate leave account under 5 USC 6304(d) [ ] (check one box) to _____ (full name of approved recipient). I certify that the designated recipient of this leave is not my immediate supervisor. I understand that once effected, this decision to transfer leave is irrevocable and subsequently transferred annual leave will not be restored to my leave account unless the designated leave recipient's medical emergency terminates without exhausting the total amount of leave transferred by all donors, and the conditions for restoration specified under 5 CFR 630.911 and the Department's policies are satisfied. Further, I do [ ] do not [ ] (check one box) authorize the VLTP Screening Committee to inform the recipient of my name as a donor.

_____ _____
Employee's Signature Date

21. To be completed for Federal Bureau of Investigation or non-Department of Justice donors only. I certify that the donating employee has an available balance of annual leave that permits the donation of leave stated above and that the donor's balance will be adjusted to debit his/her annual leave balance in accordance with this authorization to transfer leave.

_____ _____
Title & Signature of Payroll Officer Date

_____ _____ _____
Agency Telephone Number Payroll Office #
****

Privacy Act Statement: Provision of the information on this form is voluntary, but required for participation as a leave donor under the VLTP authorized by P.L. 100-566. Failure to provide all of the requested information will result in this authorization to transfer leave not being processed. The information provided could be disseminated to the Office of Personnel Management, the Office of Management and Budget, the General Accounting Office or other government agencies to satisfy reporting requirements under this program.

FEDERAL BUREAU OF PRISONS
NEW WRITTEN AGREEMENT
ADDITIONAL TOUR OF OVERSEAS DUTY
FOR HOME LEAVE ENTITLEMENT

In order to acquire eligibility for travel and transportation expenses pursuant to Title 5, U.S. Code, Sections 5722 and 5728, and Federal Travel Regulations, I,_____ agree to remain in the service of the Government at _____ _____for an additional _____ months following my return to _____ after home leave travel unless transferred at the convenience of the Government. It is understood that should I violate this agreement, I become obligated to refund to the Government all costs incurred on my behalf for travel, transportation, and related expenses as prescribed in the Federal Travel Regulations unless separated for reasons beyond my control and acceptable to the FBOP.

_____
Signature/Date

WITNESS:

_____
Signature/Title/Date

MINIMUM REPORT REQUIREMENTS

DAILY REPORTS: **RETENTION PERIOD**

*U0006 - LISTING OF PERSONNEL ERROR MESSAGES(SINQ) - UNTIL CLEAR
*E0003 - PACT/PRES STATUS REPORT 26 PAY PERIODS
* RETAIN THE LAST REPORT FOR THE PAY PERIOD

REPORTS TO BE RUN AFTER T&A TRANSMISSION: **RETENTION PERIOD**

CULPRIT REPORTS:

**P0013 - LISTING OF T&A'S NOT RECEIVED AT NFC - 26 PAY PERIODS
**P0099 - T&A'S WITH MISSING PERSONNEL ACTIONS - 26 PAY PERIODS
** RUN UNTIL CLEAR - RETAIN THE LAST REPORT FOR THE PAY PERIOD

REPORTS GENERATED BY NFC:

* DOJ and NFC GENERATED *
T&A CONFIRMATION & "RECEIVED" REPORTS 26 PAY PERIODS

REPORTS TO BE RUN AFTER BEAR: **RETENTION PERIOD**

CULPRIT REPORTS:

P0049 - AUDIT TRAIL OF LEAVE UPDATED 26 PAY PERIODS
P0053 - T&A ERROR LISTING 26 PAY PERIODS
P0152 - LEAVE ERROR REPORT 26 PAY PERIODS
P0159 - SPPS ANALYSIS-QSR PAYMENT BY REASON CODE 26 PAY PERIODS
(If SPPS utilized)
P0160 - SPPS - TRANSACTION REGISTER 26 PAY PERIODS
(If SPPS utilized)

FOCUS REPORTS (THROUGH BATCHFOC):

"UNPAID REPORT" - (DJ1) - MENUHRMS - T&A REPORTS - EMPLOYEES
NOT PAID FOR CURRENT PAY PERIOD - 26 PAY PERIODS

BOPACCTG - (BPS) SUMMARY OF ACCOUNTING CODES BY DEPARTMENT
(May be submitted to Business Office FMIS ID for accounting code verification). - 26 PAY PERIODS

* PCTAUD2 - (BPS) EMPLOYEES' T&A DATA AS TRANSMITTED TO NFC.
Sorted by Organization Code. - 26 PAY PERIODS

OR

PCTAUD2A - (BPS) EMPLOYEES' T&A DATA AS TRANSMITTED TO NFC.
Sorted by T&A Contact Point. - 26 PAY PERIODS*

MINIMUM REPORT REQUIREMENTS (Continued)

REPORTS TO BE RUN AFTER BEAR (Continued): **RETENTION PERIOD**

REPORTS GENERATED BY NFC:

U0003 - LISTING OF DOCUMENTS PROCESSED IN PPD 26 PAY PERIODS

FOCUS REPORTS (THROUGH BATCHFOC) TO BE RUN ANNUALLY:

* MILLVRPT - (BPS) MILITARY LEAVE USAGE REPORT
Must be run AFTER PAYE for the last pay period IMMEDIATELY PRIOR to the pay period containing the beginning of the new fiscal year - Oct 1).***

COMPBAL - (BPS) COMPENSATORY TIME REPORT
Must be run before May 1st, and also before September 1st. Must be distributed to supervisors to assist them in scheduling prior year compensatory time for their employees before the end of the leave year, if practical.***

Must be run AFTER PAYE has run for Pay Period 26 and before Pay Period 01 has been processed.***

*** RETAIN FOR ONE YEAR

OTHER RECOMMENDED REPORTS:

FOCUS REPORTS (THROUGH BATCHFOC) TO BE RUN ANNUALLY:
Should be run AFTER PAYE has run for Pay Period 26 and before Pay Period 01 had been processed.

