

CHAPTER 1

JOB AND BENEFITS

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CHAPTER 1

ACRONYMS

ACS	American Community Survey
AHS	American Housing Survey
C FUND	Common Stock Index Investment
CATI	Computer Assisted Telephone Interviewing
CE	Consumer Expenditure Survey
CPS	Current Population Survey
CSRS	Civil Service Retirement System
DOC	Department of Commerce
EAFE	Europe, Australia, and Far East Index
EPP	Employee Personal Page
F FUND	Fixed Income Index Investment
FEGLI	Federal Employees Group Life Insurance
FEHB	Federal Employees Health Benefits
FERS	Federal Employees Retirement System
FL	Field Leader
FMLA	Family Medical Leave Act
FR	Field Representative
FS	Field Supervisor
FSA	Field Survey Area
G FUND	Government Securities Investment
HIS	Health Interview Survey
HRD	Human Resources Division
HQ	Headquarters
I FUND	International Stock Index Investment
IRA	Individual Retirement Account
IRS	Internal Revenue Service
L FUND	Lifecycle Fund
LTC	Long Term Care Insurance
LWOP	Leave Without Pay
MRA	Minimum Retirement Age
NAMCS	National Ambulatory Medical Care Survey
NCVS	National Crime Victimization Survey
NFC	National Finance Center
NHAMCS	National Hospital Ambulatory Medical Care Survey
NTE	Not-to-Exceed
OPM	Office of Personnel Management
PBSB	Pay, Benefits & Services Branch
PIN	Personal Identification Number
RD	Regional Director
RSM	Regional Survey Manager
RO	Regional Office
S FUND	Small Capitalization Stock Index Investment
SIPP	Survey of Income and Program Participation
SONC	Survey of New Construction

ACRONYMS, continued

SSN	Social Security Number
TCC	Temporary Continuation of Coverage
TOD	Tour of Duty
TSP	Thrift Savings Plan
VSF	Viatical Settlement Firm
WGI	Within-Grade Increase

CHAPTER 1

JOB AND BENEFITS

1.A INTRODUCTION

The U.S. Census Bureau employs thousands of field staff to collect social and economic data needed by the federal government, American business and industry, and various other public and private groups. Field staff consists primarily of Field Representatives (FRs), along with Field Leaders (FLs) and Field Supervisors (FSs). The direct supervisor of an FR is the FS, who in turn, reports to a Regional Survey Manager (RSM). In some instances, in the absence of an FS, an FL may provide guidance to an FR. In this instance, the FR's direct supervisor is the RSM.

1.B THE ORGANIZATION

The U.S. Census Bureau established the Field Division (FLD) of the U.S. Census Bureau in December 1922. Before then, each Division was responsible for the various programs and separately carried out data collection activities. The FLD's primary function is planning and directing the data collection of national sample surveys, censuses, and other programs at the local level. In addition, FLD collects data for local governments and conducts surveys and special population censuses for other government agencies on a reimbursable basis.

There are Census Bureau Regional Offices (ROs) in six major cities across the country collecting data (See Exhibit 1-A). These ROs report to the FLD Headquarters (HQ) located in Suitland, Maryland. Exhibit 1-B is a list of Regional Office coverage areas and current Regional Directors (RDs). Exhibit 1-C is an organizational chart for a typical RO. The ROs employ field staff to collect data by direct contact with the public; including households, business establishments, and other respondents. During major censuses, the regions establish and manage additional temporary offices.

The U.S. Census Bureau has two Computer Assisted Telephone Interviewing (CATI) Centers that collect survey data through telephone interviewing with households and business establishments. The purpose of CATI telephone interviews may be as a follow-up to field work or to conduct phone interviews. These centers are located in; Tucson, Arizona; and Jeffersonville, Indiana.

Surveys and censuses conducted by the Census Bureau cover a wide range of topics, such as population trends, employment and unemployment estimates, construction activities, crime, income, health, travel, housing, and business.

In addition to demographic, economic, and agricultural census activity, current data collection programs include, among others:

- Current Population Survey (CPS)
- Survey of New Construction (SONC)
- National Crime and Victimization Survey (NCVS)
- Health Interview Survey (HIS)

- Consumer Expenditure Surveys (CE)
- American Housing Survey (AHS)
- Survey of Income and Program Participation (SIPP)
- American Community Survey (ACS)
- National Ambulatory Medical Care Survey (NAMCS)
- National Hospital Ambulatory Medical Care Survey (NHAMCS)

Every 10 years, in years ending in “0,” the Census Bureau conducts the Decennial Census of Population and Housing. The Constitution requires this census so that seats in the House of Representatives can be divided fairly, based on population, among the states. This process is called apportionment. State and local governments also use census numbers to redraw other election districts.

In order to meet the Census Bureau's data customers' expectations, FLD participates in data dissemination activities. Accomplished through a comprehensive program to market census data products, this dissemination educates the public on the availability of census data. The ROs serve as information centers by handling data inquiries and conducting workshops, presentations, site visits and exhibits to meet the data user community's needs.

1.C APPOINTMENTS

1.C1 Appointing Documents

An employee’s appointing document is the SF-50B, Notification of Personnel Action. This document shows the type of appointment, rate of pay and other information about the appointment. Employees should retain all SF-50Bs permanently in a secure location. The SF-50B is a permanent work history of your time at Census. Exhibit 1-D is an example of an SF-50B for an excepted appointment in the federal service.

1.C2 Type of Appointment

a. One-Time Survey Appointments, Schedule A 213.3102(i)(3)

Employees hired to work on a one-time survey usually receive a temporary appointment in the excepted service. This appointment is in accordance with the federal government’s Schedule A Hiring Authority 213.3102(i)(3). Temporary appointments are for an initial period of not-to-exceed (NTE) one year or less, depending upon the length of the one-time survey(s) or census(es), and generally have an intermittent work schedule. The appointment may be extended for an additional period up to a year. The Census Bureau releases employees from federal service when work or funds are no longer available. This release may come before the NTE date of the appointment.

An NTE one-year appointment ordinarily does not entitle an employee to federal life insurance or retirement benefits.

Under the newly modified and expanded Federal Employees Health Benefits (FEHB) enrollment eligibility rules, the following temporary and intermittent employees are eligible to enroll in FEHB:

1) Employees on temporary appointments limited to 1 year (or less) who have worked or are expected to work at least 90 days **and** have worked or are expected to work 130 or more hours (i.e., work and paid leave, as well as qualifying leave-without-pay hours) per calendar month (equivalent to 30 hours per week); and

2) Employees under a seasonal or intermittent work schedule (regardless of appointment type or length of appointment) who have worked or are expected to work at least 90 days and have worked or are expected to work 130 or more hours (i.e., work and paid leave, as well as qualifying leave-without-pay hours) per calendar month (equivalent to 30 hours per week).

b. Current Survey Appointments - Schedule A 213.3114(d)(2)

Employees hired to work on a current or recurring survey usually receive a temporary appointment in the excepted service. FRs are hired on an intermittent work schedule, and FLs and FSs are hired on full-time, permanent work schedules. The work schedule for the FL and FS is a “First 40” schedule, which means that the employees must work 40 hours during no more than 6 days of the administrative workweek. All work performed within the first 40 hours is considered regularly scheduled work for premium pay and hours of duty purposes. However, exceeding 8 hours in a day is still overtime and requires pre-approval.

Current survey appointments are in accordance with the Census Bureau's Schedule A hiring authority 213.3114(d)(2). FRs hired under the (d)(2) are hired on an intermittent work schedule with a temporary appointment of one year. This appointment may be extended for up to four years from the date of appointment. At the end of four years, the employee may either be converted to a permanent appointment or released from the Census Bureau. In most cases, if the employee is converted, they will also be moved to a part-time appointment. The requirement for employees hired under this authority is to serve a trial period. (See Section 1.C4)

The salary of employees is subject to Social Security payroll taxes under the authority of the Federal Insurance Contribution Act (FICA). Old Age, Survivors, and Disability Insurance (OASDI) and Medicare are the main components of FICA payroll tax deductions. Salaries of those hired to work on part-time or full-time work schedules also include deductions for other entitlements, such as retirement, and health and life insurance.

Intermittent employees do not earn leave or other benefits such as life insurance, unless that entitlement was earned in a part-time or full-time position which they held prior to their current, intermittent schedule. They are entitled to health benefits under certain circumstances. See Section 1.G4, for further information.

c. Clerk (Schedule A) Appointments - 213.3114(d)(2)

The Clerk (Schedule A) is assigned to a mixed-tour intermittent work schedule and may be assigned to work in any area of the RO (e.g. Administration, Survey, Geography, Information Technology, Partnership, etc.). Under this hiring authority, a clerk may be given an appointment of one year but may be extended for up to four years. At the end of four years, the clerk may be converted to a permanent position or released. As an

intermittent employee, the Clerk (Schedule A) individual is not entitled to accrued leave, paid holidays, within-grade increases or promotions. They are entitled to health benefits.

1.C3 Mixed-Tour Work Schedule

All Schedule A employees hired on or after July 1985 work a “mixed tour” work schedule. Mixed-tour is a combination of full-time, part-time, and intermittent work schedules, and allows flexibility and the best utilization of the employee based on the work requirements of the organization. However, all FRs work under an intermittent or part-time work schedule and will never be full-time. An intermittent work schedule is one that has no pre-scheduled hours of duty. This type of schedule is appropriate when the work of a less than full-time position is sporadic and cannot be scheduled in advance. The employee works on an as needed basis.

Employees are required to read and sign a mixed-tour work schedule agreement prior to appointment. Intermittent employees may be eligible for conversion to a mixed-tour part-time work schedule.

If hired under the (d)2 authority as noted in 1C2b, FRs will be eligible to be moved to part-time status at the end of their four-year appointment. At that time, FRs are either released or converted to permanent status. FRs converted to permanent status will also be converted to part-time with a 2-hour tour of duty.

The SF-50B, Notification of Personnel Action, documents work schedule changes. Exhibit 1-F is an example of personnel action for a “Change in Work Schedule” from intermittent to part-time.

Appendix A contains questions and answers on excepted service appointments and mixed-tour work schedules.

1.C4 Trial Periods

The trial period requirement for all Schedule A excepted service positions (i.e., supervisory or non-supervisory) is one year of current, continuous service in the same or similar positions for preference eligible candidates; and two years of current, continuous service in the same or similar positions for non-preference eligible candidates. Once the individual has been employed for two calendar years (or one calendar year if preference eligible), in the same or similar position, the individual has completed the requisite current continuous service requirement, is considered an “employee” under 5 U.S.C. 7511, and thus has attained adverse action appeal rights and due process entitlement.

The trial period is considered an extension of the examination process, providing an opportunity for the supervisor to observe the employee’s conduct and performance in the actual duties of the position and to assess overall fitness and qualifications for continued employment. If the supervisor determines performance or conduct does not meet acceptable standards, he/she may separate the employee from federal service during the trial period without procedural protections such as advanced notice and adverse action appeal rights.

All newly appointed field Schedule A excepted service individuals (FRs, FLs, and FSs) must serve a trial period unless they are serving on a temporary appointment limited to two years or less. Additionally, each time an employee is placed in a different position, reassigned, promoted (except a temporary promotion), changed to lower grade to a different position, returned to a

previous position (except from a temporary promotion), the employee is subject to completion of a new trial period, even if the employee successfully completed an initial trial period for that position in the past.

For FR employees on intermittent appointments, we must count periods of nonpay status consistent with the terms of the employment in computing their current continuous service. Therefore, in determining whether the intermittent FR has completed the required two years of current continuous service in the same or similar positions (or one year for preference eligibles), we must count the calendar year(s) from the individual's initial EOD date. (Each time an excepted service employee moves to a position that is not the "same or similar," they must complete a new one or two years of continuous service in order to attain adverse action appeal rights.)

The Human Resources Division (HRD) sends the ROs a Form CD-35, Probationary or Trial Period Report, approximately 2 months prior to the end of the employee's one- or two-year trial period. The RO forwards the form to the supervisor, who determines if the employee's performance, conduct and general traits are satisfactory. Based on the supervisor's assessment, the form is returned to HRD recommending either retention or non-retention. The CD-35 must be returned to HRD 30 days prior to the trial period ending date annotated on the form.

1.D DUTY STATION

A field employee's residence is his/her duty station. However, if a field employee receives an assignment to do telephone interviewing or survey work in the RO for a period of time, a personnel action is prepared to designate the RO as the duty station.

1.E SALARY

1.E1 Starting Salary

Starting salary is the hourly pay rate established for a position based on the duty station. The Census Bureau hires most FRs at the Grade 4. A few Field Survey Areas (Grade 4/5 FSAs) hire at the Grade 4 with a promotion potential to the temporary Grade 5, and a smaller number of FSAs allow FRs to be hired directly at the Grade 5. The Census Bureau hires FLs at a Grade 5. Most FSs are hired at the Grade 6. FSs in Grade 4/5 FSAs are hired at the Grade 6 with a promotion potential to the Grade 7, and a smaller number of FSAs allow FSs to be hired directly at the Grade 7. Most FR, FL and FS new hires will receive a step 1 starting salary within their respective grade.

Schedule A Clerks are hired at a Grade 4, step 1 and are not eligible for grade or step increases.

1.E2 Promotions

In Grade 4/5 FSAs, Grade 4 FRs can be promoted to the Grade 5 after one year of service from their Entry on Duty date AND after having worked a minimum of 2080 hours. In these same areas, FSs may be promoted to the Grade 7 FS position after the employee has served one year at the Grade 6 level. In both cases, the employee must be performing at level 3 or higher to qualify for promotion. Please check with your supervisor or Admin office to determine if you work in a "Grade 4/5 FSA".

1.E3 Within-Grade Increases

Employees are eligible for periodic within-grade increases (WGIs) after meeting certain requirements such as performing at an acceptable level of competence, and serving on a permanent appointment. Most employees are hired at the Step 1 level.

a. For full-time or part-time employees:

The minimum amounts of time required for a WGI to the next higher salary rates are:

- 52 calendar weeks of creditable service to advance to Steps 2, 3, or 4;
- 104 calendar weeks of creditable service to advance to Steps 5, 6, or 7; and
- 156 calendar weeks of creditable service to advance to Steps 8, 9, or 10.

b. For intermittent employees:

The minimum eligibility requirement for a WGI is based on the number of days worked. Any time worked in a day counts as a day worked. The requirements are as follows:

- 260 days worked in not less than 52 weeks to advance to Steps 2, 3, or 4;
- 520 days worked in not less than 104 weeks to advance to Steps 5, 6, or 7; and
- 780 days worked in not less than 156 weeks to Steps 8, 9, or 10.

1.E4 Pay Periods

Pay periods cover two weeks, and the administrative workweek is Sunday through Saturday for FSs. Full-time FLs and FSs administrative workweek is defined as no more than 6 out of 7 days in a workweek. The workdays do not have to be consecutive. Your administrative office will provide you a pay period calendar.

1.E5 Holidays

a. Federal holidays include:

- *New Year's Day - January 1
- Martin Luther King's Birthday - 3rd Monday in January
- President's Day - 3rd Monday in February
- Memorial Day - Last Monday in May
- *Independence Day - July 4
- Labor Day - 1st Monday in September

- Columbus Day - 2nd Monday in October
- *Veteran's Day - November 11
- Thanksgiving Day - 4th Thursday in November
- *Christmas Day - December 25

** When the holiday falls on a Saturday, the federal government celebrates the holiday on the previous Friday, and when the holiday falls on a Sunday, the holiday observation is on the following Monday.*

b. Holiday Pay:

Full-time employees, including full-time FSs and FLs, are excused from duty without charge to leave or loss of pay and receive holiday pay for the applicable number of hours on the holiday. Part-time employees are only entitled to receive holiday pay when the holiday falls on a regularly scheduled workday. Employees on an intermittent work schedule are not entitled to holiday pay.

b. Holiday Premium Pay:

A full-time employee who is scheduled and approved to work on a holiday receives his/her rate of basic pay plus premium pay at the rate equal to the rate of basic pay for all non-overtime hours worked up to eight hours. A part-time employee required to work on a holiday that coincides with their scheduled hours is entitled to holiday premium pay for non-overtime hours worked up to eight hours. If the employee on an intermittent work schedule performs work on a scheduled holiday, the work is considered regular time. (For additional information, see 11-55(RO) Chapter 4, Section 4.B4 on holiday pay).

1.F REIMBURSEMENTS

In addition to salary, employees receive reimbursement, when authorized, for expenses necessary for their job. These expenses include, but are not limited to:

- Mileage allowance for driving a private automobile on official business. This allowance covers the cost of gas, oil, repairs, towing, and insurance. Employees will not receive additional reimbursement for any of these items.
- Tolls paid for roads, tunnels, bridges, and ferry fares
- Telephone calls
- Parking fees for local travel
- Charges for required fingerprint charts
- Photograph for identification card
- Maps

- Interpreter fees (employees must complete Form BC-1415, Contract for Interpreter Services, and forward it to the RO administrative staff, see Chapter 4)
- Purchase of commercial postage stamps

To claim reimbursement for items other than those mentioned above, employees need advanced approval from a supervisor and must use E2 travel system. Chapter 4 explains reimbursements in detail.

1.F1 How to Submit Telephone Reimbursements

Please follow these guidelines when submitting reimbursement claims for work-related calls made using personal cell phones. Please contact a supervisor with any additional questions.

- Upon receipt of an itemized phone bill, make a copy. Note: If the itemized phone bill is not available monthly, contact the service provider to obtain a copy.
- On the copy of the phone bill, circle or check all official business-related calls and any related charges or minutes used. Clearly indicate the project number related to each call. Note: Do not highlight the bill as it does not show up when copied or faxed. Please include your first and last name and FR code on the top of each page of the bill.
- Provide the itemized phone bill (via mail or fax), with business-related calls circled or checked and corresponding project number(s), to the RO administrative staff for review.
- Enter the reimbursement amount in the “Communications” field in WebFRED with the appropriate project number(s).

Use the guidance below to assist in calculating cell phone reimbursement.

- Only minutes used over the monthly allowance are eligible for reimbursement.
- Determine the total number of minutes charged (both business and personal) OVER the minutes allocated in the plan. Make this number “X”.
- Determine ALL business-related minutes used on phone bill. Make this number “Y”.
- Determine which amount is less, “X” or “Y”.
- Multiply the lesser amount by the overage rate. Find this rate on the bill.

In instances of using a prepaid phone for business-related calls, the reimbursement is for business-related calls times the cost per minute. The receipt submission process is the same as outlined above.

Below are examples of how to calculate telephone reimbursements.

	Example 1	Example 2	Example 3	Example 4
Plan Details	An employee’s plan allows 300 minutes per month. The cell	An employee’s plan allows 300 minutes per month. The cell	An employee’s plan allows 600 minutes per month. The cell	An employee’s pre-paid cell phone plan is \$99.99 for 400

	phone provider charges .40 per minute for every minute over the 300 allowed.	phone provider charges .40 per minute for every minute over the 300 allowed.	phone provider charges .40 per minute for every minute over the 600 allowed.	minutes of call time. \$99.99/400=.25 per minute.
Minutes Used Per Month	400	400	1400	280
Total Minutes Allowed	300	300	600	N/A
Minutes Over Plan (Business and Personal)	100=X	100=X	800=X	N/A
Total Business-Related Minutes (Within and Over Plan)	280=Y	80=Y	680=Y	280
Reimbursement Calculation: Lesser of X or Y Times Overage Charge	100 x .40=\$40 reimbursement	80 x .40=\$32 reimbursement	680 x .40=\$272 reimbursement	280 x .25=\$70 reimbursement

Below is a chart for use in calculating monthly reimbursement. Feel free to include this chart with the itemized phone bill when submitting to a supervisor.

			X	Y	If X is less than Y	If Y is less than X
Minutes Allowed Per Month (see cell phone plan)	Overage Charge (see phone bill)	Total Minutes Used	Total Minutes Over Plan Allowance (Both Business and Personal)	Total Business-Related Minutes Used (Within and Over Plan)	Reimbursement Calculation= X x Overage Charge	Reimbursement Calculation= Y x Overage Charge

1.G BENEFITS – RETIREMENT, THRIFT SAVINGS PLAN, LEAVE AND INSURANCE

Part-time and full-time employees serving on permanent or temporary appointments earn leave; receive coverage from the Civil Service Retirement System (CSRS), CSRS Offset, or Federal Employees Retirement System (FERS); are eligible to participate in the Thrift Savings Plan (TSP); and are eligible for insurance coverage. FERS covers most new hires. Intermittent employees are not eligible for these benefits, except for health insurance under certain circumstances.

1.G1 CSRS, CSRS Offset, and FERS

a. Civil Service Retirement System and CSRS Offset

Employees covered under CSRS pay into both CSRS and Medicare with the option to participate in the TSP. Employees previously separated from federal service, for at least one year and with at least five years of creditable civilian service by the end of 1986, receive coverage under the CSRS Offset retirement plan. These employees pay a reduced CSRS contribution, and also pay into Medicare and Social Security. CSRS Offset employees also have the option to participate in the TSP, and may elect to convert to FERS within six months from the date they become eligible for retirement coverage.

A CSRS or CSRS Offset employee who separates from federal service may withdraw the money paid into CSRS while employed. To qualify for a refund an employee must:

- Separate for more than 31 days from federal service;
- Not be eligible for an immediate annuity;
- Notify current or former spouse of an application to withdraw retirement funds.

A CSRS employee can redeposit funds withdrawn only if he/she later returns to federal service under a position covered by CSRS or FERS.

A CSRS or CSRS Offset employee who wants to receive a larger annuity than otherwise payable based on service and his/her high-3 salary may make voluntary contributions to secure additional annuities, provided he/she does not owe a deposit or redeposit. The contributions paid by the employee go directly to an account with the Office of Personnel

Management (OPM). Total contributions may not exceed 10 percent of the total basic pay the employee received during all of their federal service. To apply, complete SF-2804, Application to Make Voluntary Contributions, available online at http://www.opm.gov/forms/pdf_fill/sf2804.pdf

b. Federal Employee Retirement System

FERS covers employees appointed or converted to a full-time or part-time appointment after 1983 and with no prior federal service.

This system consists of three components: Basic Annuity, Social Security, and TSP. The TSP is especially important to FERS employees because the formula used to compute the FERS Basic Annuity is less generous than the formula used to compute the CSRS annuity. The TSP offers FERS employees an excellent opportunity to supplement their retirement income.

A FERS employee separating from federal service may withdraw the money paid into FERS while employed. To qualify for a refund an employee must:

- Separate for more than 31 days from federal service;
- Not be eligible for an immediate annuity; and
- Notify current or former spouse of an application to withdraw retirement funds.

A FERS employee who receives a refund of his/her contributions will void any eligibility for a future annuity based on service covered by the refund. If an employee returns to service later, he/she may not redeposit refunded contributions, and no retirement credit is given for the service time covered by the refund.

c. Planning for retirement

The following is an outline of important steps suggested by OPM that employees should take in planning and carrying out retirement. Listed in appropriate order are the steps that should be considered.

Determine eligibility to retire:

1. Determine the timeline to meet the age and service requirements for retirement. As appropriate, refer to Exhibit 1-G or 1-H for assistance with the determination.
2. Check with the Pay, Benefits and Services Branch (PBSB) of Human Resources Division (HRD), HQ, 800-871-5816 about any period of service that is necessary to give an annuity at a certain age. In particular, employees should consider paying the deposit due for periods of temporary service not covered by a retirement system.

d. Deciding to retire

Two to three years before retirement, if possible, request information about any other eligible pensions (i.e., Social Security benefits). Employees should:

1. Request information from any other system about eligibility, the amount of the pension, and when benefits begin.
2. Determine the effect of this retirement annuity on the other pensions.
3. Request an estimated computation of an annuity from the PBSB, HRD, at 800-871-5816. Requesting three months before retirement is soon enough in most cases.
4. Request alternative computations up to one year before retirement. Employees may want to decide whether to waive military retired pay, pay deposit for Post-1956 military service, pay any deposit or redeposit due, or choose between a civil service annuity and an annuity under another federal civilian retirement system.

Please direct any additional information or questions regarding retirement or the TSP to the PBSB at 800-871-5816. (See Exhibits 1-G, 1-H, and 1-I for more information on eligibility for retirement and annuity computations).

1.G2 Thrift Savings Plan

The TSP is a retirement savings and investment plan for federal employees. The purpose of the TSP is to provide supplemental retirement income. Participation is voluntary.

a. General Information

CSRS, CSRS Offset and FERS employees may elect to participate in the TSP within 60 days of retirement system coverage eligibility, or during a subsequent open season. Upon hire, RO administrative staff provides guidance and additional information on enrolling in the TSP. See Exhibit 1-J, Thrift Savings Plan Election Form or visit www.tsp.gov.

When FERS employees contribute to their TSP account through payroll deductions, the agency also matches part of these contributions. Employees decide how to invest the money.

TSP investment funds are the Government Securities Investment (G Fund), Common Stock Index Investment (C Fund), Fixed Income Index Investment (F Fund), Small Capitalization Stock Index Investment (S Fund), the International Stock Index Investment (I Fund), and Lifecycle (L Fund). The following is a brief description of each fund:

- The G Fund invests in short-term nonmarketable U.S. Treasury securities guaranteed by the U.S. Government. There is no chance of loss of principal from default, and, therefore, no credit risk. The G Fund earnings consist entirely of interest income, reinvested when received.
- The C Fund invests in a stock index that replicates Standard & Poor's 500 (S&P 500) stock index. The primary source of earnings in the S&P 500 index is the net changes in the price of the stocks, as well as dividend income. The C Fund is

subject to market risk, as prices of stocks rise and fall, as well as inflation risk, since the investment may not grow enough to offset inflation.

- The F Fund invests in a bond index fund that tracks the Barclays Capital U.S. Aggregate Bond Index, a broad index that includes U.S. Government, mortgage-backed, corporate and foreign government sectors of the U.S. bond markets. Although gains or losses in principal resulting from changing market interest rate levels can make up a sizeable portion of F Fund earnings in any one year, the interest income on the securities is likely to make up the major part of earnings. There is the potential for higher earnings with the F Fund than the G Fund, but there also is a greater risk of loss.
- The S Fund tracks the Dow Jones U.S. Completion Total Stock Market Index. Although diversified among industries and companies, the S Fund's losses will occur if and as the value of the Dow Jones U.S. Completion Total Stock Market Index declines.
- The I Fund invests in a stock index fund that replicates the Morgan Stanley Capital International Europe, Australasia, Far East (EAFE) Index. The earnings consist of the net changes in the prices of stocks, dividend income, and change in the relative value of currencies. I Fund investments tend to fluctuate more than C or S Fund investments. (Keep in mind that domestic and international stock markets often move in the opposite direction).
- The L Funds, or Lifecycle Funds, use professionally determined investment mixes tailored to meet investment objectives based on various time horizons. The objective is to strike an optimal balance between the expected risk and return associated with each fund (G, F, C, S, and I Funds). The investment mix of each L Fund becomes more conservative as the specific target date approaches. This strategy assumes that the more years investors have until retirement, the more willing they are to tolerate risk, hopefully in order to attain higher rates of return. When an L Fund reaches its target date, the fund rolls into the L Income Fund.

The L Income Fund focuses on capital preservation while providing a small exposure to riskier assets in order to reduce inflation's impact. The progression from a target date L Fund to the L Income Fund is automatic.

To invest in the L Funds, an employee must determine the date when, after leaving federal service, he/she will need the money that is in the TSP account. Then identify the L Fund that matches the target date.

<u>Choose:</u>	<u>If target date is:</u>
L 2040	2035 or later
L 2030	2025 through 2034
L 2020	2015 through 2024
L Income	If already withdrawing an account in monthly payments

b. Employee Contributions

1. *Regular Employee Contributions* – These are payroll deductions made from basic pay before taxes. Employees can elect to have this deduction set as a specific amount, or

a percentage. Employees may contribute any amount up to the annual elective deferral limit. The Internal Revenue Service (IRS) calculates the annual elective deferral limit, which can change annually. The TSP announces the limit on the TSP website on www.tsp.gov.

2. *Catch-Up Contributions* – Employees can begin making catch-up contributions at any time beginning in the year they turn 50. Catch-up contributions are in addition to the regular TSP contributions, and employees must contribute the maximum amount for the year to TSP or an equivalent tax-deferred employer plan before they are eligible to make catch-up contributions. The IRS sets the limit for catch-up contributions. Check www.tsp.gov for updated information.

c. Agency Contributions

1. *Agency Automatic (one percent) Contribution* – For FERS employees, the agency contributes an amount equal to one percent of the base pay each pay date to a TSP account. There is no waiting period and employee contributions are unnecessary to receive that automatic agency contribution.
2. *Agency Matching Contributions* – FERS employees receive matching contributions. The agency matches the first three percent of pay contributed dollar for dollar. The next two percent of pay contributed matches at 50 cents on the dollar. The maximum government contribution is five percent, including the automatic one percent.

To allocate contributions or to change the distribution of fund balances among the five funds, log-on to www.tsp.gov, access personal information via the Employee Personal Page (EPP) or call the ThriftLine at 877-968-3778. With no specific allocations, the one percent contribution automatically goes into the G fund.

d. Withdrawal Options

Two in-service withdrawal options give employees access to TSP accounts under limited circumstances while still employed (including participants in non-pay status). The options are:

1. *Age-based withdrawal* – TSP participants who are age 59 1/2 or older can make a one-time withdrawal of all or a portion of their vested account balance. The minimum withdrawal amount is \$1,000 or the total account balance, if less than that amount.
2. *Financial hardship withdrawal* – TSP participants of any age who can demonstrate financial hardship can make a minimum withdrawal amount of \$1,000 or more of their own contributions, not to exceed the amount of the documented hardship. Employees who make a hardship withdrawal cannot make further TSP contributions or an additional hardship withdrawal for a period of six months. At the end of the six-month period, these individuals are eligible to make a new TSP election, even outside of an open season. Any prior TSP contributions will not begin again automatically.

Before making an in-service withdrawal, there are several factors to consider. Most importantly, any in-service withdrawal from a TSP account permanently reduces the savings by the amount of the withdrawal and its future earnings. Under the *Internal Revenue Code*, this is taxable income, unless it is an age-based, in-service withdrawal rolled over into an Individual Retirement Account (IRA).

Employees covered by the FERS who make a financial hardship in-service withdrawal are not permitted to contribute for six months. Therefore, these employees will not receive any agency matching contributions for six months (but will continue to receive the agency's automatic one percent contribution).

To apply for a withdrawal, complete Form TSP-75/75-T, Age-Based In-Service Withdrawal Request Package, or Form TSP-76/75-T, Financial Hardship In-Service Withdrawal Package. These forms are available from RO administrative staff, HQ Benefits and Retirement Staff by calling 1-800-871-5816, and online at www.tsp.gov.

e. Loan Program

There also is a loan program available for TSP participants. Through the TSP loan program, investors may borrow their own contributions and earnings on these amounts. There are two types of loans available; a *General Purpose Loan* for a repayment period of one to five years, or a *Residential Loan* for the purchase of a primary residence with a repayment period of one to 15 years.

The minimum loan is \$1,000. The interest rate for the life of the loan is the monthly G Fund return rate at the time of application. Repayment of the loan is through regular payroll allotments and the principal and interest go into the TSP account.

For additional information about loan restrictions and requirements, request from the RO administrative office a booklet, *Thrift Savings Plan Loan Program*. Detailed TSP information is available in the *Summary of the Thrift Savings Plan for Federal Employees*, as well as the booklet, *Investments, Options and Operations*. With a Social Security Number (SSN) and Personal Identification Number (PIN), employees can access the TSP web site at www.tsp.gov. This site offers account balance, inter-fund transfers, loans, and withdrawals.

f. Employees Leaving Federal Service

Employees leaving the federal service may choose from among one or more of the following withdrawal options:

- Receive an annuity;
- Receive equal monthly installments upon retirement age;
- Receive a lump sum payment when retirement age is reached; or
- Transfer funds to an IRA or other eligible retirement plan.

g. Roth and Traditional TSP Options

Employees can choose to invest in a Roth or Traditional TSP. The Roth TSP option allows employees to invest post-tax dollars in the TSP, whereas the Traditional TSP option allows employees to invest pre-tax dollars in the TSP.

Regardless of whether the employee chooses to invest in the Roth or Traditional TSP, the agency matching funds go into a Traditional TSP.

1.G3 Leave - Annual, Sick, Court, Without Pay, *Family Friendly Leave Act*, *Family and Medical Leave Act*

Full-time employees earn annual and sick leave. Part-time employees earn pro-rated annual and sick leave based on the number of hours they work. Employees working on an intermittent schedule cannot earn or use annual and sick leave, and are not entitled to any of the leave categories in this section. When working on an intermittent schedule, any annual and sick leave accrued while on the other schedules holds in abeyance until the TOD changes back to a leave-earning work schedule. If the employee is terminated or is not expected to return to a leave-earning work schedule, the annual leave is paid in lump sum. Any unused sick leave re-credits upon return to federal service.

The only exception to this leave policy applies to temporary employees serving on appointments of less than 90 days. Such employees accrue sick leave only. If the appointment extends beyond the NTE date, without a break in service, the annual leave is credited retroactively.

The maximum annual leave that can be carried over from one leave year to another is 240 hours. Employees must use all annual leave over 240 hours by the end of the last pay period in the leave year or forfeit those hours. If an employee knows he/she is going to forfeit this leave, he/she may want to ask RO administrative staff about the Leave Donor Program a few pay periods before the end of the leave year.

Sick leave may accumulate without limitation and is considered creditable service at the time of retirement under the CSRS or CSRS-Offset systems. For employees covered by FERS, credit toward annuity computation depends on the date entitlement to the annuity began. The following formulas apply:

- 50% for an annuity that began from October 28, 2009 through December 31, 2013.
- 100% for an annuity on or after January 1, 2014.

a. Annual Leave Earning Rate

Leave earning employees earn annual leave based on the number of years of creditable federal service as follows:

- Less than three years creditable federal service – one hour of annual leave earned for each 20 hours worked in a pay period.
- Three but less than 15 years creditable federal service – one hour of annual leave earned for each 13 hours worked.
- Fifteen years or more creditable federal service – one hour of annual leave earned for each ten hours worked.

c. Sick Leave

All leave earning employees, regardless of creditable federal service, earn sick leave at the same rate; one hour of sick leave for each 20 hours worked. Sick leave is an approved absence from duty without loss of pay to which an employee is entitled when legitimate reasons exist.

Employees who are out on sick leave for more than three consecutive workdays must have a signed medical certificate or a signed statement with the reason for not seeing a physician. In some circumstances, supervisors may request documentation for absences of three consecutive workdays or less. Improper use of sick leave is grounds for disciplinary action.

Employees are entitled to use sick leave for the following:

Personal Medical Needs

An employee is entitled to use sick leave when he/she:

- Receives medical, dental, or optical examination or treatment.
- Is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth.
- Would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his/her presence on the job because of exposure to a communicable disease.

Family Care or Bereavement

Employee entitlement includes the use of up to 104 hours of sick leave each year (or the number of hours of sick leave the employee normally accrues during the leave year) to:

- Provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth.
- Attend to a family member receiving medical, dental, or optical examination or treatment.
- Provide care for a family member who would, as determined by the health authorities having jurisdiction or a health care provider, jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease.
- Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

Care for a Family Member with a Serious Health Condition

An employee is entitled to use up to 480 hours of sick leave each year (or 12 times the average number of hours in the employee's scheduled TOD each week, whichever is less) to provide care for a family member with a serious health condition. If the employee has used any portion of the allowed sick leave for general family care or bereavement purposes in a leave year, subtract the amount from the 480-hour entitlement.

Adoption

An employee may use sick leave when he/she must be absent from work for purposes related to his/her adoption of a child including:

- Appointments with adoption agencies, social workers, and attorneys.
- Court proceedings.
- Required travel.
- Periods of time ordered or required by the adoption agency to care for the adopted child.
- Any other activities necessary to allow the adoption to proceed.

c. Court Leave

Court leave is an authorized absence with pay from scheduled work when an employee receives a summons to appear in court as a federal, state, or local government witness or for jury duty. Employees must send a copy of the summons to the RO for court leave approval.

If an employee receives paid court leave for salary (not expenses), he/she should send a check equivalent to the pay received from the court to the RO administrative staff, made payable to "Commerce-Census." *Employees may retain any reimbursements for mileage or expenses. Employees not choosing to take court leave while on jury duty may retain all money paid by the court for services.*

d. Leave Without Pay (LWOP)

LWOP is a temporary non-pay status and absence from duty. LWOP may be approved for leave-earning employees if requested by an employee who does not have enough annual or sick leave available. Authorizing LWOP is at the discretion of the RD with the primary consideration being the convenience of the government, rather than the employee.

e. Requesting Annual and Sick Leave

An employee must obtain supervisory approval for all annual and sick leave requests. Employees will not be paid for leave taken without authorization, and may be subject to disciplinary action if they take leave without prior approval.

Employees should request annual leave (except in emergencies) from a supervisor at least one month in advance in writing. Employees may take accrued annual leave at any time, for vacation and emergency situations, with a supervisor's approval. Employees should request sick leave (except in unplanned situations) as far in advance as possible. For unplanned sick leave (such as illness or emergencies), the sick leave request and supporting documentation, if necessary, should be submitted to the supervisor as soon as the employee returns to a work status.

f. Leave Record

Employees receive an earnings statement after each pay cycle showing leave used for the pay period, year-to-date, and total balance.

g. *Family and Medical Leave Act (FMLA)*

The FMLA allows employees who have completed at least 12 months of federal service to take unpaid leave for the birth and care of a child; placement of a child (with the employee) for adoption or foster care; care of their own serious health care needs or the needs of a child, spouse, or parent who is seriously ill or injured; or for qualifying events when the employee's spouse, child, or parent is on covered active duty status. Contact a supervisor for additional information about FMLA.

i. Unpaid Leave for Family Friendly Purposes

RO management may grant LWOP to an employee to help balance the demands of family and work. An employee may schedule and receive permission to use up to 24 hours of LWOP in a leave year to:

- Attend school and early childhood educational activities directly related to the educational advancement of a child.
- Accompany children to routine medical or dental appointments.
- Accompany elderly relatives to routine medical or dental appointments or other professional services directly related to the care of the elderly relative.

LWOP for these purposes is in addition to an employee's entitlement to sick leave for general family care under the FMLA.

j. Leave Donor Program

The Voluntary Leave Transfer Program assists Census employees (with exhausted annual and sick leave) in times of medical emergencies. The program enables employees to donate annual leave to other employees to cover periods of absence caused by medical emergencies. In some instances, leave donors/recipients are from agencies outside of the Census Bureau.

Leave Donor

A leave donor is a current federal employee whose application to donate annual leave receives approval from his/her supervisor and HRD. In general, donors must be employees of the Department of Commerce (DOC). Under certain conditions, donations from other federal agencies are accepted. An employee may donate up to one-half of the annual leave he/she is entitled to accrue during the leave year.

Leave donors should send the following information to the RO administrative staff. The administrative staff then forwards to HRD and the donor's timekeeper:

1. A completed CD-505LF, Donor Leave Transfer Application, signed by a supervisor (request this form from RO administrative staff), and
2. A copy of the employee's current time sheet.

