

SUPERVISOR'S HANDBOOK

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Introduction

The Supervisor's Handbook provides information for new supervisors and/or managers to improve their understanding of federal civilian human resource management laws and processes.

This handbook is designed for military or civilian supervisors of US federal employees, who have authority to take, direct others to take, recommend or approve personnel actions.

Supervisor's Role

Definition – one who supervises or has charge and direction of/ directs or evaluates the performance of an employee's official duties.

Position Management

As a supervisor, you play a vital role in planning and directing the work assignments in your organization. Take time to evaluate the impact of position management on effectiveness, efficiency, staffing, and morale.

Good questions to ask:

- Do I have the right number of employees to accomplish the mission?
- Is the workload distributed among staff appropriately?
- Does workload fluctuate? (By time of day, week, year)
- Do employees have the right skills to accomplish the mission?
- What work must be done locally vs. outside the organization?

If you're new to your organization, take time to learn the organization before making changes. Listen to employees who've been around for awhile. They will have experience and lessons learned on what's worked and what hasn't. Make sure that employees are keeping within their official position descriptions. More information on describing and managing positions is below.

If you can, contact a counterpart in another section or another installation. You may find they have similar strengths and limitations, and can offer lessons in managing the organization for success.

Resource Management

Organizations are authorized positions based on mission requirements and workload. Civilian and military authorizations are listed on the Unit Manning Document (UMD) maintained by the Manpower office. The UMD includes information such as the number of positions authorized, grade/rank, and AFSC. Individuals hired above this authorization limit are called "overhires". Generally, units must provide funding for overhire personnel. The 39 ABW Corporate Board must approve all overhire requests. (FORM)

Classification

Position classification is a process through which Federal jobs (i.e., positions) are assigned to a pay plan, series, title, and grade, based on consistent application of Office of Personnel (OPM) standards. Position classification standards encourage uniformity and equity in the classification of positions by providing a common reference across organizations, locations, and agencies. Classification standards may cover one or many occupations. They usually include a description of the work performed; official titles; and criteria for determining grades.

Classification flyers describe the work, but refer the user to other standards or guides for

grading guidance. Some broad standards are issued as "functional guides" and provide criteria for determining the grade level of work in multiple occupations.

Position classification standards and guidance covering most Federal positions are accessible on the internet at: <http://www.opm.gov/fedclass/index.asp> for white collar positions, and <http://www.opm.gov/fedclass/html/fwsdocs.asp> for trades, craft, and labor positions.

A position, which has been identified as "supervisory", is typically classified by applying the General Schedule Supervisory Guide, online at <http://www.opm.gov/fedclass/gssg.pdf>. This guide can be used to evaluate the grade level of General Schedule supervisory positions, regardless of the occupation.

Accurate classification depends on position descriptions, called Core Personnel Document (CPD). You are responsible for preparing and certifying accurate CPDs. CPDs should be reviewed every two or more years to ensure the duties are current and reflect an accurate picture of the work assigned. These documents include duty statements, performance standards, and recruitment information.

Duty statements are descriptions of duties assigned to the position. Assigned work should fall within the scope of the position. CPDs typically have 3-5 major (or critical) duties. Each duty is assigned a percentage of time dedicated to this task. Performance standards are assigned to each duty that measure quality and quantity of work. Standards should be specific, measurable, attainable, and time-bound. Additionally, CPDs include the knowledge, skills, and abilities (KSA) required for successful completion of work. KSA's are used to qualify individuals for the position in the recruitment process.

Preparing a Core Personnel Document (CPD)

Once you've determined the work required to accomplish the mission, you're ready to prepare a CPD.

First, identify the Pay Plan/Title/Series/Grade. Example:

Pay Plan: General Schedule (GS)
Title: Secretary
Series: 0318
Grade: 05

The General Schedule pay plan is most common for white-collar civilian positions (working in an office setting). Wage Grade and Wage Labor pay plans exist among traditionally blue-collar positions. Titles are generally prescribed by OPM classification standards. Series are determined by classification standards and may loosely be compared to the AFSC used to categorize uniformed/military positions. Grade is determined by classification standards in the federal evaluation system. Supervisors may not upgrade a position based on performance of an individual or use the grading system as a recruitment or retention incentive. Supervisors should use awards and other incentives for this purpose.

The Air Force Manpower Agency (AFMA) has developed a library of Standard Core Personnel Documents (SCPD) applicable to many Air Force positions. The SCPD Library is a useful and time-saving resource for supervisors and should be your first stop for help in developing CPDs. In many cases, you will find the SCPD can be applied to your position without any changes. It is Air Force policy to use these SCPDs to the maximum extent possible.

If an SCPD exists for your position, and you choose not to use it, you must obtain a waiver from HQ USAFE.

Link:

When you complete development of your SCPD or CPD, you should sign the supervisory block, certifying to its accuracy, and send it to the CPF with a Request for Personnel Action along with AFMA required documents:

- Proposed SCPD/CPD
- Organization Chart
- Position Review Memorandum
- Request for Personnel Action (RPA) Checklist

A Classification Specialist from AFMA will contact you if more information is needed.

Fair Labor Standards Act (FLSA)

The FLSA is intended to provide overtime entitlements to lower graded employees. All Wage Grade (WG) and Wage Labor (WL) employees and most nonsupervisory employees below the grade of GS-9 are covered by the FLSA. These are “Non Exempt” employees. Supervisory employees and employees in grades of GS-11 and above are not covered by the Act.

These are “Exempt” employees. It is important that you know whether your employees are Exempt or Non Exempt. This information can be found on the upper right corner, first page, of the CPD.

The FLSA provides for minimum standards for wages and overtime entitlements as well as travel time and pay during non work status time and specifies administrative procedures by which covered work-time must be compensated.

It is your job to be aware of the hours being worked by all your employees, particularly in the case of Non Exempt employees. You need to take positive steps to ensure they are not performing work outside their regular shift unless you, or higher-level management, have ordered/authorized the work to be done at that particular time. This includes all necessary follow-up to ensure that your instructions regarding overtime work are carried out.

Overtime must be approved in advance. Exempt employees may work overtime without compensation if they so desire, including during lunch breaks, but should be discouraged from doing so. However, they may not be directed or expected to work overtime without compensation.

AFFIRMATIVE EMPLOYMENT

MERIT SYSTEMS PRINCIPLES

Merit system principles are a series of critically important rules that govern the operation and management of the federal work force. Taken as a whole, they are designed to ensure that the federal work force is recruited, managed, and rewarded based on merit, rather than political affiliation or other non-merit factors.

The merit system principles are specifically reflected in law at 5 U.S.C. 2301. In plain language, they require managers and supervisors to adhere to the following principles:

Ø Recruit qualified persons from all segments of society then select and advance them on the basis of merit after fair and open competition.

Ø Treat employees and applicants fairly and equitably, without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.

Ø Provide equal pay for equal work, and recognize and reward excellent performance.

Ø Maintain high standards of integrity, conduct, and concern for the public interest.

Ø Manage employees efficiently and effectively.

Ø Retain, reward, and separate employees on the basis of their performance.

Ø Educate and train employees when it will result in better organizational or individual performance.

Ø Protect employees against arbitrary action, personal favoritism, or coercion for partisan political purposes.

Ø Protect employees against reprisal for "whistleblower" activity; that is, the lawful disclosure of information concerning violations of law, mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

The underlying principle of the Air Force Merit Promotion Program is the identification, qualification evaluation, and selection of candidates made without regard to political, religious, labor organization affiliation, marital status, race, color, sex, national origin, non-disqualifying physical or mental handicap, or age and shall be based solely on job-related criteria in accordance with legitimate position requirements.

The Merit Promotion Program is directed toward:

v contributing to the accomplishment of mission goals by staffing positions with high- quality

employees;

- v providing career opportunities for employees and ensuring that all employees are fully informed of those opportunities;
- v bringing to the attention of management high-quality employees who have the capacity to perform in more responsible assignments;
- v fostering and facilitating the mobility of employees in the interest of broadening their experiences and increasing their qualifications;
- v ensuring the maximum utilization of employees in positions for which they are best qualified;
- v ensuring that the skills, qualifications, achievements, and promotion potential of
- v employees are recognized and fairly considered in the staffing process;
- v encouraging employees to improve their performance to develop their knowledge, skills, and abilities.