FFLARPT - (BPS) FAMILY FRIENDLY LEAVE ACT REPORT
(Does not fulfill all reporting requirements - timekeepers must still maintain manual logs)

LVUSAGE - (BPS) ANNUAL AND SICK LEAVE USAGE REPORT

USELOSE - (BPS) USE OR LOSE ANNUAL LEAVE REPORT (AS OF THE CURRENT PAY PERIOD) - (May also be run for any pay period to check current use-or-lose status) *

FOCUS REPORTS (THROUGH BATCHFOC):

MENUAAP - (BPS) INSTITUTION REPORTS -
INSTITUTION NEW HIRES REPORT
INSTITUTION SEPARATIONS REPORT
FORCEREL - (BPS) INCORRECT ACCTG INFO THAT NFC FORCED THROUGH
(May be used to detect accounting code errors)
STARTUP8 - (BPS) PAY/HOURS SUMMARY

STARTU17 - (BPS) DETAIL PAID REPORT

* Other FOCUS reports available on MENUBPS (BPS) under Leave Reports. *

TIMEKEEPER INFORMATION SHEET

PLEASE (CIRCLE ONE) ADD / CHANGE / DELETE
THE FOLLOWING EMPLOYEE'S PC-TARE INFORMATION:
TIMEKEEPER: _____
EFFECTIVE PAY PERIOD: _____
ACCOUNTING DATA: _____

ITEMS 1 THRU 60 ARE CHANGES TO THE MASTER RECORD:

1. SSN: _____ 2. NAME: _____
3. CHANGE C.P.? Y N

4. PAY PLAN: (GS) _____ (WG) _____ (OT) _____

5. TYPE OF EMPLOYMENT: (FT) _____ (PT) _____ (INT) _____

6. PT UNAPPLIED A/L CARRY: _____

7. PT UNAPPLIED S/L CARRY: _____

8. DUTY HOURS PER PAY PERIOD (PT ONLY): _____

9. APPT LIMIT DAYS OR INT: _____

10. ANNUAL LEAVE CEILING: _____

12. ALTERNATE WORK SCHEDULE: _____

13. USING SPECIAL PREFIX/SUFFIX: _____

THE FOLLOWING ARE BEGINNING BALANCES FOR THIS PAY PERIOD:

51. ANNUAL LEAVE FWD: _____
52. SICK LEAVE FWD: _____
53. COMP LEAVE FWD: _____
54. LWOP LEAVE FWD: _____
55. AWOL LEAVE FWD: _____
56. SUSP LEAVE FWD: _____
57. MILR LEAVE FWD: _____
58. MILE LEAVE FWD: _____
59. A/L CATEGORY: _____
60. S/L CATEGORY: _____

THE FOLLOWING ITEMS ARE CHANGES TO NORMAL T & A KEYING:

STATUS CHANGE/START: _____ END: _____

OATH OF OFFICE: _____ FINAL: _____

SUSPENSION: TC:73 HRS: _____ DATE: _____

))))))

Attachment 6-8

U.S. Department of Justice

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Washington, DC 20534

(Sample)

MEMORANDUM FOR HUMAN RESOURCE MANAGER

FROM:

SUBJECT: Compressed Work Schedule Request

Attached is a copy of the proposed compressed work schedule for the Unit Management Staff. The type of schedule being requested is 4/10-hour days per week.

	Sun	Mon	Tue	Wed	Thur	Fri	Sat
Unit Manager	Off	7:30 to 4:00	12:30 to 9:00	7:30 to 4:00	7:30 to 4:00	7:30 to 4:00	Off
Secretary	Off	7:30 to 4:00	7:30 to 4:00	7:30 to 4:00	7:30 to 4:00	7:30 to 4:00	Off
Case Manager	Off	Off	7:30 to 6:00	7:30 to 6:00	7:30 to 6:00	12:00 to 10:00	Off
Counselor	Off	Off	7:30 to 6:00	7:30 to 6:00	12:00 to 6:00	12:00 to 10:00	Off
Counselor	Off	Off	Off	7:30 to 6:00	7:30 to 6:00	12:00 to 10:00	12:00 to 10:00
Case Manager	Off	12:00 to 10:00	12:00 to 10:00	7:30 to 6:00	7:30 to 6:00	Off	Off
Counselor	7:30 to 6:00	7:30 to 6:00	12:00 to 10:00	12:00 to 10:00	Off	Off	Off

(Director's preferred format for Central Office memorandums.)

U.S. Department of Justice

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Washington, DC 20534

(Sample)

MEMORANDUM FOR HUMAN RESOURCE MANAGER

FROM: President, AFGE Local #

SUBJECT: Compressed Work Schedule Request

The union has reviewed the proposed compressed work schedule submitted by the _____ department. This is to advise you that AFGE Local _____ has no objections to the implementation of this schedule.

(Director's preferred format for Central Office memorandums.)

MEMORANDUM OF UNDERSTANDING

My signature on this memorandum affirms that I agree to work a compressed 80-hour biweekly work schedule. I understand that this schedule consists of diversified hours, i.e., four 10-hour days a week, or eight 9-hour days and one 8-hour day in a biweekly pay period.

I acknowledge that the compressed work schedule has been fully explained and is understood as an option to the regular work schedule. Additionally, I agree to return to standardized working hours should this schedule have an adverse impact on the operation of the institution as determined by the CEO.

I understand and agree to the conditions of alternative work schedules as stated in 5 CFR 610, Subpart D, as they apply to premium pay and leave administration.

In addition, I understand that most periods of travel or training can be accommodated without changing the compressed schedule. However, if the travel or training will conflict with a scheduled non-work day, the schedule will be altered to change the non-work day for that pay period.

_____	_____
Signature/Title	Signature/Title
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMPRESSED WORK SCHEDULE (CWS)
SUPERVISORY PRE-IMPLEMENTATION QUESTIONNAIRE

INSTRUCTIONS: In order to assess the effectiveness of the compressed work schedule, you are to examine the results of the CWS relative to proposed goals, objectives and expectations for undertaking the compressed schedule. As the supervisor, you are to complete this questionnaire with the request for a compressed work schedule. In completing this questionnaire, give careful consideration to existing sources of information on the operation of the department/unit, including program or operational reviews, climate surveys, institution character profiles, and employee performance evaluations. You will conduct an evaluation of the CWS 6 months after implementation, at which time you will assess the outcomes of the CWS relative to the goals, objectives and expectations detailed in this questionnaire.

1. Department/Unit Productivity: What do you anticipate will happen to the level of productivity in the department/unit? Include as many measurable outcomes as possible. For example, do you expect overtime costs to decrease, or an increase in coverage during shift changes?