Leave Recipient

A leave recipient is a current leave-earning U.S. Census Bureau employee whose application to receive annual leave from the accounts of one or more donors received approval by his/ her supervisor and HRD. An absence without paid leave of at least 24 hours is necessary to confer eligibility for the leave transfer program. For part-time employees, this absence without paid leave must be the number of hours of work in the employee's biweekly scheduled TOD. The official TOD determines the number of hours of donated leave allowance a part-time employee may use in any one pay period. *Employees with an intermittent TOD are not eligible to become leave recipients. Part-time applicants with variable work hours are limited to a verifiable average.*

Leave recipients must provide the following information:

1. A completed Form CD-504LF, Recipient Leave Transfer Application (request this form from RO administrative staff),
2. A brief personal statement describing the medical emergency,
3. Supporting documentation from a physician, stating the diagnosis, prognosis, recovery time, and projected return to duty,
4. A copy of the latest personnel action (SF-50B) showing the TOD, and
5. A copy of the employee's current time sheet.

Send the complete package to the RO administrative staff. Once a supervisor and HRD approves and signs the CD-504LF, the administrative staff forwards a copy to the employee and timekeeper.

1.G4 Federal Employees Health Benefits Program (FEHB)

Depending on the type of appointment and work schedule, an employee may be eligible

to enroll in any FEHB program. Except for circumstances beyond their control, employees must register within 60 days after becoming eligible. The RO administrative staff provides information on the plans available as well as SF- 2809, Health Benefits Registration Form (See Exhibit 1-K). *An employee must complete and return this form to the administrative staff of the RO whether or not he/she wishes to enroll in a plan.* Employees receive specific information on health plans when they become eligible. Insurance carriers directly provide membership card and claim forms.

a. Eligibility

Employees eligible to enroll in FEHB:

- Employees on full-time or part-time work schedules (FLs and FSs);
- Employees on temporary appointments limited to 1 year (or less) who have worked or are expected to work at least 90 days and have worked or are expected to work 130 or more hours (i.e., work and paid leave, as well as qualifying leave-without-pay hours) per calendar month (equivalent to 30 hours per week);
- Employees under a seasonal or intermittent work schedule (regardless of appointment type or length of appointment) who have worked or are expected to work at least 90 days and have worked or are expected to work 130 or more hours (i.e., work and paid leave, as well as qualifying leave-without-pay hours) per calendar month (equivalent to 30 hours per week).
- Schedule A Clerks

b. Cost

The cost of health insurance varies according to type of appointment, TOD, and health plan and option selected. Employees receive specific information on health plan costs when they become eligible. The cost is prorated for all permanent part-time employees with TODs between 32 hours and 64 hours a pay period. Check with the administrative staff in the RO to determine the employee share for these tours (see Exhibit 1-E).

b. Enrollment or Change in Enrollment

In most cases, employees may enroll in or change health plans at the following times:

Employees on Intermittent Work Schedules:

1. An employee on an intermittent work schedule is eligible to enroll in FEHB when he/she works 130 hours in any one-month period, including during the first 90 days of employment.
2. An employee on an intermittent work schedule is eligible to enroll in FEHB when he/she converts to a part-time or full-time work schedule.

Employees on part-time or full-time work schedules, including Schedule A Clerks:

1. Upon entering a position with a part-time or full-time work schedule under a permanent appointment, or after meeting the work hour requirement for temporary appointments (see Section 1G4a), the employee is eligible to enroll in FEHB.
2. During “open season,” (held each year, usually in November/December), the employee can enroll or change health plans.
3. When an eligible family member loses coverage under the FEHB program or another group health benefits plan. Employees who lose coverage under a spouse’s non-federal plan for any reason, including voluntary cancellation of that coverage, may enroll or change enrollment within the period beginning 31 days before and ending 60 days after the date of loss of coverage. See Exhibits 1-L and 1-M.

NOTE: Refer to the SF-2809 (provided by RO administration) for a complete list of permissible changes outside of an open season. Unless an employee elects to waive participation in premium conversion, he/she may cancel enrollment only during open seasons or in connection with a permissible life event change. Premium conversion is a “pre-tax” arrangement, meaning that the part of an employee’s salary that goes for health insurance premiums will become non-taxable.

c. Deductions

Each pay period includes full withholding deductions. Coverage continues according to the plan chosen. Employees are required to elect either to incur indebtedness or to pay for health insurance that continues during periods of non-pay status or for pay periods in which there are insufficient funds. If an employee makes no election, coverage terminates retroactively to the last full pay period worked. Upon returning to pay status, an employee may then elect to re-enroll within 60 days. Direct payments do not receive the tax benefit of premium conversion. Contact the PBSB at 800-871-5816 for more information.

1. If electing to make direct payments when in non-pay or insufficient pay status, send check or money order payable to:

USDA – NFC-ABCO
 Administrative Collections
 P.O. Box 790342
 St. Louis, MO 63179

Reference Line: FEHB Payments

To make payments directly, include a note stating pay period(s) covered, name, SSN, FEHB enrollment code, and agency (U.S. Census Bureau). Label checks clearly “FEHB premium.”

2. If payment is not made by check, an extra payment(s) automatically deducts from the next payroll. These payments withhold pretax under premium conversion.

Upon leaving federal service, any unpaid health benefits premiums for periods in which coverage continued are collected from the final salary check, a lump sum payment of accrued annual leave or retirement monies.

Employees on a temporary appointment and with at least one year of continuous service and who elected health benefits when first eligible or during an open season, are responsible for both the employee and government share of health benefit premiums. If an employee does not want this coverage, he/she may cancel the health benefit enrollment. Please be aware, however, that benefits cancelled, in most cases, may not re-enroll until another open season.

Upon retirement, employees are eligible to have health benefits enrollment continue as long as they enrolled in the health benefit program for the five years of service immediately preceding retirement or from the time of first eligibility, if less than five years. If the annuity is insufficient to cover the share of the cost of the enrollment, employees may pay the premium directly to the OPM retirement system.

d. Continuing Coverage for Disabled Children Over Age 26

Under the mandates of the Affordable Care act, a child's health benefits coverage ends when the child's reaches age 27, unless the child is determined incapable of self-support because of an existing physical or mental disability. When there are specific medical conditions, it is the Census Bureau's Medical Officer and the Benefits and Retirement Staff who qualify disabled children for continuation of coverage.

There are certain medical conditions so severe that there is no question that these conditions are not reversible and would cause children to be incapable of self-support during adulthood. OPM determined that an enrollee, whose child has one of these conditions, may request continued coverage directly from the health benefit's provider. To assure uninterrupted coverage for disabled children, either the carrier or employing agency may make determinations of incapacity based on the following medical diagnoses:

- AIDS (classes A3, B3, C1, C2 & C3)
- Cancer with metastasis
- Severe juvenile rheumatoid arthritis
- Severe heart disease
- Ectodermal dysplasia
- Chronic renal failure
- Advanced muscular dystrophy
- Severe mental illness

- Chronic hepatic failure
- Osteogenesis imperfecta
- Chronic neurological disease
- Xeroderma pigmentosa
- Severe organic mental disorder
- Severe autism
- Mental retardation with IQ of 70 or less
- Inborn errors of metabolism with complication

e. *Spouse Equity Act*

An ex-spouse can continue coverage under the FEHB Program, if he/she received coverage as a family member under the employee's FEHB enrollment, at some time within the 18-month period prior to the divorce or annulment.

To be eligible for a Spouse Equity enrollment, the former spouse must be eligible for a portion of the employee's annuity based on qualifying court order, or a survivor's annuity elected by the employee. This coverage does not expire unless the former spouse remarries before age 55, the former spouse dies, the employee dies and no survivors' annuity is payable, or a refund of retirement funds is paid to a separated employee on whose service the health benefits are based.

The cost of this coverage includes both the government and employee share of the health benefit premium.

Either the employee or the ex-spouse must notify the PBSB, HRD, HQ, 800-871-5816 of the change in family status within 60 days from the date of the divorce or annulment. Benefits staff provides enrollment information. OPM approves eligibility to enroll under Spouse Equity provisions. To expedite health benefits' coverage, a former spouse may wish to apply to the Benefits Staff for Temporary Continuation of Coverage (TCC), while waiting for OPM to approve a Spouse Equity enrollment (See f. below). In either case, the employee must submit a completed SF-2809, Health Benefits Registration Form, Exhibit 1-K, to the Benefits Office. Call HRD's Benefits Staff at the above number to request the enrollment form.

The NFC handles billing and collection of premiums for former spouse enrollments. NFC also provides open season information to enrollees eligible to change plans annually.

Remember, it is the responsibility of an employee to remove a spouse as a dependent from an FEHB enrollment. Even though a judge's decree may require an employee to maintain health insurance coverage for an ex-spouse, it is fraudulent to continue to carry an ex-spouse as a dependent on the existing federal enrollment. An employee may face liability for any claims made on the policy by a former spouse.

f. Temporary Continuation of Coverage

Employees who separate from federal employment, and their children or former spouses who no longer meet eligibility requirements, may temporarily continue health benefits coverage.

Eligible employees are able to continue health coverage for up to 18 months. To be eligible for TCC, employees must separate from federal service, not transfer to another federal agency. Eligible children and former spouses may continue coverage for up to 36 months. HRD's PBSB notifies separating employees by letter of the opportunity to continue coverage and election options. See Exhibits 1-L and 1-M. Employees receive automatic coverage for 31 days from the effective date of separation. If an employee chooses TCC, he/she has an additional 29 days to elect such coverage. Eligible children and former spouses may request this information from the PBSB Staff.

The cost of this coverage includes both the government and employee share of the health benefits premium, plus an administrative fee of two percent of the premium.

RO administrative staff can provide an SF-2809, Health Benefits Registration Form, Exhibit 1-K, for enrollment. NFC, and not the RO or Census Bureau HQ, handles billing information, additional correspondence on health plan enrollment, open season brochures and other materials.

1.G5 Federal Employees Group Life Insurance (FEGLI)

Full and part-time employees on permanent appointments are eligible for FEGLI and the three optional insurance plans described in this section.

a. Basic Life Insurance

Basic life insurance begins automatically on the first day of the pay period in which an employee becomes eligible. However, if an employee waived coverage during previous Federal employment on or after April 1, 1981, the waiver remains in effect unless the break in service exceeds 180 days.

Unless an employee waives coverage before the end of the first pay period, automatic deductions come from his/her paycheck for basic life insurance coverage. Employees should return the completed Form SF-2817, Life Insurance Election Form, as soon as possible to the RO administrative staff (See Exhibit 1-N).

1. The amount of basic life insurance coverage is based on annual salary, pay, or compensation rate as fixed by applicable law or regulations. If annual pay is \$8,000 or less, insurance is \$10,000. If annual pay is more than \$8,000 insurance is for an amount equal to the sum of annual pay rounded to the next higher thousand dollars, plus \$2,000.

NOTE: Dividing the per annum salary by 52 weeks, then dividing by 40 hours, equals the hourly pay rate, which determines the annual pay for part-time employees. Multiply the hourly rate by the weekly TOD multiplied by 52 weeks (or times the bi-weekly TOD multiplied by 26).

Example: \$31,892 PA / 52 weeks / 40 hours
 X 24 hours / week X 52 weeks =
 \$19,135 rounded up = \$20,000
 + \$2,000 = \$22,000 Basic Life Amount

OR

\$31,892 / 26 / 80 hours X 48 hours
 X 26 pay periods = \$19,135 rounded up =
 \$20,000 + \$2,000 = \$22,000 Basic Life Amount

For employees under age 35, an extra benefit doubles the amount of life insurance payable. Beginning on the employee's 36th birthday, the extra benefit decreases 10% each year until, at age 45, when there is no extra benefit.

To determine the cost for life insurance, FSs/FLs can use the Federal Employees' Group Life Insurance (FEGLI) calculator located at:
<https://www.opm.gov/healthcare-insurance/life-insurance/>

You must enter your annual salary into the calculator and then select your options to see what the coverage will cost.

In some scenarios, the change to full-time status may cause a significant increase in contributions to life insurance premiums.

2. Deductions

Each pay period of salary received withholds for Basic Life Insurance. The amount of withholding each pay period is 15.5 cents for each \$1,000 of the Basic Insurance amount. Employees under age 45 receive the extra benefit without additional cost. Therefore, for \$10,000, the deduction would be \$1.55.

3. Optional Insurance

When electing Basic Life Insurance coverage, employees may select any or all of the following three options. Employees pay the full cost of the options since there is no government contribution. The cost of all options depends on age. Unlike Basic coverage, the optional insurances are not automatic and only acquired by completing "Item 4" of the SF-2817 (Exhibit 1-N).

- Option A - Standard

This option provides \$10,000 coverage in addition to the basic insurance amount.

- Option B - Additional

This option provides coverage equal to one, two, three, four or five times annual basic pay (after rounding to the next \$1,000).

For part-time employees, the annual basic pay is based on the TOD, not the hours worked and not the annual basic pay. Therefore, the option provides coverage equal to one to five times prorated (reduced) by the TOD.

Option C - Family

This option provides coverage for “eligible family members.” Employees may elect one, two, three, four or five multiples of coverage. Each multiple is equal to \$5,000 for spouse and \$2,500 for each dependent child. Employees cannot elect a different multiple for spouse than for eligible children. The maximum benefit is \$25,000 for spouse and \$12,500 for each eligible child.

When in a pay status for any part of a pay period, deductions are taken for Basic Insurance as well as for any elected options, unless salary is insufficient to cover the withholding after deductions for retirement, Medicare, federal income tax, and health benefits. Further information on all insurance covered by the FEGLI Program is in the SF-2817, Exhibit 1-N, distributed by RO administrative staff.

c. Living Benefits

Terminally ill employees, compensationers, and annuitants enrolled in the FEGLI Program who wish to receive a pre-death benefit have a choice of the following:

1. *The Living Benefits Act, Public Law 103-409*, authorizes a lump sum payment of Basic Life insurance benefits only, to terminally ill federal employees and retirees, with a documented medical prognosis of a life expectancy of nine months or less. To request an application, contact the Office of FEGLI at 1-800-633-4542.
2. An employee may assign Basic and all Optional insurance (except Option C) to a third party, known as Viatical Settlement Form (VSF), in exchange for cash. The cash may range between 60 to 85 percent of the total value of the insurance coverage. VSFs will generally accept assignment from individuals with life expectancies of 24 months or less.

Contact HRD’s PBSB Staff at 800-871-5816 for more information.

1.G6 Federal Long Term Care Insurance Program (FLTCIP)

Employees and their families may be eligible to enroll in Long Term Care Insurance. Long Term Care Insurance is an important financial planning tool and application while healthy is important. People of any age can develop serious conditions that require assistance with routine daily activities for an extended period and such help can be very costly. FLTCIP can help cover the cost of this care and protect assets.

Employees and their family members are eligible to enroll in FLTCIP at any time.

Eligible employees include full and/or part-time employees serving under a permanent appointment. *Temporary employees without a pre-arranged work schedule are not eligible to enroll in FLTCIP.* Eligible family members include spouse, adult children 18 years of age or older (including adopted children and stepchildren), parents, parents-in-law, and stepparents.

Call toll-free 1-800-LTC-FEDS (1-800-582-3337) or TDD 1-800-843-3557 to speak to a certified LTC specialist, or visit <http://www.LTCFEDS.com> for program information, rates, and to apply.

For questions and answers about the FLTCIP, sponsored by OPM, visit <http://www.opm.gov/insure/ltc> or contact HRD's PBSB staff at 800-871-5816. TDD callers, use 1-800-877-8339.

1.H EMPLOYEE SERVICES

1.H1 The Employee Personal Page (EPP)

The EPP is a web-based application that allows employees to view personal information and initiate payroll and benefits changes via the internet. To access and register with EPP visit the following link: www.nfc.usda.gov/epps/, or via the EPP icon on a government-issued laptop.

a. FEHB

The open season date for FEHB begins Monday of the second full week in November through Monday of the second full week in December. During the FEHB open season, employees may use EPP to start, change, or cancel enrollment, with the following exceptions: (1) temporary employees, or (2) need to enroll more than five family members. Employees in one of these categories must complete and submit a SF-2809, Health Benefits Election Form, to HRD's PBSB at HQ.

The effective date for FEHB open season changes is the first pay period in January. Any changes to FEHB coverage appear on the Statement of Earnings and Leave for Pay Period 01. The health benefits carrier is responsible for issuing identification cards.

b. TSP

At any time throughout the year an employee can access EPP to start contributing, change the percentage or amount already contributing, or stop contributing to TSP. The effective date is usually the beginning of the next pay period after the processing of the election. Any changes to TSP coverage appear on the Statement of Earnings and Leave. If employees covered by the FERS elect to stop contributing to the TSP, they still need to select the agency's one percent contribution allocation.

Individual employees are now in control of processing these actions, so ensuring the validity of PINs is very important. The only way to request a TSP PIN is through the TSP, either electronically through the TSP website, the ThriftLine, or by mail through the TSP Service Office. If the SSN and PIN are not accepted, or lost or misplaced, request a new computer-generated PIN in the Account Access section of the TSP website or over the ThriftLine. Allow approximately ten days to receive the new PIN at the indicated home address.

To request contribution fund allocations and inter-fund transfers visit the TSP website at <https://www.tsp.gov/> or call the ThriftLine at 1-877-968-3778.

c. U.S. Savings Bonds

All employees are eligible to participate in the U.S. Savings Bonds Program. Employees may purchase bonds through the EPP at www.nfc.usda.gov/epps or through www.treasurydirect.gov.

d. Direct Deposit

Direct deposit allows electronic transfer of paychecks to the banking institution of choice. EPP allows employees to start or change direct deposit.

e. Financial Allotments

Financial allotments are voluntary deductions to financial institutions with direct deposit. This allotment does not include such items as charity, savings bonds, thrift savings, garnishments, union, or other organizational dues. For these changes, contact PBSB at 800-871-5816. Employees may start a new allotment, change an existing allotment amount, or stop an allotment through EPP.

f. Federal and State Tax Withholdings

Through EPP, employees can change filing status, number of exemptions, or the amount of additional deductions. Employees may also file initial W-4 forms or file exemptions from withholdings. To file advanced earned income credit, contact PBSB.

g. The Electronic Official Personnel Folder (eOPF) is an E-Government initiative, mandated by the Office of Management and Budget (OMB) for all Executive Branch agencies, and administered by the Office of Personnel Management (OPM). eOPF offers a secure, standard approach for personnel records conversion, storage, access, sharing, and archiving. Bureau of Census (BOC) is collaborating with the Department of Commerce (DOC) and the OPM to fully implement eOPF to all employees.

eOPF allows employees online access to their own individual folder through a secure Internet connection. To help ensure optimal protection of your personal data, users must access the system using a computer within Census firewall.

What are the benefits to using the electronic official personnel folder (eOPF) system for employees?

- Immediate access to personnel forms and information for a geographically dispersed workforce
- Multi-level secure environment with security rules for sensitive information
- Email notification to employees when documents are added
- Reduced costs associated with storage, maintenance, and retrieval of record
- Electronic transfer of human resources (HR) data
- Integration with agencies' HR information systems
- Compliance with OPM and federal record management regulations

Your electronic Census eOPF can be located at: <https://eopf.opm.gov/DOC/>

A new user guide is available at the following link: [eOPF Employee User Guide](#)

APPENDIX A

QUESTIONS AND ANSWERS REGARDING EXCEPTED SERVICE APPOINTMENTS AND MIXED-TOUR WORK SCHEDULES

GENERAL

1. Q. I was just hired. What type of appointment do I have?
 - A. New hires receive a temporary or permanent appointment in the excepted service. Employees given a temporary Excepted Appointment may be eligible for conversion to a permanent Excepted Appointment (without a NTE date), if working on a recurring survey. Employees not converted to a permanent, Excepted Appointment, original appointment may be:
 - Extended for additional periods for up to four years of total cumulative service, or
 - Terminated on or before the NTE date of the original appointment.

2. Q. I was just hired. What type of work schedule do I have?
 - A. The work schedule for all new employees is a mixed-tour. Mixed-tour work schedules provide for changes in employees' work schedules to meet the U.S. Census Bureau's fluctuating workload. A mixed-tour work schedule consists of periods of full-time, part-time, or intermittent employment. However, very seldom does the Census Bureau need employees to work full-time (except for FLs and FSs), and FRs are never given full-time work schedules.

Initially, most new hires receive an intermittent work schedule. Intermittent employees' work schedules may change to part-time.

3. Q. Who is eligible for a part-time work schedule?

A. To be eligible for a change in work schedule to part-time, an employee must demonstrate predictable work hours (includes work on all permanent surveys) that occur every pay period for at least the two previous quarters (pay period quarters).

4. Q. Who is eligible for a full-time work schedule?
 - A. Employees hired or promoted to the Field Leader or Field Supervisor position on a permanent survey.

5. Q. Are there any exceptions to the part-time eligibility criteria?
 - A. Yes, if it is virtually impossible for a supervisor(s) to make an individual assessment for a particular employee or group of employees (e.g., due to the large number of employees, shifting assignments, etc.), the supervisor may require the employee or group of employees to establish a work pattern of 240 regular hours per quarter (pay period quarter) for one or more quarters in a calendar year.

6. Q. When are the qualifying quarters?
- A. The quarters: January through March, April through June, July through September, and October through December. Payroll review is at the end of each of these quarters.
7. Q. How will I be notified that my work schedule will change?
- A. The RO administrative staff notifies employees. Employees also receive an SF-50B, Notification of Personnel Action, documenting this change.
8. Q. What will my TOD be if I convert to a part-time work schedule?
- A. Employees assigned to a part-time work schedule are required to work between two and 64 hours each pay period.
9. Q. If I meet the part-time eligibility criteria, when will my work schedule change?
- A. Normally, the first full pay period of the calendar quarter following the quarter when the employee qualified.
10. Q. What benefits are available to a full or part-time employee?
- A. Employees serving on a permanent appointment (no NTE date) are eligible to receive:
- Federal retirement benefits and may participate in the TSP
 - Annual and sick leave
 - FEHB
 - FEGLI
 - LTC
11. Q. What benefits are available to a full- or part-time employee serving on a temporary appointment?
- A. Employees serving on temporary appointments limited to 89 days or less are eligible for paid sick leave.
- Employees serving on temporary appointments limited to 90 days or more are eligible for paid annual and sick leave.
- In addition, temporary employees who complete one year of current continuous employment, excluding a break in service of five days or less, are eligible to enroll in the FEHB Program.
- Employees on temporary appointments limited to 1 year (or less) who meet the work hour requirements as specified in Section 1.G4, are eligible to enroll in FEHB.
12. Q. What happens to my benefits if my work schedule changes from full- or part-time to intermittent?

- A. Health insurance, life insurance, retirement and TSP coverage continues indefinitely. Annual and sick leave, however, holds in abeyance until a return to a full or part-time work schedule. An employee cannot earn or use leave during this time. An earnings statement does not reflect the leave balance until the employee returns to a leave-earning position.

13. Q. If my work schedule changes from full or part-time to intermittent, will I be paid lump sum leave?

- A. No.

RETIREMENT

1. Q. What retirement plan do I have?

- A. FERS, CSRS, or CSRS Offset (as appropriate) covers full or part-time employees serving on permanent appointments.

Employees serving on temporary appointments (full-time, part-time or intermittent) and intermittent employees serving on permanent appointments receive coverage from FICA (social security) withholdings.

However, if an employee covered by retirement converts to a position that normally does not afford retirement coverage, he/she will maintain his/her retirement coverage in the new position as long as the employee does not have a break in service of more than three calendar days.

2. Q. When can I sign up for the TSP?

- A. Eligible employees may contribute to the TSP immediately after conversion to an appointment/work schedule that affords retirement coverage.

3. Q. When can I retire under FERS?

- A. Specific age requirements need to be met for retirement eligibility. Employees are eligible for a deferred annuity as a separated employee at 55, 56, or 57 depending on year of birth, with a minimum of ten years of service. Otherwise, separated employees with at least five years of creditable service may apply for a deferred annuity at age 62.

4. Q. What if I transfer to another federal agency?

- A. When transferring to another federal agency, retirement coverage contributions may continue with that agency (unless the new appointment does not provide eligibility for benefits).

5. Q. What if I leave government service before I retire?

- A. Under these circumstances, there are two options:

1. Employees can get a refund of retirement contributions. An application for refund needs to be filed with OPM at least 31 days before eligibility for an annuity. An employee with less than five years of service has no entitlement to a retirement benefit and may request a refund of contributions; or, if expecting reemployment in federal service in the future, may leave the contributions in the retirement fund. (Employees with refunded FERS service lose credit for that period if later reemployed).
 2. CSRS employees with at least five years of service can leave the money in the system and apply for a deferred annuity at age 62. This deferred annuity can start as early as age 55, 56, or 57, with a minimum of ten years of service, or at age 62 with at least five years of service.
6. Q. What happens to my retirement money if I die before retirement?
- A. There are two kinds of death benefits:
1. A survivor annuity benefit is payable in monthly installments, or;
 2. For CSRS employees, a lump sum benefit is paid only once (if deceased had less than five years of service and there is no spouse or children eligible for survivor annuity).
- For FERS employees, a lump sum benefit is paid only once (if deceased had less than 18 months of service and there is no spouse or children eligible for a survivor annuity).
7. Q. Where can I get more information on retirement?
- A. Section 1.G1 contains information on retirement. The PBSB at HQ also has information on retirement and will answer any questions. Call PBSB toll-free on 1-800-871-5816.

LEAVE

1. Q. What kind of leave am I eligible for?
 - A. Full- and part-time employees earn annual and sick leave. There also are other types of paid approved absences for which the employee may be eligible (Refer to Section 1.G3)
2. Q. How much annual and sick leave will I earn each pay period?
 - A. The amount of leave earned in a pay period depends on four criteria:
 1. Years of creditable federal service (refer to SF-50B, Notification of Personnel Action, Item #31, Service Computation Date-Leave).
 - Less than three years of service--one hour of annual leave for every 20 hours worked;

- Three to 15 years of service--one hour of annual leave for every 13 hours worked;
 - 15 years of service--one hour of annual leave for every ten hours worked;
 - Sick leave is earned at the same rate for everyone--one hour for every 20 hours worked.
2. Number of hours worked in a pay period. All part-time employees earn annual and sick leave on a prorated basis for all hours in a pay period. (Refer to Section 1.G3)
 3. Type of leave.
 4. Whether an employee has any excess leave without pay (LWOP). (Refer to Section 1.G3d)
3. Q. Can I earn leave for overtime work?
 - A. No, leave is only earned for regular work hours up to a maximum of 40 hours per week.
 4. Q. When can I take annual leave?
 - A. Annual leave needs approval in advance by a supervisor and may be taken any time the workload permits.
 5. Q. When can I take sick leave?
 - A. Employees may use sick leave on scheduled workdays when ill or for qualifying reasons.
 6. Q. What should I do if I want to take leave (annual or sick)?
 - A. All leave requires approval; request approval from program supervisors. Try to request one month ahead for annual leave. An FR may only take sick leave when a work assignment is in-hand. Refer to Section 1.G, for additional information on leave.

HEALTH BENEFITS

1. Q. Which plan is best?
 - A. An employee must decide the best FEHB plan for his/herself based on individual circumstances such as past medical history, age, marital status, number and age of dependents and so on. Read the brochures and the plan comparison chart for each available plan carefully before deciding.
2. Q. Can I wait to decide on health benefits?
 - A. Employees have 60 days from the effective date of eligibility to make a final decision. If, at the end of the 60 days, an employee does not enroll, in most cases, the employee must

wait for the next "open season" to enroll ("open season" usually occurs once a year beginning in November). If enrolling during "open season," health benefits become effective the first pay period in January. Additional life events that allow enrollment at other times are on the Health Benefits Election Form, SF-2809.

3. Q. Can I change my type of enrollment or cancel at any time?
 - A. Employees who waived premium conversion participation may cancel or change from "Self and Family" to "Self-Only" at any time. The SF-2809, Health Benefits Election Form, further explains other types of changes. Employees should make any combination of changes during an open season. Employees covered by premium conversion (which is automatic unless waived when enrolled or during a subsequent open season) can cancel or change a plan/option outside of open season only in connection with a limited number of events included on the SF-2809 form.

4. Q. How much will the plan cost?
 - A. Cost depends on the type of enrollment and the particular plan chosen. Family enrollments are more expensive than "Self-Only" enrollments; high options cost more than low options. Different plans have different rates, depending upon the types of coverage included in the plan.

Consult the rate table for a specific plan's cost to the employee. The government contributes a prorated share of the cost of enrollment for part-time employees with TODs of 32-64 hours per pay period. The amount of the government contribution for part-time employees is determined by comparing the number of hours per pay period for the part-time employee's work schedule with the number of hours a full-time employee in the same type of position works.

5. Q. What if I have a specific question about the coverage of one of the plans available to me?
 - A. Direct specific questions about an individual plan to that plan's enrollment office. The address and phone number for each are on the carrier's pamphlet, and are in the plan comparison booklet.

6. Q. How do I enroll in a particular plan?
 - A. Complete an SF-2809, Health Benefits Registration Form, and return the form to the RO administrative staff.

7. Q. What happens to my coverage if I transfer to another federal position or if I leave government service entirely?
 - A. If transferring to another federal agency coverage continues, as usual. If you leave the government service, consult with the provider. Coverage automatically extends for 31 days after separation. An individual whose insurance terminates must request conversion information from the carrier within 31 days from the date of the notice, but no later than 91 days from the date the enrollment terminates.

In addition, employees who separate from federal employment may temporarily continue health benefits coverage for up to 18 months. For additional information on health benefits and TCC, refer to Section 1.G4.

LIFE INSURANCE

1. Q. Can I wait to decide whether I want life insurance?
 - A. No, deductions begin automatically for basic life. An employee must file a SF-2817, Life Insurance Election, waiving the insurance to terminate this coverage. In addition, complete a SF-2817 to elect one of the three additional optional insurances within 31 days of conversion. Please note that employees have 60 days in which to enroll in health benefits, but only 31 days to elect optional life insurance coverage.

2. Q. If I waive life insurance now, can I enroll or increase my coverage later?
 - A. Yes, provided these three conditions are met:
 1. Complete a SF-2822, Request for Insurance form (request form from RO administrative staff).
 2. At least one year elapsed between the effective date of the waiver (declination) and the date of the request for insurance.
 3. Furnish satisfactory medical evidence of insurability.

A reemployed federal employee's waiver automatically cancels if 180 days elapsed since the last date of separation.

3. Q. Can I cancel at any time?
 - A. Yes.

4. Q. What happens to the money I have paid if I decide to cancel my insurance?
 - A. The money remains in the system and cannot be refunded.

5. Q. How much am I insured for?
 - A. Basic insurance depends upon the annual rate of basic pay as fixed by law or regulation, plus age, if under age 45. To determine this amount, multiply the TOD hours by 12 and then multiply the total hours by the regular hourly rate. However, the minimum amount of basic insurance is \$10,000. If eligible for more than the minimum because of TOD, determine that amount by prorating the base pay and rounding that number to the next \$1,000, then adding \$2,000.

6. Q. How much will the insurance (basic and/or optional) cost me each pay period?
 - A. Basic insurance costs 15 1/2 cents biweekly for each \$1,000 worth of insurance. The cost of the optional insurances increases according to age. The government pays 1/3 of the cost of basic insurance and the employee pays the full cost of the optional insurances. NOTE: Option B is based on TOD.

7. Q. What happens to my life and health insurance benefits if I have not worked enough hours to cover deductions for them?

- A. The benefits continue. However, employees are responsible for paying the share of the cost of health insurance. The government continues to pay its share of the cost. Life insurance continues at no cost to employees. Refer to Section 1.G5, for a more detailed explanation of life insurance benefits.

EXHIBIT 1-A

CURRENT REGIONAL OFFICE BOUNDARIES

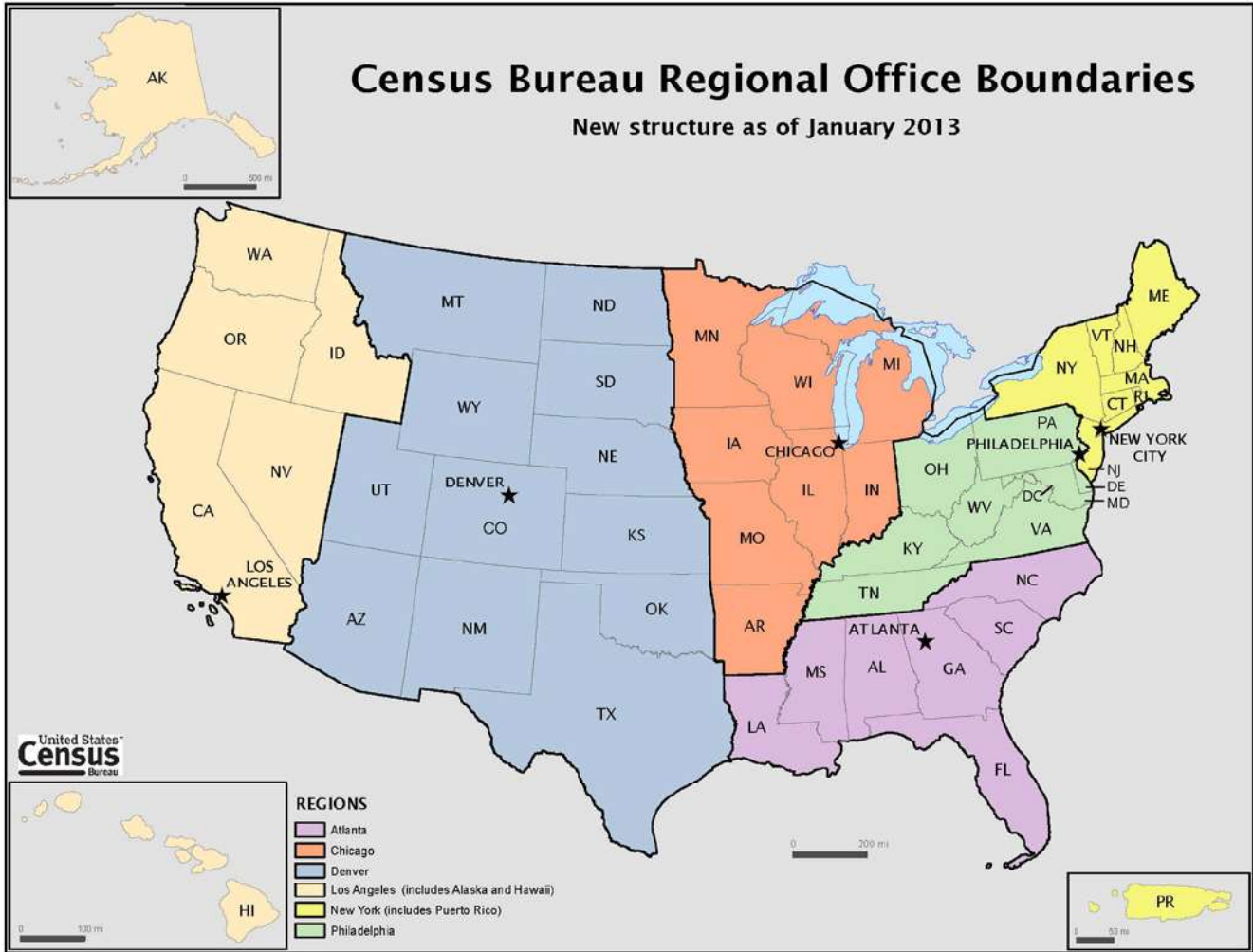


EXHIBIT 1-B

CURRENT REGIONAL OFFICES

Atlanta

Regional Director: George Grandy Jr.