A sound merit promotion program properly administered and fully supported by management officials and employees at all levels is essential to the staffing of an effective and highly motivated civilian work force.

What happens when I need to fill a vacancy?

As soon as you know an employee will be leaving his/her position, submit a Request for Personnel Action (RPA), requesting to fill the vacant position. Generally, the Civilian Personnel Office will contact you and your employee up to eighth months in advance of DEROS to find out whether the employee intends to extend his/her tour. If the employee does not intend to extend we will assist the supervisor is beginning the recruitment process.

Vacancy Planning

Vacancy planning is anticipating and using all available flexibilities and strategies to maintain your workforce. Your Civilian Personnel Human Resources Specialist/Assistant can help you through this process by further explanation of strategies and helping you find ways to fill your vacancies.

Some of your vacancies planning responsibilities are:

- Determining a valid vacancy exists
- Initiating the fill request action
- Defining and capturing the work to be performed
 - o Understanding the job, its functions, duties, responsibilities, and skill requirements
- Ensuring there is an accurate core document or position description
- Considering issues that may impact hiring, such as:
 - o Local activity requirements
 - o Bargaining unit agreements
 - o Funding
 - o Hiring considerations
- § Internal or external recruitment needs
- § Developmental or journey level

- § Duration of work (temporary or permanent)
- § Affirmative action goals
- § Work schedule (full-time, part-time, seasonal, intermittent)
- Mandatory placement programs:
 - o DoD Priority Placement Program (PPP), Reemployment Priority List (RPL) and, Interagency Career Transition Assistance Plan (ICTAP)
- Area of consideration for advertising (availability of applicants)

What is a Stopper List? PPP, RPL, ICTAP, MSP?

You might hear the term “stopper list” when discussing civilian recruitment. This list may appear as one of the following three programs. These programs are designed minimize the adverse effects on federal civilian employees, who, through no fault of their own, are affected by management-initiated actions. Mandatory selection program requirements must be followed when a vacancy to be filled is subject to one or all of them.

Priority Placement Program (PPP) is a placement program for employees adversely affected by management-initiated actions such as Reduction-In-Force (RIF), base closure, contracting out, and transfer of function. When a vacancy occurs, well-qualified personnel, who have pre-registered in a program, may match the requirements of your vacancy. Registrants must be considered and sometimes selected before any recruitment sources can be pursued. PPP is the appropriate program for placement of employees subject to RIF, overseas returnees, and spouses of active duty military members and federal civilian employees.

The **Reemployment Priority List (RPL)** is a statutory program that requires agencies to give reemployment consideration to former competitive service employees of an agency separated by RIF or employees who have fully recovered from a compensable injury after more than 1 year. RPL registrants must be considered before certain recruitment sources.

The **Interagency Career Transition Assistance Plan (ICTAP)** is a government-wide placement program requiring activities to give placement consideration to well-qualified displaced employees (e.g., impacted by RIF) from other Federal agencies that apply for vacancies the agency is filling from outside its current workforce.

Military Spouse Preference (MSP) allows the spouse of an active duty member or Air Force civilian employee to be given preferential treatment in the selection. MPS may only be used once during a sponsored tour and all spouses must meet minimum qualifications.

What are my hiring options?

There are two main sources of applicants to choose from. The following list provides a brief description of internal and external hiring options.

1. Internal Candidates (current federal employees within Air Force):

- Detail: Temporary assignment to a position, at the same grade. No change in pay.

- Reassignment: An assignment to a position at the same grade.
- Change to Lower Grade: An assignment to a position at a lower grade.
- Promotion: Temporary, term, or permanent. Some temporary promotions may be made without competition among applicants.
- Career Ladder: Restructured positions that are filled in a manner to allow an employee to develop, through training, to the journey level.

2. External Candidates (the general public, former federal employees or current federal employees from a different agency):

- Reinstatement eligible: Former federal employees who may be hired based on a previous permanent appointment.
- Transfer: Movement from one federal agency to another. May or may not involve a grade change.
- Delegated Examining Authority: Authority delegated to AFPC to issue an announcement open to the general public (not prior active duty or permanent federal employee).
- OPM Registers: Vacancy announcements issued by OPM that are open to the general public (not prior active duty or permanent federal employee). OPM charges a fee for this service with the hiring activity providing the funding required.
- Temporary Appointment Authority: Appointments made to fill short-term position not expected to last more than one year. The appointment may be extended for a maximum of one additional year.
- Term Appointment: An appointment made for special projects/workload lasting for more than one year but not exceeding a total of four years.
- Former Overseas Employees: Appointments that may be made of eligible employees returning to CONUS.
- Veteran's Recruitment Appointment (VRA): An authority to hire Vietnam era and certain post-Vietnam era veterans.
- Veteran's Employment Opportunity Act (VEOA): An authority to appoint an eligible veteran who may not otherwise be eligible for other appointments.
- Disabled Veterans: Veterans who have a current notice of a service connected compensable disability of 30% or more from the VA.
- Persons with Disabilities: Facilitates the hiring of individuals who are severely handicapped.
- Student Educational Employment Program (SCEP): Student programs where the student attends school and works when not in school.
- Interchange Agreements: Allows certain employees of one federal personnel system to move to another federal personnel system (e.g., DOD Non-appropriated Fund to Appropriated Fund).

Candidate Referral Certificate and Making the Selection

The referral certificate will be issued by the Human Resource (HR) specialist at AFPC. The certificate will contain the names of qualified candidates. It is valid for **15 days**. Please be aware that if no selection is made from the valid certificate(s) originally requested and issued, and/or management desires additional recruitment, the RPA will be closed and a new RPA must be submitted by the selecting official.

When selecting someone for a vacancy, the selecting official's task is to select the individual who is best suited for the position from among a list of qualified eligible candidates.

Remember to:

- Compare all candidates with the same job related criteria
- Consider awards, training, and education related to the vacancy
- Make your decision based upon job related requirements
- When available, use information such as:
 - o The candidate's application/resume
 - o Previous supervisor's recommendations
 - o Performance Evaluations
 - o Interviews

PROHIBITED PERSONNEL PRACTICES

The list of prohibited practices is contained in the law at 5 U.S.C. 2302(b).

In plain language, the law prohibits supervisors/managers from taking the following action:

- Discriminating on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
- Soliciting or considering any personnel recommendation that is not based on a personal knowledge or records of job-related factors such as performance, ability, aptitude, general qualifications, character, loyalty, or suitability.
- Coercing an employee to perform or support political activity.
- Deceiving or deliberately obstructing any person who is attempting to compete for employment.
- Influencing or attempting to influence any person to withdraw from competition for the purpose of improving or injuring the prospects of another person for employment.
- Granting any preference or advantage not authorized by law, regulation, or rule to any employee or applicant to improve or injure the prospects of another applicant.
- Hiring, promoting, or influencing the hiring or promotion of a relative.
- Retaliating against an employee for whistle blowing activity.
- Retaliating against employees or applicants for exercising their appeal rights; for testifying or cooperating with an Inspector General or the Special Counsel; or for refusing to comply with an instruction that would require him/her to break the law.
- Discriminating based on personal conduct or actions that do not adversely affect an employee or applicant's job performance.

- Violating any law, rule, or regulation implementing or directly concerning the merit principles.
- Violating veteran's preference by taking or failure to take a personnel action.

SUPERVISOR'S EMPLOYEE WORK FOLDER AND BRIEF (AF FORM 971)

The Supervisor's Employee Work Folder is the repository for the supervisor to maintain essential information on the employees he or she manages. It is a management document that should be maintained by the supervisor. The Supervisor's Employee Work Folder will contain sensitive information such as social security numbers, counseling comments, for official use only documents, copies of personnel actions, etc., which should be safeguarded and protected. Therefore, supervisors should manage and protect the Work Folder in accordance with the Privacy Act of 1974 guidance.