2. Level of Service Provided to the Public: To what extent will the level of services furnished to the public increase or diminish?

3. Cost of Agency Operations: To what extent will the cost to the agency increase or decrease?

_____

_____

Institution
Department/Unit

Name (**Printed**)

Signature Date

SIX MONTH SUPERVISORY ASSESSMENT OF COMPRESSED WORK SCHEDULE

INSTRUCTIONS: The purpose of this questionnaire is to evaluate the effectiveness of the compressed work schedule on the department/unit which you directly manage. To properly assess the overall utility of the compressed work schedule, it is important we obtain objective data from supervisors. Management decisions regarding the continuation of the compressed work schedule will be based, in part, on the results of this questionnaire. Please answer the following as they relate to the impact of the CWS on agency operations, specifically, costs, productivity, and level of service.

As a result of your department's/unit's participation in a compressed work schedule, indicate with a percentage in the appropriate box, the extent to which the following increased or decreased as a result of the CWS in your department/unit.

The percent increase or decrease should be based on comparing data before implementation of the CWS to data from the period during the CWS. This data can consist of employee or departmental/unit records (e.g. sick leave hours, overtime hours, performance records, etc.). For example, to determine the extent sick leave has changed, you should compare employee records of sick leave use prior to implementation to records of sick leave use during the CWS. Data can also consist of your observations (e.g. observations of fatigue, etc.). For example, to assess changes in the level of fatigue, you could observe the level of fatigue of your staff under the CWS and compare it to your observations of staff fatigue prior to implementation. Because observations are open to subjective biases, you should attempt to collect as much objective data and information as possible.

Following the completion of the table, you will be required to provide data to document any changes in costs, productivity, or service to the public which exceeds 10%.

COSTS	PERCENT DECREASE	NO CHANGE	PERCENT INCREASE
Use of sick leave.			
Use of overtime/compensatory time.			
Staffing requirements.			
Overall cost to operate department/unit.			
PRODUCTIVITY	PERCENT DECREASE	NO CHANGE	PERCENT INCREASE
Quality of work by your staff.			
Volume of work produced by staff.			
Staff completing work on time.			
Attendance of staff at meetings.			
Responsiveness of your staff to unanticipated work requests.			
SERVICE TO THE PUBLIC	PERCENT DECREASE	NO CHANGE	PERCENT INCREASE
Service to clients (e.g., inmates, public, other departments and agencies, Unicor customers, etc).			
Providing staff coverage to other departments as needed.			
Level of fatigue in department/unit.			
Staff’s responsiveness to institution emergencies.			
Ability to fill vacancies or retain employees in department.			

PROVIDE SPECIFIC DATA TO DOCUMENT ANY *INCREASES OR DECREASES* GREATER THAN 10% IN PRODUCTIVITY, SERVICE TO THE PUBLIC, OR COSTS TO THE AGENCY:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

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_____

_____

_____

_____

_____

_____

_____

_____

RECOMMENDED ACTION: _____ **DISCONTINUE THE COMPRESSED WORK SCHEDULE**

_____ **CONTINUE THE COMPRESSED WORK SCHEDULE**

_____

_____

Institution

Department/Unit

_____

_____

Name **(Printed)**

Signature Date

CONFIDENTIAL EXIT SURVEY FOR SEPARATING EMPLOYEES

Instructions

This is a questionnaire to find out a few important facts about the perceptions and opinions of the people who leave the Bureau of Prisons. This information will be used to examine employee turnover and to point out areas where the agency needs improvement.

Although you have left the Bureau, your opinions are considered very valuable and will help us to improve the overall work environment for remaining and new employees. We hope this information will assist us to make improvements at the BOP so that we can prevent any future loss of valuable employees like yourself.

On the following pages, you will find questions about how you felt toward your job. If you held more than one position during your tenure, please respond based on your feelings toward your most recent position. Please answer each item as honestly and frankly as possible. If any question seems objectionable to you, feel free to skip over it.

You can be assured that your responses are completely confidential. In order to maintain this confidentiality, please do not put your name on any part of this questionnaire. The Human Resource Research and Development Section in the Central Office will automate the data by combining your answers with those of other departing employees to examine general statistical trends in employee turnover. To aid in this analysis, it is necessary to ask for the last six digits of your social security number. This will not be used to identify any individual but is needed for the computerization of the data. All responses constitute research information that is protected from disclosure under provisions of law (Privacy Act of 1974). Any violation of confidentiality of data in this survey should be reported to the Inspector General of the Department of Justice and to the Bureau's Personnel Director at (202) 307 7886.

This survey should take no more than 15 minutes to complete. To insure confidentiality, please complete it as soon as possible and return it directly to Central Office in the enclosed, self-addressed, business reply envelope.

Thank you for your time and consideration in filling out this questionnaire.

Instructions: Listed below are a number of reasons employees have given for leaving the BOP. Indicate the degree of importance each reason had in your decision to leave the BOP by checking one of the five alternatives beside each reason.

	Not Important 1	Somewhat Important 2	Important 3	Very Important 4	Extremely Important 5
Dissatisfied with type of work					
Lack of variety of work assignments					
High workload					
Small workload					
Work assignments seemed insignificant					
Lack of resources or staff to properly perform job					
Dissatisfied with duties of position					
Job did not meet expectations					
Dislike working with inmates					
Unsafe working with inmates					

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	Not Important 1	Somewhat Important 2	Important 3	Very Important 4	Extremely Important 5
Dissatisfied with shift work					
Lack of say in decision-making					
Lack of responsibility and authority					
Skills and abilities not used adequately					
Dissatisfied with working conditions					
Dissatisfied with status of occupation					
Fear or concern of AIDS-infected inmates					
Personality conflicts with supervisor/management					
Dissatisfied with treatment by supervisors					

	Not Important 1	Somewhat Important 2	Important 3	Very Important 4	Extremely Important 5
Incompetence or unprofessionalism of supervisor					
Lack of support from management					
Lack of communication and feedback from supervisors					
Personality conflicts with co-workers					
Dissatisfied with treatment by co-workers					
Incompetence or unprofessionalism of peers					
Dissatisfied with pay					
Rewards were unrelated with effort					
Dissatisfied with sick leave procedures					