Coverage: Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina

Chicago

Regional Director: Marilyn Sanderr

Coverage: Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Wisconsin

Denver

Regional Director: Cathy Lacy

Coverage: Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming

Los Angeles

Regional Director: Julie Lam

Coverage: Alaska, California, Hawaii, Idaho, Nevada, Oregon, Washington

New York

Regional Director: Jeff Behler

Coverage: Connecticut, Massachusetts, New Hampshire, Rhode Island, Maine, Vermont, New York, New Jersey, Puerto Rico

Philadelphia

Regional Director: Fernando E. Armstrong

Coverage: Delaware, District of Columbia, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia

EXHIBIT 1-C

CURRENT REGIONAL OFFICE ORGANIZATIONAL STRUCTURE

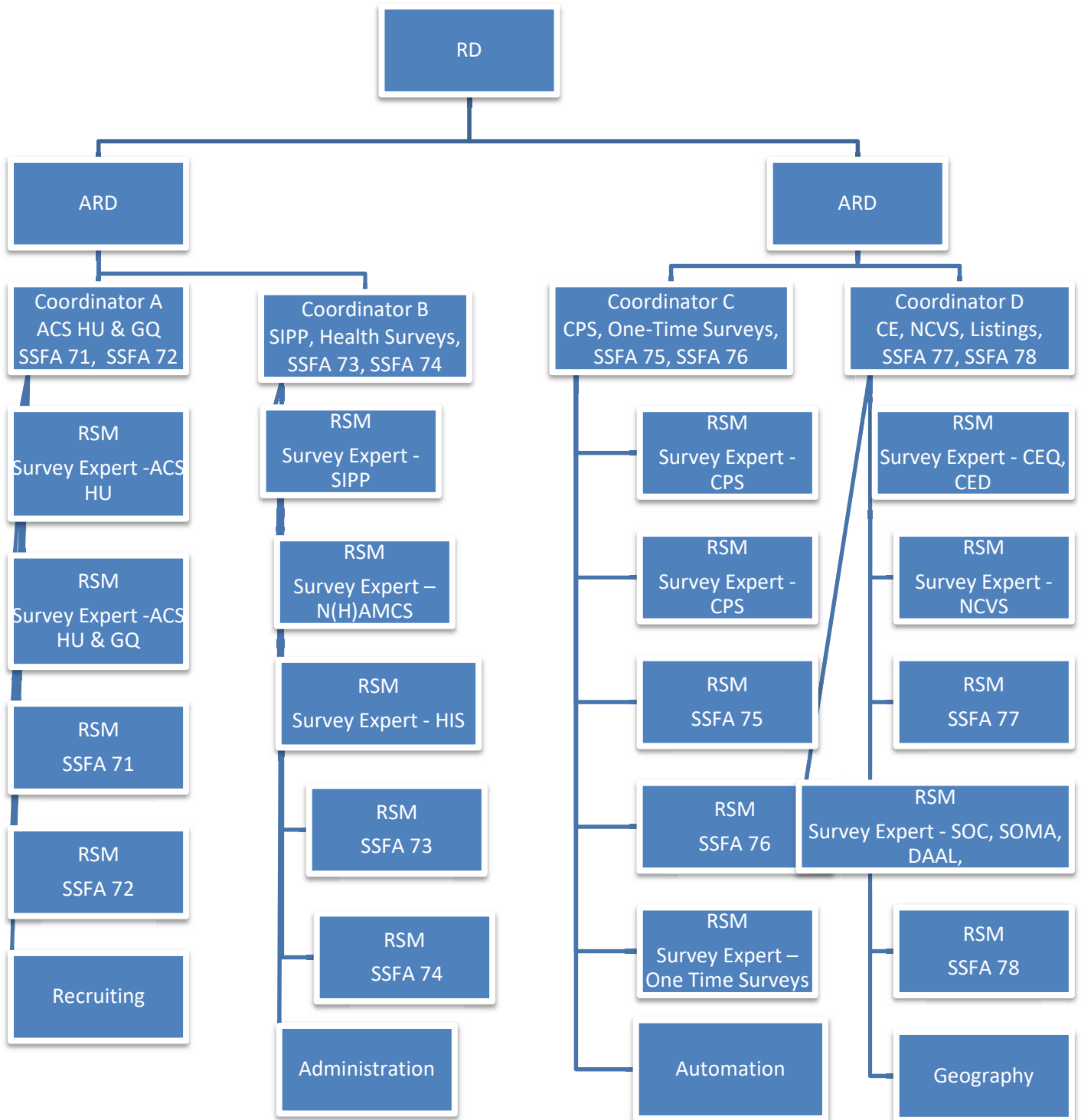


EXHIBIT 1-D

**SF-50B, NOTIFICATION OF PERSONNEL ACTION
FOR AN EXCEPTED APPOINTMENT NTE**

Standard Form 50
Rev 7/91
U.S. Office of Personnel Management
FPM Supp. 296-33, Subch. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) SMITH, JOHN A				2. Social Security Number 555-55-5555				3. Date of Birth 12-31-1965		4. Effective Date 04-20-2015							
FIRST ACTION						SECOND ACTION											
5-A. Code 170		5-B. Nature of Action EXC APPT				6-A. Code		6-B. Nature of Action									
5-C. Code XZM		5-D. Legal Authority SCH A 213.311+D 2				6-C. Code		6-D. Legal Authority									
5-E. Code ZLM		5-F. Legal Authority				6-E. Code		6-F. Legal Authority									
7. FROM: Position Title and Number						15. TO: Position Title and Number FIELD REP 9511 SA5942											
8. Pay Plan		9. Occ. Code		10. Grade or Level		11. Step or Rate		12. Total Salary		13. Pay Basis							
GS		0303		03		01		26577.00		PA							
12A. Basic Pay			12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		20A. Basic Pay		20B. Locality Adj.		20C. Adj. Basic Pay		20D. Other Pay		
22279.00			4298.00		26577.00		.00		26577.00		.00						
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization BUREAU OF THE CENSUS DEPUTY DIRECTOR ASSOC DIR FOR FIELD OPERATIONS FIELD DIVISION											
EMPLOYEE DATA																	
23. Veterans Preference						24. Tenure			25. Agency Use		26. Veterans Preference for RIF						
1		1-None		3-10 Point/Disability		5-10 Point/Other		0-None		2-Conditional		YES		X		NO	
2		2-5 Point		4-10 Point/Compensable		6-10 Point/Compensable/30%		1		1-Permanent		3-Indefinite					
27. FEGLI						28. Annuitant Indicator			29. Pay Rate Determinant								
A0 INELIGIBLE						9 NOT APPLICABLE			0								
30. Retirement Plan				31. Service Comp. Date (Leave)				32. Work Schedule				33. Part-Time Hours Per Biweekly					
2 FICA				04/20/2015				INTERMITTENT or PART-TIME				2 Pay Period					
POSITION DATA																	
34. Position Occupied				35. FLSA Category				36. Appropriation Code				37. Bargaining Unit Status					
2		1-Competitive Service		3-SES General		N		E-Exempt		7777							
		2-Excepted Service		4-SES Career Reserved		N-Nonexempt											
38. Duty Station Code				39. Duty Station (City-Country-State or Overseas Location)													
11-111-111				ANYTOWN ANYWHERE AB													
40. Agency Data		41.		42.		43.		44.									
45. Remarks APPOINTMENT AFFADAVIT EXECUTED 04/20/2015. CREDITABLE MILITARY SERVICE: 00 YRS, 00 MOS. PREVIOUS RETIREMENT COVERAGE: NEVER COVERED INELIGIBLE FOR HEALTH BENEFITS. INELIGIBLE FOR LEAVE. APPOINTMENT IS SUBJECT TO COMPLETION OF A 2-YEAR TRIAL PERIOD FOR A NON-PREFERENCE ELIGIBLE BEGINNING 04/20/2015. FULL PERFORMANCE LEVEL OF POSITION IS GS-04 SELECTED FROM CERT #0399 DATED 03/30/2015. SERVICE COUNTING TOWARDS PERMANENT TENURE FROM 04/20/2015																	
46. Employing Department or Agency DEPARTMENT OF COMMERCE						50. Signature/Authentication and Title of Approving Official E/S BY: HUMAN RESOURCES DIRECTOR											
47. Agency Code CM 63		48. Personnel Office ID 1798		49. Approval Date 04/17/2015													

Editions Prior to 7/91 Are Not Usable After 6/30/93
NSN 7540-01-333-6236

EXHIBIT 1-E**HOW TOUR OF DUTY AFFECTS HEALTH BENEFITS**

All Field Representatives serving on a permanent appointment with a part-time work schedule are eligible to participate in a health care plan. The employee's share of the cost of this benefit depends on the health plan and option selected, and the employee's tour of duty. In addition, FRs with an intermittent work schedule, regardless of appointment type or length, who have worked or are expected to work at least 90 days become eligible to participate in a health plan when they have worked 130 hours in a one-month period.

Part-time employees, with a tour of duty of 32 to 64 hours bi-weekly, receive only a portion of the government contribution towards their total health insurance premium. The share of the premium is greater than the amount that appears in the Enrollment Information Guide and Plan Comparison Chart. The amount of the government's contribution is in direct proportion by dividing the employee's bi-weekly TOD by 80 (the number of hours worked by a full-time employee).

For example, a part-time employee with a 48-hour bi-weekly TOD enrolls in XYZ Insurance, self only. The government's share for a full-time employee is \$139.18, and the employee's share is normally \$58.07. In our example, the government's contribution prorates as:

$$48/80 \times \$139.18 = \$83.51$$

The part-time employee must now pay the difference between \$139.18 and \$83.51 in addition to the \$58.07 premium. The total cost to this individual is \$113.74, computed as such:

$$\$139.18 - \$83.51 = \$55.67 + \$58.07 = \$113.74$$

Note: Permanent part-time employees whose TOD is less than 32 or more than 64 hours bi-weekly are excluded from having their health benefits prorated. These employees receive the full government contribution towards their health insurance premiums.

EXHIBIT 1-F

**SF-50B, NOTIFICATION OF PERSONNEL ACTION
FOR CHANGE IN WORK SCHEDULE**

Standard Form 50

Rev 7/91

U.S. Office of Personnel Management

FPM Supp. 296-33, Subch. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) SMITH, JOHN A				2. Social Security Number 555-55-5555				3. Date of Birth 12-31-1965		4. Effective Date 04-20-2015					
FIRST ACTION						SECOND ACTION									
5-A. Code 170			5-B. Nature of Action EXC APPT			6-A. Code			6-B. Nature of Action						
5-C. Code XZM			5-D. Legal Authority SCH A 213.3114 D 2			6-C. Code			6-D. Legal Authority						
5-E. Code ZLM			5-F. Legal Authority			6-E. Code			6-F. Legal Authority						
7. FROM: Position Title and Number						15. TO: Position Title and Number FIELD REP 9511 SA5942									
8. Pay Plan		9. Occ. Code		10. Grade or Level		11. Step or Rate		12. Total Salary		13. Pay Basis					
16. Pay Plan GS		17. Occ. Code 0303		18. Grade or Level 03		19. Step or Rate 01		20. Total Salary/Award 26577.00		21. Pay Basis PA					
12A. Basic Pay			12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		20A. Basic Pay 22279.00		20B. Locality Adj. 4298.00				
								20C. Adj. Basic Pay 26577.00		20D. Other Pay .00					
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization BUREAU OF THE CENSUS DEPUTY DIRECTOR ASSOC DIR. FOR FIELD OPERATIONS FIELD DIVISION									
EMPLOYEE DATA															
23. Veterans Preference						24. Tenure			25. Agency Use		26. Veterans Preference for RIF				
1-None		3-10 Point/Disability		5-10 Point/Other		1-None	2-Conditional				YES	X	NO		
1	2-5 Point	4-10 Point/Compensable	6-10 Point/Compensable/30%			1	1-Permanent	3-Indefinite							
27. FEGLI						28. Annuity Indicator			29. Pay Rate Determinant						
A0	INELIGIBLE					9	NOT APPLICABLE			0					
30. Retirement Plan				31. Service Comp. Date (Leave)				32. Work Schedule				33. Part-Time Hours Per Biweekly Pay Period			
2		FICA		04/20/2015				INTERMITTENT or PART-TIME							
POSITION DATA															
34. Position Occupied				35. FLSA Category				36. Appropriation Code				37. Bargaining Unit Status			
1	1-Competitive Service	3-SES General		N	E-Exempt					7777					
	2-Excepted Service	4-SES Career Reserved			N-Nonexempt										
38. Duty Station Code				39. Duty Station (City-County-State or Overseas Location)											
11-111-111				ANYTOWN ANYWHERE AB											
40. Agency Data		41.		42.		43.		44.							
45. Remarks CHANGES WORK SCHEDULE FROM INTERMITTENT.															
46. Employing Department or Agency DEPARTMENT OF COMMERCE						50. Signature/Authentication and Title of Approving Official E/S BY: HUMAN RESOURCES DIRECTOR									
47. Agency Code CM 63		48. Personnel Office ID 1798		49. Approval Date 04/17/2015											

Editions Prior to 7/91 Are Not Usable After 6/30/93
NSN 7540-01-333-6236

EXHIBIT 1-G

**RETIREMENT ELIGIBILITY
CIVIL SERVICE RETIREMENT SYSTEM
ELIGIBILITY REQUIREMENT FOR RETIREMENT ON AN
IMMEDIATE ANNUITY**

Type of retirement	Minimum Age	Minimum Service (Years)	Special Requirements
Optional	62	5	None
	60	20	None
	55	30	None
Early Optional	Any Age	25	Agency must be undergoing a major reorganization, reduction-in-force, or transfer of function determined by the Office of Personnel Management.
	50	20	Annuity reduced if less than 55.
Discontinued Service	Any Age	25	Separation is involuntary and not a removal for misconduct delinquency.
	50	20	
Disability	Any Age	5	<p>Must be disabled for useful and efficient service in current position and any other vacant position at the same grade or pay level within commuting area and current agency for which qualified.</p> <p>Must be prior to retirement, or within one year of retirement.</p>

EXHIBIT 1-H**FEDERAL EMPLOYEE'S RETIREMENT SYSTEM (FERS)**

There are three categories of benefits in the FERS Basic Benefit Plan:

- Immediate
- Early
- Deferred

Eligibility is determined by age and number of years credible service.

In some cases, employees reach the Minimum Retirement Age (MRA) to receive retirement benefits. Use the following chart to figure the MRA.

Minimum Retirement Age

Born:	MRA:
Before 1948	55
In 1948	55 and 2 months
In 1949	55 and 4 months
In 1950	55 and 6 months
In 1951	55 and 8 months
In 1952	55 and 10 months
In 1953-1964	56
In 1965	56 and 2 months
In 1966	56 and 4 months
In 1967	56 and 6 months
In 1968	56 and 8 months
In 1969	56 and 10 months
In 1970 and after	57

EXHIBIT 1-H (continued)

Immediate- An immediate retirement benefit is one that starts within 30 days from the date of work stoppage.

Employees meeting one of the following sets of age and service requirements are entitled to an immediate retirement benefit:

<u>Age</u>	<u>Years of Service</u>
62	5
60	20
MRA	30
MRA	10

Employees retiring at the MRA, with at least ten, but less than 30 years of service, have benefits reduced by five percent a year, for each year under age 62. This is the case, unless an employee has 20 years of service, and then benefits start at age 60 or later.

Early- Refers to special eligibility rules as follows:

The early retirement benefit is available in certain involuntary separation cases and in cases of voluntary separations during a major reorganization or reduction in force. To be eligible, employees must meet the following requirements:

<u>Age</u>	<u>Years of Service</u>
50	20
Any Age	25

Deferred- Refers to delayed payment of benefit until meeting criteria, as follows:

Employees leaving federal service before meeting the age and service requirements for an immediate retirement benefit may be eligible for deferred retirement benefits. Eligibility requires employees to complete at least five years of creditable civilian service. Employees may receive benefits when they reach one of the following ages:

<u>Age</u>	<u>Years of Service</u>
62	5
60	20
MRA	30
MRA	10

Employees retiring at the MRA, with at least ten, but less than 30 years of service, have benefits reduced by five percent a year, for each year under age 62. This is the case, unless an employee has 20 years of service, and then the benefits start at age 60 or later.

EXHIBIT 1-I
ANNUITY COMPUTATION

PART-TIME SERVICE COMPUTATION:

CSRS and FERS part-time employees' basic annuity benefits are based primarily on the following:

- Length of service for retirement purpose
- An individual's high-3 year average salary (the highest rates of basic salary earned over three consecutive years)
- An individual's deemed high-3 (the highest rates of basic salary an employee would have earned if they worked full-time over three consecutive years)
- Pre-April 7, 1986, annuity computation (part-time employees receive credit the same as a full-time employee)
- Post -April 6, 1986, annuity computation (part-time employees receive credit for actual part-time hours worked)
- Sick leave is only creditable for CSRS, CSRS Offset employees, and FERS transferees (from CSRS)

EXHIBIT 1-J

TSP-1 THRIFT SAVINGS PLAN ELECTION FORM



**THRIFT SAVINGS PLAN
ELECTION FORM**

TSP-1

Use this form to start, stop, or change the amount of your contributions to the Thrift Savings Plan (TSP).

Before completing this form, please read the *Summary of the Thrift Savings Plan* and the instructions on the back of this form. Type or print all information. **Return the completed form to your agency personnel or benefits office.** Your agency should return a copy to you after completing Section V.

Note: To choose your investment funds, see the instructions in the General Information section on the back of this form.

**I.
INFORMATION
ABOUT YOU**

1. _____
Name (Last) (First) (Middle)

2. _____
Street Address City State Zip Code

3. _____ - _____ - _____
Social Security Number

4. (_____) _____ - _____
Daytime Phone (Area Code and Number)

5. _____
Office Identification (Agency and Organization)

**II.
START OR
CHANGE YOUR
CONTRIBUTIONS**

To start or change the amount of your contributions to your TSP account, enter **either** a whole percentage of your basic pay per pay period (Item 6) **or** a whole dollar amount per pay period (Item 7). Skip to Section IV.

6. _____ .0% **OR** 7. \$ _____ .00

**III.
STOP YOUR
CONTRIBUTIONS**

To stop your contributions to the TSP, check Item 8 and complete Section IV. (If you are a Federal Employees' Retirement System (FERS) employee, your Agency Matching Contributions will stop, but Agency Automatic (1%) Contributions will continue. Read the instructions on the back.)

8. I choose not to save for my retirement. Please stop my payroll contributions to my TSP account.

Your payroll contributions will stop no later than the first full pay period after your agency employing office receives this form. If you are a newly hired (or rehired) employee, you can generally stop your automatic employee contributions before they start if you submit this form to your agency before the end of your first full pay period. (See note on back.)

**IV.
SIGNATURE**

9. _____
Participant's Signature

10. _____
Date Signed (mm/dd/yyyy)

**V.
FOR
EMPLOYING
OFFICE USE
ONLY**

11. _____
Payroll Office Number

12. _____
Receipt Date (mm/dd/yyyy)

13. _____
Effective Date (mm/dd/yyyy)

14. _____
Signature of Agency Official

PRIVACY ACT NOTICE. We are authorized to request the information you provide on this form under 5 U.S.C. chapter 94, Federal Employees' Retirement System. We will use this information to start, change, or stop your TSP contributions. In addition, this information may be shared with other Federal agencies for statistical, auditing, or archiving purposes. We may share the information with law enforcement agencies investigating a violation of civil or criminal law, or agencies implementing a statute,

rule, or order. It may be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may disclose relevant portions of the information to appropriate parties engaged in litigation and for other routine uses as specified in the Federal Register. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request.



ORIGINAL TO PERSONNEL FOLDER
Provide a copy to the employee and to the payroll office.

Form TSP-1 (10/2011)
PREVIOUS EDITIONS OBSOLETE

EXHIBIT 1-K

SF-2809, HEALTH BENEFITS REGISTRATION FORM



Form Approved:
OMB No. 3206-0160

Health Benefits Election Form

Part A - Enrollee and Family Member Information (For additional family members use a separate sheet and attach.)

1. Enrollee name (last, first, middle initial)	2. Social Security number	3. Date of birth	4. Sex <input type="checkbox"/> M <input type="checkbox"/> F	5. Are you married? <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Home mailing address (including ZIP Code)		7. Medicare (See note - page 2) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> D	8. TRICARE <input type="checkbox"/>	9. Other insurance <input type="checkbox"/>
		10. Name of insurance	11. Insurance policy no.	
12. Name of family member (last, first, middle initial)	13. Social Security number	14. Date of birth	15. Sex <input type="checkbox"/> M <input type="checkbox"/> F	16. Relationship code
17. Address (if different from enrollee)		18. Medicare (See note - page 2) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> D	19. TRICARE <input type="checkbox"/>	20. Other insurance <input type="checkbox"/>
		21. Name of insurance	22. Insurance policy no.	
Name of family member (last, first, middle initial)	Social Security number	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Relationship code
Address (if different from enrollee)		Medicare (See note - page 2) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> D	TRICARE <input type="checkbox"/>	Other insurance <input type="checkbox"/>
		Name of insurance	Insurance policy no.	
Name of family member (last, first, middle initial)	Social Security number	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Relationship code
Address (if different from enrollee)		Medicare (See note - page 2) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> D	TRICARE <input type="checkbox"/>	Other insurance <input type="checkbox"/>
		Name of insurance	Insurance policy no.	
Name of family member (last, first, middle initial)	Social Security number	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Relationship code
Address (if different from enrollee)		Medicare (See note - page 2) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> D	TRICARE <input type="checkbox"/>	Other insurance <input type="checkbox"/>
		Name of insurance	Insurance policy no.	

Part B - Present Plan		Part C - New Plan	
1. Plan name	2. Enrollment code	1. Plan name	2. Enrollment code

Part D - Event Code		Part E - Employees Only (Election NOT to Enroll)	
1. Event code	2. Date of event	<input type="checkbox"/> I do NOT want to enroll in the FEHB Program. <i>My signature in Part H certifies that I have read and understand the information on page 3 regarding this election.</i>	

Part F - Cancellation		Part G - Suspension (Annuitants/Former Spouse: Only)	
<input type="checkbox"/> I CANCEL my enrollment. <i>My signature in Part H certifies that I have read and understand the information on page 3 regarding cancellation of enrollment.</i>		<input type="checkbox"/> I SUSPEND my enrollment. <i>My signature in Part H certifies that I have read and understand the information on page 4 regarding suspension of enrollment.</i>	

Part H - Signature

WARNING: Any intentionally false statement in this application or willful misrepresentation relative thereto is a violation of the law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both. (18 U.S.C. 1001.)

1. Your signature (do not print)	2. Date (mm/dd/yyyy)	3. Daytime telephone number
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Part I - To be completed by agency or retirement system

REMARKS

1. Date received	2. Effective date of action	3. Personnel telephone number	4. Name and address of agency or retirement system
5. Authorizing official (please print)	6. Signature of authorized agency official		
7. Payroll office number	8. Payroll office contact (please print)	9. Payroll telephone number	

EXHIBIT 1-L**TEMPORARY CONTINUATION OF HEALTH INSURANCE
NOTIFICATION LETTER-SAMPLE**

Date
Name
Address
City, State Zip Code

Dear:

Your health insurance coverage in the Federal Employees Health Benefits Program (FEHBP) terminates the last day of the pay period in which you separate from federal service. However, you automatically receive a 31-day temporary extension of coverage from the date of termination at no cost to you. During this 31-day period, you may:

- convert to a non-group contract with your FEHB insurance company, or
- elect to temporarily continue your FEHB coverage for up to 18 months

Should you elect temporary coverage continuation, you are not limited to continuing your current enrollment. You may select any plan, option or type of enrollment in the FEHB Program, provided you are otherwise eligible. You must pay the full amount of the premium (both the employee and government shares), plus a 2 percent administrative charge. Premium charges begin on the effective date of coverage, and are payable each month through the end of the 18-month period, unless you cancel your coverage earlier. At the end of the 18-month period, you will have another 31-day temporary extension of coverage, during which time you can elect to convert to a non-group contract with your FEHB insurance company.

Enclosed is an Enrollment Information Guide and Plan Comparison Booklet, RI 70-5, for your use in determining whether to continue your FEHB coverage. If you are interested in doing so, you can obtain further information and an enrollment form by calling the Pay, Benefits and Services Branch on 301-763-4748 or 1-800-871-5816.

If you decide to temporarily continue your coverage, your enrollment form, SF-2809, must be received within 60 days after the date you separated from federal service, or the date you received this notice, whichever is later. Once your enrollment processes, you will receive billing information directly from the National Finance Center in New Orleans, Louisiana.

Please forward your completed enrollment form to my attention at the U.S. Census Bureau, Pay, Benefits and Services Branch, 4600 Silver Hill Road, Washington, DC 20233.

EXHIBIT 1-M**ANNUAL MEMORANDUM OF UNDERSTANDING CONCERNING FEDERAL EMPLOYEE HEALTH BENEFITS (FEHB) OPTIONS WHILE IN NONPAY STATUS**

Please respond within 31 days of this notice (45 days for employees residing overseas) of this notice or your FEHB enrollment will automatically terminate.

Each pay period you are enrolled in the FEHB Program, you are responsible for payment of the employee share of the premium. When you enter leave without pay status, or your pay is insufficient to cover the premium, you must:

1. terminate the enrollment, or
2. continue the enrollment and agree to pay the premium or incur a debt

TERMINATING THE ENROLLMENT

If you elect to terminate your enrollment (or the enrollment automatically terminates), the termination will take effect at the end of the pay period in which the premium was last withheld from pay. FEHB coverage will continue at no cost to you for an additional 31 days. During the 31 days, you and your covered family members may convert to a non-group contract. The termination is not considered a break in the 5-year period of continuous coverage necessary for continuing FEHB coverage into retirement. (However, the period during which the termination is in effect does not count toward satisfying that required 5 years.) You may re-enroll in the FEHB program within 60 days following your return to pay and duty status, or at the end of the first pay period, your pay becomes sufficient to cover your premium.

CONTINUING THE ENROLLMENT AND AGREEING TO PAY THE PREMIUM

If you elect to continue your coverage, you must elect to pay the premiums directly or incur a debt in the amount of the unpaid premiums. If you elect to pay directly, you must make your check or money order payable to The National Finance Center. Include on the check your name, Social Security number, a note that the payment is for a FEHB premium, and the pay period(s) for which the payment is being made. Mail your payment to: **USDA-National Finance Center, OCFO-Administrative Collections, P.O. Box 790342, St. Louis, MO 63179-0342.**

If you elect to incur a debt, or if you elect to pay directly but fail to pay the entire amount due, you will receive a notice stating the total amount due. This notice will be sent when you return to pay status, your pay becomes sufficient, or you separate from employment. By electing to continue coverage, you agree that the amount due will be withheld from salary by deducting the regular premium and an additional premium per pay period until the debt is paid. If the amount due cannot be withheld in full from salary, it will be recovered from a lump sum payment of accrued leave, income tax refunds, amounts payable under the Civil Service Retirement System or Federal Employees Retirement System, or any other source normally available for the recovery of a debt due the United States.

To continue your health insurance coverage, please complete the attached page and return to in the enclosed envelope to: U.S. Census Bureau, Pay, Benefits & Services Branch, Room 2J432, 4600 Silver Hill Road, Stop 1400, Washington, DC 20233-1400 or fax to 301-763-0335. Refer any questions to the HRD Call Center at 800-871-5816 or 301-763-4748.

EXHIBIT 1-M (continued)

Name: _____
(*Please print*)

SSN: _____

I have read the Memorandum of Understanding regarding my health insurance and I elect to **continue** my enrollment. I understand that I am responsible for the employee share of the cost and agree to:

_____ Submit direct payments _____ Incur a debt

Signature _____ Date _____

I have read the Memorandum of Understanding regarding my health insurance and I elect to **terminate** my enrollment when my pay is insufficient to cover my cost of the premium.

Signature _____ Date _____

Return this page to: U.S. Census Bureau, Pay, Benefits & Services Branch, Room 2J432, 4600 Silver Hill Road, Stop 1400, Washington, DC 20233-1400 or fax to 301-763-0335.

EXHIBIT 1-N

SF-2817, LIFE INSURANCE ELECTION FORM



Life Insurance Election
Federal Employees' Group Life Insurance Program
 See Privacy Act Statement on back of Part 3

Form Approved
 OMB No. 3206-0230

1 General Instructions
 By law, unless you waive all coverage or are ineligible, you are automatically covered for Basic life insurance as an employee. When you first become eligible for FEGLI, you may (1) elect Basic and any or all of the options, (2) elect Basic but waive all of the options, or (3) waive all life insurance coverage. If you are changing a previous election, see the back of Part 3 - Employee Copy.

- Read the back of Part 3 - Employee Copy carefully.
- Assignees completing this form should read Items 5 and 6 on the back of Part 3.
- Do not separate the parts. Give this form to your employing office which will complete the form and return your copy to you.

This election supersedes all previous elections.

2 Fill in identifying information concerning the employee.

Name (Last) (First) (Middle)	Date of birth (mm/dd/yyyy)	Social Security Number
Employing department or agency	OWCP claim number, if applicable	Location of department or agency where employee works (City, state, ZIP Code)
		Daytime telephone number (including area code)

3 To elect or retain Basic, sign and date below. If you do not sign for Basic, you may not elect or retain any form of optional insurance. If you do not want any insurance at all, skip to Section 5.

Basic	I want Basic. I authorize deductions to pay my share of the cost. (Basic may be provided without cost to Postal Service employees.) Signature (Do not print. Only the Employee/Assignee may sign. Signatures by guardians, conservators or through a power of attorney are not acceptable.)	Date (mm/dd/yyyy)
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4 **Optional** If you signed for Basic in Item 3 above, you may elect or retain any or all of the following options (UNLESS you have previously waived any or all of these options, in which case you may elect only those options which you are eligible to elect as outlined in the FEGLI booklet). Sign the box(es) below for any option(s) you are eligible for and wish to elect or retain. If you do not sign for an option, you have waived it and your future opportunities to enroll in it are strictly limited. You will not be covered for any option(s) for which you do not sign below, regardless of whether you previously elected the option(s).

Option A - Standard	Option B - Additional	Option C - Family
I want Option A. I authorize deductions to pay the full cost.	I want Option B in the multiple of my annual basic pay I indicate below. I authorize deductions to pay the full cost.	I want Option C in the multiple I indicate below. I understand that each multiple is worth \$5,000 upon the death of my spouse, and \$2,500 upon the death of an eligible child. I authorize deductions to pay the full cost.
<input type="checkbox"/> 1 times my pay <input type="checkbox"/> 2 times my pay	<input type="checkbox"/> 3 times my pay <input type="checkbox"/> 4 times my pay <input type="checkbox"/> 5 times my pay	<input type="checkbox"/> 3 multiples <input type="checkbox"/> 4 multiples <input type="checkbox"/> 5 multiples
Signature (Do not print. Only the Employee/Assignee may sign. Signatures by guardians, conservators or through a power of attorney are not acceptable.)	Signature (Do not print. Only the Employee/Assignee may sign. Signatures by guardians, conservators or through a power of attorney are not acceptable.)	Signature (Do not print. Only the Employee/Assignee may sign. Signatures by guardians, conservators or through a power of attorney are not acceptable.)
Date (mm/dd/yyyy)	Date (mm/dd/yyyy)	Date (mm/dd/yyyy)

5 If you want NO life insurance coverage, sign and date below.

Waiver of all life insurance coverage	I want no life insurance coverage. I understand that any life insurance I have will stop at the end of the last day of the pay period in which my employing office receives this waiver. Further, I cannot get Basic life insurance unless (1) I wait at least 1 year after I sign this form and submit satisfactory results of a physical, or (2) I have a break in Federal service of at least 180 days, or (3) I participate in an open enrollment period, which is held infrequently. I understand that I cannot get any optional insurance unless I first have Basic. I understand that my decision to waive life insurance coverage now may affect my eligibility for coverage as a retiree.	Date (mm/dd/yyyy)
	Signature (Do not print. Only the Employee/Assignee may sign. Signatures by guardians, conservators or through a power of attorney are not acceptable.)	

6 Agency Remarks:

Name and address of employing office	Date received in employing office (mm/dd/yyyy)	Effective date of coverage (mm/dd/yyyy)
U.S. Census Bureau Benefits and Retirement Staff 4700 Silver Hill Road, Stop Code 1400 Washington D.C. 20233-1400		
I followed the instructions on the back of Part 1.		Number of event permitting change (See back of Part 2)
Signature of authorized agency official		

The employee's copy of this form, when completed by the employing office, together with the FEGLI booklet (RI 76-21 or RI 76-20 for Postal Service employees) constitute the employee's Certificate of Insurance.

PART 1 - File In Official Personnel Folder

EXHIBIT 1-O**eOPF QUICK REFERENCE: SELF SERVICE ID AND PASSWORD RETRIEVAL****eOPF Quick Reference**

Self-service Feature for Login ID and Password Retrieval for New Users in release 5.0.4

eOPF provides web-based access for federal personnel to view and print employment documents. Employees are able to view their own documents through the eOPF application at [<Enter Agency eOPF URL>](#). eOPF includes security measures that ensure the integrity of the system and protection of employee documents.

Your eOPF benefits include:

- Immediate access to your documents
- Ability to view or print your documents
- Enhanced accuracy, portability, and security of your documents
- Increased accountability through an audit trail that tracks who accesses your documents and the reason why
- Faster and more efficient records transfer between federal agencies
- Timely and accurate data retrieval for retirement claims processing


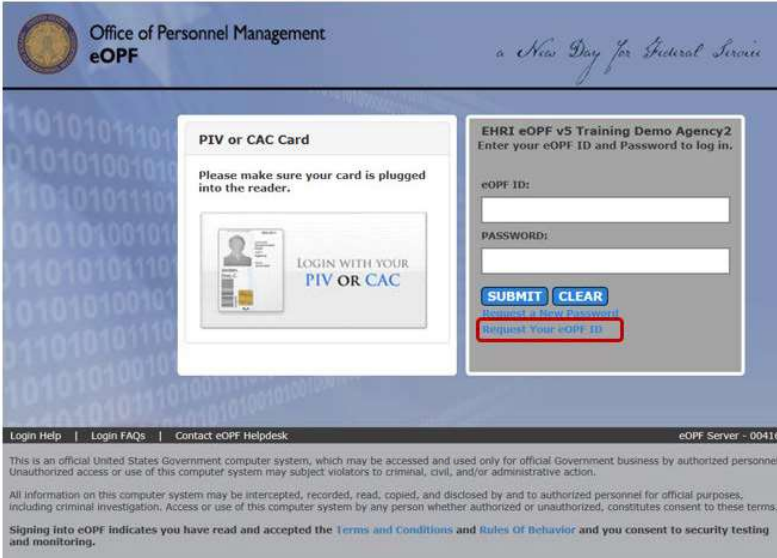

If you use the PIV/CAC card, the login process is outlined in the document “Quick Reference: Using PIV/CAC Credentials to Log in to eOPF” on the eOPF Toolkit.

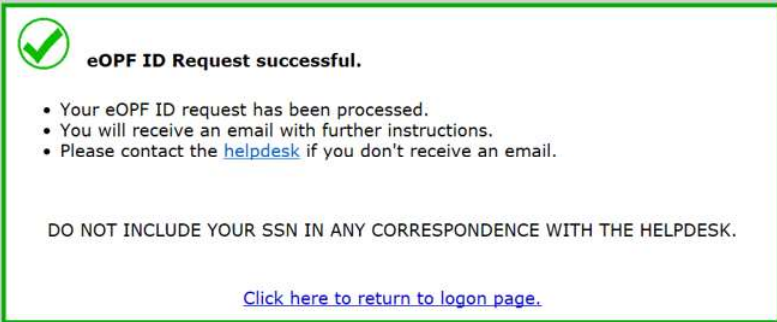
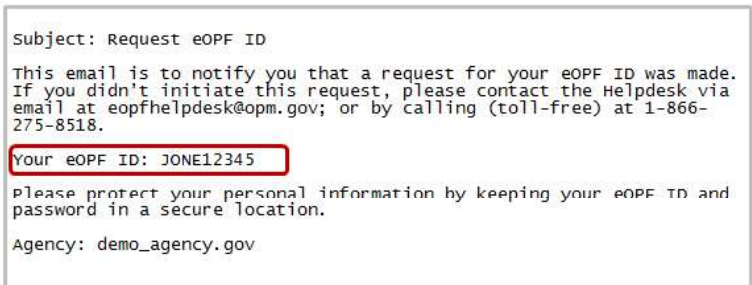
[Obtain Your eOPF ID and Password, and then Logon to your Account](#)

Accessing eOPF is simple and convenient. To access your eOPF, you need an eOPF ID and password, which may be retrieved using the eOPF self-service feature. This Quick Reference document consists of three sections.

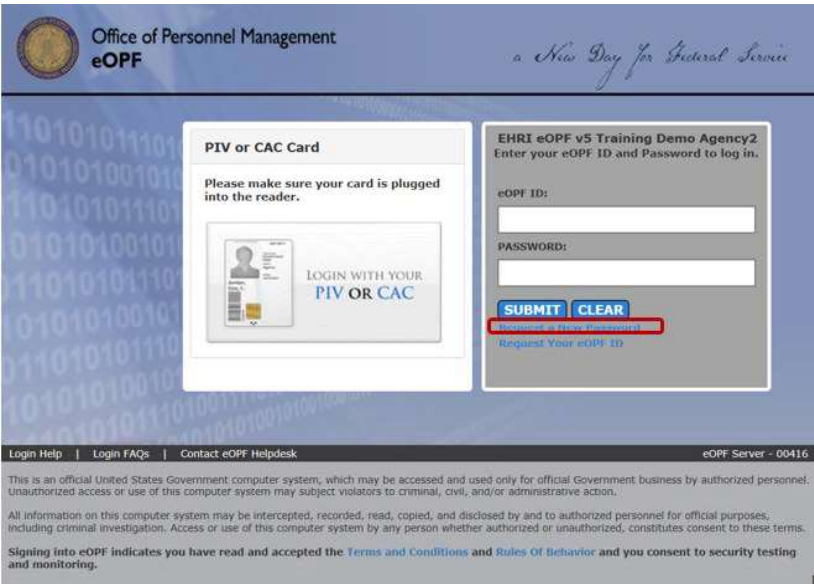

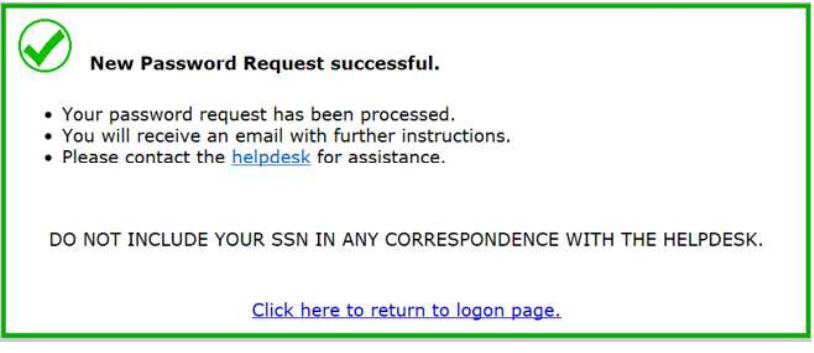
Part 1: Obtain Your eOPF ID**Part 2: Create an eOPF Password****Part 3: First Time eOPF Logon**

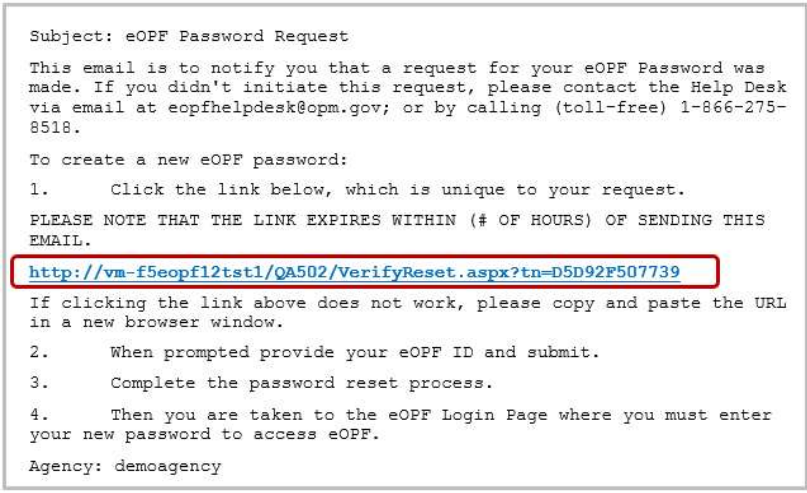


Part 1: Obtain Your eOPF ID

Step	Action	Screen Shot
1	<p>Access your specific agency eOPF URL at:</p> <p><Enter Agency eOPF URL></p> <p>Read the eOPF User Agreement page.</p> <p>Click the Accept button.</p>	 <p>Office of Personnel Management eOPF</p> <p><i>a New Day for Federal Service</i></p> <p>This is an official United States Government computer system, which may be accessed and used only for official Government business by authorized personnel. Unauthorized access or use of this computer system may subject violators to criminal, civil, and/or administrative action.</p> <p>All information on this computer system may be intercepted, recorded, read, copied, and disclosed by and to authorized personnel for official purposes, including criminal investigation. Access or use of this computer system by any person whether authorized or unauthorized, constitutes consent to these terms.</p> <p>Signing into this application indicates you have read and accepted the Full Terms and Conditions of Use, and you consent to secure testing and monitoring.</p> <p>Signing into this application indicates you have read and accepted the Privacy Policy, and you consent to secure testing and monitoring.</p> <p>Signing into this application indicates you have read and accepted the Rules of Behavior, and you consent to secure testing and monitoring.</p> <p>EHRI eOPF v5 Training Demo Agency2</p> <p>ACCEPT</p> <p>eOPF Server - 00416 eophelpdesk@opm.gov 1-866-275-8518</p>
2	<p>From the eOPF Logon page, click the Request Your eOPF ID link.</p>	 <p>Office of Personnel Management eOPF</p> <p><i>a New Day for Federal Service</i></p> <p>PIV or CAC Card</p> <p>Please make sure your card is plugged into the reader.</p> <p>LOGIN WITH YOUR PIV OR CAC</p> <p>EHRI eOPF v5 Training Demo Agency2 Enter your eOPF ID and Password to log in.</p> <p>eOPF ID: PASSWORD:</p> <p>SUBMIT CLEAR</p> <p>Request Your eOPF ID</p> <p>Login Help Login FAQs Contact eOPF Helpdesk</p> <p>eOPF Server - 00416</p> <p>This is an official United States Government computer system, which may be accessed and used only for official Government business by authorized personnel. Unauthorized access or use of this computer system may subject violators to criminal, civil, and/or administrative action.</p> <p>All information on this computer system may be intercepted, recorded, read, copied, and disclosed by and to authorized personnel for official purposes, including criminal investigation. Access or use of this computer system by any person whether authorized or unauthorized, constitutes consent to these terms.</p> <p>Signing into eOPF indicates you have read and accepted the Terms and Conditions and Rules Of Behavior and you consent to security testing and monitoring.</p>
3	<p>From the Request Your eOPF ID screen, enter the</p> <ul style="list-style-type: none"> • Last 5 digits of your SSN • Last name • Date of birth (mm/dd/yyyy) <p>Click the Submit button.</p>	 <p>Request Your eOPF ID</p> <p>Purpose: This feature allows you to request your eOPF ID. Please enter information in the following fields.</p> <p>Last 5 digits of your SSN (Example: 67890):</p> <p>Last Name:</p> <p>Date Of Birth (mm/dd/yyyy):</p> <p>Submit Cancel</p>