The Work Folder Air Force Form 971. While any type of folder can be used as an employee work folder; the six-sectioned folders are recommended and work very well. Upon opening the work folder, you should see the AF Form 971, *Automated Supervisor's Employee Brief* on the left panel. If you do not have one or if the one in the folder needs replacing, request one by contacting the Civilian Personnel Flight (CPF).

Any human resources specialist receiving the request will be able to provide you with a current AF Form 971 on your employee(s). These forms are generated from the civilian automated system. The AF Form 971 is used to record personal emergency information and to document significant events and discussions supervisors have with employees regarding performance, recognition, training, conduct, etc. Employees have a right to see notes documented on the AF Form 971 concerning performance or conduct.

The following is a list of additional records normally maintained in this folder.

Supervisor's Employee Work Folder contents:

- The most current AF Form 971, Automated Supervisor's Employee Brief
- Training records, including Formal Training Plans
- Leave schedules (unless kept in central office files)
- Current Position Description
- AF Form 860, Civilian Performance and Promotion Appraisal—Performance Plan (if not using core document)

- AF Form 860B, Civilian Progress Review Worksheet
- Most recent AF Form 860A, Civilian Performance and Promotion Appraisal
- Pending personnel actions, awards recommendations, etc.
- Disciplinary/adverse action backup materials
- Complaints of indebtedness

NOTE: Medical documentation, including injury compensation forms, suitability and/or security information must not be maintained in this folder. Other official folders are established for this purpose.

Employee Work Folders must be maintained in a secure area that guards against unauthorized access yet is readily accessible for you to enter notes and other documentation.

Disposition of Employee Work Folder:

- When an employee is selected for reassignment, change-to-lower grade, or promotion, the losing supervisor forwards the complete work folder to the gaining supervisor within 10 days.
- When an employee is transferred to another Air Force installation or other Federal agency, or separates for reasons other than military service or adverse action, the folder is destroyed after 60 days. However, appraisals and training records should be forwarded to the CPF to forward to the gaining base.
- When an employee enters military service, the work folder is sent to the CPF.
- When an employee is separated by adverse action, the work folder is maintained with the supervisor until no longer needed. CPF advice should be obtained before destruction.

LEAVE ADMINISTRATION

AFI 36-815, Absence and Leave, explains the various types of leave available and when each should be used. It is important to note that if an employee is not at work, he/she must be covered by some type of leave (annual, sick or leave without pay) which must be requested by the employee and approved by the supervisor. Employees may use the OPM 71, Request for Leave or Approved Absence. Otherwise the employee is absent without leave (AWOL) until the employee makes the appropriate request.

Annual Leave

Since annual leave is a significant benefit for all permanent employees, it is very important that there is a mutual employee-management responsibility to plan and schedule the use of annual leave throughout the year. Supervisors must administer leave on a fair and equal basis within the scope of applicable laws, regulations and directives.

In approving leave, supervisors must consider the needs of the organization and also the needs of the employee.

Authority to approve leave requests is normally delegated to the lowest supervisory level (immediate supervisor) having personal knowledge of the work requirements and the employees leave record.

Supervisors are responsible for ensuring that all employees are informed of the procedures they must follow in requesting and using leave. Leave policies may be given to employees in writing or verbally. An annotation can be made in the 971 folder to document the procedures were discussed.

The employee is responsible for: being dependable and reporting to work at a regular time each day, requesting annual leave in advance and reporting unexpected or emergency leave needs to the supervisor as soon as possible following the established office procedures.

Amounts of annual leave earned are based on years of service. If the employee has three years or less of service they earn four (4) hours each pay period, for a total of 104 hours each calendar year (two weeks and three days). If the employee has three to fourteen years of service they will earn six (6) hours each pay period, except the last pay period in which they will earn ten, for a total of 160 hours (or four weeks). Employees with over fifteen years of service will earn eight (8) hours each pay period for a total of 208 hours (or five weeks and one day). Maximum annual leave carry over each year is 240 hours or thirty days.

Annual leave can be advanced up to the amount that would be accrued during the rest of the leave year. For example: if an employee requests advance annual leave in July, he/she can be advanced the amount they earn per pay period times the number of pay periods left in the year.

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SICK LEAVE

Sick leave is allowed for medical, dental, or optical examination or treatment. It may be used when the employee is unable to report to work due to illness, injury, pregnancy, or confinement. Also, a limited amount of sick leave may be used when a member of the employee's immediate family requires care as a result of illness, pregnancy, or medical, dental, or optical examination or treatment; or to make arrangements necessitated by the death of a family member or attend the funeral of a family member. It may also be used to make arrangements for adoption-related activities or to participate in drug or alcohol counseling programs.

v Sick leave becomes available for use at the beginning of the pay period during which it is earned.

v There is no limitation on the amount of sick leave that may be carried forward from one year to another.

v Sick leave is requested by the employee prior to any medical appointment or examination. Even though submitted with proper evidence, requests for sick leave for non-emergency medical

appointments may be denied if it is determined that the employee's services are needed.

v If an employee is absent because of illness, injury, exposure to a contagious disease, or other circumstances of incapacity, which are not known in advance, leave must be requested as soon as possible after the beginning of the absence (normally within the first two hours of the work day and according to established leave requesting procedures).

v For absences of three days or less, sick leave must be requested on the first day and every additional day unless the supervisor expressly relieves the employee of this requirement.

v Sick leave of more than three consecutive days must be supported by medical documentation unless the supervisor specifically waives this requirement or a physician did not attend the employee. If the employee did not see a physician, the employee must show satisfactory evidence of incapacity.

v When there is reason to believe that an employee is abusing sick leave, medical documentation may be required for absences of three days or less. This requirement must be limited to cases of suspected abuse and can be imposed only after the employee has been specifically informed in writing of the requirement.

v If there is any doubt as to the validity or adequacy of the medical documentation presented to support a request for sick leave, the medical officer at the installation may be requested to review the documentation submitted and to consult the employee's physician for additional information.

v Where evidence does not justify the approval of sick leave, the absence may be charged to annual leave or leave without pay (LWOP) with the employees consent or charged to AWOL.

v Employees may be advanced up to 30 workdays of sick leave for serious disability, illness, incapacitation, or confinement due to pregnancy. **The request must be supported by medical documentation.**

v Employees may be advanced up to 13 workdays of sick leave each year for the care of a family member or for bereavement purposes.

v If abuse of sick leave is suspected, contact the Civilian Personnel Flight/Employee Management Relations section for assistance in preparing an abuse letter. This can be the first step in improving the attendance of an employee, or may begin the disciplinary process.

Leave Without Pay

ü Leave Without Pay (LWOP) is requested by the employee. LWOP is a temporary non- pay status and is an authorized absence from duty approved by the supervisor.

ü An employee does not have to exhaust annual leave before requesting LWOP.

ü DO NOT confuse LWOP with Absence Without Leave (AWOL). AWOL is charged for unauthorized absence or absence for which the employee's leave request was denied. LWOP is an approved absence from work.

ü By law, LWOP must be granted for:

Ø Disabled veterans to cover an absence for medical treatment related to a service connected disability.

Ø A member of the Reserves or National Guard to perform military training duties. (LWOP-US)

ü Other reasons for granting LWOP:

Ø Protecting an employee's status and benefits pending action by the Office of Workers' Compensation.

Ø To avoid a break in service for career or career-conditional employees who are dependents of a military or federal civilian employee who must relocate because of the transfer of the head of the household.

ü There is no maximum prescribed by law or regulation on the amount of LWOP, which may be granted. However, supervisors should consult with CPF before approving extended periods of LWOP. LWOP of more than 30 consecutive days must be made a matter of record in the employee's Official Personnel Folder. A Request for Personnel Action (RPA) must be submitted for all LWOP-US regardless of length of time.

Military Leave

ü If an employee is a member of the National Guard or an Armed Forces Reserve, up to 15 days of military leave may be granted for training or active duty. A copy of the orders and evidence that the duty was performed will be submitted by the employee.

ü For entitlement to military leave, employees must:

Ø Be a member of the Reserve or National Guard

Ø Be a full-time, part-time or indefinite employee who does not have an intermittent schedule

Ø Be serving in an appointment that is not limited to one year or less.