	Not Important 1	Somewhat Important 2	Important 3	Very Important 4	Extremely Important 5
Dissatisfied with annual leave procedures					
Dissatisfied with benefits					
Dissatisfied with possibility of being transferred					
Transfer requests unfulfilled					
Lack of advancement or promotion opportunities					
Lack of educational opportunities					
Lack of training opportunities					
Career development is too slow					
Dissatisfied with direction of career development					
Return to school					
Medical or physical reasons					
Marriage or family reasons					

	Not Important 1	Somewhat Important 2	Important 3	Very Important 4	Extremely Important 5
Undesirable geographic location					
Cost of living					
Race or ethnic discrimination					
Sex discrimination					
Age discrimination					

	Very Inaccurate A	Somewhat Inaccurate B	Unsure C	Somewhat Accurate D	Very Accurate E
1. Prior to accepting a job with the BOP, how accurate and realistic was the information you were given regarding the position you first held?					
2. Prior to accepting a job with the BOP, how accurate was the information you were given regarding the positive aspects of the position you first held?					
3. Prior to accepting a job with the BOP, how accurate was the information you were given regarding the negative aspects of the position you first held?					

4. Are you aware of the BOP's Employee Development Program?

A. _____Yes
B. _____No

If so, did you use this program to assist you in the jobs you held with the Bureau?

A. _____Yes
B. _____No
C. _____Not Really

If so, did you feel that it benefitted you while you were with the Bureau?

A. _____Yes
B. _____No
C. _____Not Really

5. Do you feel that someone took a personal interest in you and attempted to help you succeed while you were at the BOP?

A. _____Yes
B. _____No
C. _____Unsure

If so, please state this person's job title (for example, Correctional Officer, Lieutenant, Chief Psychologist, Personnel Officer).

_____

6. How often did you think of quitting your position at the BOP?

A. _____Never

B. _____Rarely

C. _____Sometimes

D. _____Often

E. _____Always

7. How long did you intend on staying at the BOP?

A. _____1 year or less

B. _____1 to 5 years

C. _____5 to 10 years

D. _____Entire career

E. _____Do not know

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8. Overall, how much were your expectations about the BOP met?

A. _____My expectations were totally unfulfilled
B. _____My expectations were partially met
C. _____My expectations were mostly met
D. _____My expectations were completely met

9. In your opinion, what is the availability of jobs in your area of expertise at your level of experience?

A. _____There are very few jobs available in my field
B. _____There are some jobs available in my field
C. _____There are quite a few jobs available in my field
D. _____There are plenty of jobs available in my field
E. _____Not certain

10. Are you presently employed? _____Yes _____No
IF YOU ANSWERED "NO", PLEASE SKIP TO QUESTION 15

11. Do you feel that the overall reason why you left the BOP is because of the undesirable characteristics of the BOP (and your job) or the desirable characteristics of the company you joined, or both?

A. _____Undesirable characteristics of the BOP
B. _____Desirable characteristics of the new company
C. _____Both

12. Does your present position pay better than the job you held in the BOP?

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A. _____Present position pays more

B. _____Present position pays less

C. _____Present position pays about the same

13. Does your present position offer more advancement or promotion opportunities than the job you held in the BOP?

A. _____Present position offers more promotion opportunities

B. _____Present position offers less promotion opportunities

C. _____Present position offers about the same promotion opportunities

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14. Knowing what you know now, if you had to decide all over again whether to take the job(s) you held in the BOP, what would you decide?

A. _____Definitely would not take same job
B. _____Probably would not take same job
C. _____Undecided
D. _____Probably would take same job
E. _____Definitely would take same job

15. All things considered, how satisfied were you with the position(s) you held in the BOP?

A. _____Very dissatisfied
B. _____Somewhat dissatisfied
C. _____Neutral
D. _____Somewhat satisfied
E. _____Very satisfied

16. Overall, how satisfied were you with your present institution (or Regional/Central Office, Staff Training Center or Community Corrections Office)?

A. _____Very dissatisfied
B. _____Somewhat dissatisfied
C. _____Neutral
D. _____Somewhat satisfied
E. _____Very satisfied

17. Overall, how satisfied have you been with the Bureau of Prisons?

A. _____Very dissatisfied
B. _____Somewhat dissatisfied

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C. _____Neutral

D. _____Somewhat satisfied

E. _____Very satisfied

18. Would you ever consider returning to work for the BOP?

A. _____Definitely

B. _____Possibly

C. _____Uncertain

D. _____Probably not

E. _____Never

19. Name of Institution you separated from:

_____

20. Job Title:

_____

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21. Please give a brief description of the circumstances surrounding your decision to leave the BOP.

22. What is the primary change needed to improve the prison service?

23. When did you attend training in Introduction to Correctional Techniques at FLETC Glynco?

Please specify the year you attended training _____
(year)

Please check which time period you began training:

_____Quarter 1 (January - March)
_____Quarter 2 (April - June)
_____Quarter 3 (July - September)
_____Quarter 4 (October - December)

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24. Before separating from the BOP, how long have you lived at your current address?

_____years _____months

25. How many times have you moved in the last 5 years? _____

26. At your current address, do you own _____ rent _____ other_____

27. Marital status _____single _____married

_____separated/divorced _____widowed

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28. How many people are living at home and depend on you financially? _____

Please list each of their ages:_____

29. How many other persons are financially dependent on you, but are not living at home? _____

Please list each of their ages: _____

30. Last six digits of your Social Security Number:

X X X - _ _ - _ _ _ _

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CONFIDENTIAL EXIT INTERVIEW REPORT
FOR INTERVIEWING OFFICIAL

Instructions

Use of this form is optional at the discretion of the Chief Executive Officer. If exit interviews are conducted, the first part of this report should be completed by the interviewing official and then given to the local Human Resource Manager. The Human Resource Manager will complete the second part of the form. If the separating employee refuses the interview or cannot be interviewed, the interviewer should complete as many items as possible using known or available information and add a comment documenting the lack of a personal interview.

TO BE COMPLETED BY THE INTERVIEWING OFFICIAL

1. Employee's Name: _____

2. Primary reason employee is leaving the Bureau of Prisons

   1. _____Optional retirement
   2. _____Mandatory retirement
   3. _____Disability retirement
   4. _____Transfer to another government agency
   5. _____Resignation
   6. _____Resignation in lieu of termination
   7. _____Expiration of appointment
   8. _____Termination
   9. _____Reduction in force

3. Describe in your own words why this employee says he/she is leaving.

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4. Describe in your own words why <u>you think</u> this employee is leaving.