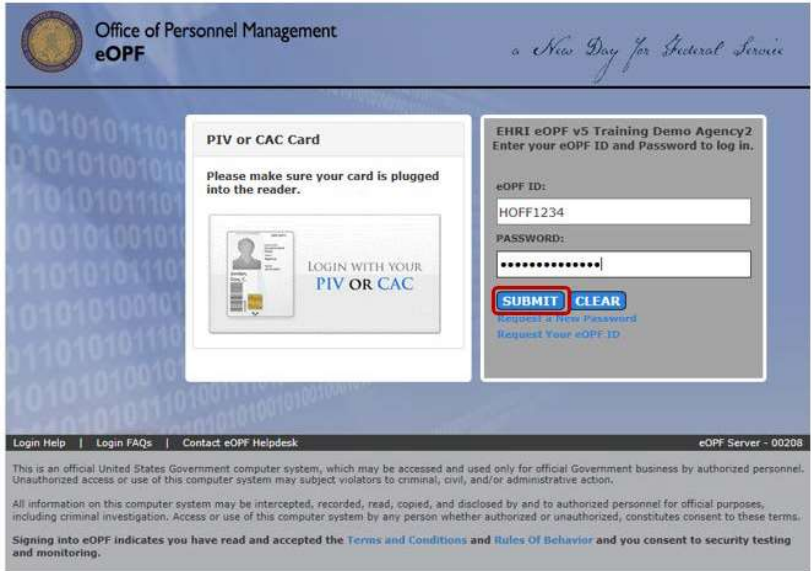

Step	Action	Screen Shot
4	<p>A message displays stating that your request has been submitted for processing, and if the request was successful or not successful.</p> <p>If your request was not successful, a “not successful” message displays. You can click the link to return to the logon page and try again.</p>	 <p>eOPF ID Request successful.</p> <ul style="list-style-type: none"> • Your eOPF ID request has been processed. • You will receive an email with further instructions. • Please contact the helpdesk if you don't receive an email. <p>DO NOT INCLUDE YOUR SSN IN ANY CORRESPONDENCE WITH THE HELPDESK.</p> <p>Click here to return to logon page.</p>
5	<p>Your eOPF ID will be emailed to the government-issued/work email on file in eOPF.</p> <p>Please contact the eOPF Helpdesk if you do not receive an email with your eOPF ID.</p>	 <p>Subject: Request eOPF ID</p> <p>This email is to notify you that a request for your eOPF ID was made. If you didn't initiate this request, please contact the Helpdesk via email at eopfhelpdesk@opm.gov; or by calling (toll-free) at 1-866-275-8518.</p> <p>Your eOPF ID: JONE12345</p> <p>Please protect your personal information by keeping your eOPF ID and password in a secure location.</p> <p>Agency: demo_agency.gov</p>



Part 2: Create an eOPF Password


Step	Action	Screen Shot
1	<p>From the eOPF Logon page, click the Request a New Password link.</p>	
2	<p>On the Request a New Password page, enter your:</p> <ul style="list-style-type: none"> • eOPF ID • Last 5 digits of your SSN • Last name <p>Click the Submit button.</p>	
3	<p>The Request a New Password page displays indicating your request has been submitted for processing.</p> <p>Note: If your information fails to be verified, you receive a message stating that your information does not match the information in the eOPF system and you should contact the eOPF Helpdesk.</p>	

Step	Action	Screen Shot
4	<p>An email with a temporary password reset link and instructions is sent to the work email address on file in eOPF. The link expires after a set amount of time which is specified in the email.</p> <p>Click the link. If it is not clickable, copy and paste it into your browser window.</p> <p>Please contact the eOPF Helpdesk if you do not receive an email with the password reset link.</p>	 <p>Subject: eOPF Password Request</p> <p>This email is to notify you that a request for your eOPF Password was made. If you didn't initiate this request, please contact the Help Desk via email at eopfhelpdesk@opm.gov; or by calling (toll-free) 1-866-275-8518.</p> <p>To create a new eOPF password:</p> <ol style="list-style-type: none"> 1. Click the link below, which is unique to your request. <p>PLEASE NOTE THAT THE LINK EXPIRES WITHIN (# OF HOURS) OF SENDING THIS EMAIL.</p> <p>http://vm-f5eopf12tst1/QA502/VerifyReset.aspx?tn=D5D92F507739</p> <p>If clicking the link above does not work, please copy and paste the URL in a new browser window.</p> <ol style="list-style-type: none"> 2. When prompted provide your eOPF ID and submit. 3. Complete the password reset process. 4. Then you are taken to the eOPF Login Page where you must enter your new password to access eOPF. <p>Agency: demoagency</p>
5	<p>The link opens the Reset Your Password page. Type in your eOPF ID, the last 5 digits of your Social Security number, and your last name.</p> <p>Choose one of your security questions to answer from the drop-down menu and type in the answer.</p> <p>Click the Submit button.</p>	 <p>Reset your password</p> <p>Note: The link provided in your password reset email expires within 4 hours of submitting your password request. Please complete the following prompts.</p> <p>eOPF ID: (Hint: eOPF ID = eOPF Login ID)</p> <p>Last 5 digits of your SSN (Example: 67890):</p> <p>Last Name:</p> <p>In what city did you meet your spouse/significant other?</p> <p>Submit Cancel</p>
6	<p>The Please reset your password page displays.</p> <p>Enter a password that meets the security guidelines in the New Password field, then again in the Verify Password field. The requirements turn green as you type, showing that you have met the requirement.</p> <p>Click the Reset Password button. You are ready to log in to eOPF! Continue with Part 3.</p>	 <p>Please reset your password</p> <p>Purpose: Please enter a new password below and click on "Reset Password". After successfully creating the new password, you will be redirected to the Logon page. Use your newly created password to logon to eOPF.</p> <p>Note: Password must meet the following requirements:</p> <ul style="list-style-type: none"> At least one upper-case letter At least one lower-case letter At least one number At least one special character At least 12 characters in length <p>New Password and Verify Password fields must match</p> <p>New Password: [password field]</p> <p>Verify Password: [password field]</p> <p>Reset Password Cancel</p>

Part 3: First Time eOPF Logon

Step	Action	Screen Shot
1	<p>Enter your eOPF ID and password on the eOPF Logon page.</p> <p>Click the Submit button.</p>	
2	<p>The Select and answer your security questions screen displays.</p> <p>Select questions from the drop-down menu, then answer the questions in the blank fields on the right. Security question answers are not validated for format or correctness (e.g., states, numbers, or dates). Maximum length for an answer is 35 characters.</p> <p>To start over, click the Reset button.</p>	

Step	Action	Screen Shot
3	<p>You also have the ability to create custom questions for Personal Questions; however, custom questions cannot be created for the Helpdesk Verification Questions.</p> <p>Click the drop-down menu and select Write your question. A blank Specify your Question field is added, allowing you to type your custom question. Click Add.</p> <p>Once a custom question is created, it will always be listed in the drop-down menu. Maximum length for a question is 100 characters. There is no limit to the number of custom questions you may create.</p>	 <p>Select and answer your security questions</p> <p>Purpose: The following security questions will be used to verify your identity if you forget your password or eOPF ID. You can modify the answers using 'My Profile' after you login. You can create your custom questions and provide answers. The custom questions are added to the list of Personal Questions.</p> <p>Email Address: KARI.ENER@NGC.COM</p> <p><input type="checkbox"/> Check here, if you are using assistive technology? (ex: Screen Reader)</p> <p>Personal Questions Please select and answer three unique personal questions from the list provided below.</p> <p>Personal Question 1: In what city did you meet your spouse/significant other? Fargo</p> <p>Personal Question 2: What is the name of your favorite childhood friend? Jennie</p> <p>Personal Question 3: Write your question</p> <p>Specify your Question: <input type="text"/> Add</p> <p>Helpdesk Verification Questions Please select and answer three unique helpdesk questions from the list provided below.</p> <p>Helpdesk Question 1: What was your childhood phone number including area code? 307-876-2019</p> <p>Helpdesk Question 2: What is the color of your first car? Black</p> <p>Helpdesk Question 3: What was the name of your first stuffed animal? Bear</p> <p>Note: Answers to the above questions are required to proceed into eOPF. Clicking Cancel will exit you out of the application.</p> <p>Submit Reset Cancel</p>
4	<p>A confirmation message states, "Your question is added to the Personal questions list."</p> <p>Select the drop-down menu arrow again and choose your newly created question. Type your answer in the blank field to the right.</p> <p>To save all of your answers, click the Submit button below the questions.</p>	 <p>Select and answer your security questions</p> <p>Purpose: The following security questions will be used to verify your identity if you forget your password or eOPF ID. You can modify the answers using 'My Profile' after you login. You can create your custom questions and provide answers. The custom questions are added to the list of Personal Questions.</p> <p>Your question is added to the Personal questions list.</p> <p>Email Address: KARI.ENER@NGC.COM</p> <p><input type="checkbox"/> Check here, if you are using assistive technology? (ex: Screen Reader)</p> <p>Personal Questions Please select and answer three unique personal questions from the list provided below.</p> <p>Personal Question 1: In what city did you meet your spouse/significant other? Fargo</p> <p>Personal Question 2: In what city did you meet your spouse/significant other? Jennie</p> <p>Personal Question 3: In what city did you meet your spouse/significant other?</p> <p>Helpdesk Verification Questions Please select and answer three unique helpdesk questions from the list provided below.</p> <p>Helpdesk Question 1: What was your childhood phone number including area code? 307-876-2019</p> <p>Helpdesk Question 2: What is the color of your first car? Black</p> <p>Helpdesk Question 3: What was my horse's name? Bear</p> <p>Note: Answers to the above questions are required to proceed into eOPF. Clicking Cancel will exit you out of the application.</p> <p>Submit Reset Cancel</p>

Step	Action	Screen Shot
5	<p>The Rules of Behavior page displays. Read the rules and click the Accept button.</p>	<p>Rules of Behavior for eOPF</p> <p>The federal employees and contractors entrusted with responsibilities for maintaining, handling and processing PII, have a critical role in protecting the privacy of individuals. They must understand and comply with security responsibilities and the rules of behavior to be allowed access to PII.</p> <p>It is important to understand the importance of securing and protecting PII, and therefore, agree to the following statements:</p> <ul style="list-style-type: none"> I will not disclose, without authorization, any PII, or any sensitive, classified, or compartmented information I access or learn as a result of my privileged user duties and activities. I will only disclose information with those who have an official need to know. I will protect all government-issued equipment assigned to me from unauthorized access. I will never share my user identification, password/PPN, or passwords with anyone. I will not use my privileged user access to obtain information or data for which I am not specifically authorized, or for non-official purposes. I further understand that investigation and monitoring of my privileged user activities may be conducted to ensure integrity of agency systems. I will collect PII only if required to do so by law or regulation. When required, I will collect the minimum amount of PII required to accomplish my official duties, and delete PII from the hard drive or other electronic device(s) when no longer needed. I will ensure appropriate and authorized encryption software is installed on all government-issued computers and devices assigned to me. This includes any government-issued external hard drives and USB flash drives. When electronic transmission or physical transport of PII is necessary, I will apply additional protection measures. I will encrypt or password-protect any electronic communication or portable media that contains PII. I will double wrap any documents that must be transported through a certified delivery service, and obtain tracking information to confirm delivery. I will print paper copies of PII only when absolutely necessary to perform official duties. I will not store paper copies of PII at my residence, or authorized telework location, without the knowledge and approval of my supervisor. I will store paper copies containing PII in a secure, locked cabinet or other locked storage container. I will read and understand all banner pages and end user licensing agreements. I will adhere to all additional security and PII training and procedures that are specific to my position and/or agency. Ensure all changes to the eOPF system components and data are done via approved configuration control procedures; and I will immediately report to my supervisor and the OPM Cyber Security Program (1-844-377-6109 or cybersolutions@opm.gov) any incident where PII or other sensitive agency data may have been lost, stolen, or compromised while working within eOPF system. <p>I acknowledge failure to comply with these responsibilities may result in corrective action, to include but not limited to formal discipline up to removal from federal employment, and/or suspension of system privileges. I further acknowledge any willful disclosure of PII to any person or agency not entitled to receive such information may result in possible criminal prosecution and a fine.</p> <p>I understand that the Data Warehouse Program, eOPF Project Management Office (PMO) reserves the right, to terminate or suspend my access and use of the eOPF System, without notice, if there is a violation of these Rules of Behavior.</p> <p style="text-align: right;"> <input type="button" value="Accept"/> <input type="button" value="Decline"/> </p>
6	<p>The screen refreshes and takes you to the eOPF Welcome page. That's it! You are in eOPF.</p> <p>From this page, you can navigate eOPF with the buttons on the left.</p>	

From the **eOPF Welcome Screen**, you can:

- View your entire eOPF by clicking the **My eOPF** tab.
- Search for specific documents within your eOPF by clicking the **Search eOPF** tab.
- Change your eOPF preferences by clicking the **My Profile** tab.

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CHAPTER 2

ACRONYMS

BOC	Bureau of Census
CAPI	Computer Assisted Personal Interviews
CIRT	Computer Incident Response Team
DOC	Department of Commerce
FL	Field Leader
FR	Field Representative
FS	Field Supervisor
HRD	Human Resources Division
HQ	Headquarters
ID	Identification Card
IM	Instant Messaging
LWOP	Leave Without Pay
PII	Personally Identifiable Information
POV	Privately Owned Vehicle
RD	Regional Director
RO	Regional Office
SSN	Social Security Number

CHAPTER 2

INTERACTING WITH THE PUBLIC

2.A CENSUS LEGALITY

Federal law authorizes all surveys conducted by the U.S. Census Bureau. Regional Office (RO) management informs employees which surveys require mandatory responses and which are voluntary. In most current programs, response is voluntary. Keep in mind that Census Bureau employees are requesting, rather than requiring, an interview, therefore employees should always use tact and courtesy when interacting with the public.

Most respondents will respect a field employee's position and recognize the government's need for the requested information, but there are always some in the public who may not share this view. Field employees include Field Supervisors (FS), Field Leaders (FL), and Field Representatives (FR). If a field employee encounters a respondent who does not recognize the need for the survey, he/she should be tactful in "selling" the importance of the survey. Field staff are provided specific training and guidance on how to handle a variety of situations when interacting with the public.

While Census Bureau employees do have authority to enter a property marked "no trespassing" when conducting official business under *Title 13, United States Code*, once a property owner asks a field employee to leave the premises, he/she should leave immediately.

2.B CONFIDENTIALITY

The field employee position with the Census Bureau has important responsibilities regarding the confidentiality of data collected. *Title 13, United States Code*, requires that data from both individuals and establishments be used only for statistical purposes and be made public only as aggregate statistical totals that do not identify individual respondents or business establishments. Only select employees who have sworn to protect Census Bureau data may see the non-aggregate information. The Census Bureau's reputation for non-disclosure of data is a major factor in obtaining respondent cooperation.

2.B1 *Title 13, United States Code, Section 9a*

This title provides that:

"Neither the Secretary, nor any officer or employee of the Department of Commerce (DOC) or Bureau or Agency thereof, or local Census government liaison, may, except as provided in section 8 or 16 or chapter 10 of this title or section 210 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 or section 2(f) of the Census of Agriculture Act of 1997—

1. *Use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or*
2. *Make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or*

3. *Permit anyone other than the sworn officers and employees of the department or bureau or agency thereof, to examine the individual reports.*

No department, bureau, agency, officer, or employee of the federal government, except the Secretary, in carrying out the purposes of this Title, shall require, for any reason, copies of the census reports which were retained by any such establishment or individual. Copies of census reports so retained shall be immune from legal process, and shall not, without the consent of the individual or establishment concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.”

2.B2 Title 13 Coverage

- Respondent names (including business establishments)
- Respondent addresses
- Address lists and registers
- Completed, or partially completed, questionnaires that could reveal the identities of respondents
- Information provided by respondents

2.B3 Non-Disclosure Affidavit

When the Census Bureau appoints an employee, he/she signs an Appointment Affidavit, Form BC-61 (Exhibit 2-A), agreeing to protect the confidentiality of the information collected.

Currently, the affidavit reads, *“I will not disclose any information contained in the schedules, lists, or statements obtained for or prepared by the U.S. Census Bureau, to any person or persons either during or after employment.”*

The affidavit pertains to all surveys conducted by the Census Bureau and unauthorized disclosures are subject to severe penalties (See Section 2.B6).

2.B4 Identification Badge

The Census Bureau assigns all employees, when appointed, an official identification badge (ID), which includes a photo. *Field employees must always wear this ID when conducting survey interviews.* Employees must also wear the ID above the waist while at the RO. Employees may not access the RO without an ID badge or a temporary employee pass.

If the ID badge is lost or stolen, employees must immediately contact BOC-CIRT at 301-763-5141 or boc.cirt@census.gov and their supervisor. If the expiration date of the ID badge is approaching, contact your supervisor so that a new ID badge may be issued prior to the expiration of the current badge. The RO Administrative Office coordinates the issuance of IDs. When an employee separates from the RO, he/she is responsible for

returning the ID to their supervisor. Failure to return an ID may result in withholding or delaying the receipt of the last salary check or any entitled lump sum pay.

2.B5 Maintaining Confidentiality

The guidelines below can help assure the guaranteed confidentiality of the respondent's answers:

- a. Never reveal, either in conversation or by allowing someone other than a person sworn to protect Census data, to look at a questionnaire, laptop, or any information about a respondent.
- b. When asking neighbors, apartment managers, or others when they expect someone to return home, do not mention the specific name of the survey or describe the survey. To gain cooperation, an employee might say, *"I am (name), Field Representative from the U.S. Census Bureau (show Census Bureau ID badge). The Census Bureau is conducting a survey for statistical purposes. The house at (address of home in sample) is in the survey, but no one is home now. Do you know when it is likely that someone will be home?"*
- c. Notify a supervisor immediately if material containing Census Bureau confidential information is lost, missing, stolen, or destroyed. He/she will advise the RO Security Officer. In addition, within ONE HOUR of discovery, call the Census Bureau Headquarters (HQ) Computer Incident Response Team (CIRT) hotline at 877-343-3333 Option 1 to report a lost, stolen, or missing laptop, or any paper documents containing *Title 13* data or personally identifiable information (PII). See Chapter 6 for additional information regarding incident reporting procedures.
- d. Do not permit persons other than those sworn to protect Census data to listen to an interview. For example:
 - When conducting an interview with a dormitory student when others are present, ask if the respondent wants a private interview.
 - When conducting an interview in a home, if persons not participating in the survey are present (e.g., neighbors or other family members), use discretion in asking if the respondent wants to be interviewed privately. In family situations, it might be best to request a time that is more convenient for a one-on-one interview.
- e. When conducting interviews by telephone, do not allow unauthorized persons to listen to the conversation.
- f. When storing questionnaires, laptops, assignment lists, and other materials at home or in a hotel room, ensure that the materials are locked and out-of-sight (e.g., in a drawer or briefcase) to prevent unauthorized persons from viewing. Do not leave Census Bureau materials or laptops in view in a vehicle. These materials should be locked in the trunk of the vehicle. Also, keep privately owned vehicles (POV) or rental cars locked when unattended.

- g. Do not share questionnaires and information collected with other employees or Census Bureau-sworn persons except for official reasons.
- h. Once the current interview period is over, do not retain in possession any information provided by a respondent unless specifically directed by survey procedures or a supervisor.
- i. Send voided materials containing Census Bureau confidential information to the RO for destruction.
- j. Field employees should not allow persons who are not Census Bureau-sworn (e.g., friends or family members) to accompany them on interviews. Contact the RO for procedures when safety is an issue (See Chapter 7 for additional safety information).
- k. Do not disclose laptop logon password to any unauthorized persons.

All Census Bureau employees are required to complete annual Data Stewardship Awareness training. This training is to remind employees of the commitment to protect the confidentiality of the information collected. The RO will provide guidance on how and when to complete this training.

2.B6 Penalties for Not Maintaining Census Bureau Confidentiality

There are severe penalties for revealing any Census Bureau confidential information that may identify an individual or establishment. Names, addresses, and other information that leads to identification of a respondent are available only to select employees sworn to protect Census Bureau confidential information.

Unauthorized disclosures of Census Bureau confidential information may result in a fine up to \$250,000 or imprisonment up to five years, or both. In addition, the RO may propose administrative action up to and including removal from the federal service for disclosing or jeopardizing Census Bureau data.

For any questions concerning a field employee's responsibilities in maintaining Census Bureau confidentiality, please contact a supervisor or the RO.

2.B7 Subpoenas

The Census Bureau confidential protection of information extends to the courts of law. Upon receipt of a subpoena for any Census Bureau information, or matters relating to job duties, notify a supervisor immediately.

2.B8 Cell and Cordless Telephone Policy

Listed below is the Census Bureau's revised cell and cordless telephone policy for conducting interviews. For additional assistance or questions regarding telephone interviewing, please contact a supervisor or the RO.

- a. *Respondent requests that a field employee interviews via cell phone.*
This request is allowable since the respondent requested this service, however, steps need to be taken to prevent non-authorized individuals from overhearing the information.
- b. *An employee uses a digital cell phone to conduct an interview.*
Use of this cell phone is permissible since the risk of interception is low due to the type of signal used. **Interviewers should not use older, analog cell phones to gather sensitive information.**
- c. *An employee uses a cordless phone to complete an interview.*
A cordless phone is allowable since the wireless signal is weak, which limits the risk of call interception.

2.C DATA INTEGRITY AND PROPER SURVEY PROCEDURES

2.C1 General Information

The Census Bureau is the premier provider of data about the population and economy of the United States. Our reputation for producing accurate demographic and economic information is founded on the integrity of the employees who collect and tabulate these data. There are a number of programs in place to ensure the highest level of quality in field data collection operations, including initial training sessions, periodic reminders, self-studies, and refresher trainings. Budget permitting, yearly and targeted FR observations are conducted to review and highlight proper survey procedures. Census also conducts a random-sample, independent, re-interview program to determine if proper procedures are followed and to assist in identifying procedural misunderstandings, inaccurate data entry, inconsistency of respondents' entries, and data falsification.

The Census Bureau focuses on expertise in sample and questionnaire design and field employee training, to assure the validity of the data collected. The expectation is for field employees to help maintain this level of quality by knowing the program procedures, asking survey questions as worded, and accurately recording interview responses. For quality control purposes, supervisors may observe field staff while interviewing, and periodically re-interview respondents. Field staff survey training materials contain detailed information on these initiatives.

2.C2 Correct Interviewing Procedures

For Computer Assisted Personal Interview (CAPI) surveys, staff must complete the cases in an assignment using a laptop computer. When ready to go to the door of a household for a personal visit or dial the household for a telephone interview, it is time to start up the interview program on a Census Bureau-issued laptop. Field staff will receive instruction on correct interviewing procedures upon hire, during survey training.

2.C3 Incorrect Interviewing Procedures

Incorrect interview procedures may adversely affect survey data quality. If a supervisor finds that an employee is not following procedures, he/she receives instruction again in the correct method. However, if an employee deliberately disregards procedures, such as using an unauthorized proxy respondent or recording completion of a telephone interview

in-person, that employee may face disciplinary action, up to and including removal from federal service. Supervisors will further explain incorrect interviewing procedures during survey training.

2.C4 Data Integrity

Field Division's Policy Agreement on Maintaining Data Integrity

On a yearly basis each employee involved in data collection is required to review and sign Form 11-80, Policy Agreement on Maintaining Data Integrity (Exhibit 2-C). By signing the agreement, each employee recommits to upholding three key principles of high quality data collection:

1. Following all Census Bureau and survey specific rules for data collection
2. Never fabricating information or record answers not provided by the respondent
3. Accurately documenting all work

If an employee refuses to sign the form, the refusal will be considered an act of misconduct, the employee will be counseled, and disciplinary action could result. New hires involved in data collection must complete Form 11-80 during the Entry-On-Duty (EOD) process.

If a newly appointed person refuses to sign Form 11-80, the offer of employment must be rescinded.

2.C5 Penalties for Data Irregularity

Data irregularity (recording responses differently than reported or fabricating any or all responses) of survey data is a serious offense with severe penalties. *Title 13, United States Code, Section 213*, states that those sworn to protect Census Bureau information who willfully falsify information collected under this Title, may be found guilty of perjury and possibly fined up to \$250,000, imprisoned up to five years, or both. Penalty provisions of other agencies for which surveys the Census Bureau may conduct are also enforced.

If management determines that an employee falsified data, management refers the case to the Office of the Inspector General for investigation and possible prosecution. In addition, the RO may propose administrative action against the employee, up to and including removal from the federal service for falsifying data.

For cases in which management finds discrepancies in data during re-interview, the current procedure is to issue a letter to the employee identifying the suspected data irregularity case(s) and requesting an explanation in writing.

Under no circumstances should an employee attempt to contact the respondent(s) during or after an investigation into the misconduct.

The Census Bureau expects high standards of honesty and integrity from its employees and contacting survey respondents for purposes other than to collect survey data does not conform to these standards. The stated misconduct is serious and could be grounds for disciplinary action, up to and including removal from federal service. Please contact a

supervisor with any questions concerning field employee responsibilities in areas of data quality, or questions or concerns regarding possible disciplinary action.

2.D DATA STEWARDSHIP, THE USE OF E-MAIL, TEXTING, INSTANT MESSAGING, AND SKYPE FOR BUSINESS

Federal law binds the Census Bureau's workforce to an ironclad commitment to data stewardship. The Census Bureau may not release PII, such as names, addresses, social security numbers (SSN), etc. Data stewardship, providing quality data for public good while respecting individual privacy and protecting confidentiality, is the Census Bureau's core responsibility. Data stewardship is the formal process the Census Bureau uses to care for the public's information, from selecting the sample of addresses, to collecting data from respondents, to releasing statistical data products.

The practice of data stewardship assures that the Census Bureau can effectively collect (and customers can use) high quality data while fully meeting the legal and reporting obligations levied by the *Census Act, Title 13*, the *Privacy Act*, and other applicable statutes, including the requirements of governmental and other suppliers of data to the Census Bureau. The Census Bureau also strives to meet high ethical standards as identified by the Census Bureau's principles and other data stewardship best practices and procedures.

Keeping the public's trust is critical to the Census Bureau's ability to carry out its mission as the leading source of quality data about the nation's people and economy.

2.D1 Use of Email Account(s)

Census Bureau Emails:

- Are considered Census Bureau property and there is no expectation of privacy.
- Should never contain sensitive data of any kind; including PII, such as name, address, SSN, or other information used to identify a Census Bureau employee (**including yourself**), a business, school, group quarters, or person associated with a survey conducted by the Census Bureau.
- Should never contain illegal transmissions (follow all copyright laws).
- Should be archived according to retention policies.
- Should be limited to Census Bureau business only.
- Should not be chain emails, joke messages or anything forwarded from a private email account.
- When responding to emails, do not select "Reply To All" but direct your email to the individual by selecting "Reply" or select a specific individual. Remember that some Census email distributions contain thousands of email addresses. When you respond incorrectly, you potentially send out thousands of emails.
- Auto-forwarding your emails to a private account is strictly prohibited
- If requesting leave, **do not provide any personal medical information in the email** (please follow your Regional Office's policy for requesting leave and providing required medical documentation)
- If you have any question about the source of an email, SPAM, phishing email or any attachment (never open an attachment if you are unsure of the source or its contents) immediately contact BOC-CIRT at (301) 763-3333, option 1 and then your supervisor.

- If a respondent sends an email, or requests contact via email and it is the only means of communicating, explain by email that due to the confidential data the Census Bureau collects, employees cannot communicate PII via email. Instead, request contact by phone or in writing via traditional mail.

Personal Email:

- Your personal email account should never be used for official Census Bureau business purposes.
- Never send correspondence from a personal email account with attachments to an RO. These attachments may contain hidden computer viruses that damage files or create security risk.

2.D2 Use of Personal Texting or Instant Messaging

The Census Bureau prohibits the use of personal texting or instant messaging (IM) to communicate *Title 13*, PII, or Census Bureau-related information. Never communicate with respondents via text or IM.

2.D3 Use of Skype for Business

Field staff have access to a version of Skype for Business. This allows access to instant messaging with other Census staff and to participate in Skype screen-sharing for training, problem solving, and discussion. Skype should only be used for business purposes. It offers an alternative way to communicate from phone, email, and text.

2.E PUBLIC RELATIONS

An employee's job involves both administrative and technical expertise, as well as good judgment and resourcefulness. The Census Bureau expects employees to act appropriately as official representatives in communities across the United States.

2.E1 Key Organizations and Individuals

It is in an employee's best interest to maintain contacts, based on understanding and respect, with influential organizations and/or people within assignment areas. This contact is especially important in new sample areas that may not be as acquainted with the Census Bureau's current programs.

The Police Department, the Better Business Bureau, and the local Chamber of Commerce are all examples of important or influential contacts. Usually the organizations are Census Bureau data users, so their knowledge that Census Bureau employees are collecting data locally is mutually beneficial.

2.E2 Contact With Congressional Offices

Field employees should not visit or telephone local congressional offices unless receiving prior approval from a Regional Director (RD). Any contact by a Congressional staff person needs to be referred to the RO. ***Notify the RO immediately of any congressional contact.***

2.E3 Media

Other valuable contacts include newspapers, radio and TV stations that usually receive periodic news releases covering Census Bureau activities and announcements. Often field employees are mentioned by name in these releases. The media's personal acquaintance with field staff tends to result in better publicity for the Census Bureau and greater acceptance by area respondents. However, employees contacted by the media should notify the RO immediately of the contact. The RO will offer guidance concerning media contact.

Employees should collect all news articles that mention the Census Bureau by name and then forward the articles to the RD. If the Census Bureau receives mention on a local television or radio station, it is helpful to report the date, time, and station together with a summary of the statement.

Occasionally, media outlets invite field staff to describe the Census Bureau's work by interview or public appearance. If so, the employee must get prior approval from the RD. ***Never speak to a reporter or media outlet without approval from the RD.***

In any of these cases, remember the Census Bureau's obligation to maintain the confidentiality of all Census data.

2.E4 Personal Appearance

The Census Bureau does not have a specific dress code policy. However, the Census Bureau's general policy is that employees maintain a businesslike appearance. This policy means that attire should not detract from an employee's work.

2.E5 Respecting Respondent's Privacy

The Census Bureau developed a set of four privacy principles.

1. Principle of Mission Necessity

The Census Bureau only collects information necessary for meeting the Census Bureau's mission and legal requirements.

2. Principle of Openness

The Census Bureau is open about its programs, policies and practices to collect and protect identifiable data used to produce statistical information.

3. Principle of Respectful Treatment of Respondents

The Census Bureau is considerate of respondents' time and desire for privacy and respects their rights as research participants.

4. Principle of Confidentiality

The Census Bureau ensures that procedures to collect, process, and release data include confidentiality protection.

In adhering to these principles, it continues to be critical for data collection staff to make every responsible attempt to obtain complete responses for all interviews.

Note: Since field employees continuously interact with strangers and go to many unfamiliar areas, they may run into a respondent who is very vocal and refuses to respond to a survey. Vocal refusals are not necessarily physical threats. Employees are encouraged to follow their intuition with regards to threatening situations. Employees should remove themselves immediately from any threatening situation. Field staff must report any threatening situations to a supervisor immediately. A supervisor will evaluate the situation to see if there is a possible threat or potential problem for other field employees, and then determine if visits should continue in the future. A supervisor must also report this threat to a program supervisor immediately (See Chapter 7 for additional information regarding safe survey procedures).

Employees are responsible for knowing, reviewing, and implementing the policies related to these principles. The RO staff provides a copy of these policies and the requirements for periodic discussion or review.

2.F POLITICAL ACTIVITY

The guidelines on political activities intend to allow employees to actively participate in the political process without being subject to coercion, and prevent intermingling of government and political activities. The amended *Hatch Act* generally permits employees to participate in political activities during non-duty hours. However, there are still certain restrictions concerning political activities that apply to all federal employees.

The following are some guidelines on participation in political activities. Please ask a supervisor about any particular activity not listed below.

Employees May:

- Register and vote
- Be a candidate for public office in a nonpartisan election; *however, if elected the employee may have to resign his/her Census Bureau appointment or decline the elected position*
- Attend political fund-raising events
- Contribute money to political organizations and candidates
- Attend and be active at political rallies and meetings
- Campaign for or against local candidates, referendum questions, constitutional amendments, or local ordinances

- Sign and circulate nominating petitions
- Deliver or write campaign speeches for candidates
- Distribute campaign literature (except for fundraising literature)
- Hold office in political clubs or political parties
- Attend or serve as a delegate to a political caucus or convention
- Stuff envelopes for a political party or candidate
- Display a political bumper sticker on a POV as long as the vehicle use is not for official business (if the vehicle use is for official business, the employee must cover the bumper sticker while on-duty)
- Campaign against candidates in partisan election

Employees May Not:

- Use government resources, including supplies, time, title, or personnel, for a political activity
- Use official authority or influence to interfere with an election
- Personally solicit, accept, or receive political contributions
- Coerce other federal employees regarding political activities
- Knowingly solicit or discourage the political activity of persons with business before the Census Bureau or other government agencies
- Be candidates for public office in partisan elections

Note: Temporary and intermittent employees can participate in partisan political activities, including running in a partisan election, so long as they are not doing so while on government property or not in a duty status. However, the question of whether or not employees can retain their office, should they be elected, and continue their work with the Census Bureau, must be decided on a case-by-case basis. This decision should be within the parameters of a conflict of interest analysis and appearance of bias determination. The Employee Relations Branch, Human Resources Division (HRD), provides guidance and assistance to the RD in making determinations.

- Engage in political activity while on-duty
- Engage in political activity while in any government office
- Engage in political activity while wearing an official uniform
- Engage in political activity while using a government vehicle

- Engage in political activity while using a POV, for work purposes, with an uncovered political bumper sticker affixed
- Wear political buttons while on-duty

2.G OUTSIDE ACTIVITIES AND CONFLICT OF INTEREST

2.G1 Policy

Title 5, Code of Federal Regulations, Part 2635, prohibits outside activities that conflict with fulfilling a federal employee's duties and responsibilities. Two major considerations are:

1. Outside activities must not involve, or appear to involve, a conflict of interest.
2. Outside activities must not interfere with or be a detriment to the efficient completion of official duties during the hours an employee is expected to be available for Census Bureau work.

Employees must ensure that involvement in outside activities or employment does not affect the public trust or effective performance of official Census Bureau business in any way. The following are examples of conflict of interest situations:

- a. Outside activities or employment tend to create confusion in the survey respondent's mind as to the requesting agency. Law enforcement, tax collections, social welfare work, telephone or door-to-door sales or solicitation, or work for a private survey organization; all of these, and many other activities, may cause respondents to question Census data confidentiality.
- b. Outside activities or employment makes employees unavailable for Census Bureau assignments, or otherwise reduces the ability to complete work on time.
- c. Employees mix official and outside activities or employment in any way (for example, making calls or contacts relating to an outside job while on official duty). Employees may not engage in outside activities or employment on government time or use government resources, such as computers, telephones, vehicles, stationary or paper, photocopiers, office supplies, or facsimile machines for these purposes.

2.G2 Prohibited Activities

Employees may not accept a fee, compensation, gift, payment of expense, or anything of monetary value in circumstances in which receipt may result in, or create the appearance of, a conflict of interest. Also, employees may not participate in any outside activity that may result in or create the appearance of:

- a. Using public office for private gain.

- b. Giving preferential treatment to any person or organization.
- c. Interfering with government efficiency or economy.
- d. Adversely affecting the public confidence.

Federal regulations ban all federal employees from receiving honorariums for appearances, articles, or speeches related to their official duties as a federal employee. See Exhibit 2-B for a complete list of *General Ethical Principles* adhered to by federal employees.

2.G3 Requesting Approval

Employees who wish to engage in outside employment or other outside activities must comply with all relevant statutes, regulations, and provisions. Employees are advised to consult with a supervisor regarding outside employment or other outside activity matters to ensure that engaging in such activity does not raise a question of conflict of interest or otherwise conflict with the *Standards of Ethical Conduct*.

2.G4 Dual Federal Employment

Generally, federal regulations prohibit federal employees, civilian and military, from receiving pay from more than one government source. A person cannot hold two federal positions simultaneously.

In some limited situations, an individual may hold more than one federal appointment and may receive pay from more than one civilian job. This circumstance only applies when:

- a. The combined jobs total no more than 40 hours of work per week, Sunday to Saturday (excluding overtime). Employees may hold more than one part-time position provided the jobs do not exceed 40 hours of work a week in a combination of appointments; or
- b. There is an authorized exception.

An employee on leave without pay (LWOP) from one position may receive pay for another position. Paid leave, however, counts toward the 40 hour per week limitation, unless there is an authorized exception.

Authorized exceptions to the limitation on pay for more than 40 hours per week include:

- a. Exceptions in law, e.g., with agency approval federal employees can work for the U.S. Postal Service (*refer to Section 1001 of Title 39, U.S.C.*);
- b. Emergency services relating to health, safety, protection of life or property or national emergency;
- c. Unusual circumstances which require personnel services not readily obtained otherwise (e.g., personnel from other federal agencies worked as Census enumerators during Census 2010);

All appointments involving dual federal employment and/or current postal service employment require approval in advance by Field Division HQ. Census Bureau employees currently working for another federal agency/postal service or contemplating such, should contact the RO Administrative Office immediately.

2.H RELIGIOUS FREEDOM IN THE FEDERAL WORKPLACE

As a matter of law, the Census Bureau shall not restrict personal religious expression by employees in the federal workplace. Exceptions include where the employee's interest in the expression outweighs the Census Bureau's interest in the efficient provision of public services, or where the expression intrudes upon the legitimate rights of other employees or creates the appearance, to a reasonable observer, of an official endorsement of religion. The federal government's *Guidelines on Religious Exercise and Religious Expression in the Federal Workplace* permit religious expression to the greatest extent possible, consistent with workplace efficiency and the requirements of law. The law prohibits discrimination against employees on the basis of religion, or lack thereof.

Finally, the guidelines clarify that an agency must reasonably accommodate employees' religious practices. However, the guidelines do not allow agencies to permit employees to use work time to pursue religious or ideological agendas. Federal employees receive pay to perform official work, not engage in person religious or ideological campaigns during work hours.