Court Leave

ü Court leave is an approved leave of absence from work without loss of pay or charge to annual leave to perform jury duty in a federal, state or municipal court. Court leave is also permitted when serving as a witness, if the United States, the District of Columbia, or state or local government is a party.

ü Except in extreme cases of necessity, it is Air Force policy not to request that an employee be excused from jury duty on the basis of Air Force employment.

ü An employee is expected to return to work if there are four or more hours remaining in the workday. If the employee fails to report to work as directed, annual leave, LWOP or AWOL is charged for the excess time involved.

Excused Absences

Excused absence is time off without charge to any type of leave or loss of pay. The following lists some of the situations that may be excused:

Ø For unavoidable absence, brief periods of early dismissal, and brief periods of tardiness less than one hour.

Ø Voting and voter registration in a government election. (See AFI 36-815, paragraph 8.4).

Ø Job related conferences and conventions where attendance is in the best interest of the Government.

Ø Consultation with Operating Officials, EEO Counselor, or CPF Staff.

Ø Blood donations are excusable for up to four hours, if needed.

Ø Treatment of an on-the-job injury when treatment is received on the date of injury.

Ø Required physical examinations for fitness for duty, occupational health programs, etc.

Ø Air Force job interviews within the local commuting area.

Ø Official participation in military funerals.

Ø Participation in civil defense activities and exercises at the activity where employed.

Ø Participation in physical fitness activities. See MAFB Supplement 36-815.

Family Medical Leave Act (FMLA)

ü Full-time or part-time employees completing 12 months of service (not required to be recent or consecutive) are covered under the FMLA. They are entitled to a total of 12 administrative workweeks of unpaid leave (leave without pay) during any 12-month period for:

Ø The birth of a son or daughter and care of the newborn.

- Ø The placement of a son or daughter with the employee for adoption or foster care.
- Ø The care of a spouse, son, daughter, or parent of the employee with a serious health condition.
- Ø A serious health condition, as defined in 5 CFR 630.1202, of the employee that makes the employee unable to perform duties of their position.
- ü Employees are entitled to up to 26 weeks of unpaid leave during a single 12-month period to care for a parent, spouse, son, daughter or next of kin who is a service member with a serious injury or illness:
 - Ø Serious injury or illness must have been incurred in the line of duty while on active duty in the Armed Forces.
 - Ø Any “regular” FMLA leave taken is subtracted from the 26 weeks.
- ü Employees must give proper notification (30-days advance notice of intent) and medical certification. The request may not be retroactive and may be taken intermittently.
- ü Upon return from FMLA leave, the employee must be returned to the same position held when the leave began or an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment.
- ü While on FMLA leave, the employee is entitled to maintain health benefits coverage under the FEHB Program. If the employee is on leave without pay under the FMLA, the employee is responsible for paying the employee share of the health benefits premium.

Family and Medical Leave Act Procedures

The Family and Medical Leave Act of 1993 (FMLA), provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year.

If an employee requests FMLA leave (and the employee must invoke it) the supervisor must first determine eligibility. An employee must have worked 1,250 hours during the previous 12-month period to be eligible. The supervisor will complete form WH-381, Employer Response to Employee Request for Family or Medical Leave, and can be found at the following Website: <http://www.dol.gov/esa/whd/forms/index.htm>. This form will identify all eight requirements that the employee should have in writing.

- ü The first question from this form is informing the employee if they are eligible:
 - v If the employee is not eligible, notify them and do not proceed with the form.
 - v If the employee is eligible, complete the entire form (Civilian Personnel Flight (CPF) will assist). Medical documentation will be necessary to prove “serious medical condition”.
- ü The requested leave will count against the FMLA entitlement if they are eligible.

ü Medical certification is necessary and should always be provided; a specific date (that the medical information must be submitted) can be identified on the form. Form WH-380, Certification of Health Care Provider, may be used for this purpose and found at the following Website: <http://www.dol.gov/esa/whd/forms/index.htm>.

ü The employee is allowed to substitute paid leave if they have it available.

ü Health Benefit premiums will continue to be paid by the Employee (arrangements can be made to pay them directly if in a LWOP status for an extended period of time). Employees should be directed to the CPF for more information on the health premium payments. Basic life insurance premiums will be made by the Agency for up to one year.

ü The employee should be required to supply medical documentation that they are well enough to report back to duty.

ü The supervisor may request that periodic reports (or interim reports) be supplied on specified dates. If the original medical documentation is clear, the supervisor may wish to waive this requirement.

ü If the leave needed is not consecutive dates, the supervisor may require the employee to provide recertification on the serious medical condition.

All supporting documentation should be forwarded to the CPF. Standard letters can be obtained through CPF for approved and denied leave.

Leave Transfer Program

This program allows an employee who has a medical hardship to become a leave recipient. The leave recipient must have exhausted all sick and annual leave to be eligible. Only annual leave can be transferred or donated directly from other employees. OPM Form 630, Leave Recipient Application, OPM Form 630A, Request to Donate Annual Leave, is available for recipients and donors at www.opm.gov. The Supervisory Endorsement for Transferred Annual Leave Letter is at Appendix D.

TIME AND ATTENDANCE HELPFUL HINTS

Ø APPROVING OFFICIAL'S RESPONSIBILITIES: When approving time and attendance reports, supervisors, other equivalent officials, or higher level managers are representing that, to the best of their knowledge, the actual work schedules recorded are true, correct, and accurate. Review and approval shall be made by the official, normally the immediate supervisor, most knowledgeable of the time worked and absence of the employees involved. The approving official may assign responsibility for observing daily attendance or accurately recording time and attendance data to a timekeeper or in limited circumstances as addressed in *DoD Financial Management Regulation, Volume 8, Civilian Pay Policy and Procedure*. Assignment of these duties does not relieve the approving official of the responsibility for timely and accurate reporting of the time and attendance to which he or she approves, and to ensure that leave is

administered in accordance with applicable policies, regulations, instructions, and the bargaining agreement. The supervisor shall inform the timekeeper when an employee is on any type of leave, or has worked any type of premium work. An alternate timekeeper shall be appointed to maintain time and attendance daily during the absence of the primary timekeeper.

Ø TIMEKEEPER'S RESPONSIBILITIES: Timekeeping is a critical function, which may be performed by the individual employee, timekeeper, supervisor, or a combination of these individuals. The timekeeping function requires the accurate and timely recording of time and attendance data and the maintenance of related documentation.

Timekeepers may be civilian or military personnel. Individuals performing the timekeeping function are responsible for timely and accurate recording of all exceptions to the employee's normal tour of duty. Ensuring that employees have attested to the accuracy of their current pay period's time and attendance (including any exceptions such as use of leave) and any adjustments or corrections that are required after time and attendance is approved. These attestations shall be documented (in writing or electronically) including: a manually completed hard copy (e.g., a sign-in, sign-out sheet), a printout of an automated record (e.g., a time and attendance report) with the employee's signature (written or electronic), or initials affirming the correctness of the data, or an automated or electronic record retained on magnetic medium. If the employee is not available prior to the approval of the time and attendance, then attestation shall be documented as soon thereafter as possible. Ensuring that all entries for overtime and compensatory time earned have been approved, and totals are correct before certification.
employee.

An AF form 428, Request for Overtime, must be completed prior to overtime being worked and must be kept on file for 6 years for auditing purposes.

PERFORMANCE MANAGEMENT (Non-NSPS Employees)

The Civil Service Reform Act of 1978 requires that the performance appraisal rating be used as the basis for decisions to reward, assign, train, promote, retain, or remove employees.

AFI 36-1001, managing the Civilian Performance Program, covers performance management related issues. The rating cycle runs from 1 April – 31 March. During the first 30 days of the rating cycle (or the employee's starting date) the supervisor should review the Performance Plan, AF Form 860 or Core Personnel Document, AF Form 1003, with the employee and discuss performance expectations. This review is annotated on the core document with the supervisor and employee's signature. Performance feedback should be done quarterly using the AF Form 860B, Civilian Progress Review Worksheet.