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5. Demographic Data

The interviewer should explain to the employee that we need to collect some demographic information from him/her so we can examine any trends in the types of employees leaving the BOP. This information is essential to determine if any particular groups are leaving the BOP at a greater rate than other groups. This information may be valuable in helping to improve the BOP.

Age: _____years

Sex: 1 = male 2 = female _____

Ethnic group: 1 = african american _____
2 = white
3 = hispanic
4 = other (specify_____

Marital status: 1 = single _____
2 = married
3 = separated or divorced
4 = widowed

Children at home? 1 = yes 2 = no _____

Educational level: _____
1 = some high school or technical training
2 = high school degree or GED
3 = some college
4 = associate's degree
5 = bachelor's degree

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6 = some graduate work

7 = graduate degree

Number of prior non-BOP jobs held: _____

(Permanent, full-time jobs only)

Union member: 1 = yes 2 = no _____

6. General comments:

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locally reproduced via wordprocessing)

7. Interviewer's name (printed) _____

Title (printed) _____

Institution (printed) _____

Signature and Date: _____

TO BE COMPLETED BY LOCAL HUMAN RESOURCE MANAGER

8. Time with BOP: _____years _____months

9. Time at this institution/location: _____years _____months

10. Date of latest promotion: __ __ - __ __ - __ __
month day year

11. Time in present position: _____years _____months

12. Social Security Number: __ __ __ - __ __ - __ __ __ __

13. Job Title: _____

14. Job Pay Plan/Series: __ __ - __ __ __ __

15. Grade: __ __

16. Is position supervisory? 1 = yes 2 = no _____

17. Job status: 1 = permanent 2 = temporary _____

18. Work schedule: 1 = full-time 2 = part-time _____

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locally reproduced via wordprocessing)

19. Date of separation: __ __ - __ __ - __ __
month day year

20. Institution: _____ (__ __ __)
code

21. Date of last performance rating: __ __ - __ __ - __ __
month day year

22. Overall rating: 1 = unsatisfactory ____
2 = minimally satisfactory
3 = fully successful
4 = exceeds
5 = outstanding
6 = no rating reported

23. HRM Name (Printed): _____

HRM Signature and Date: _____

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SENSITIVITY DETERMINATION CHART

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5   +)))))))))))))))))),        *    +)))))))))))))))))))))))), 5
5   *SPECIAL SENSITIVE *        *    * NON-CRITICAL SENSITIVE * 5
5   *    HIGH RISK     *        *    *      MODERATE RISK     * 5
5   .)))))))))))))))))-         *    .))))))))))))))))))))))-  5
5  SINGLE SCOPE BACKGROUND      *        LIMITED BACKGROUND     5
5INVESTIGATION UPDATE (SBI)     *        INVESTIGATION          5
5Director                       *                               5
5Asst. Directors                *                               5
5Regional Directors             *                               5
5Witness Security Program       *                               5
5  -Asst. Admin. Inmate Mon.    *                               5
5   Section                     *                               5
5  -Chief Inmate Monitoring     *                               5
5  -Chief Locator Svcs.         *                               5
5  -Regional CIM Coordinator    *                               5
5FEMA Rep. - all locations      *                               5
5Positions with access to Top   *                               5
5  Secret National Security     *                               5
5  Information                  *                               5
:444444444444444444444444444444I                               5
5  +)))))))))))))))))))),       *                               5
5  * CRITICAL SENSITIVE *       *                               5
5  *     HIGH RISK      *       *                               5
5  .)))))))))))))))))))-        *                               5
5   FULL FIELD BACKGROUND       *                               5
5   INVESTIGATION UPDATE        *                               5
5                               *                               5
5ALL LOCATIONS                  *                               5
5All staff with access to       *                               5
5  Secret or Confidential       *                               5
5  National Security            *                               5
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5  Information                  *                                  5
5All ADP-computer positions     *                                  5
5  involved in the direction,   *                                  5
5  planning and design of a     *                                  5
5  system or who may access     *                                  5
5  a system with high risk of   *                                  5
5  damage                       *                                  5
5                               *                                  5
5INSTITUTION LEVEL              *                                  5
5Warden                         *                                  5
5Associate Wardens              * All other positions              5
5* Executive Assistant *        *                                  5
5Camp Superintendent            *                                  5
5Assistant Camp Superintendent  *                                  5
5Secretaries to Warden/Assoc.   *                                  5
5  Warden/*Camp Superintendent/ *                                  5
5  Asst. Camp Superintendent*   *                                  5
5Human Resource Manager         *                                  5
5Personnel Security Specialist  *                                  5
5Controller                     *                                  5
5Captain                        *                                  5
5Special Investigative Agent    *                                  5
94444444444444444444444444444444N444444444444444444444444444444448
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SENSITIVITY DETERMINATION CHART (Cont'd)

CRITICAL SENSITIVE **HIGH RISK**	**NON-CRITICAL SENSITIVE** **MODERATE RISK**
FULL FIELD BACKGROUND INVESTIGATION UPDATE	LIMITED BACKGROUND INVESTIGATION
INSTITUTION LEVEL CONTINUED	
Computer Specialist	
Paralegal Specialist	
Case Management Specialist	
Security Officer (Locksmith)	
Electronics Technician	
	All other positions
REGIONAL LEVEL	
Deputy Regional Director	
Executive Assistant	
Regional Director/Deputy	
Regional Director Secretary	
All Regional Administrators	
	All other positions
CENTRAL OFFICE LEVEL	
Director's Office Staff	
Senior Deputy Asst Director	
Deputy Assistant Director	
Executive Assistant	
Assistant/Senior Deputy Asst/	
Deputy Assistant Director's	
Secretary	

5All Branch Chiefs * 5
5All Section Chiefs * 5
5All Personnel Security Staff * 5
5 * All other positions 5
5<u>TRAINING CENTERS</u> * 5
5T.C. Directors * 5
5T.C. Administrators * 5
5T.C. Director's Secretary * 5
5Human Resource Managers * 5
5Personnel Security Specialist * 5
5Controller * 5
5Instructional Systems Design * 5
5 Section Chiefs & Special * 5
5 Projects Manager * 5
5 * 5
5 * 5
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5 * 5
94444444444444444444444444444444N444444444444444444444444444444448

NOTICE TO APPLICANT

As part of the selection process, shortly you will be interviewed regarding information in your background in order to help determine your suitability for employment in the Federal Prison System.