These guidelines cannot cover all possible forms of religious exercise and expression, however, certain general principles are covered below:

- a. All federal employees who deal with the public must be sensitive that their expressions of religious beliefs do not create the impression that the government sponsors, endorses, or inhibits religion generally or favors or disfavors a particular religion.
- b. Agencies may not discriminate against employees on the basis of religion, require participation or non-participation as a condition of employment, or permit religious harassment. This discrimination includes actions such as hiring, promotions, or otherwise favoring/disfavoring employees or potential employees based on religion or lack of religious beliefs.
- c. Supervisors and employees must not engage in activities or expression that a reasonable observer would interpret as government endorsement or denigration of religion or a particular religion.
- d. Employees may engage in private religious expression in personal work areas, such as keeping a bible or Koran in their possession and reading during breaks.
- e. Employees have permission to engage in religious expression directed towards fellow employees. To the same extent, those employees may engage in comparable speech not involving religion and as long as a reasonable person would not interpret the expression as government endorsement of religion. However, employees must refrain from such expression when a fellow employee asks that the expression stop or otherwise demonstrates that the discussion is unwelcome.

- f. The Equal Employment Opportunity laws against workplace discrimination protect federal employees from subjection to a hostile environment, or religious harassment, in the form of religious discriminatory intimidation, or pervasive or severe religious ridicule or insult, whether by supervisors or fellow employees.
- g. Federal law requires an agency to reasonably accommodate employees' exercise of religion unless such accommodation imposes an undue hardship on the conduct of the agency's operations. The agency makes accommodations unless those accommodations would result in an actual cost to the agency or to other employees, an actual disruption of work, or unless otherwise barred by law.

The above guidelines provide answers for some of the most frequently encountered situations in the federal workplace, but additional facts may complicate actual cases. Please contact RO management for further guidance as needed.

EXHIBIT 2-A

APPOINTMENT AFFIDAVITS

FORM BC-61 (9-13-2006)
EXCEPTION TO SF-61
APPROVED BY OFFICE OF
PERSONNEL MANAGEMENT (7-80)

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

APPOINTMENT AFFIDAVITS

Form with fields for (Position to which appointed), (Date of appointment), Commerce (Department or agency), Census (Bureau), and (Place of employment).

I, _____, do solemnly swear (or affirm) that —

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

D. AFFIDAVIT OF NONDISCLOSURE

I will not disclose any information contained in the schedules, lists, or statements obtained for or prepared by the Bureau of the Census, to any person or persons either during or after employment. (Under title 13, U.S.C. section 214, the penalty for unlawful disclosure is a fine of not more than \$250,000 or imprisonment for not more than 5 years, or both.)

(Signature of appointee)

Subscribed and sworn (or affirmed) before me this _____ day of _____, A.D. 20 _____,

at _____ (City) _____ (State)

[SEAL]

(Signature of officer)

Commission expires _____ (Title)
(If by a Notary Public, the date of expiration of his/her Commission should be shown)

NOTE — The oath must be administered by a person specified in 5 U.S.C. 2903. If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religions Freedom Restoration Act.

USCENSUSBUREAU

EXHIBIT 2-B

GENERAL ETHICAL PRINCIPLES

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
4. An employee shall not, except as permitted in ethics regulations, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as federal, state, or local taxes, imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in federal ethics regulations. Whether particular situations create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

EXHIBIT 2-C**Form 11-80, Policy Agreement on Maintaining Data Integrity**

(10-1-14)

Field Division Employee Policy Agreement on Maintaining Data Integrity

My signature below confirms my commitment to following all US Census Bureau principles of quality data collection to ensure I collect the highest quality data on Bureau surveys.

I AGREE TO:**1. Follow all Census Bureau and survey-specific rules for data collection.**

While each survey program may have unique requirements, all Census Bureau surveys share some basic rules for data collection. Our training programs and survey materials outline both general Census Bureau and each survey's specific data collection rules in detail. The following rules should always be followed.

- Ask all questions exactly as worded when conducting interviews.
- Complete each survey item carefully and accurately.
- Interview only eligible respondents and proxies.
- Always use the Census Bureau laptop when interviewing for CAPI surveys.
- Start interviewing as soon as possible after the interviewing period begins.
- Never conduct interviews outside the designated interviewing period.
- Never have someone else complete your survey work or have someone accompany you to an interview unless authorized by your supervisor.
- Consult the most knowledgeable source to confirm non-interview status, vacancies, etc.

2. Never fabricate information or record answers not provided by the respondent.

Our reputation for collecting high quality data rests on our commitment to accurately capturing the information, and only the information, eligible respondents provide. There are several things you should never do.

- Don't suggest, assume, or guess any answers to the survey questions
- Don't use information collected from previous interviewing periods to fill in responses without asking or verifying answers for all of the questions for the current interviewing period.
- Don't enter interview answers based on observation or other data sources if the survey requires that the information be provided by an eligible respondent.

3. Accurately document all work.

A key element in assessing data quality is to capture the circumstance of the interview environment. There are several things you should always do.

- Complete the Contact History Instrument (CHI) following each contact attempt.
- Provide detailed information in the notes to clarify unusual situations and record unique circumstances.
- Accurately record whether the interview was conducted in person or by telephone.

CERTIFICATION

My signature certifies that I have read this document in its entirety, fully understand, and agree to adhere to all of the protocols outlined above. I understand that failure to follow these and all other data quality guidelines can lead to the Census Bureau taking administrative action up to, and including, my removal from the Federal Service.

Employee's Signature:

Date:

Employee's Name (Print)

CHAPTER 3

THE REGIONAL OFFICE

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CHAPTER 3

THE REGIONAL OFFICE

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CHAPTER 3

ACRONYMS

ADR	Alternative Dispute Resolution
CLC	Census Learning Center
DAO	Department Administrative Order
DOC	Department of Commerce
EAP	Employee Assistance Program
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
FAD	Final Agency Decision
FL	Field Leader
FR	Field Representative
FS	Field Supervisor
HQ	Headquarters
HRD	Human Resources Division
SHRO	Servicing Human Resources Office
SHRM	Servicing Human Resources Manager
MSPB	Merit Systems Protection Board
OPM	Office of Personnel Management
RO	Regional Office
ROSCO	Regional Office Survey Control Operations
WebFRED	Web-Based Field Representative Earnings Data

CHAPTER 3

THE REGIONAL OFFICE

3.A COMMUNICATIONS

There are several ways for Field Supervisors (FS), Field Leaders (FL), and Field Representatives (FR) to communicate with the Regional Office (RO). Below are examples of methods of communication.

- a. *Employee Assignments:* Field employees receive their assignments via the Regional Office Survey Control Operations (ROSCO) system. RO staff provides training on the specific features of ROSCO during new employee orientation. For questions on assignments, please contact your immediate supervisor.
- b. *Email Communication:* All Census Bureau employees have a Census email account. Supply orders, leave requests, and other work-related communication occur via email or web-based applications such as Web-Based Field Representative Earnings Data (WebFRED).
- c. *Memorandum:* Frequently, field staff receive survey and administrative instructions in memorandum form from Census Bureau Headquarters (HQ) and the RO. This is an extremely important means of communicating and any information contained in a memorandum needs to be followed explicitly.
- d. *Phone Calls:* When information needs to be reported or obtained quickly, field staff should telephone their supervisor or RO directly. Often, the ROs have special telephone requirements for field staff, such as toll-free numbers, dedicated call-in times, or after-hours answering machines. Check with your supervisor regarding the region's telephone procedures. Reimbursement for cellular telephone use is limited to official calls in excess of basic service (See Chapter 4, Section B for information on phone bill reimbursement). Employees may use their cell phones to call their supervisor or RO for work-related issues, if they do not have use of a government-issued cell phone.
- e. *Skype:* Field Staff have access to a version of Skype for Business. This access provides the ability to send instant messages to other Census employees and to participate in Skype screen-sharing for training, problem-solving, and discussions. Skype should only be used for business purposes. It offers an alternative to email, phone, and text.

3.B SUPPLIES

Upon hire, the RO sends initial supplies required to successfully complete assigned survey work. Additional supply requests are made via email to a supervisor. Management recommends that field staff request enough supplies to last 60 to 90 days.

To make an emergency purchase of a supply item, obtain your supervisor's approval first. These additional supplies are reimbursed through payroll submission (See Chapter 4, Section B).

3.B1 Postage Fees

Included in the materials initially received from the RO is a supply of various envelopes, reminder cards and other items to mail to respondents. All postage fees for government mailings are reimbursable (See Chapter 4, Section B for further information on postage reimbursement). Employees cannot use these postage materials for personal business. Employees who violate this policy are subject to a possible fine or other disciplinary action.

3.C TRAINING

All employees undergo training upon initial hire, as well as prior to actually working on a survey assignment. This training includes RO and administrative procedures, ROSCO, and survey-specific training to address the mechanics of collection and content of various surveys. In addition, all Census Bureau employees must complete two mandatory trainings during the entry-on-duty process and then yearly thereafter:

1. Data Stewardship Awareness Training

This training, launched in 2011, combined the *Information Technology Security Awareness* and *Title 13* training. Employees must receive a score of 70% or higher to receive credit for completion. Employees access this training via an icon on their government-issued laptop. This icon link accesses the Census Learning Center (CLC), where employees complete this mandatory training. Any employee unable to pass the training after three attempts should consult with a supervisor.

New Employees complete Data Stewardship Awareness Training prior to being issued a laptop computer and then the course is taken annually thereafter.

2. *No FEAR Act* Training

Employees are responsible for completing this training within 90 days of hire. On May 15, 2002, President Bush signed legislation called the *No FEAR Act (Notification and Federal Employee Anti-Discrimination and Retaliation Act of 2002)*. This act makes federal agencies individually accountable for violations of anti-discrimination and whistleblower protection laws. Requirements and agency responsibilities under the *No FEAR Act* include:

- Payment of settlements and judgments; agencies that lose or settle discrimination and whistleblower cases must pay judgments out of the agency's individual budget.

- Employee information and education; agencies must give their current employees, former employees, and applicants for employment written notification of discrimination and whistleblower protection laws. Agencies are also responsible for ensuring they meet their obligations to inform and educate their employees regarding this act.
- Training for managers; agencies should ensure that managers receive adequate training in the management of a diverse workforce and in dispute resolution and other essential communication skills.
- Annual reports to Congress.
- Posting of Equal Employment Opportunity (EEO) complaint data on the Internet.

3. Annual Records Management Training

- Field Representatives are responsible for reviewing this training upon hire and then annually thereafter. A copy of the training is included in the Exhibits section of this manual.

Your Regional Office will send out a reminder annually for you to review this training and confirm with your FS that you have done so.

3.D EQUAL EMPLOYMENT OPPORTUNITY

The Census Bureau has a long-standing commitment to the principles of EEO and does not tolerate policies or practices that adversely affect any employee or applicant on the basis of race, gender, national origin, color, religion, sexual orientation, age (40 or over), or disability. EEO regulations also prohibit retaliation for raising concerns of discrimination. The Census Bureau not only prohibits discrimination; the agency promotes equality of opportunity through affirmative action programs.

Any employee wishing to pursue a complaint based on any of the above criteria may do so through the Census Bureau's EEO office (See Section 3.E3 for clarification about the EEO complaint process). For questions about the complaint process, or any EEO-related issues, contact the Census Bureau's EEO Office at HQ on 1-800-872-6096.

3.D1 Harassment

Harassment can be sexual or non-sexual by definition. Unwelcomed sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct is harassment when any one of the following criteria is met:

1. The targeting of an employee for harassment because of his/her sex (including harassment not necessarily sexual in nature) or other protected status.
2. Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment.
3. Submission to or rejection of such conduct by an individual is the basis for career or employment decisions affecting that individual.
4. A pattern of pervasive harassment in the work unit including unwelcome behavior towards an individual(s) with the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
5. A single incident of prohibited harassment of such a serious nature that the event impacts continued effective functioning of the unit.

Every employee maintains a role in the prevention or elimination of harassment by:

- Examining his/her behavior on the job.
- Supporting the Census Bureau's policy on prevention of harassment.
- Notifying his/her supervisor or higher-level manager when there is a concern. Managers and supervisors are accountable for enforcing standards of appropriate office behavior and are expected to follow the guidelines and procedures set forth in the *Department of Commerce (DOC), Department Administrative Order (DAO) 202-955*.

Report any perceived harassment, or witness to any incident of prohibited harassment to a supervisor, or higher level management official, or the Human Resources Division (HRD), Employee Relations Branch at HQ immediately, 301-763-3701. Employees may also call the following Census Bureau employees for counseling and information:

- Employee Assistance Program (EAP) Coordinator at 1-800-211-6015
- EEO Counselor at 1-800-872-6096

The Census Bureau does not tolerate harassment of any kind, and takes appropriate corrective action to stop harassment and prevent its recurrence. An administrative investigation may occur, which could lead to disciplinary or adverse action against the offending supervisor, manager, or employee. *DAO 202-955, Allegations of Harassment Prohibited by Federal Law*, provides further guidance on addressing allegations of harassment.

3.D2 Sexual Orientation Discrimination

Employment discrimination based on sexual orientation violates policy and the Census Bureau does not tolerate this discrimination. Federal regulations also prohibit retaliation for raising concerns of sexual orientation. While discrimination based on sexual orientation is not a violation of federal civil rights laws, *Executive Order 11478, Equal Employment Opportunity in the Federal Government*, as amended May 28, 1998, and *DAO 215-11, Complaint Process for Sexual Orientation Discrimination*, effective November 30, 1999, prohibit this specific discrimination. Employment discrimination based on sexual orientation is treating employees or applicants for employment differently from similarly situated coworkers or applicants because of one or more of the following:

1. Their sexual orientation or perceived sexual orientation.
2. Their relationship with individual(s) of a particular sexual orientation.
3. Their affiliation with a group associated with sexual orientation issues or whose membership contains mainly people of a particular sexual orientation(s), including employee organizations.

Please review Section 3.E4 for details regarding filing a Sexual Orientation Discrimination complaint. Depending upon the procedure, time limits for filing complaints vary. Consult an EEO Counselor for requirements and full employee rights.

3.E EMPLOYEE GRIEVANCES AND COMPLAINTS

Any concerns about working conditions are best resolved informally by discussing with a supervisor. Most workplace problems are resolved in this way, but if not, all employees are entitled to file a grievance or complaint under the *Administrative Grievance Procedure, DAO 202-771*, or the *EEO Complaint Process*. Consult supervisor or HQ HRD, 301-763-4748 for assistance in determining which option to pursue. Alternative Dispute Resolution (ADR) is available at all stages, informal and formal, of either of these processes (See Exhibit 3-E for the DAO 202-771 and Section 3.E1 for additional information on ADR).

3.E1 Census Alternative Dispute Resolution Program

ADR is an effective tool for employees, managers, and supervisors in resolving various employee conflicts and disputes. ADR is an alternative to traditional methods of early intervention and dispute resolution. ADR mediation involves a workplace or employment-related dispute, such as an EEO complaint or grievance. The trained mediator comes from a different federal agency to assure impartiality. ADR provides parties the chance to present complete details of an issue in dispute, and allows the parties the opportunity to hear each other's viewpoints. An essential element of ADR, however, is that ADR provides parties

the opportunity to identify common ground and concurrences and prepare mutually acceptable options to resolve disputed issues.

These sessions, while voluntary, are highly encouraged due to the success rate (although not all situations are suitable for mediation). Approximately 80% of mediated cases are resolved. Participants express a high degree of satisfaction with the fair and efficient process that avoids the stress of a lengthy investigation and possible litigation. The advantage of mediation over more traditional complaint procedures is that ADR allows for more creative problem solving between the parties. The mediation sessions are private and confidential.

Through the skilled assistance of the mediator, parties receive encouragement to listen, be empathetic, mediate in good faith, suspend preconceived judgments, respect each other's values, negotiate without holding to a fixed position, and focus on resolving the underlying conflict.

Below are situations when ADR may be helpful:

- The parties want settlement, but personality conflicts or poor communication is hampering negotiations.
- An underlying issue, not formally part of the complaint and not resolvable by available legal relief, may exist.
- The parties shall or should have a continuing relationship.
- If at least one party's view of the case is unrealistic, a discussion with a mediator may move the process forward.
- The parties expect to settle eventually, maybe in court.
- At least one party wants to avoid an imposed outcome.
- At least one party wants to avoid high litigation costs.
- Despite a desire to avoid adverse precedent, traditional negotiations reached an impasse.
- Involves multiple and/or complex issues.
- Need for a quick resolution.
- The parties prefer to maintain confidentiality about the issues.
- More than one possible solution exists, no solution is necessarily "right".

Below are examples of situations where ADR may prove less helpful and may require other means of resolution:

- One or both parties may be guilty of criminal conduct, fraud, waste or abuse.
- Significant legal, policy, or constitutional issues are present.
- One party wants a precedent, a principle established, or a point proven.
- Need for uniform treatment of the issue or dispute, e.g. the issue has nationwide impact or many similar suits are pending.
- A full public record of the proceeding is important.
- The dispute significantly affects non-parties, e.g. the relationship between a local union and federal agency.
- The case is likely to settle through unassisted negotiations.
- One party seeks major damages.
- One or both of the parties are not open to mediation.

3.E2 Administrative Grievance Procedures

The DOC's *Administrative Grievance Procedures, DAO-202-771 (Exhibit 3-E)* allows an employee to request personal relief in a matter of concern or dissatisfaction regarding his/her employment. The personal relief sought by the employee must be within the authority and control of management officials within the DOC.

Listed are some examples of non-grievance matters:

- A decision that is appealable to the Merit Systems Protection Board (MSPB), such as suspension of 15 days or more or removal, is subject to final administrative review by the Office of Personnel Management (OPM), or the EEO Commission (EEOC).
- Claims of sexual orientation discrimination, processed under *DAO 215-11*.
- Non-selection for a position from a group of properly ranked and certified candidates or the failure to receive a noncompetitive promotion.
- Termination of a temporary position within a maximum period of two years, when returning the employee to the position from which promoted,

or placing the employee in another position provided that the position is not a lower grade or pay than the position from which temporarily promoted.

- Termination of a term position at the completion of a project or specified period, or at the end of a rotational assignment in excess of two years, but not more than five years, that returns the employee to the position from which promoted or places the employee in another position (provided that the position is not at a lower grade or pay than the position from which promoted).
- The granting or failure to grant a performance award under *5 U.S.C. 5834*, or a quality salary increase under *5 U.S.C. 5336*.
- The substance of critical elements/results/objectives and performance standards/indicators in an employee's performance plan.
- Return of an employee from an initial appointment as a supervisor or manager to a non-supervisory or non-managerial position for failure to complete a satisfactory probationary period under *5 U.S.C. 3321 (a)(2)* and *Subpart I of 5 CFR 315*.
- Any matter the substance of which was the subject of a previous grievance submitted by the same employee.
- Termination of a probationary employee for unsatisfactory performance or misconduct.
- Granting or failure to grant a retention allowance/incentive, or a reduction in the amount of a previously granted retention allowance/incentive.
- The classification of a position description and decisions excluded under *5 CFR 511.607*.
- Receipt or non-receipt of any benefit conferred under a government-wide benefits program, such as the Federal Employees Health Benefits Program, Workers' Compensation, retirement benefits, etc.
- Any matter covered by a negotiated grievance procedure.

(Please refer to Exhibit 3-E, DAO 202-771 Administrative Grievance Procedure, Section 3.01 for the complete list of matters not covered)

Below is a listing of employees' rights in filing a grievance:

- Right to file a grievance.

- Right to request ADR.
- Right to information (entitled to communicate with the Servicing Human Resources Office (SHRO) to obtain information about the grievance process, as well as review all regulatory materials regarding the grievance process and/or the matter being grieved and to review the grievance file).
- Right to representation.
- Right to use duty time (entitled to use a reasonable amount of duty time and official resources to present a grievance).
- Right to a written decision.
- Right to confidentiality.
- Right to freedom from interference or reprisal.
- Right to withdraw a grievance.

(Please refer to Exhibit 3-E, DAO 202-771 Administrative Grievance Procedure, Section 5 for the complete list of grievance rights)

Although employees normally must file a written informal grievance prior to filing a formal grievance, there are two exceptions:

1. Performance Reconsideration

When an employee has followed the Request for Reconsideration procedures prescribed in Exhibit 3-D, Performance Management System Handbook, Chapter 9, and expressed disagreement with the rating to the rating official, in advance (See Chapter 8 Performance Appraisal System), then the employee must begin the grievance under the formal procedure.

2. Disciplinary Action

When the matter involved a disciplinary action for which the employee had advance notice and a right to reply, the employee must first present the grievance under the formal procedure.

Note: In the above two situations, please refer to the formal grievance section, contact a supervisor or the Labor Relations Branch, Human Resources Division (HRD), at HQ, at 301-763-3737 for more information.

1. Informal Grievance Procedures

- a. Employees must present a grievance within 15 calendar days of the event or decision giving rise to the grievance or within 15 calendar days of the date the employee first aware of or should have become aware of the act or occurrence. This time limit may be extended in writing only for good cause shown by the employee.
- b. Employees must file a written informal grievance to the appropriate supervisor or manager at the lowest organizational level who has responsibility for the matter that is the subject of the grievance, and one with such responsibility. Typically, this is the immediate supervisor. If the grievant is unsure who the appropriate official is, he/she may consult with the SHRO or the Labor Relations Branch, HRD, at 301-763-3737.
- c. The grievance must clearly identify the complaint as an informal grievance and contain sufficient information upon which the appropriate official may make an informed decision. At a minimum, the informal grievance must contain:
 1. A description of the specific matter(s) giving rise to the grievance;
 2. The date of event or decision that prompted the individual to file this grievance;
 3. Any supporting information, such as documents, work products, witness names and/or statements; and
 4. A statement of personal relief requested (see Exhibit 3-E, DAO 202-771, Section 2.10)
 5. Upon receipt of an informal grievance, the appropriate official should consult with the OGC and SHRO (Chief, HRD), as necessary, for proper assistance.

If the employee presents an informal oral response along with the written informal grievance, the appropriate official must summarize the oral response in writing, including the date of the oral presentation, and obtain the grievant's written concurrence that the written summary is a reasonably accurate statement of the grievance

- d. The employee must receive a written record of the appropriate official's decision. This document may be in the form of a memorandum for the record and must contain the following information:

1. The decision with respect to each matter presented in the grievance, the reason(s) for the decision, and any relief granted;
 2. References to all laws, regulations, or policies relied upon in reaching the decision;
 3. A statement of the grievant's right to file under the formal procedures provided in DAO 202-771 Administrative Grievance Procedures (Exhibit 3-E) if still dissatisfied;
 4. The time limit for filing the formal grievance (ten (10) calendar days from receipt of the notice of decision on the informal grievance);
 5. The name and address/location of the SHRO to which a formal grievance must be submitted; and
 6. Statement of or reference to the requirements for formal grievance submission, or the name and location of the person from whom such information may be obtained (e.g., the SHRO or Labor Relations Branch, HRD, 301-763-3737).
- e. The appropriate official should respond to an informal grievance within 15 days of receipt, unless prevented from doing so by absence, unavailability of necessary information, or other matters outside his/her control. Authorized delays are acceptable, but in no case should a decision be rendered more than 30 days after receipt.
2. Formal Grievance Procedures

Below are formal grievance guidelines:

- a. An employee may file a formal grievance with the Servicing Human Resources Manager (SHRM/Chief, HRD) within ten (10) calendar days of any of the following:
 - Receipt of an informal grievance decision;
 - Receipt of a decision on a request for reconsideration of a summary performance rating; or
 - The effective date of a disciplinary action (if covered by these procedures, i.e., not appealable to the Merit Systems Promotion Board and not a proposed disciplinary action).

- b. Present all formal grievances in writing to the SHRM (Chief, HRD). The written complaint must be clearly identified as a formal grievance, provide sufficient detail concerning the matter(s) being grieved to clearly identify the basis for the grievance, and the personal relief sought. For all matters in which the informal procedure is mandatory (including a request for reconsideration), the issues and relief sought must not deviate from what was presented at the informal grievance (or request for reconsideration). Also, provide a copy of the informal grievance, the appropriate official's decision on the informal grievance, request for reconsideration, or official disciplinary action letter, as applicable, and any supporting documentation.
- c. The Chief, HRD will review the grievance and determine the appropriate action to be taken. Upon acceptance of a formal grievance, the Chief, HRD, will determine the appropriate deciding official. The deciding official will receive the grievance from HRD normally within 15 days.
- d. The deciding official will thoroughly review the grievance and conduct whatever inquiry he/she deems appropriate. The deciding official will issue a written decision normally within 45 days of receipt of the grievance. This decision must contain the following:
 - 1. The decision on the matter(s) presented in the grievance and reasons for each decision;
 - 2. The personal relief granted including the specific period for taking action(s);
 - 3. The personal relief denied and the reasons for denial; and
 - 4. A statement that the decision is the final decision of the DOC.

Rejection of Grievance

The SHRO (HRD) may reject a grievance in accordance with Section 9 of the DAO 202-771 Administrative Grievance Procedure (Exhibit 3-E)

If the supervisor or official who receives the informal grievance considers the grievance untimely or finds the matter not covered by the grievance procedure, he/she must consult with the SHRO (Labor Relations Branch, HRD, contact concerning the basis for the proposed rejection.

For additional information on the *Administrative Grievance Procedure*, please contact the SHRO (Labor Relations Branch, HRD, at 301-763-3737.

3.E3 EEO Complaint Process

The *EEO Complaint Process* is an administrative process designed to redress claims of discrimination and retaliation in federal employment under the following civil rights laws:

1. *Title VII of the Civil Rights Act of 1964*, as amended.
2. *Equal Pay Act of 1963*.
3. *The Rehabilitation Act of 1973*, as amended, and the *Americans with Disabilities Act of 1990*.
4. *Age Discrimination in Employment Act of 1967*, as amended.
5. *Genetic Information Nondiscrimination Act of 2008*.

EEO is the right of all persons to be able to apply and be evaluated for job opportunities without regard to non-merit factors such as race, color, religion, sex, sexual orientation, national origin, age, disability, or The Genetic Information Nondiscrimination Act of 2008 (GINA). The Census Bureau will not tolerate any form of discrimination, including sexual harassment. All applicants and employees have a right to freedom from retaliation for filing an EEO complaint, participating in the *EEO Complaint Process*, or opposing unlawful discrimination. The *EEO Complaint Process* is a legal process designed to safeguard these rights.

The *EEO Complaint Process* includes informal and formal complaint processes, and a procedure for appealing Final Agency Decisions (FAD) to the EEOC. Please see Exhibit 3-A for a visual representation of this process. EEOC regulations, management directives, guidance, and EEOC and federal court case law govern the processing of federal sector employment discrimination complaints. The EEOC is an independent federal agency responsible for enforcing federal civil rights laws prohibiting employment discrimination.

1. Informal Complaint Process

The informal process, also called EEO Counseling, provides complainants and management officials with an opportunity to define complaints or concerns, obtain the information necessary to address the issues, and attempt to resolve the issues informally. EEO counselors are impartial. The counselors are neither employee advocates nor management representatives. EEO counseling in the informal process can resolve workplace conflicts before the parties enter into a formal process, which can be both adversarial and lengthy. ADR is also available throughout the

informal and formal complaint process (see Section 3.E1 for additional information on ADR).

2. Formal Complaint Process

The formal *EEO Complaint Process* is a legal procedure for the consideration of claims of employment discrimination and retaliation for opposing this type of discrimination. If a complaint meets procedural requirements established by regulations, EEO conducts an investigation. In most cases, complainants may also elect to have a hearing before an *EEO Administrative Judge*. The formal complaint process ends when the DOC issues a FAD on the complaint.

3. Appeal Process

In the appeal process, complainants may appeal FADs to the EEOC.

For additional information regarding the *EEO Complaint Process*, please contact an RO supervisor or the Bureau's EEO Office at HQ on 1-800-872-6096. Also, see Exhibit 3-B for a complete list of employees' rights and responsibilities throughout the *EEO Complaint Process*.

3.E4 Sexual Orientation Discrimination Complaint Process

DOC, *DAO 215-11*, established a complaint process for allegations of sexual orientation discrimination. This process, modeled after the *EEO Complaint Process*, consists of an informal complaint process, a formal complaint process, and a FAD appeal process. The major procedural differences are that there is no opportunity for a hearing and appeals go directly to the Department's Chief Financial Officer/Assistant Secretary for Administration, rather than the EEO office. Compensatory damages are not available for claims of sexual orientation discrimination.

3.F EMPLOYEE ASSISTANCE PROGRAM

No one gets through adult life without problems. These problems may often become difficult or unmanageable and can interfere with job performance. The Employee Assistance Program (EAP) is a confidential assessment and referral program designed to assist employees in solving personal or job-related problems. This service is available to all Schedule A employees.

Many personal problems may not get better without outside assistance. Often the longer the wait to seek help, the more serious the problem becomes. Employees are encouraged to take advantage of the help and support offered through the EAP and address problems before they become a workplace issue. This service is for Census Bureau employees only.

Employees receive assistance for marital or family stress, substance abuse, mental or emotional problems, financial difficulties, depression, parenting issues, and other problems. To take advantage of this service, please call 1-800-211-6015 or 301-763-1681. If the EAP counselor is unable to take the call, please leave a confidential message. The EAP counselors respond to all calls in a timely manner.

3.G WASTE, FRAUD, AND ABUSE

Waste, fraud, and abuse of federal government funds occur through any of the following:

- Violations of the law or regulations
- Mismanagement
- Gross waste of funds
- Abuse of authority
- Conditions leading to substantial danger to health and safety

Employees should make a reasonable effort to correct these conditions through ordinary channels, that is, a supervisor or the program coordinator. If these efforts fail, an employee has the right and an obligation to disclose the situation to outside authorities. The law protects employees from reprisal for making any disclosure supported by reasonable evidence (*No FEAR Act*).

Make reports directly to the Department of Commerce, Office of the Inspector General via the following means:

- **E-mail** – Hotline@oig.doc.gov

Note: Because the Internet is not secure, it is possible, though unlikely, that e-mail complaints may be read by persons other than your intended source. If you are concerned about this you may choose to mail or call us. Please do not include Personally Identifiable Information (PII) through the website or via e-mail. PII is considered to be items containing Social Security numbers, dates of birth, credit card and passport numbers, or other personally identifying information that could adversely affect an individual. E-mails and web submissions containing such information will be blocked by our system administrator and will not be processed by our Complaint Department. Should you desire to provide this information, please contact the Hotline by telephone at the numbers listed below.

- **Telephone** - The OIG Hotline is staffed 24 hours a day, 7 days a week.
Toll Free (800)-424-5197
In the DC metro area (202)-482-2495
TTD Toll Free (855)-860-6950
TTD in the DC metro area (202)-482-5923

Fax (855)-569-9235

- **Mail**
Office of Inspector General
Complaint Intake Unit, Mail Stop 7886
1401 Constitution Avenue, N.W.
Washington, DC 20230

All information reported is strictly confidential and employees may remain anonymous. However, if an employee provides a name, the name disclosure is only with prior consent and only if necessary for judicial or administrative proceedings.

EXHIBIT 3-A

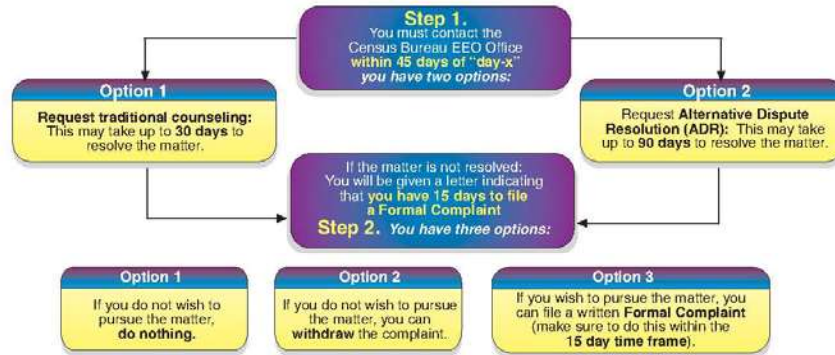
THE EEO COMPLAINT PROCESS

U.S. Census Bureau

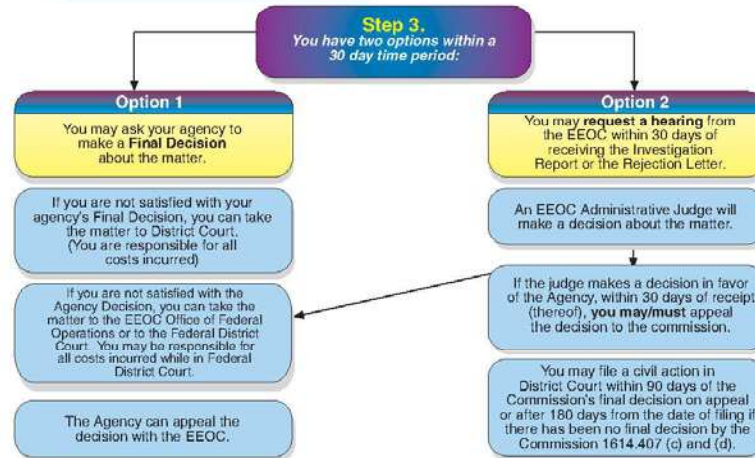
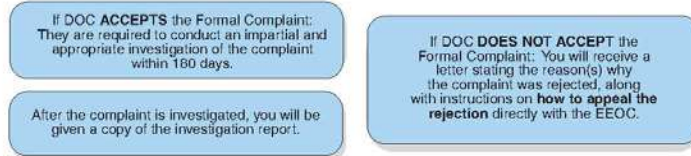
The EEO COMPLAINT Process

An incident happens on "day-x"

If you believe this incident was a result of a decision based on your race, color, religion, gender, national origin, age (40 and over), disability, retaliation, or sexual orientation



The Department of Commerce, Office of Civil Rights (DOC) will ACCEPT or REJECT the Formal Complaint



Addresses :		Websites :
For more information about the EEO Complaints Process, go to the Equal Employment Opportunity Commission (EEOC) Web site at: http://www.eeoc.gov	In Maryland: Equal Employment Office 4700 Silver Hill Road Washington, DC 20233 301-763-2853 800-872-6096	National Processing Center U.S. Census Bureau Telephone Center 1201 East 10th Street Jeffersonville, IN 47132 812-218-3472
		www.census.gov/eeo/home www.osec.doc.gov/ocr/

¹ See "Sexual Orientation Discrimination Complaint Process" (www.osec.doc.gov/ocr/sod.html)

EXHIBIT 3-B

EMPLOYEES' RIGHTS AND RESPONSIBILITIES IN THE EEO COMPLAINT PROCESS

- When the EEO office determines that ADR is an appropriate option, the employee's right is an ADR offering. Agencies must make ADR available in lieu of EEO counseling, early in the EEO informal or pre-complaint stage, or during the formal complaint stage. *Note: If an employee declines ADR at the time the EEO office or a supervisor offers the service, ADR is still an option later in the process.*
- Right to choice of representation throughout the process.
- Right to confidentiality of all discussions in mediation. Evidence in formal complaints may not include statements made in the mediation sessions.
- Responsibility to enter into any mediation in good faith, and contribute creative solutions, which might resolve the dispute.
- Right to anonymity prior to filing a formal complaint.
- Right to pursue the formal complaint process, including administrative and court action, if the decision is to discontinue ADR or mediation.
- May be a requirement to choose between a negotiated grievance procedure and an EEO complaint procedure. Consult with an EEO counselor for clarification.
- May be a requirement to choose between an EEO complaint procedure and an appeal to the MSPB. Consult an EEO counselor for clarification.
- Right to file a formal complaint within 15 days at the end of the informal process/EEO counseling or ADR.
- May file a notice of intent to sue and file a lawsuit under the *Age Discrimination in Employment Act*, instead of an *Administrative Complaint* of age discrimination.
- Right to go directly to a court of competent jurisdiction on claims of sex-based age discrimination under the *Equal Pay Act*.
- Right to request a hearing before an *EEOC Administrative Judge* after completion of the investigation or 180 days from filing a formal complaint. Consult EEOC office regarding hearing requests.
- Right to an immediate final decision after an investigation by the agency.

- Right to go to the *U.S. District Court* 180 days after filing a formal complaint if the agency takes no final action, or 180 calendar days after filing an appeal if the agency makes no decision.
- Claimants must mitigate damages, i.e., look for other appropriate employment and seek treatment for claimed injuries.
- Keep the agency and EEOC informed of current mailing address and provide copies of hearing requests and appeal papers to the Census Bureau.
- If an employee selects counseling and a settlement is not reached, the employee's right is to receive, in writing, within 30 days of the first counseling session (unless agreed to an extension) a notice terminating counseling and informing of:
 1. Right to file a formal complaint within 15 days of receipt of notice.
 2. Appropriate official with whom to file complaint.
 3. Duty to immediately inform the agency of retained counsel or representation.
- If an employee selects ADR, and does not reach a settlement, the employee's right is to receive a written notice as described above within 90 days of the initial counseling session or at completion of mediation, whichever occurs first.
- Only claims raised at the counseling stage or claims likely related may be the subject of a formal complaint, or an amendment to a complaint after initially filed.
- A rejection of an agency's offer of resolution may limit the recovered amount of attorney's fees or other costs.
- If an employee files two or more complaints, the agency must consolidate the complaints with appropriate notice.

EXHIBIT 3-C**RECORDS MANAGEMENT TRAINING FOR FIELD REPRESENTATIVES****Records Management Training
For Field Staff****Census Bureau Records Management Training**

This is a transcript of the Census Bureau Records Management Training Program. This transcript may be printed for future reference or used by persons with visual impairments and persons with mobility impairments. If, due to a disability, additional assistance is required to complete this training, please contact the [Disability Program Office via email at HRD.accomodations@census.gov](mailto:HRD.accomodations@census.gov) or call 301-763-4060 (Voice) or 301-763-0376 (TTY).

Census Bureau Records Management Training

Welcome to Census Bureau Records Management Training.

About This Course

This course is designed to help you understand the basic responsibilities for managing Federal records at the Census Bureau, as well as the laws, policies and procedures that govern Federal records management.

Course Objectives

Upon course completion, you will be able to:

- Understand fundamentals of records management;
- Describe how Federal records are maintained at the Census Bureau;
- Describe how and where to store Federal records;
- Describe the penalties for mishandling records; and
- Describe Census records disposition procedures.

Course Lessons

This course consists of the following lessons:

- Lesson 1: Fundamentals of Records Management;
- Lesson 2: Managing Federal Records;
- Lesson 3: Records Disposition.

Lesson 1 – Fundamentals of Records Management

Objectives

In this lesson, you will learn the basics of the Census Bureau Records Management Program. By the end of this lesson, you will be able to:

- Understand the Census Bureau Records Management Program policy; and
- Identify personnel responsible for managing Census Bureau records.

Records Management Governance

Policies and Procedures Manual (PPM), Chapter K3 contains the Census Bureau records management policy. It focuses on three distinct areas:

- Retention and disposition of all records;
- Overall records management responsibilities under the Federal Records Act; and
- Confirming and aligning principles, responsibilities and requirements for managing Census records to ensure compliance with federal laws and regulations, Census Bureau policies, and the best practices for managing records.