Performance Ratings

Performance evaluations are done on a two-tier system, either Acceptable or Unacceptable. The ratings are given using the AF Form 860A, Civilian Rating of Record. On this form the supervisor assesses the employee's performance using the elements and standards established in the Performance Plan or Core Personnel Document. An Acceptable rating indicates the

employee met the requirements of all performance elements (or duties). An Unacceptable rating indicates that the employee did not meet the requirements in one or more of the elements (or duties). Performance ratings have a direct impact on employees in that acceptable performance ensures they are eligible for within grade increases (WGIs). Unacceptable performance makes them ineligible for within grade increases. Until they have had the opportunity to improve and demonstrate an acceptable level of performance after being placed on a Performance Improvement Plan (PIP), the WGI is withheld.

On the AF Form 860A each element (or duty) is rated as met or not met. If for some reason one element has not been observed during the rating cycle it should be marked as “Not Observed” or “Not Rated” and thus not rated. However, if a particular element is continually not rated it may warrant review to see if it should be removed from the Performance Plan or Core Personnel Document. Based on the element ratings, the overall rating can be given. Remember, all elements are now critical so not meeting one element means the overall rating is Unacceptable.

Part B of AF Form 860A is mandatory for GS-14 and GS-15 employees and purely optional for all other grades. It should include what the employee has done; how well they did it and the impact it has had on mission accomplishment.

Part C of AF Form 860A is used only when issuing a Performance Award. Comments should be written in bullet format to justify why an award is warranted for each employee based on duty related performance during that cycle. Each base determines how they will distribute Performance Awards and develops their own methods for achieving this. Each year HQ AU provides to organizations the total amount of their awards pool.

Part E of the AF Form 860A certifies the rating by having the rater (supervisor) and reviewer (2nd level supervisor) and Quality Control Review (QCR) Official signatures. Recommended ratings and/or awards should not be discussed with employees. As management officials, you are required to support the final approved rating and award determinations made by higher level reviewing officials.

Part F is for assigning ratings for the nine appraisal factors that are inherent in all positions. These are used as merit promotion factors. Employees applying for promotion positions, once determined qualified for the position will be ranked using these factors. The appraisal factors are an assessment of work behavior to be considered predictive of performance at the next higher level and therefore should not be used in granting a performance award.

After the appraisal has been signed off by the Rater, Reviewer, QCR, and performance awards are annotated on the form if applicable, the appraisal may then be issued to the employee.

It is your responsibility as the supervisor to go over the appraisal with employees and explain their ratings.

This is also a good time to review the core document with the employee to ensure they clearly understand the duties of the position as well as identify any changes that may need to be made to the core document. After the review, the supervisor and employee should sign and date the

form.

Unacceptable Performance

If you are concerned about a performance problem, do not wait until the appraisal rating to inform the employee. The employee should be given ample time to improve performance before an Unacceptable rating is issued. The supervisor should inform the employee, in writing, exactly which element(s) they are not meeting and why. They should explain to the employee what is needed for improvement and how they will assist them in bringing performance up to an acceptable level. This is called a Performance Improvement Plan or PIP. Please consult with a Human Resources Specialist prior to issuing a PIP.

Awards

Rewarding employees for performance above and beyond what is expected or for a onetime event can be done in several ways. The most widely used is the Time off Award. This is initiated with a SF-52, Request for Personnel Action. The supervisor can approve up to eight hours and must include both a certification that the cost of time lost is well justified by the benefit realized by the Air Force from the employee's contributions and a justification for why the Time Off Award is warranted. Anything over eight hours should be approved through the Group Commander or equivalent. Forty hours is the maximum given for any one award and no more than eighty hours can be given to one employee in a year. This includes any time off that is given in conjunction with the performance award program.

A Time-Off Award or other incentive award may be considered during the performance cycle to recognize an employee for a specific accomplishment or act, but care must be taken to ensure the employee is not rewarded twice for the same performance.

Other incentive awards that are available are Notable Achievement Awards, which includes a certificate and \$25 to \$500 cash award and Special Act or Service Award, which includes a certificate and \$300 to \$50,000 cash award. These are initiated by submitting an AF Form 1768, Staff Summary Sheet, with justification that describes the achievement with the proposed citation attached and is contingent on approval from finance. Civilian Achievement Awards, [Exemplary Service Awards, Letters of Commendation and Letters of Appreciation can also be done.

Guidance on awards can be found in AF Pamphlet 36-2861, *Civilian Recognition Guide* and AFI 36-1004, *Managing the Civilian Recognition Program*

Air Force Honorary Awards

Letter/Certificate of Appreciation
(Individual or Group)

AFI 36-1004 Act or service that is above average.
Letter/Certificate of Commendation

(Individual or Group)

AFI 36-1004 Any unusual achievement or contribution beneficial to the Air Force, but not meeting the criteria for a cash award.

Command Civilian Award for Valor
(Individual)

AFI 36-1004 Demonstrating unusual courage or competence in an emergency, either on or off duty (but beyond the call of duty).

Example: Supervising orderly exit from building during fire, executing proper course of action during an emergency.

AF Civilian Award for Valor
(Individual)

AFI 36-1004 Act of heroism with voluntary risk of personal safety in the face of danger, on or off duty. Example: Approaching or entering burning aircraft to rescue trapped victims.

Exemplary Civilian Service Award

(Individual) AFI 36-1004 Clearly outstanding service supporting a command mission for at least 1 year or a single act that significantly contributed to command mission. Action must clearly demonstrate how employee exceeded service expected of Individuals With similar responsibilities.

Meritorious Civilian Service Award

(Individual) AFI 36-1004 Outstanding performance worthy of recognition for significant accomplishments with **command-wide** impact. Individuals must have performed assigned duties for at least 1 year. This award is not appropriate for individuals about to retire.

Civilian Achievement Award AFI 36-1004

(added Jan 03) Designed to be the civilian equivalent to the AF Achievement Medal. Superior accomplishment on a particular project or assignment overcoming unusual difficulties, performance of assigned duties with special effort or innovation resulting in significant economies or creative efforts that made important contributions to science or research.

Outstanding Civilian Career Service

Award (Individual) AFI 36-1004 Outstanding career service meriting recognition at the time of retirement demonstrating significant accomplishments, leadership, unusual competence & significant impact upon the AF mission throughout the employee's Career.

Decoration for Exceptional Civilian

Service (Individual) AFI 36-1004 Exceptionally distinguished service & accomplishments having significant AF- wide scope & impact covering a period of at least 1 year. Individuals may be recommended for this award if they previously received the Meritorious

Civilian Service Award. This is the highest recognition granted a civilian AF. Do not nominate employees about to retire.

Air Force Monetary Award

Special Act or Service Award

Up to \$10,000 Individual (or group) that significantly exceeded job requirements as a one-time occurrence resulting in significant tangible or intangible benefits to the government.

Notable Achievement Award

From \$25 - \$500 Individual or (group) that has made personal effort resulting in the elimination of a wasteful, inefficient practice, or enhancement of mission effectiveness as a one-time occurrence.

Time Off Award

Up to 40 hours per award

Up to 80 hours per leave year

Individual whose superior accomplishment or personal effort contributes to the quality, efficiency or economy of government operations.

DISCIPLINE AND ADVERSE ACTIONS

Discipline and adverse actions may become necessary even in the best of organizations.

Supervisors have the responsibility to take disciplinary actions promptly and equitably, when necessary. The first decision to be made is to assess the situation and decide if the action is a performance problem or a conduct problem. If the problem is performance, then refer to the Performance Management section of this guide. If it is a conduct problem, then disciplinary action is appropriate. AFI 36-704, *Discipline and Adverse Actions*, the attached guide and checklists will provide you the necessary information regarding the type of disciplinary action, the appropriateness of the action and the documentation needed to support the disciplinary action taken. Please contact your servicing Employee Relations Specialist for assistance needed in all types of disciplinary actions.

When disciplining an employee, keep the following tips in mind. Except in those cases in which the discipline you are proposing or have decided warrants removal from federal service, you should regard these face-to-face sessions as an opportunity to help the employee progress. That is, rather than simply announcing your conclusions and the penalty, or worse yet “chewing out” the employee for the misconduct, you should try to increase the chances that the discipline will have the desired effect. That is, that it will correct the unacceptable behavior.