Please read the following items and ensure that you understand them. A member of the Personnel Office staff will be available to answer any questions you might have in this regard.

1. The Position for which you are applying has been designated as "Sensitive" for national security purposes.

2. You will be asked a number of questions about yourself and your past and current behavior to help this agency determine your suitability and qualifications for the position. These questions are asked of all applicants of sensitive positions.

3. It is very important that you be truthful and honest in the interview.

4. You will be asked to sign a statement at the conclusion of the interview stating that the interview findings are accurate and true.

5. The veracity of many of your responses will be checked through a urinalysis and through a detailed background investigation. Failure to disclose facts or concealment of information sought is often more serious in the employment process than would be the disclosure of possibly derogatory information.

6. The information from this interview will be used primarily to determine your fitness for Federal employment. Other uses related to employment in the Federal government include obtaining a security clearance, and evaluating qualifications, suitability and loyalty to the U.S. Government. This information may be furnished to Federal, state, local or public agencies only in extreme circumstances and only for purposes authorized by

statue or Executive Order. Other than this exception, this information will be held strictly confidential, used principally for employment purposes, and not revealed to parents, relative, past, current, or future employers or anyone other than those in the Bureau of prisons involved in the selection process.

7. You are not required to supply the information requested in the interview, but failure to furnish all or part of the information requested could delay or suspend the processing of your employment and could result in your not being considered for employment.

I have read the above statements and have received clarification on any of the items I did not understand.

_____ _____

Applicant's signature Date

AUTHORITY FOR RELEASE OF INFORMATION

TO WHOM IT MAY CONCERN:

I hereby authorize any duly accredited representative of the Federal Bureau of Prisons bearing this release, or a copy thereof, within one year of its date, to obtain any information from my medical history. I hereby direct you to release such information upon request of the bearer. I understand that the information released is for official use by the Bureau of Prisons and may be disclosed to such third parties as necessary in the fulfillment of official responsibilities.

I hereby release any individual, including record custodians, from any and all liability for damages of whatever kind or nature which may at any time result to me on account of compliance, or any attempts to comply, with this authorization. Should there be any question as to the validity of this release, you may contact me as indicated below.

Signature (Full Name): _____

Full Name: _____

Other Names Used: _____

Parent or Guardian (if required): _____

Date: _____

Current Address: _____

_____

_____

Telephone Number: _____

Privacy Act Notice

Authority for Collecting Information. E.O. 10450, 5 USC 1303-1305, 42 USC 2165 and 2455, 22 USC 2585 and 2519, and 5 USC 3301.

Purposes and Uses. Information provided on this form will be furnished to individuals in order to obtain information regarding your activities in connection with the use of drugs to determine fitness for Federal employment in a federal correctional institution. The information obtained may be furnished to third parties as necessary in the fulfillment of official responsibilities.

Effects of Nondisclosures. Furnishing the requested information is voluntary, but failure to provide all or part of the information may result in a lack of further consideration for employment clearance or access, or in the termination of your employment.

Date

Name of Contact
Address
Town, State 12345

Dear Sir/Madam:

The person identified below has applied for federal employment, and has given your name as a personal reference or as a present or former supervisor or employer.

We must rely on persons such as yourself to help us determine whether applicants meet the requirements for good character and unquestionable loyalty to the United States Government. Therefore, we ask that you complete the form on the back side of this letter. Please be entirely frank, answering all questions as specifically as you can. All information given will be kept strictly confidential.

If possible, please return the letter and form within seven days. An envelope requiring no postage is enclosed for your convenience. If you should have any questions or concerns, please contact me at (555) 555-5555. Thank you for your assistance in this matter.

Sincerely,

(name)
Human Resource Manager

NAME OF APPLICANT: _____

SOCIAL SECURITY NUMBER: _____

DATE OF BIRTH: _____

DATES OF EMPLOYMENT CLAIMED: _____

TITLE OF JOB APPLYING FOR: _____

INQUIRY CONCERNING APPLICANT FOR EMPLOYMENT

+))))))

))))))))))))))))))1
* C. ABILITY TO SUPERVISE OTHERS * * *
*
/))))))))))))))))))

* YES * NO *
/))))))

))))))))))))))))-

Date

Records Department
Address
Town, State 12345

Dear Sir/Madam:

The individual listed below is being considered for employment as a (title of position) with the Federal Bureau of Prisons, (name of facility) in Town, State. Please advise us of any arrest record for:

NAME:
SSN:
DOB:

ARREST RECORD

DATE	PLACE	CHARGE	DISPOSITION

Please check here _____ if you have **no** record of any arrests.

_____
Signature/Position Title

If possible, please return this form within seven days. An envelope requiring no postage is enclosed for your convenience. Thank you for your continued support of our agency.

Sincerely,

(name)
Personnel Officer

Attachment: Release Authorization
Return Envelope

U.S. Department of Justice
Federal Bureau of Prisons

_____

Your Institution Name
Address

(Date)

MEMORANDUM FOR CONNIE DARNE', CHIEF
SECURITY & BACKGROUND INVESTIGATION SECTION

FROM: (Name), Warden
(Institution)

SUBJECT: Certification of Pre-Employment Procedures

This is to certify that the below-referenced individual has been selected for employment based upon satisfactory pre-employment screening. The background investigation has been initiated as documented by the information shown.

Appointee's Name: _____

Social Security Number: _____

Date of Birth: _____

Place of Birth: _____

OPM Case Number: _____

Receipt Date: _____

OPM-FIPC Liaison Officer: _____

Institution/Employing Office: _____

Submitting Office Number (SON): _____

Anticipated EOD Date: _____

Personnel Staff Contact Person: _____

Remarks: _____

_____

_____

_____

SAMPLE REQUEST FOR BACKGROUND INVESTIGATION UPDATE

U.S. Department of Justice
Federal Bureau of Prisons

(Institution Letterhead)

(Date)

MEMORANDUM FOR Chief, Security & Background Investigation Section

FROM: Name/Title

SUBJECT: Background Investigation Update

Attached is the reinvestigation of Name and SSN. Please update this employee's security file.

Thank you for your assistance.