The policy can be found on the ACSD Intranet page. [You can view PPM, Chapter K-3 here.](#)

Who's Responsible for Managing Records?

Records management is the responsibility of all Federal employees and contractors who create, access, or use Federal records on behalf of the Census Bureau.

Census personnel are required to:

- Manage information that documents work performed;
- Safeguard information that requires protection; and
- Keep or dispose of records in accordance with approved records schedules and Federal regulations.

Key Records Management Functions

The Administrative and Customer Services Division (ACSD) has overall responsibility for the Census Bureau Records Management Program.

Key functions in the Records Management Program are:

- **Records Officer.** The Records Officer, designated by the ACSD Chief, manages the Records Management Program through the Records Management Office (RMO).
- **The RMO administers the Census Bureau Records Management Program.** The RMO also
 - assists divisions in establishing a records management program;
 - ensures each division maintains complete and current records schedules;
 - ensures that every division or office has a designated Records Custodian; and
 - conducts periodic evaluations of records management programs within the Agency.
- **Records Custodian.** The Records Custodian submits records schedule updates/revisions to the RMO; ensures all office records are listed in the file plan; and adheres to the Census Bureau records schedule to ensure proper disposition of office records.

Lesson 1 Summary

You have completed Lesson 1. In this lesson, you learned:

- PPM, Chapter K-3 contains the Census Bureau Records Management policy;
- Records management is everyone's responsibility; and
- Key functions in the Census Bureau Records Management Program are the Records Management Office, the Records Officer, and the Records Custodian.

Lesson 2 - Managing Records

Objectives

In this lesson, you will learn about managing records. By the end of this lesson, you will be able to:

- Describe how to properly care for Federal records;
- Recall the purposes of the File Inventory Spreadsheet and the Office File Plan;
- Describe the types of Records Schedules; and
- Recognize the penalties for mishandling Federal records.

How to Care for Federal Records

To properly care for Federal records:

- Organize and store records in a protective manner;
- Follow policies for storing, signing out, and using records;
- Limit unnecessary copies; and
- Keep records separate from non-records.

File Management

The key to an effective records management program is a well-developed, up-to-date filing system.

Filing systems organize records in a manner that enables quick access to information.

Two components of an effective filing system are the File Inventory and the File Plan.

Let's take a closer look at each.

File Inventory

A file inventory lists all records maintained by an office, and provides quick access to files.

At a minimum, a file inventory:

- identifies the location of records;
- lists records alphabetically or by year (calendar or fiscal); and
- categorizes records by subject matter, division, or record title.

Think of a file inventory as a roadmap to your records.

File Inventory Spreadsheet

The file inventory spreadsheet highlights the specific information that is documented on the file inventory.

Mandatory entries on the file inventory spreadsheet are:

- Office Name;
- Series Title, which is the name of the file;
- Series Description, which is a short description of the record;
- Series Location, the exact location of the record;
- Inclusive Date, which is the date range of the record;
- Media type (paper, electronic, etc.);
- Arrangement, or how the record is filed: alphabetically, by division, or by subject; and
- the Date the inventory was created.

File Plans

File plans specify how records should be organized. Consider the file plan as a road map that shows you where your records should go.

File plans may vary by agency, but they typically include:

- file types and subjects;
- records schedules for each record; and
- disposition instructions.

At the Census Bureau, employees use the Census Office File Plan Template.

File Plan Template

Let's take a look at the Census Office File Plan Template.

Mandatory entries in the file plan are:

- office name;
- type of record;
- disposition instructions;
- records schedule for the file; and
- the date the file plan was created.

Records Schedules

Records schedules provide retention and disposition instructions. There are two types of records schedules, General Records Schedules and Census Bureau Records Schedules.

- General Records Schedules (GRS) apply to administrative records common to all Federal government agencies.
- Census Bureau Records Schedules apply to Census records not covered by the GRS.

Agencies should review their schedules at least annually and update them whenever necessary, including within six months after NARA's issuance of changes in the GRS.

General Records Schedules be found at the [National Archives and Records Administration website](#)
Visit the ACSD Records Management Intranet page to [view Census Bureau records schedules](#)

Penalties for Mishandling Records

Title 18, section 2071 contains the criminal penalties for the unauthorized destruction or other mishandling of records. Violation of this law could result in a fine, imprisonment of not more than three (3) years, or both.

When contemplating removing personal papers, consult with the Records Management Office to determine whether the documents fall under the statutory definition of records before removing any files.

Lesson 2 Summary

You've reached the end of Lesson 2. In this lesson, you learned

- Records should be stored in a protective manner.
- Offices must maintain file inventories and file plans.
- General Records Schedules (GRS) govern records common to all Federal agencies; Census Records Schedules govern Census records not covered in the GRS.
- Unauthorized destruction or mishandling of records is punishable by fines and/or imprisonment of not more than three years.

Lesson 3 – Records Disposition

Objectives

In this lesson, you will learn the proper ways to dispose of records. By the end of this lesson, you will be able to:

- Define the term "records disposition", and
- Identify disposition procedures for temporary records, permanent records, and records that contain comingled Title 26 and Title 13 protected data.

Records Disposition

Records disposition is the action taken to dispose of records once they are no longer needed for current government business. Disposition actions include disposal of both temporary records and permanent records.

Disposal of Records

The Census Bureau is authorized to dispose of temporary records according to the disposition authority.

Permanent records are offered to the National Archives (NARA), according to the disposition authority, unless the records contain comingled Title 26 and Title 13 data.

Records containing comingled data remain at the Census Bureau, and are preserved and managed by the Economic Program Directorate's Center for Economic Studies (CES).

Lesson 3 Summary

You've completed Lesson 3, Records Disposition. In this lesson, you learned:

- Disposition actions apply to records no longer needed for current government business.
- The Census Bureau is authorized to dispose of temporary records.
- Records containing comingled Title 26 and Title 13 protected information are not authorized for transfer from the Census Bureau; rather, these records are preserved and managed by the Census Bureau Center for Economic Studies.

Need Assistance?

The ACSD Records Management Team offers records analysis, audit and inventorying services. The team manages the Bureau's records storage, retrieval, and disposition activities, and coordinates with NARA to develop and implement records schedules.

For help with managing your records, you can call the Records Management Team at (301) 763-2282, or visit the ACSD Intranet site for more information.

Text Telephone Relay (TTY) users, call the Federal Relay Service at 1-800-877-8339 for assistance with processing your call to the Records Management Team.

Resources

Here is a list of helpful Records Management resources. Click on each title to view the respective document.

- [PPM Chapter K-3, Records Management](#)
- [Is this document a record? A Job Aid/Decision Matrix for hardcopy documents](#)
- [Is this email a record? A Job Aid/Decision Matrix for email correspondence](#)
- [List of Census Bureau Records Custodians](#)
- [36 CFR, Chapter 12, Subchapter B, Records Management](#)
- [Title 44, Chapter 29, Records Management by the Archivist of the United States](#)
- [Title 44, Chapter 31, Records Management by Federal Agencies](#)
- [Title 44, Chapter 33, Disposal of Records](#)

EXHIBIT 3-D

PERFORMANCE MANAGEMENT HANDBOOK (APPRAISAL SECTION)

CHAPTER 9

Chapter 9. Evaluating Employee Performance

Approximately 30 days before the end of the performance appraisal cycle, rating officials and employees should begin to prepare for the appraisal process. Rating officials will ask employees to submit written documentation of accomplishments. An employee who is ratable as of the end of the rating cycle (September 30, October 31, or May 31) must receive an annual performance summary rating.

An employee is ratable if:

- He or she is under an approved performance plan on the last day of the appraisal cycle; and
- He or she worked at least 120 days under an approved performance plan in one or more positions during the appraisal cycle.

An employee is unratable if one of the following applies:

- The employee did not work at least 120 days under an approved performance plan in one or more positions during the appraisal cycle; and
- The employee has been placed on Performance Improvement Plan (PIP) because the rating official has determined that the employee's performance is at Level 1 on one or more critical elements. A PIP is only developed when an employee's is at Level 1.

If an employee is unratable because he or she was on a PIP, the rating period will be extended for the duration of the PIP and the employee will be rated upon completion of the PIP.

Performance appraisal discussions are conducted in two stages. The rating official is required to conduct a 1) pre-appraisal meeting only if the employee requests one and 2) performance appraisal meeting with each employee.

Pre-appraisal Meeting

The purpose of the pre-appraisal meeting is to provide the employee an opportunity to meet with the rating official prior to the formal appraisal meeting. At the pre-appraisal meeting the employee may:

- Present an assessment of his or her performance achieved during the appraisal cycle;
- Inform the rating official of aspects of his or her work of which the rating official may not be aware; and
- Identify objectives he or she would like to include in the performance plan for the

next appraisal period.

During the pre-appraisal meeting, the rating official clarifies his or her understanding of the employee's performance, and discusses the employee's accomplishments. The rating official may not discuss overall scores, ratings, or awards.

Performance Appraisal Meeting

A rating official must confer with the approving official about the organization's performance and gain approval of (including the approving official's signature on CD-430, Performance Management Record) the rating they recommend for their employees before discussing those ratings with employees. Following approval of the performance summary ratings by the approving official, the rating official is responsible for conducting a performance appraisal meeting to present the final rating to the employee.

If an employee receives Level 1 on any critical element rating in his or her position of record, or in an interim rating that becomes a final rating of record, the employee's summary rating must be Level 1.

As provided in Executive Order 5396, the performance appraisal and resulting rating of a disabled veteran may not be lowered because the veteran has been absent from work to seek medical treatment.

Signatures

The employee signs and dates the summary rating to indicate that it has been discussed. If the employee refuses to sign; the rating official should note this in the employee signature block of the summary rating.

Signature by the approving official places both the performance plan and summary rating in effect. A copy of the summary rating must be given to the employee.

Written Documentation Requirements

Rating officials must provide either an overall narrative justification of the summary rating or a written justification for each element rating. They must do one or the other, and may do both. A written justification is required for any element rated below Level 3.

Ratings of Record

The following summary performance ratings constitute a rating of record

- The annual performance appraisal rating as discussed above;
- An interim rating given by a departing supervisor or to a departing employee when no opportunity to serve the minimum appraisal period (120 days) in the current cycle remains; or
- A rating rendered following completion of a PIP.

Summary Rating Derivation

To derive a final, or summary, performance rating at the end of the appraisal cycle, each critical element must be assessed against the generic (and any supplemental) performance standards established at the beginning of the cycle or as modified and documented during a progress review.

Each element is evaluated and translated into a score using the following scale:

Level 5 (the highest level of performance) = 5 points

Level 4 = 4 points

Level 3 = 3 points

Level 2 = 2 points

Level 1 (unacceptable performance) = 1 point

After each critical element has been rated, multiply the score for each element by the weight assigned to it. No fractional scores or weights may be used.

Example:

Critical Element 1 is 30% of plan Rated at Level 4 $30 \times 4 = 120$ points

Critical Element 2 is 30% of plan Rated at Level 3 $30 \times 3 = 90$ points

Critical Element 3 is 20% of plan Rated at Level 5 $20 \times 5 = 100$ points

Critical Element 4 is 20% of plan Rated at Level 4 $20 \times 4 = 80$ points

TOTAL 390 points

Total the individual scores to determine the overall score. In the example above, the sum of $120 + 90 + 100 + 80 = 390$.

Using the ranges below, determine what range the overall score (example 390) falls within.

Overall Score Summary Rating

470 – 500 points Level 5

380 – 469 points Level 4

290 – 379 points Level 3

200 --289 points Level 2

100 – 199 points Level 1

This becomes the employee's summary rating for that performance appraisal cycle. In the example cited, the final summary rating would be a Level 4 since the score of 390 falls within the range for Level 4.

Note: If one critical element is rated Level 1, the summary rating must be Level 1.

Unratable Employees

If an employee has served for the entire rating cycle on detail to another agency, on an approved federally-sponsored program or long-term training, and an appraisal of performance cannot be obtained despite reasonable efforts, the employee must be considered unratable.

Other unratable situations may include:

- The employee's supervisor leaving the Agency when no other supervisor or acting supervisor can reasonably appraise the employee's performance; or

Approved absences creditable under 5 CFR 531.406 (LWOP, Military Service, etc.).

Reconsideration

An employee covered by Departmental Administrative Order (DAO) 202-771, "Administrative Grievance Procedure," may grieve the rating and/or the performance score in accordance with the procedures of this Handbook and DAO 202-771. The employee must first present a Request for Reconsideration. It may be presented either orally or in writing to the rating official within 15 days of receipt of the appraisal from the rating official. The rating official must provide a written decision back to the employee within 15 days of receipt of the Request for Reconsideration. The rating official will consult with the Servicing Human Resources Office (SHRO) for guidance before issuing a written decision. If the matter is not resolved at that stage, the employee may then file a formal grievance by following the procedures in DAO 202-771.

Employees who are excluded from coverage under DAO 202-771 because they are in a collective bargaining unit and want to grieve the rating and/or the performance score must follow the procedures contained in the applicable negotiated grievance procedure (NGP).

Oversight

The Department does not prescribe a distribution of ratings and does not permit a distribution to be prescribed. The Department assures that only employees whose performance exceeds normal expectations are rated at the level above Level 3, by sampling plans and ratings by servicing human resources offices, by Departmental oversight reviews, and by other reviews required by regulation.

EXHIBIT 3-E**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

SECTION 1. PURPOSE.

.01 This Order prescribes the system under which an employee, or a group of employees acting as individuals, may request personal relief in a matter of concern or dissatisfaction regarding their employment. The personal relief sought by the employee must be within the authority and control of management officials of the Department of Commerce (the Department).

.02 This revision clarifies that an employee may not use the informal grievance process to contest a performance payout, rating, or score. The employee must use the “Request for Reconsideration” procedures in the Performance Management System Handbook, the Operating Manual for the Commerce Alternative Personnel System (CAPS), or the Operating Manual for the Alternative Personnel Management System (APMS), as applicable.

SECTION 2. DEFINITIONS.

In this Order:

.01 **Appropriate official** generally means the supervisor or manager at the lowest organizational level who has responsibility for the matter that is the subject of the grievance.

.02 **Deciding official** means a supervisor or manager at least one organizational level above the official who made the decision regarding the informal grievance, request for reconsideration or disciplinary action.

.03 **Bargaining unit employee** means an employee included in a bargaining unit for which a labor organization holds exclusive recognition under title 5, United States Code (U.S.C.) Chapter 71, as certified by the Federal Labor Relations Authority.

.04 **Day** means a calendar day.

.05 **Employee** has the meaning given in 5 U.S.C. _2105 and includes former employees of the Department if the requested relief involves compensatory matters within the control of the Department management at the time of employment.

.06 **Grievance** means a request by an employee, or by a group of employees acting as individuals, for personal relief in a matter of concern or dissatisfaction regarding their employment. The personal relief sought by the employee must be within the authority and control of management officials of the Department.

.07 **Grievance file** means an official file that contains all documents pertinent to the understanding of the grievance issues, and documenting any resolution/decisions including, but not limited to, a copy of the grievance and any amendments filed, copies of statements of witnesses, copies of any statements executed by the grievant(s), settlement agreements, and the decision(s) on the grievance.

.08 **Organizational level** means an echelon within the Department that is distinct from other levels and represented in the organizational chart of the Department as a separate entity. For purposes of this Order, a supervisor or manager's deputy is not considered to be at the same organizational level.

.09 **Party** means the grievant(s), the grievant's representative(s), and management officials involved in the grievance.

.10 **Personal relief** means a specific remedy that directly benefits the grievant regarding the matter(s) giving rise to the grievance, is within the authority and control of management officials of the Department, and complies with controlling laws, rules, and regulations. A request for any action affecting another employee, such as reassignment, discipline, or requiring a specific action from another employee such as an apology or change in behavior is not personal relief under this Order.

.11 **Principal Human Resources Manager (PHRM) or Servicing Human Resources Manager (SHRM)** means the head of a Servicing Human Resources Office.

.12 **Servicing Human Resources Office (SHRO)** means the human resources office that services an employee's organizational component.

.13 **Summary Performance Rating** means a written record of the evaluation of the employee's performance for each critical element/result/objective, with a final documented rating and with the appropriate management approvals. This is often referred to as a "rating of record."

SECTION 3. COVERAGE.

.01 **Matters not covered.** This Order applies to any matter regarding an employee's concern or dissatisfaction with his/her employment that is subject to the control of management officials within the Department, including any matter in which an employee alleges coercion, reprisal, harassment, or retaliation, with the following exceptions:

- a. A decision that is appealable to the Merit Systems Protection Board (MSPB) (such as a suspension of 15 days or more or a removal) or is subject to final administrative review by the Office of Personnel Management (OPM); or the Equal Employment Opportunity Commission (EEOC);

- b. Any proposal notice for which a decision notice would effect an action that would then be subject to review by MSPB, EEOC, or OPM as described above in Section 3.01a. of this Order;
- c. The content of, or an exclusion listed in, a published policy, procedure, or regulation of the Department;
- d. Claims of sexual orientation discrimination processed under DAO 215-11, "Complaint Process for Sexual Orientation Discrimination";
- e. Nonselection for a position from a group of properly ranked and certified candidates or the failure to receive a noncompetitive promotion;
- f. Termination of a temporary promotion within a maximum period of two years, when returning the employee to the position from which promoted, or placing the employee in another position provided that it is not at a lower grade or pay than the position from which temporarily promoted;
- g. Termination of a term promotion at the completion of a project or specified period or at the end of a rotational assignment in excess of 2 years, but not more than 5 years, that returns the employee to the position from which promoted or places the employee in another position provided that is not at a lower grade or pay than the position from which promoted in accordance with Title 5, Code of Federal Regulations (CFR) Part 335;
- h. Granting or failure to grant a performance award under 5 U.S.C. _5384, a quality step increase under 5 U.S.C. _5336, a bonus, other monetary or honor award, or adopting or failing to adopt an employee's suggestion or invention;
- i. The substance of critical elements/results/objectives and performance standards/indicators in an employee's performance plan;
- j. The return of an employee from an initial appointment to a supervisory or managerial position to a nonsupervisory or nonmanagerial position for failure to satisfactorily complete the required probationary period;
- k. Any other separation action not specifically excluded in this Section;
- l. Any matter the substance of which has been the subject of a previous grievance or a previous or current complaint of discrimination submitted by the same employee, or the subject of a grievance decision with respect to the same employee;
- m. A reassignment of a Senior Executive Service (SES) appointee following the appointee's receipt of an unsatisfactory performance rating under 5 U.S.C. _4314;

- n. The annual summary or narrative performance rating of an SES appointee under 5 U.S.C. _4312;
- o. The termination under 5 CFR Part 359, subpart D of an SES career appointee during probation for unsatisfactory performance;
- p. The return of an SES career appointee to the General Schedule or other pay schedule during the one-year probationary period, or for less than fully successful executive performance under 5 U.S.C. _3592;
- q. The termination of a probationary employee for unsatisfactory performance or misconduct;
- r. Any action taken in accordance with the terms of a formal agreement, voluntarily entered into by the employee;
- s. Granting or failure to grant a retention allowance/incentive, or a reduction in the amount of a previously granted retention allowance/incentive;
- t. The classification of a position description and decisions excluded under 5 CFR _511.607;
- u. Receipt or nonreceipt of any benefit conferred under a Government-wide benefits program such as the Federal Employees Health Benefits Program, Workers' Compensation, retirement benefits, etc.;
- v. Any matter covered by a negotiated grievance procedure; and
- w. Any decision made on matters covered in this Order by Sections 4.01 and 4.04, "Roles and Responsibilities"; Section 5.06, "Grievance Rights"; Section 9, "Grievance Rejection Procedures"; and Section 10, "Abuse of Procedure."

.02 **Individuals not covered.** This Order applies to all Departmental employees, except the following:

- a. Employees in a bargaining unit, for those matters that are not specifically excluded by the negotiated grievance procedure of that bargaining unit under 5 U.S.C. _7121;
- b. Noncitizens appointed under regulations regarding appointments to overseas positions;
- c. Aliens appointed under 22 U.S.C. _1471;
- d. Members of the Foreign Service of the United States covered under the Foreign Service grievance system as described in Chapter 11 of the Foreign Service Act of 1980, as amended (P.L. 96-465);

- e. Applicants who are not currently employed by the Department;
- f. Individuals who are not employees of the Department at the time of the occurrence of the matter causing the concern or dissatisfaction;
- g. Employees who are members of a class of employees specifically excluded by OPM; and
- h. Employees whose rights to file a grievance under this Order have been abridged by the Deputy Chief Human Capital Officer and Director for Human Resources Management (Director) in accordance with the provisions of Section 10.

SECTION 4. ROLES AND RESPONSIBILITIES.

.01 The Deputy Chief Human Capital Officer and Director for Human Resources Management, or his/her designee, is responsible for establishing, amending, granting exceptions to and evaluating the Department's grievance procedure; providing guidance to SHROs as requested; consulting on the appropriateness of remedies; approving settlement content that would set a Departmental precedent; and deciding whether an employee's grievance rights should be abridged under Section 10 of this Order.

.02 The Director for Civil Rights, or his/her designee, is responsible for informing the Director and SHRMs, as necessary, when an employee files a discrimination complaint. If the employee has filed both a grievance and a discrimination complaint on the same matter, he/she must make a binding election in accordance with Section 6 of this Order, to continue processing the matter under one, but not both, avenue of redress.

.03 The Chief, Employment and Labor Law Division, Office of General Counsel, or his/her designee, is responsible for providing guidance, as requested, on matters covered by this Order, and for reviewing all settlement agreements for legal sufficiency and advising management accordingly.

.04 Principal and Servicing Human Resources Managers, or designees, are responsible for implementing the procedures contained in this Order within their serviced population; receiving and timely processing employee grievances; making decisions regarding the acceptability of an employee's choice of representation in accordance with Section 5 of this Order; and designating appropriate deciding officials (in consultation with senior management of the employee's organization). They provide advice and guidance on the acceptance or rejection of formal grievances or specific requests for personal relief; and on whether a grievance and EEO complaint concern the same matter, in accordance with Section 6 of this Order. They also ensure compliance with this Order, Departmental policy, and applicable law, rules, and regulations (including appropriate consultation with the Office of General Counsel (OGC)). They authorize

the use of Alternative Dispute Resolution (ADR); provide technical review of all grievance decisions or settlement documents; and make this Order available to employees.

.05 **Secretarial Officers and Heads of Operating Units** are responsible for ensuring that management officials within their respective organizations fulfill their duties and responsibilities under this Order. They consult with the PHRMs and SHRMs on issues related to the grievance and its resolution, as necessary and appropriate, and provide a work environment for all employees that is free from discrimination and improper management actions that can reasonably be expected to result in employee grievances.

.06 **Managers and supervisors** are responsible for fully participating in the procedures and processes described by this Order, including but not limited to: meeting with employees to informally resolve grievances; providing information to the deciding official about the circumstances giving rise to the grievance; serving as the deciding official on grievances, when designated; voluntarily participating in ADR, as appropriate, when a grievance has been filed; maintaining all related records of decisions/actions giving rise to the grievance and providing them to the deciding official or servicing human resources representative, as requested; or taking other appropriate actions as may be required to process the grievance. In addition, managers and supervisors are responsible for communicating with employees on the day-to-day issues and decisions that may arise in the workplace in order to provide the employees with greater understanding of the decision-making process, and thus diminish the number of matters that may give rise to the filing of grievances.

.07 **Employees** are responsible for complying with the policy and procedures outlined in this Order when filing a grievance; electing a single avenue of redress in lieu of filing in multiple forums, such as both a discrimination complaint and a grievance, for the same matter of concern; providing all relevant information at the time the grievance is filed; and cooperating in any resulting inquiry related to the matter grieved. Employees are also responsible for bearing any expense associated with the preparation and presentation of a grievance.

SECTION 5. GRIEVANCE RIGHTS.

.01 **Right to file a grievance.** An employee is entitled to pursue resolution of a grievance under the system established by and for matters covered under this Order. The appropriate official and SHRO must accept and process a properly presented grievance in accordance with the provisions of this Order unless the employee's right to file grievances has been abridged (see Section 10 of this Order.)

.02 **Right to request alternative dispute resolution (ADR).** An employee filing a grievance at the informal or formal stage(s) and the supervisor or manager who serves as the deciding official at either stage have the right to separately request that the SHRO approve use of an ADR process. Participation on the part of both parties is voluntary. If an employee and/or the

supervisor or manager make(s) such a request, the SHRO shall consult both parties, seek their agreement to use an ADR process, and, if appropriate, authorize such a process in accordance with the applicable operating unit's ADR policy or Section 8 of this Order.

.03 Right to information. An employee pursuing a grievance is entitled to communicate with the SHRO to obtain information about the grievance process and to get clarification about any provision of this Order. An employee filing a grievance also has the right to review all regulatory material regarding the grievance process and/or the matter being grieved and to review the grievance file.

.04 Right to representation. An employee has the right to a representative of his/her own choosing. This right may be exercised at any time during the grievance process. The employee also has the right to change his/her representative during the processing of the grievance. The grievant must notify the official handling the grievance (usually the employee's immediate supervisor) at the informal stage, in writing, of the name and contact information for his/her representative, and must likewise notify the SHRO at the formal grievance stage. A grievant can have only one representative at a time.

a. The grievant may select another Departmental employee as his/her representative; however, the selection may be rejected if service by the selectee would result in conflict of position or interest. Conflict of position refers to an incompatibility between the representation function and the selectee's official duties. For example, members of the SHRO, the OGC staff, employees of the Department's Office of Civil Rights, and the operating unit's Equal Employment Opportunity (EEO) Office (including collateral duty EEO counselors) may not serve as employee representatives in the grievance process. Conflict of interest includes, but is not limited to, representation by a subordinate of the supervisor or other management official or an official of a labor organization that represents or has pending a petition to represent employees under the labor official's influence. Decisions regarding the acceptability of the employee's choice of representative are made by the SHRM, in consultation with OGC, as appropriate, and may not be further delegated.

b. The employee's representative, once selected and approved, has the right to consult with and review information from the same individuals listed as available to the grievant.

.05 Right to use duty time. An employee, if otherwise in an active duty status, is entitled to use a reasonable amount of duty time and official resources (with approval of his/her supervisor) to present a grievance. The employee's representative, if an employee of the Department who is otherwise in an active duty status, is entitled to use an equally reasonable amount of duty time to present the grievance. Time for presentation of the grievance shall not include time for preparation of the written or oral presentation of the grievance, but shall include time spent in an ADR process authorized by the SHRO. The amounts of time allowed are determined solely by management, and questions concerning duty time should be referred to the SHRO. Arrangements

for the use of official time and official resources must be coordinated with, and approved by, the grievant's and representative's supervisors prior to use.

.06 **Right to a written decision.** The appropriate official and deciding official must provide a written decision to the grievant on any grievance accepted for processing. The written decision must include any agreements reached by the parties including any follow-up action required of either party. A written resolution agreement entered into and signed by the parties and appropriate concurring officials, as identified in Section 8.04 of this Order, will represent management's written decision with respect to the grievance it resolves.

.07 **Right to confidentiality.** All persons involved in the processing or adjustment of a grievance must protect the confidentiality of all related communications with the employee and others involved in the grievance and the right of those individuals to privacy. Anyone with access to information related to the grievance must not disclose that information except to those who have an official need to know. Individuals granted access to grievance information should be advised of the requirements of this paragraph.

.08 **Right to freedom from interference or reprisal.** Any person involved in the processing or adjustment of a grievance, including the grievant(s), management officials, and their respective representatives and witnesses must not be subjected to restraint, interference, coercion, discrimination, or reprisal by any employee of the Department in connection with the exercise of rights and responsibilities under this Order.

.09 **Right to withdraw a grievance.** An employee may withdraw a grievance at any step in the process, but must do so in writing.

SECTION 6. ELECTION BETWEEN THE GRIEVANCE AND EEO PROCESSES.

.01 If an employee has already filed an EEO complaint under [DAO 215-9](#), "Filing Discrimination Complaints" or [DAO 215-11](#) on a subject, he/she cannot then file a grievance on the same subject.

.02 If an employee files a grievance on a subject and, before a final decision is made, files an EEO complaint under [DAO 215-9](#) or [DAO 215-11](#) on the same subject, the grievance will not be further processed because the filing of the EEO complaint is a binding election of the EEO complaint process.

.03 If an employee files a grievance on a subject and a final decision is made on it, he/she cannot then file an EEO complaint under [DAO 215-9](#) or [DAO 215-11](#) on the same subject.

SECTION 7. FILING PROCEDURES.

The following procedures will be followed for all grievances filed within the Department.

.01 Informal grievances.

a. Covered employees must file a written informal grievance on covered matters with the appropriate official prior to filing a formal grievance, except:

1. Where an employee has followed the Request for Reconsideration procedures prescribed in

the Performance Management System Handbook, the Commerce Alternative Personnel System (CAPS) Operating Manual, or the Alternative Personnel Management System (APMS) Operating Manual, as applicable; or

2. Where the matter involved a disciplinary action for which the employee received an advance notice providing for the right to reply.

b. The appropriate official is the supervisor or manager at the lowest organizational level who

has responsibility for the matter that is the subject of the grievance. Normally, this is the employee's immediate supervisor. If the grievant is unsure who the appropriate official is, he/she may consult with the SHRO.

c. The individual must present sufficient information upon which the appropriate official may make an informed decision on whether to grant all, some, or none of the personal relief requested. At a minimum, the informal grievance must contain: a description of the specific matter(s) giving rise to the grievance; the date of the event or decision that prompted the individual to grieve; any supporting information, such as documents, work products, witnesses' names and/or statements; and a statement of the personal relief requested.

d. Informal grievances must be presented within 15 days of the event or decision giving rise to the grievance or within 15 days of the date the employee first became aware of or should have become aware of the act or occurrence. This time limit may be extended in writing only for good cause shown by the employee.

e. Upon receipt of an informal grievance, the appropriate official should consult with SHRO and OGC, as necessary, for the proper assistance as provided for in Section 4 of this Order.

f. If the employee presents an informal oral response along with the written informal grievance, the appropriate official is responsible for summarizing the employee's presentation in writing, including the date of presentation, and for obtaining the grievant's written concurrence that the written summary is a reasonably accurate statement of the grievance. The official must do this prior to attempting to resolve the grievance.

g. A written record of the appropriate official's decision must be provided to the employee. This document may be in the form of a memorandum for the record and must contain the following information:

1. The decision with respect to each matter presented in the grievance, the reason(s) for the decision, and any relief granted;
 2. References to all laws, regulations, or policies relied upon in reaching the decision;
 3. A statement of the grievant's right to file under the formal procedures provided in this Order, if still dissatisfied;
 4. The time limit within which the formal grievance must be filed (10 days from the receipt of the notice of decision on the informal grievance);
 5. The name and address/location of the SHRO to which a formal grievance must be submitted; and
 6. Either a statement of or reference to the requirements for formal grievance submission, or the name and location of the person from whom such information may be obtained (e.g., the operating unit's administrative personnel or the SHRO).
- h. The appropriate official should respond to an informal grievance within 15 days of receipt, unless prevented from doing so by absence, unavailability of necessary information, or other matters outside his/her control. Authorized delays are acceptable, but in no case should a decision be rendered more than 30 days after receipt. In the event that a decision is not rendered within 30 days of receipt by the appropriate official, the grievance shall be referred to the SHRO for processing as a formal grievance.

.02 Formal grievances.

- a. An employee may file a formal grievance with the SHRO within 10 days of the receipt of a decision on a request for reconsideration of a summary performance rating, the effective date of a disciplinary action (if covered by these procedures, i.e., not appealable to the MSPB and not a proposed disciplinary action), or an informal grievance.
- b. For all matters in which the informal procedure (including a request for reconsideration) is mandatory, the grievant may present only the matter(s) and request for personal relief that were provided at the informal stage. If the formal grievance presents matters or requests for relief not covered by the informal grievance, the formal grievance may be rejected by the SHRO under the procedures in Section 9 of this Order.

c. Formal grievances must:

1. Be in writing, and provide sufficient detail concerning the matter(s) being grieved to clearly identify the basis for the grievance;
2. Specify the personal relief requested;
3. Include a copy of the informal grievance, the appropriate official's decision on the informal grievance, request for reconsideration, or official disciplinary action letter, as applicable, and any supporting documentation such as copies of email, memoranda, etc., relative to the matter(s) presented in the grievance. If an employee alleges he/she filed an informal grievance and the appropriate official did not timely respond, the employee must provide sufficient documentation to demonstrate attempts to satisfy the informal grievance process.

d. The SHRM or his/her designee will review the submission and determine the appropriate action to be taken. The grievance will be accepted if: the grievance is timely submitted; the individual submitting the grievance and the matter(s) presented are covered by this Order; the submission provides sufficient detail to clearly identify the matter(s) presented; the relief requested is personal relief as defined by this Order; and the requirement for informal submission has been satisfied. If any of the above conditions are not met, the formal grievance may be rejected under the procedures provided by this Order.

e. Upon acceptance of a formal grievance, the SHRM or his/her designee will determine, in consultation with OGC, as appropriate, the deciding official for the formal grievance. The appropriate deciding official will normally be at least one organizational level above the official who decided the informal grievance, request for reconsideration, or disciplinary action. The SHRM or his/her designee will present the grievance to the deciding official, normally within 15 days of receipt.

f. The deciding official must give the grievance due consideration and should take the following actions:

1. Thoroughly review the contents of the grievance and associated documentation provided by the employee;
2. Conduct or initiate whatever inquiry he/she deems appropriate. The deciding official may, but is not required to, designate an examiner to conduct the inquiry. If the deciding official designates an examiner, that individual:
 - (a) Must not have been involved in, or be a subordinate of an official who has been involved in, the matter giving rise to the grievance;

(b) Must not be a subordinate of the official who rendered a decision on the informal grievance;
and

(c) Must not be a subordinate of any management official who provided substantial advice and input into the previous decisions on the matter(s) covered by the grievance.

3. Establish a formal grievance file that includes all documentation mentioned in Section 2.07 of this Order.

4. Provide an opportunity for the grievant and/or grievant's representative to provide comments, in writing, on the contents of the grievance file (including all documents, report of any inquiry, and all witness statements on which the deciding official will rely in making a decision). Include any comments received from the grievant and his/her representative in the grievance file.

5. Consult with the SHRM and/or OGC as appropriate.

6. Issue a written decision, in consultation with the SHRM and OGC, as appropriate, normally within 45 days of the receipt of the grievance that contains the following:

(a) The decision on the matter(s) presented in the grievance and the reasons for each decision;

(b) The personal relief granted, including the specific period within which action(s) will be taken;

(c) The personal relief denied and the reason(s) for denial; and

(d) A statement that this is the final decision of the Department.

SECTION 8. ALTERNATIVE DISPUTE RESOLUTION.

.01 **ADR techniques.** ADR techniques include, but are not limited to, facilitated discussion of the issues and requested remedies by a designated SHRO representative, formal mediation conducted by a certified mediator from an authorized source, or a negotiated settlement between the employee and the supervisor.

.02 **ADR procedures.** A grievant may request to use an ADR process in connection with an informal or formal grievance. The request must be submitted in accordance with the operating unit's ADR policy. If there is not an operating unit policy, the request must be submitted in writing to the SHRM or his/her designee within 14 days after the employee's informal or formal grievance is filed.

.03 **Lack of an ADR policy.** When an operating unit does not have an ADR policy, the following provisions also apply:

- a. Within five days of his/her receipt of the grievance at the informal or formal grievance stage, a management official may submit a written request to the SHRM or his/her designee to use an ADR process.
- b. All requests to use ADR must be made in advance of any final agency decision on the grievance. Within 10 days of receipt of a request, the SHRM or his/her designee shall consult with both parties and issue a written determination advising whether ADR is authorized and, if so, the process that will be used.
- c. Participation by the grievant and management official in ADR is voluntary and does not commit either party to agree to any compromise or settlement of the issue(s).
- d. The timeframe for a decision by the appropriate official at the informal stage or the deciding official at the formal stage shall be stayed pending the outcome of any ADR process requested and/or agreed to by the parties and authorized by the SHRM or his/her designee. If ADR does not successfully resolve the grievance within 30 days from the date ADR is authorized, the timeframe for a decision as specified by this Order shall commence.
- e. If ADR is not successful within 30 days at either, or both, stages of the grievance procedure, the grievance process is no longer stayed. However, settlement attempts may continue.

.04 Resolutions. Any proposed resolutions must be reduced to writing and require the signatures of the parties to the grievance along with technical concurrence of both the SHRM, or his/her designee, and the Chief, Employment and Labor Law Division, OGC. Grievances that address discrimination in the work place must also have the concurrence of the operating unit's EEO Officer or his/her designee.

SECTION 9. GRIEVANCE REJECTION PROCEDURES.

The SHRO may reject a grievance following the procedures and for the reasons outlined in this Section.

.01 Reasons for rejection. A grievance may be rejected for any one of the following reasons:

- a. The grievance is not timely filed;
- b. The grievant has had his/her right to file a grievance abridged by formal written decision;
- c. The grievant is filing a formal grievance and has not addressed the matter of concern or dissatisfaction through the required informal procedure, or its equivalent (e.g., responds to a proposal of discipline, requests reconsideration of a summary performance rating);

- d. The grievance does not contain sufficient information to clearly indicate the matter of concern or dissatisfaction, or other required documentation such as a copy of the decision at the informal grievance level;
- e. The relief requested violates law, rule, or regulation, or is not personal to the grievant, as defined by this Order;
- f. The matter or individual is excluded from coverage under this Order; or
- g. The individual has filed or files a complaint of discrimination on the same matter(s).

.02 Rejection procedures. When a grievance is rejected employees are entitled to a written notice following the procedures below:

- a. If the individual filing the grievance is excluded from coverage by this Order, the grievance is untimely, consists wholly of matters excluded from coverage by this Order, or the relief requested is not personal as defined in Section 2 of this Order, the SHRO will not accept the grievance. The grievance will be returned to the individual who filed it with a written explanation of the reason for its rejection. No further action is then taken on the grievance.
- b. If the grievance consists in part of a matter(s) not covered by this Order, a portion of the requested relief is not personal, or the grievance does not contain sufficient information, the SHRO will return the grievance to the employee. In returning the grievance, the SHRO will provide a written explanation to the employee as to the specific reasons for the partial rejection, e.g., the matter is not covered, the relief is not personal, or additional information is required. The grievant will have seven days to revise the grievance and resubmit it to the SHRO.
- c. If the grievance is otherwise acceptable, but the employee has not satisfied the requirements under informal procedures, the SHRO will return the grievance to the employee with written notification of the requirement to follow the informal procedures. The employee will then have seven days from the receipt of the notice to present the matter(s) as an informal grievance to the appropriate official. The appropriate official must be identified in the notice.
- d. If the employee fails to resubmit the revised grievance or present a grievance under informal procedures within the specified timeframe, the grievance will be denied, in writing by the SHRO, with no further action required on the grievance.

SECTION 10. ABUSE OF PROCEDURE.

.01 The right of an employee, or group of employees acting as individuals, to file a grievance may be abridged when it has been determined that the grievance procedure has been abused.