In order to turn such encounters to positive situations, keep the following recommendations in mind:

Keep it calm and unemotional. If you do not, any number of unproductive things can happen, including a shouting match, a permanently damaged relationship and even violence.

Focus on the behavior, not the individual. In other words, direct your remarks to what was done wrong, why it was wrong, and the adverse effect it had or could have on the operation. Do not berate the employee for character flaws, real or imagined.

Point out the desired behavior. If the employee is chronically late, feel free to point out things that he/she can do to avoid having last minute problems that may be causing tardiness. But above all, stress what behavior is required; i.e., timely arrival to work.

End on a positive note. In other words, do not send the employee out the door with threats of further action ringing in his/her ears, but rather, with an assurance that he/she is still a valued member of the work team.

The following is a guide to handling disciplinary actions from gathering evidence to determining the appropriate penalty. It should be noted that counseling sessions are not disciplinary in nature. They should be annotated in the 971 folder and can be used as support of awareness of the problem in future disciplinary actions but should not be viewed as a disciplinary action itself.

DISCIPLINE AND ADVERSE ACTION GUIDE

Procedures for taking constructive disciplinary action are:

- v Gather available facts
- v Interview employee in private
- v Give the employee an opportunity to respond
- v Consider the employee's answer
- v Determine appropriate action necessary

Disciplinary action must be constructive. If it is determined that the actions of the employee were intentional, warranting disciplinary action of some type, consideration should be given to the employee's work history, possible provocation, mitigating circumstances, nature and consequences of the offense, and other relevant factors. It is very important to select the least severe penalty that is expected to resolve the problem.

Disciplinary actions that may be taken are:

v **Oral Admonishment:** This is the least severe action that may be used to correct unacceptable conduct of an employee. The employee is informed that the discussion will be noted as an oral admonishment. The 971, Supervisor's Employee Work Folder, is documented in pencil on the date of the admonishment and deleted two years from the effective date.

v **Reprimand:** This is a more severe disciplinary action, which is used to correct significant misconduct or repeated minor offenses. The formal disciplinary letter is issued by a management official who has the authority to discipline an employee. A copy of the Letter of Reprimand (LOR) is placed in the Official Personnel Folder (OPF) and in the 971 folder. Since LORs are temporary records, these are removed and destroyed from the 971 and OPF two years from the effective date of the letter.

v **Suspension:** This is extremely severe disciplinary action, which places an employee on a non-duty status with no pay. This action requires a SF-52 action that generates an SF-50, Notice of Personnel Action, which is filed as a permanent document in the employee's OPF.

v **Removal:** This is the most severe disciplinary action. It terminates employment with the Air Force. Normally, a progression of disciplinary measures (oral admonishment, LOR, suspension) has already been taken in an effort to rehabilitate an employee before management decides to remove the employee.

However, if misconduct is extremely serious or the violation of rule and regulation is so flagrant, a removal for the first or second offense may be warranted.

After the supervisor determines the appropriate action, the final step is for the supervisor to prepare the necessary notices. Disciplinary guidance requires that all formal actions are coordinated through the Civilian Personnel Flight (CPF) and the Staff Judge Advocate (SJA). The CPF and SJA advise supervisors on whether or not the available information appears to support disciplinary action. The decision to take or not to take disciplinary action remains a supervisory responsibility.

For any action above an oral admonishment, the supervisor needs to submit Douglas Factors to support the action being taken. The Douglas Factors were derived from Curtis Douglas v. Veterans Administration (Merit Systems Protection Board Decision), to ensure that disciplinary actions are taken for good cause, are consistent with those taken in similar situations, and are fair, equitable and reasonable. These factors should be included along with all Memos for Record and supporting documentation when initiating a disciplinary action through the CPF, to be included in the disciplinary action working folder.

Study the Douglas Factors carefully before coming to any conclusions with respect to penalty selection. You may find that some of the factors do not apply to a given situation or may not be of equal weight, but you should at least look at them as a checklist. Before you propose an action, you should ask yourself whether you could support it in light of these considerations.

For actions above a reprimand, the first level supervisor will initiate the disciplinary action as the proposer of the action and the second level supervisor will be the deciding official. In these cases, any employee response (oral or in writing) should be directed to the second level supervisor who will ultimately make the decision of what action to take.

Once official notification of the proposed action is given, you must give the employee at least seven (7) calendar days to respond to the proposed notice. Extensions can be made if necessary. If the employee responds orally, the supervisor should make a memo for record explaining the employee's verbal response and have the employee sign. Once the response timeframe has expired, a formal decision notice can be given. All decision notices will be given to the employee in writing.

Generally speaking, most conduct issues begin as small problems. If you deal with them when they first arise, you should be able to avoid having to deal with larger problems later.

SUPERVISOR'S CHECKLIST FOR DISCIPLINARY ACTIONS

ü **STEP 1** Gather facts, review 971 folder, prepare a memo for record (if necessary), complete

the Douglas Factors and contact the Employee Relations Section of the Civilian Personnel Flight.

ü **STEP 2** A “Proposal” letter will be drafted and reviewed by servicing Human Resources Specialist and the Staff Judge Advocate (SJA) before delivery to the employee.

o The letter will include the action proposed, the reason for the proposal, the facts of the case, the employee’s right to respond and the appropriate timeframe, the employee’s right to representation, the amount of official time that may be used, and a contact number to the Human Resources Specialist working the action.

ü **STEP 3** Privately present the proposed action to the employee:

o Explain to the employee their right to reply, orally or in writing and that the reply must be received within the timeframe specified in the proposed action. An extension may be granted when requested in writing if adequate justification is provided. If the action proposed is above a reprimand, explain that the employee should address their reply to the second level supervisor.

o If an employee requests representation, stop the meeting and allow the employee to exercise this right.

o If the employee asks for official time to prepare a reply, tell them that a reasonable amount of time will be allowed. Official time must be requested and approved in advance.

ü **STEP 4** If the employee responds orally, write a memo for record and request the employee sign as well (so all parties understand what was said). Once the timeframe to respond has expired, use the Douglas Factors, facts of the case and the employee’s response, to determine the appropriate action.

o If the employee response is adequate enough to justify withdrawing the action, inform the Employee Relations Specialist. A letter will be drafted and issued to the employee withdrawing the proposed action. No other action is necessary.

o If, after looking at all aspects of the case, it is deemed a lower penalty should be applied, contact the Employee Relations Specialist. A letter will be drafted up (and reviewed by SJA) to be presented to the employee as the Notification of Final Decision. Annotate, as appropriate, in the 971 folder.

o If it is determined that the proposed action is appropriate, contact the Employee Relations Specialist. A letter will be drafted up (and reviewed by SJA) to be presented to the employee as the Notification of Final Decision. Annotate, as appropriate, in the 971 folder.

ü **STEP 5** The Deciding Official will sign the Douglas Factors either as written or with modifications to justify the penalty given (if mitigated down). A copy will be provided to the Employee Relations Specialist to include in the disciplinary file.

Douglas Factors

The Douglas Factors come from a 1981 case, *Douglas v. Veterans Administration*, 5 M.S.P.R. 280,

305-06. They are the factors the MSPB will expect management to have considered when reaching an appropriate penalty. While agencies are not required to use them for cases that are not appealable to the MSPB, they can be helpful when determining any penalty, and some agencies have chosen to apply them to disciplinary decisions that are not eligible for MSPB review. Sample Douglas Factors are at Appendix H.

SUBSTANCE ABUSE

Drug and alcohol abuse are major problems in the United States, often reaching epidemic proportions in both military and civilian communities. The problem of alcoholism is particularly dramatic because alcohol is available in great abundance to the general public. The economic impact of drug and alcohol abuse cannot be totally determined.

Where problem drinking is concerned, it has been estimated that billions of dollars are lost annually in the United States due to illnesses, lost productivity and property damage.

To combat this problem among civilian employees, the Air Force established the Civilian Drug and Alcohol Abuse Prevention and Control Program. The governing directive is AFI 36-810, *Substance Abuse Prevention and Control*. This instruction sets policies and outlines procedures to prevent, reduce and control drug and alcohol abuse and to identify and rehabilitate civilian abusers.