WAIVER OF SUBJECT INTERVIEW

I have been given an opportunity to verbally comment on information in my background investigation and have waived this opportunity. I understand that the Department of Justice will adjudicate my case on the information in the background investigation.

Signature	Date
Witness	Date

AGREEMENT TO SUBJECT INTERVIEW

I agree to discuss information in my background investigation with Department of Justice officials and certify that my answers will be true, complete and correct to the best of my knowledge and belief, and will be made in good faith.

Signature	Date
Witness	Date

SAMPLE NOTICE TO EMPLOYEE - BACKGROUND INVESTIGATION ISSUES

(Name and Address of)
(Employee or Applicant)

Dear (Employee or Applicant):

A number of issues have arisen in connection with your background investigation which are of concern to the Bureau of Prisons. Accordingly, the Bureau of Prisons is extending to you the opportunity to comment on the information in your background investigation upon which the Bureau of Prisons intends to rely in determining whether to (extend you or continue your employment with the Bureau of Prisons and/or continued access to National Security Information. See note).

Enclosed are a statement of your legal rights and several written questions. Before answering any of the written questions, please read the statement of your rights, sign and date the statement, and return it to me immediately in the envelope provided.

If you choose to respond to any of the written questions, please note that certain answers must be explained in detail. In addition, you may furnish any other information which you believe should be considered by the Department of Justice in connection with your responses to these questions.

If you choose to answer any of the written questions, please complete the certification appended to the written questions. If you choose not to answer one or more of the written questions, please also complete the waiver.

Sincerely,

(Name and Title of BOP official sending the interrogatory)

Enclosures

(Note to Adjudicator: Written interrogatories may be used as follows:

in making an initial employment determination;

in the resolution of derogatory information that surfaces after the employment decision has been made;

in a determination for authorizing access to National Security Information.

The letter to the subject and "Notice of Rights" must be constructed to fit the appropriate circumstance.)

Notice of Rights to
(Name of Applicant or Subject)

Before you provide responses to any written questions regarding information contained in your background investigation, you must understand your legal rights.

1. You have the right to remain silent and not answer any of the written questions.

2. If you choose to answer only some of the written questions, you do not waive your right to remain silent with respect to the other written questions.

3. Any answers to the written questions which you furnish can be used against you in any proceeding, including criminal proceedings.

4. You have the right to seek advice from a representative before you answer any written questions.

5. With respect to any unanswered written questions, your eligibility for employment and/or access to National Security Information (See Note) with the Bureau of Prisons will be initially determined solely on the investigative information available to the DOJ.

6. If you choose to answer the written questions, you must return your answers to (Name, title and address of BOP official) within 15 working days, unless you request, for good cause shown, and are granted in writing, an extension not to exceed 15 working days by (Name of BOP official).

I certify that I have read this statement of my legal rights and

understand it. No promises or threats have been made to me, and no pressure or coercion of any kind has been applied against me, by any employee of the United States Government.

_____	_____
Signature of Subject	Date
_____	_____
Witness	Date

SAMPLE INTERROGATORIES

(Narrative)

A number of individuals, who were interviewed by the Office of Personnel Management in connection with your background investigation, indicate that you use cocaine on a regular basis. In addition, one source indicates that you use cocaine occasionally at parties.

(Request for Comments)

Please set forth your comments, if any, on the above information. You may use additional sheets of paper, if necessary.

(Introduction to Question)

In addition to any comments above, please answer the following.

(Primary Question)

A. Do you now or have you ever used cocaine?

_____ Yes _____ No

If yes, please answer the following. You may use additional sheets of paper, if necessary.

(Follow-up Questions)

1. How often do you use cocaine?

2. When was the last time you used cocaine?

3. Have you ever sold or distributed cocaine?

4. Have you ever been treated by a doctor for using cocaine?

(Ending Statement)

If you have nothing further to add or wish to furnish additional information, please check below.

_____ I have nothing further to add.

_____ Please consider the following additional information:

SAMPLE CERTIFICATION OF RESPONSE TO INTERROGATORIES

ATTENTION - THIS STATEMENT MUST BE SIGNED

Read the following paragraph carefully before signing this statement:

A false answer to any of the written questions may be grounds for terminating your employment (See Note) in a Bureau of Prisons position, and may be punishable by fine or imprisonment. All the information you give will be considered in reviewing your responses and is subject to investigation. (18 U.S.C. Sec. 1001)

CERTIFICATION - I CERTIFY that all of the statements made on these pages are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

_____ _____

Signature (sign in ink) Date

<u>Alternative or Additional Response</u>

I hereby waive the right to answer the above questions not answered by me. I understand that by my not answering the questions, the Bureau of Prisons will make an initial determination of my eligibility for employment in a Bureau of Prisons position based on the investigative information available.

_____ _____

Signature Date

(Note to Adjudicator: Written interrogatories may be used as follows:

in making an initial employment determination;

in the resolution of derogatory information that surfaces after the employment decision has been made;

in a determination for authorizing access to National Security Information.

The letter to the Subject, the "Notice of Rights" and the Certification must be constructed to fit the appropriate circumstance.)

CONTRACTOR PRE-EMPLOYMENT FORM

NAME _____

ADDRESS _____

_____

SOCIAL SECURITY NUMBER _____

Do you know or are you related to anyone who is currently an inmate in this or any other correctional institution? _____Yes _____No

If yes, please provide names, locations, relationships and describe any current or anticipated contact with the inmate(s).

Are there any criminal charges currently pending against you?

_____Yes _____No

If so, please provide charge, date arrested, court dates, docket numbers and any other pertinent details.

Are you now or have you ever been incarcerated or under correctional supervision (including home detention, probation, work release, etc.)? _____Yes _____No

If so, please provide dates of incarceration, sentence, location, charges, current status and any other pertinent details.

CERTIFICATION -- I certify that all of the statements made on these pages are true, complete and correct to the best of my knowledge and belief and are made in good faith.

_____ _____

Signature (sign in ink) Date

STATEMENT OF REGISTRATION STATUS

If you are a male born after December 31, 1959, and are at least 18 years of age, civil service employment law (5 U.S.C. 3328) requires that you must be registered with the Selective Service System, unless you meet certain exemptions under Selective Service law. If you are required to register but knowingly and willfully fail to do so, you are ineligible for appointment by executive agencies of the Federal Government.