.02 Abuse of the procedure includes, but is not limited to, patterns of actions that demonstrate the individual's attempt to proceed under this Order is not made in good faith to resolve matters of concern or dissatisfaction regarding the individual's employment. This may include such actions as: submitting incomplete grievances without presenting evidence that supports the matters being grieved; failing or refusing to provide additional information when requested to do so by an individual responsible for processing/deciding the matter(s) covered by the grievance; filing multiple grievances on the same matter, or matters so similar that the parties involved are the same and no new event giving rise to the grievance is identified; repeatedly submitting grievances that objective evidence shows are frivolous (e.g., there is no remedy available as a matter of law or regulation) or retaliatory in nature; or failing or refusing to cooperate in any inquiry that may result from the grievance.

.03 A SHRM may request that the Director abridge an individual's right to file a grievance. The request must: be in writing; contain a chronological listing of the individual's grievance activity (usually not more than two years of history); provide a copy of any grievance(s) stated to be frivolous, repetitive, or retaliatory; and include a recommendation that the instant matter being grieved be dismissed with prejudice (i.e., no further right to raise the same matter).

.04 Upon receipt of the request, the Director will take the following actions:

- a. Assign a case manager to review the request, obtain additional information and/or consult with OGC, as appropriate, and draft the final decision.
- b. Issue a final written decision to the SHRM, with a copy to the grievant and his/her representative, normally within 30 days of receipt of the SHRM's written request.

.05 Employees whose rights to file grievances have been abridged in accordance with this Section may file a written petition with the Director to restore these rights after one calendar year and, if denied, annually thereafter. The Director will take the same actions as in Section 10.03 above.

SECTION 11. CANCELLATION OF A GRIEVANCE.

An operating unit should cancel a grievance after consultation with the SHRO:

- .01 At the employee's request;
- .02 Upon termination of the employee's employment with the Department, unless the grievance involves an issue of compensation;
- .03 Upon the death of the employee, unless the grievance involves an issue of compensation; or

.04 For failure to prosecute, i.e., if the employee does not furnish required information or duly proceed with the grievance.

SECTION 12. EXCEPTIONS.

Within the limits of administrative discretion permitted to the Department, exceptions to the provisions of this Order may be granted in unusual circumstances by the SHRM if the facts indicate that such an exception would promote the efficiency of the service. Each request for an exception must be submitted in writing and must contain a full statement of the justification for the request. Any exception will be granted in writing, specifying the justification, with copies to all relevant parties.

SECTION 13. EFFECTS ON OTHER ORDERS.

This Order supersedes DAO 202-771, dated November 2, 2007. Administrative grievances initiated before the effective date of this Order must be processed under the superseded Order. This Order also supersedes all previous operating unit or regional directives prescribing administrative grievance systems.

Signed by: Director for Human Resources Management

Approved by: Chief Financial Officer and Assistant Secretary for Administration

Office of Primary Interest: Office for Human Resources Management

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PAYROLL

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CHAPTER 4

PAYROLL

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CHAPTER 4

ACRONYMS

CPS	Current Population Survey
DOC	Department of Commerce
EPP	Employee Personal Page
FL	Field Leader
FR	Field Representative
FS	Field Supervisor
HQ	Headquarters
NFC	National Finance Center
OT	Overtime
PAPI	Paper and Pencil Interviews
POV	Privately Owned Vehicle
RO	Regional Office
RSM	Regional Survey Manager
T&A	Time and Attendance
TOD	Tour of Duty
TSP	Thrift Savings Plan
WebTA	Web Time and Attendance
WebFRED	Web-based Field Representatives Earnings Data

CHAPTER 4

PAYROLL

4.A INTRODUCTION

Census Bureau field staff; including Field Supervisors (FSs), Field Leaders (FLs), and Field Representatives (FRs) use the Web-based Field Representative Earning Data (WebFRED) application on their government-issued laptops to enter payroll and other work-related expenses. The information entered into WebFRED is extracted and imported into the Web Time and Attendance (WebTA) system. The data is transmitted to Census Bureau Headquarters (HQ), and then on to the National Finance Center (NFC) for processing of bi-weekly payments.

This chapter provides details on topics such as entering hours worked, and reimbursement of other expenses and requesting leave and premium pay. Field staff should refer to this chapter, as well as the 11-12, WebFRED User Guide to efficiently complete time and attendance (T&A), request leave and premium pay and reimbursement entry. The WebFRED user guide can be accessed in the folders manual on your laptop. The FS and FL will submit request for leave and premium pay in WebTA. Consult with a supervisor for any additional questions regarding payroll, project and task codes.

4.B PAYMENT RATES

The following sections provide clarity on various pay rates applicable to FSs, FLs, and FRs.

4.B1 Basic Salary

Employees receive the salary rate shown on a SF-50B, Notification of Personnel Action (Exhibit 4-A). This hourly rate is the locality rate of pay before deductions and does not include overtime (OT).

4.B2 Overtime (OT) Pay

A supervisor must authorize OT in advance of an employee working the overtime. If necessary, an employee may call his/her supervisor for post-approval on the next workday, if obtaining prior approval is impossible or impractical, post approvals must be documented on the form CD-81 (see Exhibit 4-B, Authorization for Paid Overtime and/or Holiday Work and for Compensatory Overtime

a. Definition

The definition of OT work is:

- All hours in excess of eight hours in a day.
- All hours in excess of 40 hours in a week, officially ordered in advance.

Below is a listing of the common types of OT pay and rate of pay for Census Bureau field staff:

- Over Eight OT: Locality Hourly Rate x 1.5
- Over Eight OT with Night Differential: Locality Hourly Rate x 1.5 + 10%
- Over 40 OT: Locality Hourly Rate x 1.5
- Over 40 OT with Night Differential: Locality Hourly Rate x 1.5 + 10%

Those hours over eight in a day do not count towards hours over 40 in an administrative workweek (see the following example). The administrative workweek begins at 12:01am Sunday and ends at Midnight Saturday.

Example: A supervisor authorizes a field employee to work ten hours Monday and Tuesday. The FR works eight hours Wednesday and Thursday, four hours on Friday, and eight hours on Saturday. The 40 regular hours and OT hours are as follows:

<i>Days</i>	<i>Regular Hours</i>	<i>Overtime Hours</i>
<i>Monday</i>	8	2
<i>Tuesday</i>	8	2
<i>Wednesday</i>	8	
<i>Thursday</i>	8	
<i>Friday</i>	4	
<i>Saturday</i>	4	4
<i>Totals</i>	40	8

b. Justification

If requesting supervisory OT authorization, the employee should give the reason(s) why such OT is more economical to the government. Listed below are justification reasons for OT work:

- OT required to complete a large assignment by program deadline. OT is more cost effective than sending in another field employee.
- OT required to complete assignment in distant area and to avoid additional per diem.
- Travel to and/or from training. OT justified to avoid additional per diem.
- OT required to complete assignment by deadline. OT justified because satisfactory response is not possible without additional hours. OT is cheaper to the government than sending another employee on per diem.
- OT required due to supplemental and regular assignments during the same interview week.
- OT required to follow-up Type A refusal households after regular hours exhausted. OT justified to improve response.

- OT required to complete additional cases plus regular assignments. OT authorized to meet deadline and/or to avoid per diem by a different employee.
 - OT required ensuring at least six hours observation time with a supervisor and travel time.
 - OT required to complete personal visits in a distant segment to avoid a return trip. OT authorized because more cost effective than additional round trip time and mileage.
 - Emergency assignment at end of week. OT required to meet a deadline.
 - OT required to complete assignment by program deadline because of faulty computer equipment. OT more cost effective than sending in another employee.
 - OT required to complete interview per respondent's request.
 - OT required to travel to and/or from recruiting site.
- c. Process for requesting Premium Pay - FRs

All overtime must be approved in WebFRED

- The FR submits a premium pay request in WebFRED.
 - The designated supervisor will approve/deny the request via system generated email or log into WebFRED and approve/deny the request.
 - If the premium pay request is approved the FR will log into WebFRED and add the approved transaction to their timesheet. If the premium pay request is denied, then no further action will be taken by the FR.
- d. Process for requesting Premium Pay – FS/FL

All overtime must be approved in WebTA

- FSs and FLs must submit the “Premium Pay Request” in WebTA for approval.
- The supervisor will review the “Premium Pay Request” in WebTA ensuring that the OT/Comp Time hours are entered correctly before approving/denying the “Premium Pay Request”.
- FS or FL will receive a system generated email notifying the submitter when the “Premium Pay Request” is approved or denied.

Note: Post-approvals require an additional justification explaining the circumstances as to why the hours were worked before the OT or Comp Time was approved. These situations should be rare, and must be documented on the CD-81, “*Authorization for Paid Overtime and/or Holiday Work, and for Compensatory Overtime (Exhibit 4-B)*”.

4.B3 Night Differential Pay

Unless instructed by a supervisor not to do so, the Census Bureau authorizes field staff to work between the hours of 6pm and 6am, as necessary, to efficiently complete assignments. Work performed during these hours entitles field staff to night differential pay. Base pay with night differential is the locality hourly rate plus 10%.

The following reasons are possible necessities for completing work during night differential hours:

1. Interviewing respondents who are unavailable during the daytime hours.
2. When using night differential hours results in a savings to the government.
3. Night differential hours enable the Census Bureau to meet a deadline otherwise impossible to meet.
4. Travel time associated with any of the above.

Do not complete the following duties during night differential hours without prior approval from a supervisor:

- Self-studies
- Reviewing manuals or instructional memorandum
- Making travel arrangements
- Pre-transcription, transcription, editing, and so on (only with paper and pencil interview (PAPI) surveys)
- “Listing Only” assignments

4.B4 Holiday Pay

a. Full-time Employees General Guidance

All permanent FSs and FLs that are working on permanent surveys are on “First 40” flexible full-time work schedule. The “First 40” work schedule entitles employees to receive 8 hours of Federal Holiday pay for all Federal holidays.

b. Part-time Employees General Guidance

The Census Bureau entitles part-time employees to receive holiday pay when the holiday falls on a regularly scheduled workday (i.e., a day when the employee would otherwise complete required work or take leave). However, since part-time Schedule A field staff do not have a set work schedule, they are not entitled to holiday pay.

Example: Independence Day falls on Thursday, July 4, 2013. A part-time employee is on a set schedule to work eight hours per day, Tuesday through Friday, of each week.

This employee receives holiday pay for Independence Day in 2013, because the holiday falls on a Thursday, which is a regularly scheduled workday.

Example: The same employee is NOT entitled to holiday pay for any of the federal holidays that fall on a Monday, since Monday is not one of the employee's regularly scheduled workdays. The following holidays fall on a Monday: Martin Luther King, Jr. Day, Washington's Birthday, Memorial Day, Labor Day, and Columbus Day.

Example: A holiday falls during the ten days of the Current Population Survey (CPS) data collection. An employee (on a two-hour part-time tour) working on the CPS must complete his/her CPS assignment during those ten days. Assuming the supervisor does not require the employee to put in work hours on each of those ten days; the employee has flexibility as to the days and hours worked. If he/she chooses to work on the holiday, the employee receives only regular pay for the number of hours worked, since the employee has no set work schedule, and the supervisor did not require work on the holiday.

c. Intermittent Employees General Guidance

The Census Bureau does not entitle intermittent employees to holiday pay because these employees do not have a regular tour of duty (TOD) schedule. An intermittent employee with scheduled/approved work on a day designated as a holiday will receive regular pay for the hours worked.

Example: An intermittent employee's approved work falls on January 21st, Martin Luther King, Jr. Day. The employee receives regular pay for the six hours worked that day.

Example: An intermittent employee's assignment includes work on the CPS. When a holiday falls during the ten CPS days for that month, the employee receives only regular pay for the hours worked on the holiday, since the employee has no regular, scheduled tour of duty.

In WebFRED, the intermittent employee should select "Regular Time", in the Transaction Type field, followed by selecting the appropriate Survey or Project, Activity/Task/Other, and Hours worked.

d. Holiday Premium Pay

The definition of holiday premium pay is additional pay authorized for OT, night differential, holiday work, or Sunday work. The application of holiday premium pay differs with the type of appointment. In all cases, for all employees, a supervisor must approve all holiday work in advance (see Exhibit 4-B).

1. Full-Time Employees

Full-time FLs and FSs should not be authorized to work on a holiday except under rare circumstances pre-approved by the Regional Director. When a full-time employee is required to work on a holiday out of necessity to get a critical assignment done, the

employee will receive premium pay (double salary rate) for any hours worked up to eight hours.

2. Part-Time Employees

On occasion, in order to complete an assignment critical to the agency, a supervisor may require a part-time employee to work on a holiday that falls on a day when he/she would otherwise complete work requirements or take leave. Part-time employees scheduled or authorized by their supervisor to work a specific number of hours on a holiday receive premium pay (double salary rate) for any hours worked up to eight hours. In WebFRED, in the Transaction Type drop-down, select “Holiday Worked (Pre-Approval Required),” followed by selecting the appropriate Survey or Project, Activity/Task/Other, and Hours worked.

Example: A part-time employee on a set work schedule (eight hours per day, Tuesday through Friday) receives approval from a supervisor to work on Thursday, July 4. The employee’s entitlement includes regular pay for eight hours on non-holiday workdays, PLUS holiday premium pay for the number of hours worked on July 4.

Example: A part-time employee on a set work schedule (eight hours per day, Tuesday through Friday) does NOT receive holiday pay for Memorial Day, which falls on a Monday (not within the employee’s regular work schedule).

Example: A supervisor schedules, in advance, a part-time employee on a flexible work schedule to work on July 4 in order to complete a critical assignment. The employee works five hours, and receives five hours of holiday premium pay (locality pay x 2).

Example: An employee on a two-hour part-time tour works CPS, and a holiday falls during the ten days of CPS data collection. The employee does not have a set work schedule, and therefore is NOT entitled to holiday premium pay for the number of hours he/she works on that holiday.

Part-time employees who choose to work but are not scheduled/authorized to work on a holiday receive payment at the basic salary rate. In WebFRED, an employee should select “Regular Time”, from the Transaction Type drop-down, followed by the appropriate Survey or Project, Activity/Task/Other, and Hours worked.

3. Intermittent Employees

An intermittent employee is ineligible for holiday premium pay because he/she does not have a regularly scheduled TOD. Intermittent employees performing work on a holiday receive only their rate of basic pay for non-OT work hours.

Example: An employee on an intermittent work schedule works six hours on July 4th. He/she receives six hours of basic pay for those six hours.

e. Overtime Pay on a Holiday

The Census Bureau compensates OT work on a holiday at the same rate as OT work on other days (locality rate x 1.5).

f. Minimum Number of Paid Holiday Hours

Employees who perform scheduled work (based on an approved TOD) on a holiday are entitled to pay for at least two hours of holiday work. Scheduled work is defined as work authorized or required by a supervisor.

Example: If a manager schedules an employee to work his/her TOD (or part of the tour) on a holiday, and the employee completes the work within one hour, the employee must receive holiday premium pay for a minimum of two hours.

g. “In Lieu of” or “Designated” Holidays

When a holiday with a set date (New Year’s Day, Independence Day, Veterans Day, Christmas Day) falls on a Saturday, the federal government considers the preceding Friday an “in lieu of” or “designated” holiday. If the holiday falls on a Sunday, the following Monday is an “in lieu of” or “designated” holiday.

Part-time and intermittent employees are NOT entitled to “in lieu of” holidays.

h. Effect of Absence on Leave

If a supervisor schedules in advance a part-time employee without a regular work schedule, to work on a holiday, and then the employee requests and receives supervisory approval for leave for a block of days encompassing the holiday, the employee receives holiday leave (not annual leave) for the number of hours scheduled to work on the holiday.

4.B5 Working Time, Training Time, and Waiting Time in Non-Per Diem Status

Information provided in this section should be used as a guide for claiming hours while working on assignments or attending training. The Census Bureau expects field staff to work the most productive hours while interviewing or listing, whether working from home on a local assignment or working from a hotel room at a temporary duty station. Claim time in multiples of quarter hours as follows:

Minutes	WebTA and WebFRED BC27-27A	WebFRED on the laptop
15	:15	:15
30	:30	:30
45	:45	:45

a. Time Worked

Field staff receives payment for time worked each day. Time worked includes:

- Time spent listening and interviewing; including time spent in an assignment area waiting for an appointment with a respondent, or to make callbacks, if that proves more economical than returning later.
- Time spent editing an assignment (PAPI surveys only).
- Time spent entering payroll data on the laptop.
- Time spent traveling to and from an established Census Bureau office.
- Time spent doing other work directed by a supervisor.
- Time spent traveling to and from a work assignment.

b. Training Time

Field staff receives payment for the following training time:

- Time spent completing a home study assignment, but not exceeding the total hours allowed. *Note: Field staff may not use OT hours or night differential hours for home study assignments.*
- Time spent in classroom training including OT hours, but not lunch breaks.
- All time spent traveling to and from a training session.
- Other training as directed by the Regional Office.

c. Waiting Time

An employee may claim the time spent waiting as regular work time. For example, an employee may drive to a respondent's home at a designated time and the respondent is late arriving home, which causes the employee to wait for the interview. The employee may claim that waiting time. In addition, an employee may claim the time spent waiting between connecting flights as regular work time. In these situations, employees should use the waiting time to review assignments, which includes planning the next day's itinerary, reading manuals, editing questionnaires (PAPI only), reviewing training materials or other completed work, and attending to other administrative duties.

Employees have allowance for only up to eight hours a day waiting time with the approval of a supervisor. Waiting time cannot put an employee into OT.

4.B6 Claiming Leave

Part-time employees are eligible to claim leave in place of hours worked. All types of leave require approval and authorization by a supervisor. FRs must request leave by submitting a

Leave Request in WebFRED. FSs and FLs must request leave by submitting a **Leave Request** in WebTA. Employees should claim leave time in multiples of quarter hours. Charge all leave to the appropriate leave transaction type provided by the Regional Office.

WebFRED allows FRs to enter requests for future pay periods up to one year in advance.

Because hours of paid leave taken during the employee's basic workweek count as hours of work for purposes of meeting the daily or weekly overtime standards, hours worked in addition to leave cannot exceed eight hours in one day.

4.B7 Work-Related Travel Expenses

The Census Bureau expects employees to work up to eight hours each day, except Sunday, when in per diem status. Per diem status refers to costs associated with official, authorized work-related travel at a temporary duty station. Section 4.B7 only refers to travel that is over 12 hours and more than 50 miles from an employee's duty station. The expectation is that field staff work during the most productive hours of the day (the same as worked in a local assignment).

Example: A field employee is at a temporary duty station with appointments scheduled at 9am, noon, and 3pm. (expect that each interview requires between an hour and a half and two hours). The employee receives pay for waiting time (in addition to time actually worked) to complete an eight-hour day, but is not entitled to claim OT unless he/she actually works more than eight hours and a supervisor approves.

Employees should claim authorized M/IE and Lodging in the E2 Travel System. Regional Office (RO) management requires that employees (when in per diem status) send all receipts to the RO administrative office, for review. If an employee decides, for personal reasons, to leave early or delay return from an assignment, the employee must complete a cost comparison. Salary and per diem claimed cannot exceed the lesser amount (see Chapter 5).

Note: Employees should plan to reach a destination at a reasonable hour to allow for a full night's rest.

Example: A 5:00pm departure to drive 100 miles home from a temporary duty station is reasonable in the summer months. However, in the winter months, weather and early darkness may justify leaving the next morning. Direct questions about travel plans to a supervisor.

Example: A field employee has an assignment at a temporary duty station, and there are two flights from the employee's permanent duty station; one at 10:30am and the other at 6:15pm. If the 6:15pm flight gets the employee to his/her destination at a reasonable time that flight is appropriate. To take the 10:30am flight, the employee should submit a cost comparison and the limit on salary reimbursement is the allowance for the 6:15pm departure.

Example: An employee must drive to a temporary duty station about three hours away. If the employee leaves in the afternoon, he/she should arrive at the destination at a reasonable hour, however the employee elects to leave at 9am. The salary limit is what the employee would receive if he/she left in the afternoon to arrive at 5pm or later (unless he/she provided adequate justification).

Example: An employee's schedule is to travel from home to another location to attend training and there are several reasonably priced contract carriers available from the local airport. However, for personal reasons, the employee elects to drive a privately owned vehicle (POV) to the destination instead of flying. If the authorized salary and per diem reimbursements for travel by auto, as accomplished, are greater than if the employee traveled by air, the travel reimbursement limit is the allowance if flying.

4.B8 Phone or Other Charges

Employees may submit official "Phone" or "Other" charges, stating the total claimed to the appropriate Survey or Project, Activity/Task/Other in WebFRED (See section 4C.2 for additional information). Employees should claim all reimbursements including Phone (when in travel status), M/IE, Lodging and Other expenses in the E2 Travel System, and submit receipts to support expense claims, if applicable.

Phone expenses include official telephone expenses incurred from a place of residence, pay phone, cellular phone, or authorized facsimile machine charges. See section 4.C4 for additional information on submitting for telephone expense reimbursement.

Other reimbursable expenses include:

- Postage stamps
- Maps
- Ferry, taxi, bus, and subway fares
- Parking fees
- Bridge, tunnel, and road tolls
- Interpreter fees

4.B9 Time Not Allowed for Payment

Employees do not receive pay for normal meal periods or for any time spent during the workday on anything other than official business. Employees are not paid for waiting time when at a temporary duty station over a weekend, unless the employee completes work.

4.C HOW TO CLAIM SALARY AND REIMBURSEMENTS

4.C1 Keying Payroll Via WebFRED Using a Laptop

For each day worked, employees must enter hours, Miles, Phone, and Other expenses in WebFRED via their laptops. Employees who do not work on a particular day(s) should not enter payroll for that day(s).

For further detailed instructions on using the WebFRED application, refer to the 11-12(WEB), WebFRED 2.0 User Guide or contact your supervisor for additional assistance.

Whenever possible, an employee should enter T&A data each day he/she works. Upon completion of entering T&A data, including work and non-work activities and expenses incurred, the employee must save each transaction, in order for the data to be captured and saved in WebFRED.

All government agencies must maintain a record of their financial obligations as incurred. For the Census Bureau to meet their requirement, the agency is dependent on field employees to report costs accurately and on time. Payroll forms (either electronic or paper) provide this information. HQ receives these costs via transmission and then adds the amounts to other Census Bureau costs. Submitting payrolls in a timely manner is an important aspect of the job and can impact the timely payment of employees. Additionally, employees who continually fail to comply with the established payroll submission deadlines are subject to counseling and disciplinary action.

If an employee is unable to enter payroll into WebFRED due to an uncontrollable situation, and if the RO requests faxed paper payroll form(s), the employee should contact the supervisor for further guidance. Every effort should be made to submit time and attendance into WebFRED. Paper payroll submissions should be kept to a minimum and only be used when the employee is experiencing computer or similar problems.

Note: The first T&A submitted for payment must be the T&A for the pay period in which an employee enters on duty (EOD), or the T&A is rejected.

4.C2 Survey or Project and Activity/Tasks

Accurate cost reporting, accounting, and budgeting is very important. Census Bureau field staff must enter a Survey or Project, Activity/Task/Other when entering payroll into WebFRED.

a. Survey or Project

Supervisors give employees the Survey or Project they should use and employees then select the survey or project name from the drop-down menu in WebFRED for all time and expenses claimed for each survey or project. Contact a supervisor with questions about project numbers.

b. Activity/Tasks

For each survey or project claimed, the employee must further itemize time by each activity/task during the pay period (for example; home study, listing, interviewing, etc.). Identify these activities/tasks by selecting appropriately from the drop-down menu in WebFRED. The three-digit code associated with the activity/task name will automatically appear in red to the right of the selected field. Contact a supervisor with questions regarding correct task code usage.

c. Saving Transactions

When you enter transactions and click “Save this Transaction,” you will not get a notification saying this has been saved. Once you have entered your payroll data for a transaction type, project, and task and click on “Save this Transaction,” you can be certain that your payroll data has been saved successfully. This is a web-based application that saves everything once you click the “Save” button.

To view the data keyed and saved, select the red date listed at the top of the screen and all entries for that day will appear on the Daily Review Screen. The edit feature allows you to make changes to any data you have keyed that needs to be corrected prior to the end of the payroll period.

4.C3 When to Submit Supporting Documents for Per Diem and Reimbursable Expenses

Employees should mail, scan and email, or fax the receipts when claiming per diem and other miscellaneous expenses. Below is guidance for field employees submitting receipts:

- Employees should not incur expenses beyond usual travel or other expenses to complete assignments, until the employee discusses the possible expenses with his/her supervisor and receives approval.
- Field Division requires field employees to submit receipts for any reimbursement claimed for business expenses that are \$75 or greater. However, there are some expenses, such as travel expenses or phone call charges, which require receipts regardless of the amount. Your Regional Office will provide you guidance on the amounts and items requiring a receipt.
- Field staff should send the receipts to the RO administrative staff prior to the close of the pay period in which the expenses occurred. The RO administrative staff must receive the receipts by close of business on the Monday following the end of each pay cycle.
- Management requires employees to maintain all original receipts, including receipts for less than \$75, for business expenses incurred during any pay cycle, until the payroll approval.
- An employee’s supervisor may request a receipt for any amount, including any less than \$75, before approving the claimed reimbursement.
- Supervisors review payroll with staff daily to ensure correct project and task code usage and time entry.
- RO administrative staff conducts a payroll review, and contacts supervisors regarding any missing receipts or documentation. Supervisors will attempt to resolve any issues prior to payroll validation.
- If the RO administrative staff does not receive a receipt by the close of business on Monday following the end of the pay period, they will deny that particular reimbursement

and process it later when the office receives the necessary documentation.

Please contact a supervisor for clarification regarding correct receipt submission procedures.

4.C4 Reimbursement for the Use of Personal Telephones

The Census Bureau reimburses employees for official Census business-related local and long-distance calls made from their home, cellular, or public telephone. Reimbursement occurs when those Census-related calls result in charges in excess of existing plans. The Census Bureau does not reimburse charges for personal calls, phone equipment, basic telephone service charges, text messages, or taxes associated with the plan. *FSs should use their government-issued cellular phones and not personal phones (unless absolutely necessary), when making calls for business purposes.*

An employee must submit a claim for reimbursement and receive approval from his/her supervisor. The claim is then processed by the RO administrative staff using the following process:

1. The employee must submit a claim for reimbursement for the telephone charges through WebFRED, accompanied by an itemized phone bill (sent to the RO administrative office). Telephone charges are entered in the "Phone" field in WebFRED, with the corresponding survey or project(s). If the employee is claiming phone expenses for multiple projects, they must enter each one as a separate transaction in WebFRED.

If the employee does not typically receive an itemized bill monthly, the employee must contact the telephone carrier to obtain an itemized bill. If an itemized bill is not available, follow the procedures for employees with prepaid wireless plans (see Section below).

2. The administrative staff reviews the bill and substantiates that the itemized bill documents the claimed reimbursements.
3. The RO administration scans and emails the bill to the appropriate supervisor for review and final approval. If the administrative area has questions regarding any of the charges, the administrative staff will make a note to the supervisor. The supervisor will directly contact the employee for any follow-up.
4. Upon discussion with the employee, if the supervisor has any corrections or changes to the payroll, he/she will notify the administrative office.

Below are additional specifics to consider in the telephone bill reimbursement process.

1. Make a copy of the itemized telephone bill.
2. Circle or check (do not highlight, the highlighted bills do not show up when copied or faxed) all official business-related calls, and any related charges and minutes used, on the copy of the telephone bill. Clearly make note of the survey or project corresponding to each call. At the top of each page of the bill, print the first and last name of the employee and the correct employee code prior to submission to administration.

3. If the business-related charges occurred on a home or public phone, the charges need to be totaled and included in the claimed reimbursement amount.
4. If the charges claimed are for cell phone usage (not home or public phone), the employee receives reimbursement for the minutes of calls made for official business only. However, an employee is eligible for reimbursement if he/she exceeds the monthly minute allowance in the cell phone plan. Since business minutes used within the plan allowance may cause an employee to exceed the monthly minutes allocated in the plan, the employee may use those business minutes in calculating the reimbursement. Employees should follow these steps to calculate the amount of the monthly cell phone usage reimbursement:
 - a. Determine the total number of minutes charged (business and personal) OVER the minutes allocated in the plan. This number is “X”.
 - b. Determine the total number of business-related minutes used. Include the business minutes used that are within the monthly allowance of the plan, and over the allowance of the plan. This number is “Y”.
 - c. Determine which is the lesser amount between X and Y.
 - d. Multiple the lesser amount (X or Y) times the overage rate. The overage rate appears on the itemized bill.
 - e. Provide the circled or checked phone bill to the RO administrative office for review.
 - f. Next, the employee enters the claimed reimbursement amount into the “Phone” field of WebFRED with the correct survey or project(s).

The following are examples of how to calculate cell phone bill reimbursement.

Example 1: An employee pays \$39.95 per month for an allowance of 300 minutes in his/her plan. The cell phone provider charges .40 cents per minute whenever the employee exceeds the 300 minutes in the plan.

<i>Minutes used this month</i>	<i>400</i>
<i>Total minutes in plan</i>	<i>300</i>
<i>Minutes over plan (business and personal)</i>	<i>100(X)</i>
<i>Minutes for all business-related calls (in and over plan)</i>	<i>280(Y)</i>

Rule: Reimburse the lesser amount between X and Y. Therefore, in this example, “minutes over plan” are less than “business minutes”. The Census Bureau will reimburse the 100 “minutes over plan” times the “over minute” charge per minute.

$$100 \text{ minutes} \times .40 = \$40.00 \text{ reimbursement}$$

Example 2: An employee pays \$39.95 per month for an allowance of 300 minutes in his/her plan. The cell phone provider charges .40 cents per minute

whenever the employee exceeds the 300 minutes in the plan.

Minutes used this month	400
Total minutes in plan	300
Minutes over plan	100 (X)
Minutes for all business-related calls (in and over plan)	80 (Y)

Rule: Reimburse the lesser amount between X and Y. Therefore, in this example, “business minutes” are less than “over minutes”. The Census Bureau will reimburse the 80 “business minutes” times the “over minute” charge per minute.

$$80 \text{ minutes} \times .40 = \$32.00 \text{ reimbursement}$$

Example 3: The following example assumes the employee’s plan allows for 600 minutes per month, with a .40 cent over minute charge per minute.

Minutes used this month	1400
Total minutes in plan	600
Minutes over plan	800 (X)
Minutes for all business-related calls (in and over plan)	680 (Y)

Rule: Reimburse the lesser amount between X and Y. Therefore, in this example, “business minutes” are less than “over minutes”. The Census Bureau will reimburse the 680 “business minutes” times the “over minute” charge per minute.

$$680 \text{ minutes} \times .40 = \$272.00 \text{ reimbursement}$$

Employees with Prepaid Wireless Plans

Sometimes employees have pay-as-you-go “prepaid” wireless plans; the employee buys a phone and service, then can prepay for airtime, which equates to a certain amount of minutes. TracFone administers the most popular prepaid plans, although Verizon, Sprint, and other carriers offer prepaid plans as well. When the prepaid minutes are used up, the phone ceases to work, unless the user purchases additional minutes. In the case of prepaid plans, the employee must follow all of the reimbursement procedures identified in the section 4.C4. The Census Bureau will reimburse an employee with a prepaid plan for “business call minutes” times the “cost per minute”. Under no circumstance does the Census Bureau pay for the phone equipment, service charges, or taxes. The Census Bureau will not reimburse for prepaid calling cards.

Example: An employee prepays \$99.99 for 400 minutes of call time. In this instance, $\$99.99/400 = .25$ cents per minute. The employee claims 280 minutes for all business-related calls in a month. The Census Bureau will reimburse the 280 “business minutes” times the “cost per minute”.

$$280 \text{ minutes} \times .25 = \$70.00 \text{ reimbursement}$$

In some instances, typically with prepaid plans, but on occasion with cell phone or home phone plans, an employee may not be able to receive/obtain an itemized bill. In such cases, the

employee must list all business-related calls, along with respective dates, and the amount of time spent on each call; total the amount of business-related calls listed and indicate the corresponding project code(s). The employee must attach documentation with the written, itemized statement of calls to let the administrative staff know the cost per minute. Each written, itemized statement of calls must also include a signed statement by the employee that he/she could not obtain an itemized bill from the service provider. In general, the list of business-related calls should be one month's time.

For any additional questions regarding telephone bill reimbursement, contact a supervisor.

4.C5 Reclaims

An employee may reclaim reimbursements disallowed by the administrative staff or a supervisor by submitting a BC-27 (Exhibit 4-D) and BC-27A (Exhibit 4-E) for the disallowed amount. Write "Reclaim" at the top of the BC-27/BC-27A. Indicate the appropriate Survey or Project, Activity/Task/Other, and the amount of reimbursement disallowed. Include the following statement in the "Comments" section, "Reclaim of \$ (amount) disallowed in pay period (enter pay period number)," and provide justification as to why you believe this disallowed reimbursement should be paid.

Below are a few common reasons for disallowed reimbursements:

- Unauthorized OT hours
- Supporting documentation (receipts) not received
- Receipts did not reach the RO administrative staff in time to process for the current pay period. *Note: Receipts received after the close-out date are included in the following pay period.*

4.C6 Submitting Forms BC-27 and BC-27A

If an employee cannot enter payroll into WebFRED due to an uncontrollable situation or if submitting a corrected payroll, he/she must submit a Form BC-27 (Exhibit 4-D) and Form BC-27A (Exhibit 4-E) on the last day worked in the pay period.

The RO must receive Forms BC-27/27A no later than the Monday following the end of the pay period. If the RO receives payroll too late for processing, that payroll is not processed until the following pay period.

An employee should review all entries on the Form BC-27 before mailing to the RO and verify the entries, totaling columns as required. Sign and date the form and attach Form BC-27A with any required receipts (if applicable). Keep the employee copy for a record.

4.C7 Correction Payroll

The only changes that are allowed are for current pay periods. FRs must contact their FS or RO to claim corrections to previous pay periods.

A correction payroll submission is to claim hours an employee may fail to enter on the original payroll in WebFRED. Complete a Form BC-27, Time, Attendance, and Cost Report (Exhibit 4-D) and write "CORRECTION PAYROLL" on the top of the form. Complete heading boxes one and three, leave box two blank, and use the dates of the original pay period. Enter all information pertaining to the amounts and items claimed for the entire pay period, including the project number and task code. For detailed instructions on how to complete this form refer to the 11-12(Web), WebFRED 2.0 User Guide, Chapter 7 (provided to all new field hires).

Attach any required supporting documents (Form BC-27A, Field Employee's Reimbursement Expenses and Receipts, if applicable). Include a statement in Item 10, "Remarks", stating hours not claimed on the original payroll and send the form to the RO administrative staff.

Note: It is important to remember that no matter how many times an employee enters payroll data throughout the pay period, any changes made will override previous entered data.

4.C8 Late Payrolls

At the end of the pay period, if an employee did not enter and save data by the Saturday midnight deadline, the employee will not receive payment. The employee must submit a BC-27 and attachments to the RO. This payroll is *late payroll* and processed as such. The late payroll needs to be faxed to the RO administrative office, but the employee cannot claim this fax reimbursement.

4.D SALARY CHECK, DIRECT DEPOSIT, AND EARNINGS STATEMENT

The *Debt Collection Improvement Act of 1996* requires that all new federal employees receive their salary check through direct deposit. Advantages of direct deposit are; convenience, security, monies may be available before the official payday, and the reliability of electronic funds deposit versus delayed or lost mail. Therefore, a deposit of an employee's salary check is in his/her bank within two weeks after the end of each pay period worked. The employee may view an earnings statement through the Employee Personal Page (EPP) showing wages, deductions, reimbursements, and leave information (if applicable). Review section 4.E for information on how to access the EPP to view all earnings and leave (E & L) statements.

4.E EMPLOYEE PERSONAL PAGE

The Employee Self-Service option of the EPP provides employees the ability to make online change requests to residence address, federal and state tax withholding, financial allotments, direct deposit, health insurance (during open season only), savings bonds, Thrift Savings Plan (TSP), and TSP Catch-Up. EPP allows employees to view and change data without having to submit paper change requests to the RO administrative office.

Listed below are some of the features available in EPP:

- View and print W-2 historical data available from the time of EPP sign-up to the previous tax year. Printed W-2 is in Internal Revenue Service (IRS) acceptable format.
- Request changes to specific payroll/benefits related information.
- Annual Personal Benefits Statement (current year only).

- View and print E&L Statement, as early as Sunday of the pay weekend. Historical information is available from the time of EPP sign-up to present.
- View flexible spending account information.
- Read news items from the Department of Commerce (DOC) or NFC.

All new Census Bureau employees are automatically registered for EPP. Employees will receive an EPP signup letter to the residence address on file (typically within the first two pay periods); retain this letter as the included information is required for first time login. In the event no letter is received, employees should contact NFC via phone at 800-767-9641 or via email to osc.etix@usda.gov.

EPP is convenient, reliable, easy to navigate, and accessible 24 hours a day, 7 days a week. A customer support desk is available at 1-855-632-4468, between the hours of 6:30am to 5:00pm Central Time Monday through Friday, except Federal Holidays.

To access EPP on a field employee laptop:

1. Double click on the Internet Explorer icon.
2. Click on “Favorites”.
3. Click on “Employee Personal Page (EPP)”.

Employees may also access EPP from any computer with internet capabilities and one of the following browsers; Internet Explorer Version 6 or higher, Netscape, Firefox Version 3 or higher, Safari. To access EPP via internet, select the EPP icon at www.nfc.usda.gov or <https://www.nfc.usda.gov/personal>.

4.F NAME AND/OR ADDRESS CHANGE

Notify a supervisor and the RO administrative staff immediately of any name, address, or telephone number changes. The RO needs this information to maintain current employee records. You may need to provide the office with proof of a legal name change. Once the supervisor or administrative staff notifies an employee of approval of the change, the employees should change this information in the EPP.