As a supervisor you should be concerned with an employee's use of alcohol or drugs if it causes an employment-related problem. Possession, sale, or use of drugs or drug paraphernalia by civilian employees on or off duty on an Air Force installation is prohibited. Civilian standards of conduct, performance and responsibility must be met.

Drug and alcohol abuse that impairs performance, attendance, conduct, or the mission is not acceptable. Civilian abusers are given consideration and help the same as employees with other health related problems. The first interview must be on duty time. Sick leave, annual leave, or LWOP is granted for subsequent rehabilitative sessions, medical treatment or other rehabilitative activity.

An employee's job security or promotion opportunity is not jeopardized by a history of prior alcohol or drug abuse or a request for rehabilitative help, except where there are national/personnel security considerations.

First, it should be noted that supervisors should only zero in on job related conduct and performance (coming to work late, complaints of offensive odor from customers/co-workers).

The supervisor does not try to diagnose the cause of the trouble or inquire into the employee's personal life. As always, counsel the employee and document all unacceptable work performance, attendance and conduct in the 971 folder. Talk to the employee in private, be firm and do not accept ready excuses concerning problems/failures. Tell the employee what is expected and offer help. Ensure the employee understands what is expected to improve the conduct or performance problem. If there is little or no improvement, confront the troubled employee with the fact of his/her behavior and offer him/her the opportunity to get help. Any requests for referrals must be coordinated through the Civilian Personnel Flight.

Options that supervisors have for employees who report "unfit" for duty

v Employees must report for duty ready, willing, and able to work.

§ Employees unfit for work should be removed from the work center for the health and safety of the worker as well as of the mission.

§ Examples of employees that are not ready, willing, and able to work include: intoxicated employees, employees under the influence of drugs (even legal drugs, e.g., Percocet), sleep-deprived employees, and sick employees.

v Supervisors should contact their servicing human resources specialist for advice in handling employees suspected of being unfit for work.

§ CPF and Legal will ask you to write an MFR of all that you observe about the employee and why you think the employee is unfit for duty.

v Supervisors have three decisions to make when handling employees who are not ready, willing, and able to work.

§ First, the supervisor should decide how to safely remove the employee from the workstation.

§ Do not leave a drunken employee on duty. If the employee is only tired, consider whether office work is appropriate.

§ Find someone else to drive the employee home or hire a cab at the employee's expense.

§ Second, the supervisor must decide how to annotate the employee's time and attendance.

§ Ask the employee to take leave.

§ If the employee lacks leave or has previously reported unfit for duty, consider annotating the time with AWOL.

§ Finally, the supervisor must decide whether or not to discipline the employee.

§ Discipline cannot be predetermined. It must be unique in each instance taking into consideration each employee's individual situation/circumstances and past disciplinary record, if any.

§ As with any offense, there is a range of disciplinary options from reprimand to removal.

§ The charges could include: reporting for duty not ready, willing, and able to work, conduct unbecoming a civilian employee, AWOL, insubordination, assault, or being under the influence of an intoxicant.

v Where appropriate, the supervisor may allow the employee leave to complete rehabilitation, if necessary, or grant leave to heal from an injury.

LABOR RELATIONS

Rights

Duty To Bargain

Rights of Representation (Weingarten Rights)

Past Practice

As a supervisor, it is vital for you to realize decisions you make can become a “past practice.” A past practice is nothing more than the way things have always been done. Such practice does not have to be written down in the labor agreement, but can arise on the basis of regular, repeated action (or inaction) on your part.

Generally, the existence of the four following factors will indicate that a past practice exists:

- The practice was clear and applied consistently.
- The practice was not a special, one-time benefit or meant at the time as an exception to a general rule.
- Both the union and management knew the practice existed and management agreed with the practice or, at least, allowed it to occur.
- The practice existed for a substantial period of time and it occurred repeatedly.

Normally, you cannot stop an established and accepted past practice without first giving the union notice and allow, if so requested, negotiations to resolve any differences.

Official Time

Official time is duty time that is granted to union representatives to perform union representational functions, without charge to leave or loss of pay, when the employee would otherwise be in a duty status.

Official time may be permitted for:

- Contract or mid-term negotiations
- Representing employees who file grievances
- Any proceeding before the Federal Labor Relations Authority (FLRA)

Official time is not permitted for conducting internal union business such as:

- Soliciting membership
- Collecting union dues
- Any matters relating to internal management structure and structure of the union

Administrative Grievance Procedure

Non-bargaining unit employees are not covered under the negotiated agreement and therefore are not subject to the Negotiated Grievance Procedure. The Maxwell AFB Supplement 1 to Administrative Grievance Procedure establishes the procedure for considering employee's grievances. It is to be used with AFI 36-1203, *Administrative Grievance System*, and Department of Defense 1400.25-M, *Civilian Personnel Manual*, Subchapter 771.

• Alternative Dispute Resolution (ADR)

ADR utilizes mediation as an informal method of resolving disputes, helping parties communicate with each other, encouraging them to create their own solutions instead of referring their problems to a judge, arbitrator or other outside decision-maker. Mediation will be used to resolve Equal Employment Opportunity (EEO) complaints and employee grievances under either the Negotiated Grievance Procedure or the Agency Grievance Procedure and other workplace issues. When an employee requests mediation to resolve a workplace dispute, EEO complaint, or grievance, the Maxwell ADR program manager or a CPF representative will determine whether the issue is appropriate for mediation. If the issue is appropriate for mediation, management participation will be mandatory. If the issue in controversy involves a proposed personnel action, management officials will be encouraged to participate in mediation, but such participation will not be mandatory.

WORKERS' COMPENSATION

Workers' Compensation is a very broad and complex subject but it is important to remember that there is always help. The Injury Compensation Program Administrator (ICPA), 953-2733, is available to answer questions and offer advice.

v **Traumatic Injury (Form CA-1, Notice of Traumatic Injury):** If an injury occurs in the course of **one work shift**, the condition is a traumatic injury. For example: cut finger, tripped and fell, or hit by forklift. Sometimes the reported condition may not seem like an injury, such as back or knee strain, but, if the employee identifies the condition as occurring in the course of one shift, the condition is still considered a traumatic injury. To report these injuries fill out a form CA-1 in the Electronic Data

Interchange (EDI) system. To access the EDI systems go to <http://www.cpms.osd.mil/icuc/DIUCS.aspx>. EDI will assure that the form is completed correctly and in a timely manner.

v **Occupational Disease (Form CA-2, Notice of Occupational Disease/Illness):** If the condition happened because of events on **more than one work shift**, the condition is an occupational disease. Examples: back strain from unloading trucks for the past two weeks; carpal tunnel from daily use of computer keyboard, etc. To report these injuries fill out a form CA-2 in the Electronic Data

Interchange (EDI) system. To access the EDI systems go to <http://www.cpms.osd.mil/icuc/DIUCS.aspx>. EDI will assure that the form is completed correctly

and in a timely manner.

NOTE: Your employee may report a recurrence of a prior injury or disease and state the desire to file for benefits under the prior claim. A recurrence is defined, as an onset of symptoms related to the original injury (as determined by medical provider) or disease for no explainable reason other than there was a prior medical condition. If a new event or series of events (i.e., bent over to get tool, moved boxes, etc.) causes a return in symptoms, the condition must be treated as a new injury or disease as described above even if the exact same part of the body is affected.

If the situation does not require immediate treatment through an emergency room, have the employee contact the ICPA at 953-2733 for guidance of medical scheduling an appointment with a physician of the employee's choice.

If an employee requires medical treatment for the injury, provide the employee with a CA-16, Authorization for Medical Care, within four hours of the request whenever possible with the front completed. Where there is no time to complete a Form CA-16, medical treatment may be authorized by telephone and the completed form sent to the medical facility within 48 hours.

Retroactive issuance of Form CA-16 is usually not permitted under other circumstances. If an employee reports an injury several days after the fact, or did not request medical treatment within 24 hours of the injury, the medical care may still be authorized using Form CA-16. Discretion must be used in issuing authorizations for medical care under such circumstances, but employees should not be penalized for short delays in reporting injuries. If more than a week has passed

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since the injury, you may refuse to issue a CA-16 on the basis that the need for immediate treatment would become apparent in that period of time.