___ I certify I am registered with Selective Service System.

___ I certify I have been determined by the Selective Service System to be exempt from the registration provisions of Selective Service law.

___ I certify I have not registered with the Selective Service System.

___ I certify I have not reached my 18th birthday and understand I am required by law to register at that time.

Non-Registrants Under Age 26. If you are under age 26 and have not registered as required, you should register promptly at a United States Post Office, or consular office if you are outside the United States.

Non-Registrants Age 26 or Over. If you were born in 1960 or later, are 26 years of age or older, and were required to register but did not do so, you can no longer register under Selective Service law. Accordingly, you are not eligible for appointment to an executive agency unless you can prove to the Office of Personnel Management (OPM) that your failure to register was neither knowing nor willful. You may request an OPM decision through the agency that was considering you for employment by returning this statement with your written request for an OPM determination together with any explanation and documentation you wish to furnish to prove that your failure to register was neither knowing nor willful.

Privacy Act Statement. Because information on your registration status is essential for determining whether you are in compliance with 5 U.S.C. 3328, failure to provide the information requested by this statement will prevent any further consideration of your application for appointment. This information is subject to verification with the Selective Service System and may be furnished to other Federal agencies for law enforcement or other authorized use in implementing this law.

False Statement Notification. A false statement may be grounds for not hiring you, or for firing you if you have already begun work. Also, you may be punished by fine or imprisonment. (Section 1001 of title 18, United States Code.)

_____

Legal signature of individual (please use ink)

_____

Date signed (please use ink)

FEDERAL PRISON RETIREES ASSOCIATION
Post Office Box 666
Morrow, Georgia 30260

Dear Friend:

As a retiree or prospective retiree of the Federal Bureau of Prisons, this communication is to advise you of the existence of the Federal Prison Retirees Association (FPRA). We are organized nationally to enable us to maintain ties with former co-workers, to promote continued fellowship, and to provide service in certain ways. We publish an annual directory of Association Members, and we publish six Newsletters each year. We have an annual meeting at a central point for all of our members. Our annual dues, effective January 1, 1995, are $10 for retirees and $6 for surviving spouses of retirees. Also, due to the Privacy Act of 1974, we cannot list your name in our Directory without your written approval. This Directory is only available to members of the FPRA.

If you desire to join the FPRA, please complete the enrollment form below, enclose the required annual fee of either $10 as a retiree, or $6 as a surviving spouse, and return it to the Federal Prison Retirees Association or FPRA, P.O. Box 666, Morrow, GA 30260.

FEDERAL PRISON RETIREES ASSOCIATION
P. O. BOX 666
MORROW, GA 30260

New /__/ Renewal /__/ membership for one year, $10 enclosed.
Survivor /__/ (widow/er) membership for one year, $6 enclosed.

The annual dues payment covers the calendar year period of January 1 through December 31.

NAME:_____ _____

(Type or print clearly) (Spouse's name)

ADDRESS:_____ Retired from:_____

(Name of institution)

_____ Date of retirement_____

_____ Date of birth_____

/__/ Yes Under the provisions of the Privacy Act of 1974, the Federal Prison Retirees Association has my permission

/__/ No to publish my name and address in organization publications.

_____ _____

(Signature) (Date)

STAFF UNIFORM ALLOWANCES

Effective February 14, 1991, the annual allowances for various uniforms prescribed by the Bureau of Prisons for use in performance of official duties are as follows:

Work Uniform	$300 per year
Food Service Uniform	$300 per year
Nurse Uniform	$400 per year
Dress Uniform	$400 per year
Recreation Uniform/ Staff Training Academy Instructor Uniform	$400 first year/$300 per year in subsequent years

NOTE: Correctional Security Officers and other Correctional Services employees who are authorized to wear both the work and dress uniforms are entitled to the full amount of the dress uniform allowance, but are not entitled to the work uniform allowance.

Employees exempt from wearing a uniform under provisions of Paragraph 10 are not authorized a uniform allowance.

AUTHORIZED STAFF UNIFORMS

	Dress		Work		Food Service		Recreation		Nurse	
	M	F	M	F	M	F	M	F	M	F
BLAZER, NAVY BLUE	X	X								
TROUSERS, MEDIUM GRAY	X									
SLACKS OR SKIRT, MEDIUM GRAY		X								
SHIRT, NICKEL GRAY			X	X						
TROUSERS, NICKEL GRAY			X	X						
SKIRT, NICKEL GRAY /1				X						
JACKET, NICKEL GRAY			X	X						
TROUSERS, NAVY BLUE					X		X			
SLACKS, NAVY BLUE			X/5	X/5		X		X		
SHORTS, NAVY BLUE /1			X/5	X/5			X	X		
SHIRT, WHITE	X	X								
SHIRT, WHITE OR LIGHT BLUE					X	X				
KNIT SHIRT, LIGHT BLUE							X	X		
SWEATER/WINDBREAKER /2	X	X	X	X	X	X	X	X	X	X
DRESS OR PANTSUIT, WHITE										X
TROUSERS AND SHIRT, WHITE									X	
SHOES, BLACK (S)	X	X	X	X	X	X	X	X		

	Dress		Work		Food Service		Recreation		Nurse	
	M	F	M	F	M	F	M	F	M	F
SHOES, WHITE									X	X
SOCKS, BLACK	X	X/3	X	X/3	X	X				
SOCKS, WHITE			X/5	X/5			X	X	X	X/4
SOCKS, NAVY BLUE							X	X		
NECKTIE, MAROON	X	X			X/1	X/1				
CROSSTIE, MAROON		X				X/1				
BELT, BLACK	X	X	X	X	X	X				
BALLCAP, NAVY BLUE			X	X	X	X	X	X		
SHIRT, WHITE [FLETC ONLY] (NOT MONOGRAMMED)	X	X								
POLO SHIRT, MAROON PULL-OVER [FLETC ONLY]			X	X						
SWEATSHIRT W/BOP EMBLEM, NAVY BLUE [FLETC ONLY]			X	X						

(S) Safety toe shoes must be worn in areas identified as foot hazard areas

/1 Optional, at the discretion of the Chief Executive Officer

/2 At the employee's option

/3 Neutral color hose or pantyhose optional

/4 White or neutral color hose or pantyhose optional

/5 Restricted to FLETC instructors only