Compensation paperwork must be processed through you, CPF, and the Department of Labor (DOL) within 10 days from the day the employee notifies you of the injury. Upon completion of the automated documents, provide a copy to the employee and bring a copy signed by the supervisor, any witness and the employee to the CPF. It is the **supervisor's responsibility** to provide the signed copy to CPF within three calendar days. It is always prudent for the supervisor to conduct an investigation of the incident that caused the injury. Submit additional paperwork (CA-16, CA-17, CA-20, witness statements, challenges, etc.) as soon as they become available to the ICPA.

You, or your employee, may receive medical updates, bills, etc. on your injured worker after the original claim has been filed; bring all documents to the CPF immediately. Not providing documentation in a timely manner may hinder the acceptance of the employee's claim.

v Continuation of Pay (COP)

Your employee may be eligible for uninterrupted pay beyond the date of injury without charge to leave. This benefit is called continuation of pay and is granted if the following conditions are met:

§ the employee suffered a traumatic injury and filed form CA-1 **within 30 days** from the date of the injury;

§ the employee has provided **valid medical documentation** to show the inability to work in any capacity due to the injury;

§ the absences due to the injury began **within 45 days** from the date of injury;

§ the employee's absences may not exceed a total of **45 calendar days** of COP. COP counts in whole day increments. If the employee works partial days, but is entitled to COP for the remainder of the work day, the few hours of COP count as a whole day of the 45 day entitlement, **although actual hours should be recorded on the timecard**. Please contact the CPF if you have any questions concerning the authorization of COP.

The circumstances surrounding the reported injury or disease may arouse your suspicions that the condition is not work-related. Your investigation of the incident that caused the injury should alleviate those suspicions, but if not, remember that as a supervisor, you are obligated to assist your employee in processing their paperwork in a timely manner, and your failure to do so determine if an employee should file a claim or receive benefits. DOL has the sole authority to approve or disapprove claims and to determine if benefits will be paid.

Rather than impeding the employee's rights to file a claim, gather witness statements (i.e., if anyone heard the employee state that he hurt himself over the weekend, the employee works another job, etc.) and facts to challenge the claim. The sooner you accomplish this the better, because once DOL approves a case or pays benefits, it is difficult, if not impossible to have them change their decision. If you plan to challenge a case, but don't have time to gather your information before you must process the claim paperwork, contact the CPF to formally request an extension (normally 30 days) from DOL so they won't adjudicate the claim without the additional facts.

If you disagree with the claim, you can "controvert" the payment of COP, meaning that you would notify CPF of your decision to controvert and the reasons why. You would then notify the employee that COP will not be paid until the DOL has accepted the claim. If the claim does get accepted, the COP (if it meets the above criteria) will need to be paid (timecard would need to be corrected). The actual controversion package will be submitted by CPF to DOL, so immediate notification of the Compensation Specialist that you are controverting the COP is essential.

TRAINING AND DEVELOPMENT

Annual Survey for Civilian Training Requirements

Determining training needs is the first step in the training process and the most important function in the Training and Development Section. The effectiveness of Air Force training and development programs is dependent on the thorough and conscientious determination of all civilian training needs. The purpose of the annual survey is to identify specific training requirements for all categories of training to be conducted during the subsequent fiscal year.

Supervisors need to look first at how best the mission can be accomplished, and what role training has in that improved mission accomplishment. Examine the function, the jobs, the personnel, and move forward, separating possible training solutions from other ways of resolving performance problems and improving productivity and the quality of work.

Reasons for training may include:

- A result of mission or program change
- A result of new technology
- A result of new work assignment
- Improve present performance
- Develop unavailable skills
- Orientation

Prioritizing and Ranking Training Needs

Once training and development activity needs are identified, they must be prioritized and ranked.

Priorities are assessed based on the following variables and needs: Timing, Cost Benefit Ratio, Environment

Priorities are ranked on the following three designations:

Priority 1 - Training to be completed in immediate cycle so as to avoid an adverse mission impact. Also known as, “must have.”

Priority 2 - Training deferred beyond immediate cycle would have an immediate adverse impact on the mission over the intermediate term. Also known as, “should have.”

Priority 3 - Training deferred beyond immediate cycle would have little immediate adverse impact on the mission but would delay improving the present mission accomplishment. Also known as, “nice to have.”

Selecting Methods and Sources of Training

Because of the strong demand of training resources and the budgetary constraints on funding for

formal training, when selecting methods, the following should be considered:

- On the job
- Distance-Learning (ie, online)
- Locally developed training
- Air Force/DoD training
- Other government training (OPM, etc)
- Nongovernmental training (colleges, universities)

Approval of Requirements

The Civilian Personnel Office solicits training needs through an annual survey. The information provided by all organizations helps to build an installation-wide training plan. This plan is crucial for planning, budgeting, controlling, and reporting the Civilian Budget not only at base level, but also at major command, HQ USAF, and even higher levels.

Supervisors are the starting point. If they have not determined needs properly, the information reported during the Annual Survey is not of much value. If supervisors do not report their needs, then the budget requests will be inaccurate, and money that is later approved and sent down through channels will not be sufficient to meet those needs. It's important to submit requirements as early as possible!

Approval of Training Requests

An SF Form 182, Authorization, Agreement, and Certification of Training must be used to authorize all training of more than eight hours or involving any cost to the government. Costs include direct (tuition, books, registration fees) and indirect (travel, per diem) training costs for civilian employees in government facilities, non-government facilities and attendance at meetings. If the purpose of attendance at a meeting or conference is not primarily for training, organizational base funds may be used without documentation on an SF Form 182.

Supervisors are reminded that all training must be based on the need to either obtain or improve the knowledge, skills, and/or ability the employee needs in order to perform the duties required in performance of the position they currently hold. Competitive procedures must be followed in selecting employees for training or developmental assignments that may serve to enhance promotional opportunities, such as Civilian Development Education (CDE) sponsored by the Air Force.

Evaluating the Training

The final step in the process is the evaluation of training. The evaluation of the training received is an area in which management and the CPF must become more involved. Air Force requires a "bottom line" assessment of training in terms of dollars saved, time saved or better utilization of resources. Evaluation data is useful in:

- Determining performance and productivity improvements

Making program changes or modifications
Keeping management informed of training results and activities
Formulating future plans for training and development
Providing information to higher headquarters

AIR FORCE CIVILIAN PERSONNEL PUBLICATIONS

AFI 36-401.....	Employee Training and Development
AFI 31-501.....	Personnel Security Program Manager
AFI 36-14.....	Position Management and Classification
AFI 36-505.....	Skills Coding
AFI 36-203.....	Staffing Civilian Positions
AFI 36-106.....	Supervisor's Records
AFI 36-701.....	Labor Management Relations
AFI 36-703.....	Civilian Conduct and Responsibility
AFI 36-704.....	Discipline and Adverse Actions
AFI 36-802.....	Pay Setting
AFI 36-807.....	Weekly and Daily Scheduling of Work and Holiday Observances
AFI 36-810.....	Substance Abuse Prevention and Control
AFI 36-815.....	Absence and Leave
AFI 36-1001.....	Managing the Civilian Performance Program
AFI 36-1004.....	Managing the Civilian Recognition Program
AFI 36-1203.....	Administrative Grievance System
AFI 36-1401.....	Position Classification
AFH 31-502.....	Personnel Security Program
AFP 36-2861.....	Civilian Recognition Guide
CA-550.....	Federal Injury Compensation
CA-810.....	Injury Compensation for Federal Employees
DOD.....	Priority Placement Manual
DOD5200.2-R.....	Personnel Security Program
Title 5.....	United States Code
Title 5.....	Code of Federal Regulations
X-118/X-118C.....	Qualification Standards Handbook

Collective Labor Agreement

Office of Personnel Management Classification Standards (Located at the following Website: <http://www.opm.gov/fedclass/>)

Guide to Processing Personnel Actions (Located at the following Website: <http://www.opm.gov/feddata/gppa/gppa.asp>)

JTR Vol II (Chapters 3, 4, 7, 8, 11, and 14) (Located at the following Website: <http://www.defensetravel.dod.mil/perdiem/trvlregs.html>)

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