EXHIBIT 4-A

SF-50B, NOTIFICATION OF PERSONNEL ACTION

Standard Form 50
Rev 7/91
U.S. Office of Personnel Management
FPM Supp. 296-33, Subch. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) SMITH, JOHN A				2. Social Security Number 555-55-5555				3. Date of Birth 12-31-1965				4. Effective Date 04-20-2015																			
FIRST ACTION								SECOND ACTION																							
5-A. Code 170				5-B. Nature of Action EXC APPT				6-A. Code				6-B. Nature of Action																			
5-C. Code XZM				5-D. Legal Authority SCH A 213.3114 D 2				6-C. Code				6-D. Legal Authority																			
5-E. Code ZLM				5-F. Legal Authority				6-E. Code				6-F. Legal Authority																			
7. FROM: Position Title and Number								15. TO: Position Title and Number FIELD REP 9511 SA5942																							
8. Pay Plan GS		9. Occ. Code 0303		10. Grade or Level 03		11. Step or Rate 01		12. Total Salary 26577.00		13. Pay Basis PA		16. Pay Plan GS		17. Occ. Code 0303		18. Grade or Level 03		19. Step or Rate 01		20. Total Salary/Award 26577.00		21. Pay Basis PA									
12A. Basic Pay				12B. Locality Adj.				12C. Adj. Basic Pay				12D. Other Pay				20A. Basic Pay 22279.00				20B. Locality Adj. 4298.00				20C. Adj. Basic Pay 26577.00				20D. Other Pay .00			
14. Name and Location of Position's Organization												22. Name and Location of Position's Organization BUREAU OF THE CENSUS DEPUTY DIRECTOR ASSOC DIR FOR FIELD OPERATIONS FIELD DIVISION																			
EMPLOYEE DATA																															
23. Veterans Preference 1-None 3-10 Point/Disability 5-10 Point/Other 1 2-5 Point 4-10 Point/Compensable 6-10 Point/Compensable/30%												24. Tenure 0-None 2-Conditional 1 1-Permanent 3-Indefinite						25. Agency Use				26. Veterans Preference for RIF YES X NO									
27. FEGLI A0 INELIGIBLE												28. Annuity Indicator 9 NOT APPLICABLE						29. Pay Rate Determinant 0													
30. Retirement Plan 2 FICA				31. Service Comp. Date (Leave) 04/20/2015				32. Work Schedule INTERMITTENT or PART-TIME						33. Part-Time Hours Per Biweekly Pay Period 2																	
POSITION DATA																															
34. Position Occupied 2 1-Competitive Service 3-SES General 2-Excepted Service 4-SES Career Reserved								35. FLSA Category N E-Exempt N-Nonexempt				36. Appropriation Code								37. Bargaining Unit Status 7777											
38. Duty Station Code 11-111-111								39. Duty Station (City-County-State or Overseas Location) ANYTOWN ANYWHERE AB																							
40. Agency Data				41.				42.				43.				44.															
45. Remarks APPOINTMENT AFFADAVIT EXECUTED 04/20/2015. CREDITABLE MILITARY SERVICE: 00 YRS, 00 MOS. PREVIOUS RETIREMENT COVERAGE: NEVER COVERED INELIGIBLE FOR HEALTH BENEFITS. INELIGIBLE FOR LEAVE. APPOINTMENT IS SUBJECT TO COMPLETION OF A 2-YEAR TRIAL PERIOD FOR A NON-PREFERENCE ELIGIBLE BEGINNING 04/20/2015. FULL PERFORMANCE LEVEL OF POSITION IS GS-04 SELECTED FROM CERT #0399 DATED 03/30/2015. SERVICE COUNTING TOWARDS PERMANENT TENURE FROM 04/20/2015																															
46. Employing Department or Agency DEPARTMENT OF COMMERCE												50. Signature/Authentication and Title of Approving Official E/S BY: AMBER LEMPKE HUMAN RESOURCES DIRECTOR																			
47. Agency Code CM 63				48. Personnel Office ID 1798				49. Approval Date 04/17/2015																							

Editions Prior to 7/91 Are Not Usable After 6/30/93
NSN 7540-01-333-6236

EXHIBIT 4-B

CD-81, AUTHORIZATION FOR PAID OVERTIME AND/OR HOLIDAY WORK, AND FOR COMPENSATORY OVERTIME

FORM CD-81 (8-71) LF DAD 202-551		U.S. DEPARTMENT OF COMMERCE			1. INCLUSIVE DATES OF AUTHORIZATION	
AUTHORIZATION FOR PAID OVERTIME AND/OR HOLIDAY WORK, AND FOR COMPENSATORY OVERTIME NOTE-Personnel in operating units requiring copies in addition to the two indicated, refer to internal procedures. INSTRUCTIONS-Prepare original and one (1) copy. Forward original to Payroll Section and copy to Time Clerk responsible for certification of time and attendance reports.					FROM	THROUGH
					2. OPERATING UNIT	
NAMES OR NUMBER OF EMPLOYEES 5	GRADE (Indicate GS, WS, etc.) 6	MAXIMUM HOURS PER PAY PERIOD			SIGNATURE OF EACH EMPLOYEE ELECTING ALL OR PART COMPENSATORY TIME (Not needed if salary is above the maximum rate of GS-10)	
		PAID OVERTIME OR HOLIDAY WORK 7	ESTIMATED COST 8	COMPENSATORY TIME 9		
11. DESCRIBE SPECIAL WORK TO BE PERFORMED AND CIRCUMSTANCES REQUIRING OVERTIME OR HOLIDAY WORK						
12. COMPLETE ITEMS a, b, AND c, IF REQUIRED BY OPERATING UNIT OR DIVISION PROCEDURES						
a. PROJECT(S) OR APPROPRIATION CHARGEABLE		b. TOTAL ESTIMATED COST		c. FUNDS AVAILABLE (Appropriate signature)		
Certification-I (We) hereby certify that the above described work is essential to carry out an approved program responsibility and that it cannot be done by available personnel during regular hours of work. I (We) further certify that the performance of this work on an overtime or holiday basis is more economical than the employment of an additional employee qualified to render this service, and if performance is approved on the basis of compensatory time off in lieu of payment of overtime, it will not require additional expenditures for services of a substitute employee at a later date.						
REQUESTED BY (Signature)		DATE	APPROVED (Signature of authorized official)		DATE	

EXHIBIT 4-C

BC-27, TIME ATTENDANCE AND COST REPORT

FORM BC-27 (1-8-2018)

1. Employee name (Print last, first, middle initial)		Employee certification - I certify that (1) I prepared this report, (2) I have worked the hours indicated, (3) noncommitments were entered on official leave, (4) hours entered are correct, and (5) sick leave was used following regulations.		2. Employee signature		Date		U.S. DEPARTMENT OF COMMERCE U.S. CENSUS BUREAU		All information furnished will be treated according to the Privacy Act of 1974. No information will be released except as authorized by the Act.								
3. James Bond ID		4. Pay Period From: To:		5a. Office code/FSA		5b. Work schedule <input type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> I		TIME, ATTENDANCE, AND COST REPORT										
6. FIRST WEEK (Enter date)							SECOND WEEK (Enter date)							7. REIMBURSEMENTS		8. Audited by		
SUN MON TUE WED THU FRI SAT							SUN MON TUE WED THU FRI SAT							Miles (a)51	Per Diem (b)52	Comm- nication (c)53	Other (d)54	Initials/Date
Total (i)							Total (ii)							Pay period totals (iii)				9. Payroll Office Use
A. REGULAR																		
B. NIGHT																		10. Remarks
C. OVERTIME																		
D. N/D/O																		
E. AL														TOTAL (a)	TOTAL (b)	TOTAL (c)	TOTAL (d)	
SL																		
FFLA																		
FROM TO							F a. Premium hours worked							FROM TO	Grand Total	11. Certified by:	Date	
FROM TO							b. Time absent							FROM TO	Signature			
FROM TO							c. Employee initials							FROM TO				

Copy distribution: WHITE - Payroll YELLOW - Employee PINK - End of month (when required)

EXHIBIT 4-D

BC-27A, FIELD EMPLOYEE'S REIMBURSEMENT EXPENSES

WRITE HARD - USE BALL POINT PEN

Form BC-27A (6-13-2016) PREVIOUS FORM CH. 700	U.S. DEPARTMENT OF COMMERCE Economic and Statistics Administration U.S. CENSUS BUREAU	1. Employee name 2. James Bond ID 3. Pay period dates - From/To								
FIELD EMPLOYEE'S REIMBURSEMENT EXPENSES										
All information furnished will be treated in accordance with the Privacy Act of 1974. No information will be released except as authorized by the Act.										
Section I - OFFICIAL MILEAGE										
Dates of travel (1)	Points of travel		Miles by Project/Task							
	From (2)	To * (3)	/ / (4)	/ / (5)	/ / (6)	/ / (7)	/ / (8)	/ / (9)	/ / (10)	/ / (11)
(12) TOTAL NUMBER OF MILES CLAIMED →										
Enter here and on BC-27, column 7(a)										
* Enter the name of the place to which you drove, or enter "In and around _____ city and return" or "_____ county and return" (if in rural areas).										
Section II - PER DIEM*										
Departure date (1)	Points of travel		Arrival date (4)	Lodging (5)	M&IE (6)	Total Per Diem (7)	Cost by Project/Task			
	From (2)	To (3)					/ / (8)	/ / (9)	/ / (10)	
(11) TOTAL PER DIEM CLAIMED - Enter here and on BC-27, column 7(b) →										
* Attach lodging and transportation receipt.										
Section III - COMMUNICATIONS*										
* Attach telephone bill with official business calls annotated										
Project/Task (1)	Amount claimed (2)	Project/Task (1)	Amount claimed (2)	Project/Task (1)	Amount claimed (2)					
Section IV - OTHER REIMBURSABLE ITEMS*										
Date (1)	Description of expenditures (2)	Cost by Project/Task			Date (1)	Description of expenditures (2)	Cost by Project/Task			
		/ / (3)	/ / (4)	/ / (5)			/ / (6)	/ / (7)	/ / (8)	
(9) TOTAL OTHER →										
* Bus fares; road, bridge or ferry tolls; parking fees; cash common carrier fees; other miscellaneous items.										
Enter here and on BC-27, column 7(d)										

Copy distribution: **WHITE** (Submit with BC-27) - Payroll **YELLOW** - Employee Copy

CHAPTER 5

OFFICIAL TRAVEL

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CHAPTER 5

ACRONYMS

CONUS	Continental United States
DOC	Department of Commerce
E2	E2 Travel System
FTCA	Federal Tort Claims Act
FTR	Federal Travel Regulations
GSA	General Services Administration
HQ	Headquarters
Citi	Citibank
M&IE	Meals and Incidental Expenses
MSB	Management Services Branch
POV	Privately Owned Vehicle
RD	Regional Director
RO	Regional Office
TMC	Travel Management Center
WEBFRED	Web Field Representative Earnings Data

CHAPTER 5

OFFICIAL TRAVEL

5.A INTRODUCTION

Travel by U.S. Census Bureau employees includes local and temporary duty travel for official government business. This chapter provides basic information for field staff on accomplishing efficient travel for official government business, within the *Federal Travel Regulations* (FTR). This chapter details the most common travel-related circumstances; however, if an unusual situation arises, contact a supervisor for clarification.

5.B TRAVEL RESPONSIBILITIES

Field employees are responsible for knowing the regulations governing travel for official business. This responsibility includes performing travel in the most efficient and economical manner. Employees pay the additional expense if they travel by an indirect route or deviate from the approved travel order. Employees only receive reimbursement for expenses incurred on a usually travelled route.

5.C TYPES OF TRAVEL

5.C1 Local Travel

The definition of local travel is travel completed within twelve hours, which does not involve per diem or overnight lodging, and includes locations within a 50-mile radius of the official duty station. Field staff are reimbursed through the Web based Field Representative Earnings Data (WebFRED) payroll system. Please review Chapter 4 for additional information on entering local travel reimbursement claims. Below is a list of allowable reimbursable expenditures for local travel:

- Privately owned vehicle (POV) mileage (within a 50-mile radius of official duty station)
- Parking fees for POV
- Toll fees for POV
- Taxi fares, tips, and incidentals
- Fees for public transportation (bus, subway, etc.)
- Official business telephone calls (travelers should contact their supervisor or the Administrative staff in the Regional Office (RO) for guidance on reimbursement of official business calls while in travel status)
- Miscellaneous expenses

Employees should claim these travel expenses as an “Other” or “Mileage” expense in WebFRED. Field employees must enter an appropriate explanation in the “Comments”

box for each expense or the RO administrative staff may disallow the expense. If the administrative staff disallows these travel-related expenses, employees must submit a reclaim with the appropriate explanation for each rejected expense. Review section 5.I for receipt submission guidance.

5.C2 Overnight Travel

Any overnight official business travel requires advanced travel authorization. Field staff must claim reimbursement for all travel costs (except mileage) through the E2 Travel System. All POV mileage expenses are entered into WebFRED.

When the need for non-local travel occurs, and your supervisor has approved the travel, you will contact your assigned Travel Arranger in your RO. You will provide your Arranger with the details of your travel (project code, destination, lodging requirements, mode of transportation, estimated mileage and expenses). If your travel requires common carrier, you need to provide your Arranger with your preferred airport, or train station, along with your desired departure times for your en-route and return trips. You will no longer be contacting hotels or CWSATO directly; your Arranger and the E2 system will do this for you.

Your Travel Arranger will create the travel authorization for this trip and route it thru two levels of approval in your RO. After final approval, you will receive confirmation via email that your travel is authorized.

Review the following sections for additional information regarding overnight travel arrangements, reimbursement, and allowances.

5.D E2 TRAVEL SYSTEM

The E2 travel system is an electronic travel system, similar to Travelocity and other online booking applications. You can access the E2 system on any laptop or computer that has access to the internet. You must create and remember your password to the E2 system. Your E2 User ID will be your Census Bureau email address.

All of your non-local travel, except for mileage, will be entered into the E2 system for authorization, approval, and submitting your voucher. A designated Travel Arranger in your Regional Office completes most of the functions that will take place in E2 related to your travel. The designated Travel Arranger will ensure that your travel arrangements comply with federal travel programs, such as using contract air carriers and contract vehicle rental companies.

The E2 Travel System and your RO's Travel Arranger will take care of the following travel needs:

- Airline, bus, boat, or train reservations and ticketing
- Hotel and motel reservations
- Commercial auto rentals
- Detailed itineraries

- Combining government and personal travel

5.E TRAVEL BY COMMON CARRIER

A supervisor advises employees when to use common carriers, such as an airline, train, or bus, instead of a POV. The expectation is that employees use the most economical means of transportation that is most advantageous to the government.

5.E1 Earned Travel Benefits

The *National Defense Authorization Act* for Fiscal Year 2002, allows federal employees to retain, for personal use, promotional items, including frequent flyer miles, received while on official travel.

5.E2 Air Transportation

Census Bureau employees must complete all air travel by coach-class or a comparable service.

The government negotiates with air carriers for discount air fares between certain destinations. The benefits of this service include:

- No advanced purchase required
- No minimum or maximum length of stay required
- Discounts to the government
- Fully refundable tickets
- No charge by airline for cancellations or changes
- Last seat availability
- Flexibility
- No blackout dates
- Fares priced on one-way routes, thus permitting agencies to plan multiple destinations

Employees must always use a contract airline to complete official travel. There are few exceptions to this guidance, and the travel order, with required supervisory approval, must include justification for the use of the non-contract airline. The following justifications may apply:

- No available contract carrier
- Space on available flights or flight schedules are not available at the times needed to accomplish the purpose of travel

- The use of the contract airline requires additional overnight lodging
- The scheduled flight on the contract airline is not compatible with the Census Bureau's policy and practice of requiring travel during normal duty hours
- Flight schedules on the contract airline conflict with the work schedule of other mission requirements
- The contract carrier's origin and termination point results in excessive local travel time and costs

5.E3 Train Transportation

Employees must use coach-class accommodations for all train travel.

5.E4 Bus Transportation

Employees should use bus transportation instead of train or airline when necessary or advantageous to the government.

5.F TICKETS FOR COMMON CARRIERS

If an assignment requires travel by common carrier, after receiving approval from a supervisor, the RO Travel Arranger will secure transportation tickets. Employees should contact their supervisor with questions regarding specific regional protocols for travel. ***DO NOT use a personal credit card, debit card, check, or cash to purchase transportation. The employees may or may not receive reimbursement for the cost of common carrier transportation and will be reviewed on a case-by-case basis.***

If an employee does not use a ticket, he/she should return the ticket, or E-Ticket confirmation, to the RO Travel Arranger.

Note: Do not include a social security number on any travel documentation.

5.G TRAVEL ENTITLEMENTS

Field employees receive reimbursement for authorized travel expenses. A supervisor must authorize, in advance, any special services or items that any employee may incur during official travel.

5.G1 Mileage Allowance

Employees approved to drive a POV for official travel purposes receive reimbursement for mileage at the current rate. The mileage allowance covers the cost of gas, oil, repairs, towing, insurance, and other costs related to maintaining a vehicle.

GSA posts all POV rates on the GSA Travel Management Policy homepage at: <https://www.gsa.gov/travel/plan-book/transportation-airfare-rates-pov-rates/privately-owned-vehicle-pov-mileage-reimbursement-rates>. You may also contact your supervisor or Administration in your Regional Office for the current rates.

When using a POV for local travel, any mileage claims need to be entered in “Miles” in WebFRED, with an explanation in the “Comments” box (including a “From...To...Return” statement). The RO administrative staff may disallow mileage expense if there is no explanation included in the “Comments” box. Employees must submit a reclaim with the appropriate explanation for any disallowed mileage. Mileage for overnight travel would be entered into the E2 travel system.

Note: RO administrative staff reviews all information entered into WebFRED to verify payroll. Please ensure all data entered in WebFRED is accurate.

5.G2 Transportation To/From Common Carrier Station

Travel regulations entitle employees to the following expenses when traveling to/from common carrier stations. Travelers key these charge into E2.

- Bus
- Taxi
- Subway
- Boat
- Rental Car

When driving a POV to a common carrier terminal, employees may claim the following reimbursements, using “Miles” and/or “Other”, as applicable, in WebFRED:

- If another person drives the employee to and from the common carrier terminal:
 - The employee may claim two round trips from home to the terminal, plus short-term parking fees while the driver waits.
- If another person drives the employee only one way to or from the common carrier terminal:
 - The employee may claim one round trip by POV, and an additional one-way fare by local public transportation or taxi for the employee to return home.
- If the employee drives him/herself to and from the common carrier terminal:
 - The employee may claim one round trip by POV, plus any incurred parking fees at the terminal or other parking area while the employee is on official travel (parking fees cannot exceed the cost of a round trip taxi fare).
- If another employee travels with the employee on official business:

Only the employee who is driving may claim reimbursement. The driver may claim one round trip by POV, plus any incurred parking fees (not to exceed the cost of a round trip taxi fare).

5.G3 Travel to an Established Census Bureau Office

Field employees are eligible for local travel expenses if required to work in an established Census Bureau Office on a temporary or emergency basis (if the office is not already the designated official duty station). Employees may travel by POV to training locations if the travel costs are more economical than using a common carrier, and may claim mileage to and from these training sessions. Again, enter this data in “Miles” in WebFRED to receive reimbursement. If the training falls under the definition of non-local travel, the E2 travel system would be used.

5.G4 Distant Assignments

Employees may travel by POV if the travel costs are more economical than using a common carrier plus rental car. To receive reimbursement for POV for personal convenience, instead of a common carrier, email a comparative cost statement to the RO in time for processing with payroll for that pay period. If the RO administrative staff does not receive the cost comparative statement in time to process with the current payroll, the employee will not receive reimbursement until the RO receives the cost statement.

A comparative cost should be submitted in the E2 Travel System. The comparative cost statement needs to show total cost of salary, per diem, and travel expenses as actually accomplished and as allowed on the travel authorization. Employees receive reimbursement only for the lesser of the accomplished or allowed cost.

A comparative cost in E2 statement is not necessary if:

- An employee receives supervisory approval to use a POV because the use is more advantageous to the government.
- There are no adequate common carrier facilities.
- Using common carrier facilities places unreasonable travel demands on the employee.

5.G5 Rental Vehicles and Other Transportation

On occasion, employees may need to rent automobiles, boats, 4-wheel drive vehicles, trucks, or other transportation necessary for official business, however, *these rentals always require advanced supervisory approval.*

Car rentals will be arranged through the E2 Travel System.

Some ROs have GSA motor pool vehicles available for employee use while on duty. When necessary, supervisors direct staff on the use of government-owned vehicles. Employees using government-owned vehicles are responsible at all times for the proper care, operation, maintenance, and protection of the vehicle. Employees who willfully use

such vehicles for other than official travel purposes are subject to a minimum of 30 days suspension or removal from federal service.

Insurance on Rental Vehicles

Within the contiguous United States:

The government is a self-insurer and, with some exceptions, requires no additional car rental insurance. Pursuant to the Federal Travel Regulations, employees traveling on official business who are authorized to use a rental vehicle should rent vehicles from vendors who participate in the Defense Travel Management Office's U.S. Government Rental Car Program (Program) whenever possible. The Program provides important benefits, including insurance and damage liability coverage. *For assurance of full rental car protection, employees must use the government contract car rental agency.*

Generally, when on official travel, you should not accept additional insurance (collision damage waiver (CDW) or theft insurance). The Census Bureau cannot reimburse employees for these fees if incurred while on official travel within the contiguous United States because vendors who participate in the Program provide that coverage.

In the rare event that Program vendors are not available in a contiguous United States travel area, employees may want to consider purchasing CDW and theft insurance when renting vehicles for official travel, even though they will NOT be reimbursed for the CDW fee. The cost of purchasing the insurance far outweighs an employee's potential liability.

Outside the Contiguous United States:

Rental car companies may file claims under the Federal Tort Claims Act (FTCA) for damage to rental vehicles caused by employees while within the scope of their employment. Employees may not be reimbursed for the purchase of Collision Damage Waiver (CDW) insurance when renting cars in remote areas (such as Alaska).

If an employee is involved in an accident:

1. The employee should provide the rental company with a form SF-95, Claim for Damage, Injury or Death in order for the rental company to file a claim with the agency under the FTCA.
2. The rental car agency will send the completed SF-95 and supporting documents to the Regional Office (RO).
3. The RO will prepare the cover memorandum and send the SF-95 (including supporting documentation, if applicable) electronically via Accellion to the Management Services Branch (MSB) for review.
4. After review, MSB will forward the SF-95 and supporting documentation to the Administrative Customer and Services Division (ACSD) for processing.

If an employee receives a claim for damage to a rental vehicle; the employee should immediately send the claim to the RO. Again, the RO will forward the

claim to MSB for review. After the review, MSB will forward the claim to ACSD for processing. When OGC receives the claim, they will contact the rental company and advise of the proper procedure for filing a claim under the FTCA.

Accidents in a rental vehicle

In the event an accident occurs in a rental vehicle while the employee driving is using the vehicle for official travel, the rental car company must file a Tort Claim.

The rental car company must complete and submit:

- SF-95, Claim for Damage or Injury Form (Exhibit 5-A).
- A complete copy of the signed rental car agreement.
- Any pictures or additional evidence.
- A copy of the police report (if applicable).

The Census Bureau employee must complete and submit the following:

- CD-137, Report of Incident, Injury, Illness, Motor Vehicle Accident, Property Damage, or Fatality signed by a supervisor (Exhibit 5-B).
- SF-91, Motor Vehicle Accident Report (Exhibit 5-C).
- A memo from the Regional Director (RD), explaining the accident and stating that the employee was within the scope of duty at the time of the accident. The memo must also provide all accounting codes.
- A copy of the police report (if applicable).

Note: Submit completed accident forms to the RO as soon as possible to process the claim quickly. The Census Bureau’s Legal Office or the Department of Commerce (DOC) General Counsel adjudicates all claims.

5.G6 Entering local travel reimbursements such as: Tolls, Ferry Fares, Parking Fees, etc.

Employees receive reimbursement for official business expenses such as road, bridge, and tunnel tolls, ferry fees, parking fees, etc. (see section 5.C1 for a complete list). Enter these travel-related expenses as an “Other” expense in WebFRED and an explanation of the costs in the “Comments” box. Employees should use free or metered parking whenever possible. If an employee must use a lot or garage, indicate “no free or metered parking available” in the “Comments” box.

5.H PER DIEM

The per diem allowance is an amount of money paid to reimburse employees for certain expenses incurred and paid while on official business, such as lodging and meals and incidental expenses (M&IE).

The GSA sets a standard CONUS lodging rate for most of the country. Currently the standard CONUS rate for lodging is \$94. Due to higher lodging rates in certain cities, GSA also establishes a maximum lodging rate range for those areas.

Per diem computation is under the lodging plus per diem system (lodging plus the cost allowance for M&IE). The current standard M&IE rate is \$55. This rate may also increase based on location. *The total must not exceed the applicable maximum per diem rate for the city of travel.*

$$\begin{aligned} \text{Lodging Cost} + \text{Allowance for M\&IE} &= \text{Per Diem} \\ \$94 + \$55 &= \$149 \text{ (standard CONUS per diem)} \end{aligned}$$

When traveling on official business, the Census Bureau expects employees to exercise the same care in incurring expenses that a prudent person would use if traveling on personal business and expending personal funds. Employees should receive supervisory and contact their Travel Arranger to make lodging reservations.

Visit <http://www.gsa.gov/portal/category/104711> for a complete listing of the current GSA lodging rates and M&IE allowances.

Per diem expenses include the following:

- The lodging rate covers lodging expenses for overnight sleeping facilities
- The M&IE rate includes meal expenses for breakfast, lunch, and dinner
- Incidental fees (also covered by M&IE) are tips to waiters/waitresses, porters, baggage carriers, bellhops, hotel maids, etc.

5.H1 Per Diem Entitlements and Non-Entitlements

Per diem rates begin with the start of official travel from a home, office, or other authorized point of departure, and end with a return to a home, office, or other authorized point at the conclusion of the trip.

Per diem is not allowable within the limits of the official duty station (50-mile radius), or within a vicinity of the home from which the employee commutes daily to the official duty station. Per diem is not allowable when the period of official travel is 12 hours or less, except for foreign travel.

5.H2 Per Diem Computations

Per diem computation is under the lodging plus per diem rules. The per diem allowance for each travel day is the actual amount paid for lodging, plus the quoted allowance for M&IE. *The total may not exceed the applicable maximum per diem rate.*

Employees receive pay of three-fourths of the applicable M&IE rate on the first and last day of travel. If official travel involves more than one temporary duty point, the per diem allowance calculation uses the M&IE rate prescribed for the location where the employee spent the majority of the time on official business for each individual day. In instances involving overnight lodging, the lodging location determines the per diem rate.

a. Per Diem Without Lodging

- Per diem is not allowable for travel under 12 hours.
- When travel is more than 12 hours, but less than 24 hours, employees receive pay for three-fourths of the applicable M&IE rate, as appropriate for the locality designation.

b. Per Diem With Lodging

- On the day of departure, employee entitlement is the actual lodging cost, not to exceed the maximum rate for the area, plus three-fourths of the applicable M&IE rate.
- While at a temporary duty station, entitlement includes the actual lodging cost, not to exceed the maximum rate for the area, plus the area M&IE rate. This entitlement is for each 24 hour period when in travel status.
- On the day of return home, the employee entitlement is three-fourths of the applicable M&IE rate.
- If an employee chooses to stay with friends or relatives and therefore has no lodging expenses, the employee's entitlement is only the M&IE rate for the area.

Example: A field employee from Miami, Florida must travel on official business to a survey conference in Atlanta, Georgia. The employee departs on Monday, attends the conference Tuesday and Wednesday, and returns to Miami on Thursday. Let's assume, the maximum lodging rate for the Atlanta area is \$135 per night (assume the employee books a room at this rate), and the M&IE is \$56 per day. The following is the per diem calculation for this trip:

<u>Day</u>	<u>Lodging</u>	<u>M&IE</u>	<u>Per Diem</u>
Monday	\$135	\$42 (3/4 of \$56)	\$177 (Lodging + M&IE)
Tuesday	\$135	\$56	\$191
Wednesday	\$135	\$56	\$191
Thursday		\$42 (3/4 of \$56)	\$42
<hr/>			
<i>Total for Trip: \$601 (Sum of per diem for all days)</i>			

5.H3 Claiming Per Diem

You will not enter any of your reimbursements or per diem into WebFRED for your non-local travel. After you return, you will update your Travel Arranger with actual expenses and mileage, and provide all required receipts. Your Travel Arranger will create your travel voucher in the E2 system.

When complete, you will receive an email notification to go into the E2 system and review and approve your voucher. This is the only time you will need to access the E2 system. You can obtain specific guidance on how to perform this function from your Regional Office.

It is very important that you review your travel voucher to make sure that the information entered is correct. If there are discrepancies between what you expect to be reimbursed and what is in E2, contact your Travel Arranger as soon as possible. When the travel voucher is accurate, you will approve the voucher, which then is reviewed in the RO.

You will receive your reimbursement via direct deposit within 3-5 business days AFTER the final approval in your Regional Office. The reimbursement will be paid out to you via direct deposit and will not appear in your bi-weekly paycheck. If you travel frequently, you should keep track of all your expenses and make sure you can account for all reimbursements.

5.1 RECEIPTS

Field Division Headquarters (HQ) requires field employees to scan and email, mail, or fax the following receipts related to official travel to their RO administrative staff for processing in the current pay period:

- Lodging expenses (hotel bill)
- Authorized automobile or special conveyances rentals (rental receipt)
- Baggage charges (regardless of amount)
- Any claimed business-related calls from a hotel (must submit hotel bill listing call charges)
- Any travel-related claimed expenses over \$75 (such as taxi fare, parking, tolls, etc.).
However, check with your Administrative Office for your RO's policy.

In the event of a missing lodging receipt, call and request a copy from the hotel. For missing receipts that cannot be duplicated, enter the reason in the E2 "Comments" box. *Employees should maintain all travel-related receipts until they receive reimbursement. A supervisor can request to view a receipt, regardless of amount, at any time prior to certification.*

5.J GOVERNMENT-ISSUED TRAVEL CHARGE CARD

The GSA contracts with Citibank for the issuance of charge cards to government travelers for use while on official business. The government-issued travel card is for use **only** with approved travel authorization for travel outside of a 50-mile radius of the duty station.

Note: RO administrative staff notifies employees eligible for the travel card program.

Employees may use the Citibank card to procure lodging, meals, rental vehicles, and other incidental expenses. **Note: Employees may only use travel cards for allowable expenses while on local travel.**

The law requires utilization of this program for official travel expenses for all travelers traveling five times or more a year.

Review Exhibit 5-D for examples of correct use of a government travel charge card.

5.J1 Card Issuance Procedures

Most Field Representatives (FR) do not need to obtain a government travel card.

For those travelers who are requested by their supervisor to obtain a Citibank Government-Issued Travel Charge Card, must first take the training for cardholders and then complete their application. Instructions for these procedures are below:

Citibank Government-Issued Travel Charge Card Application Instructions:

Complete **GSA Smartpay Travel Card Training for Cardholders** at:

<https://training.smartpay.gsa.gov/>

- Register using your government-issued email address
- Print your training certificate of completion and submit a copy to the Travel Management and Policy Branch, via email to fin.tmpb.travelcard@census.gov
- Complete the Statement of Understanding (**SOU**)
- It is mandatory for travelers to complete the GSA Smartpay Travel Card Training and the SOU before their JP Morgan Chase Charge Card Application can be approved

Obtain the travel card application on-line at the following link: [Citibank Travel Charge Card Application](#)

- Navigate to citimanager.com/login.
- From the **CitiManager Site Login** screen, **New Users** section, click the **Apply for card** link.
 - The User Registration screen appears.
- Select the **Invitation Passcode** radio button.
- Click the **Continue** button.
 - The User Registration – Invitation Passcode/Inviter's Email screen appears.
- In the **Invitation Passcode** field, type the invitation Passcode below:
 - **CENSUS2901535T**
- In the **Inviter's Email Address** field, type the Email address below:
 - fin.tmpb.travelcard@census.gov

- Click the **Continue** button.
 - The User Registration – Sign-on Details screen appears.
- Complete the required fields in the **Sign-on Details** and **Personal Information** sections.
 - **Note: The password and username requirements appear in a window as you type your password. A checkmark displays when the requirements are fulfilled.**
- Click the **Continue** button. *A confirmation message appears.*
- ***The CitiManager Site will send an e-mail confirming the registration and username created.***
- Click the **OK** button.
 - The User Registration-Country and Language screen appears. **Note:** Based on your company's set-up, this screen may not appear. Continue to next step.
- The **Select country** and **Select language** fields should be pre-populated based on what was entered in the User Profile screen.
 - The Card Application Details screen appears.
- Complete the required fields in all sections of the application. Required fields are indicated by an asterisk (*).
- When you are finished, click the **Submit** button that displays at the bottom of the screen.
 - An application submission confirmation message appears.
- Click the **OK** button.
 - The CitiManager Login screen appears. **Note:** The approving supervisor or Program Administrator will receive an e-mail indicating your application is awaiting approval.

The Citibank government travel charge card cannot be used for personal expenses. The travel card can only be used for authorized expenses incurred while on official travel.

5.J2 Billing Information

Employees receive a monthly billing statement at their home address when travel expenditures are incurred or when a credit posts to the account. The billing statement includes a receipt copy of the charge(s).

Note: Payment, in full, is due to CITIBANK on or before the due date on the monthly billing statement, whether or not you have been reimbursed for your travel expenses. Employees are personally liable for all incurred charges, regardless of whether the charges exceed the amount reimbursable under maximum per diem rates.

The Census Bureau expects employees to pay each financial obligation in a proper and timely manner. The Census Bureau receives delinquency and misuse/abuse reports from the contractor. The contractor suspends or cancels cards for failure to pay the bill in a proper or timely manner. Misuse/abuse may affect personal credit. Exhibit 5-E lists penalties for delinquency of payment (additional Field Division/RO disciplinary action may also apply).

If the CITIBANK statement contains a disputed charge, contact a Government Service Specialist at the contractor location. The contractor confirms all disputes in writing within three working days. See the back of the travel card for a number for all customer service issues.

5.J3 Security of the Card

Employees receive the card at a home address, and are responsible for exercising the same care for the security of the card and account number as with a personal charge card. Employees should never give the card number to another employee. If an employee's address changes, he/she must call the number on the back of the card to update the address with CITIBANK.

Note: Employees should never carry around the card if they are not on official travel.

5.J4 Lost or Stolen Cards

Notify Citibank's 24-hour customer service number at 1-800-790-7206 to report lost/stolen cards and to dispute transaction(s). Also, notify the Agency/Organization Program Coordinator by email at fin.tmpb.travelcard@census.gov to report lost/stolen cards and to change personal information.

The contractor mails a replacement card to the employee within 24 hours to a specified address.

5.J5 Return of the Card

If leaving or transferring to another government agency, the employee should destroy his/her government-issued travel charge card. The RO administrative staff alerts MSB at HQ regarding all closed accounts.

5.K FRAUDULENT CLAIMS

Expenses claimed for reimbursement must reflect the charges involved in every instance to avoid any violations or appearance of violations. In accordance with criminal provisions *8 U.S.C. 287 and 1001*, knowingly presenting a false, fictitious, or fraudulent claim to the United States government may result in one or both of the following:

1. A fine of not more than \$10,000
2. Imprisonment for not more than five years

EXHIBIT 5-A**SF-95, CLAIM FOR DAMAGE OR INJURY**

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency:			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code.		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	7. TIME (A.M. OR P.M.)
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).					
9. PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).					
10. PERSONAL INJURY/WRONGFUL DEATH					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.					
11. WITNESSES					
NAME			ADDRESS (Number, Street, City, State, and Zip Code)		
12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights).		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side).			13b. PHONE NUMBER OF PERSON SIGNING FORM	14. DATE OF SIGNATURE	
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM			CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS		
The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

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STANDARD FORM 95 (REV. 2/2007)
PRESCRIBED BY DEPT. OF JUSTICE
28 CFR 14.2

EXHIBIT 5-A CONTINUED

INSURANCE COVERAGE	
In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.	
15. Do you carry accident insurance? <input type="checkbox"/> Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. <input type="checkbox"/> No	
16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? <input type="checkbox"/> Yes <input type="checkbox"/> No	17. If deductible, state amount.
18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).	
19. Do you carry public liability and property damage insurance? <input type="checkbox"/> Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). <input type="checkbox"/> No	
INSTRUCTIONS	
<p>Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.</p> <p style="text-align: center;">Complete all items - Insert the word NONE where applicable.</p> <p>A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY</p> <p>Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.</p> <p>If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.</p> <p>The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.</p> <p>If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.</p>	
<p>DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.</p> <p>The amount claimed should be substantiated by competent evidence as follows:</p> <p>(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.</p> <p>(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.</p> <p>(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.</p> <p>(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.</p>	
PRIVACY ACT NOTICE	
<p>This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.</p> <p>A. <i>Authority:</i> The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.</p>	<p>B. <i>Principal Purpose:</i> The information requested is to be used in evaluating claims.</p> <p>C. <i>Routine Use:</i> See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.</p> <p>D. <i>Effect of Failure to Respond:</i> Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."</p>
PAPERWORK REDUCTION ACT NOTICE	
<p>This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.</p>	

EXHIBIT 5-B**CD-137, REPORT OF INCIDENT, INJURY, ILLNESS, MOTOR VEHICLE ACCIDENT,
PROPERTY DAMAGE, OR FATALITY**

FORM CD-137 (Rev 2/12)	U.S. Department of Commerce U.S. Bureau of the Census	Safety Coordinator/Manager Complete this Box OSHA Log #: _____ Date of Receipt of this Report: _____ OSHA Injury Type: _____ OSHA Source of Injury: _____
Report of Incident, Injury, Illness Motor Vehicle Accident, Property Damage, or Fatality		
DIRECTIONS: Employee completes ALL questions (#1-24) as thoroughly as possible. Submit completed form within 24 hours to the appropriate supervisor. Supervisor completes questions #25-31, signs and distributes it according to instructions on the bottom of page 3 of this form.		
Form Completed by: 1) Full Name and Title: _____ 2) Bureau/Operating Unit: _____ 3) Phone/Email: _____ 4) Date: _____		
Reason for Report: (Check all that apply) 5) Injury, illness/disease, fatality or inpatient hospitalization of the employee (See #24) <input type="checkbox"/> Motor vehicle accident (include estimated repair cost); an SF-91 Motor Vehicle Accident Report must be completed <input type="checkbox"/> Property damage (other) (include estimated repair cost) <input type="checkbox"/> Near miss <input type="checkbox"/> Amputation <input type="checkbox"/> Loss of Eye(s) <input type="checkbox"/>		
Information about the injured/ill employee: 6) Employee Full Name: _____ Age: _____ 7) Employee Home Address: _____ 8) Bureau/Occupation: _____ 9) Duty Station: _____ Work Phone: _____ 10) Date of Hire: _____ Male <input type="checkbox"/> Female <input type="checkbox"/>		
Information about treatment: 11) Name of physician or health care provider, if known: _____ 12) Was the employee treated in an emergency room? _____ 13) Location of Facility (Street, City, State, Zip Code): _____ 14) Was the employee hospitalized overnight as an inpatient? _____ 15) What type of treatment was received? _____ 16) Did this incident result in the employee being placed on restricted or light duty, or transfer to another job? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain restricted/light duty position. 16a) Did employee lose any days away from work other than the day of the injury? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, how many days? _____		
Information about the incident: (Be specific) 17) Location of incident: _____ 18a) Date and day of the week of the incident: _____ 18b) Time of incident: _____ 18c) Date employee reported incident: _____ 18d) Time employee began work, on the day of the incident: _____		

EXHIBIT 5-B CONTINUED

<p>Actions at time of incident:</p> <p>19) Describe what the employee was doing just before the incident occurred. (Be specific)</p> <p>20a) Did employee violate any safety rules? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain.</p> <p>20b) Was the action willful misconduct? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain.</p>
<p>Description of incident:</p> <p>21) Describe the incident. (Be specific: e.g., Employee was carrying a heavy box, did not see the steps, and fell down three steps.)</p>
<p>Description of injury / illness:</p> <p>22) Describe the injury or illness. (Be specific: e.g., Employee twisted left ankle; bruised right shoulder; abrasions on right arm.)</p>
<p>Other information / Fatality:</p> <p>23) What object or substance directly harmed the employee?</p> <p>24) If the employee died, when did the death occur?</p> <p>ATTENTION: Death as a result of a work-related incident requires an 8 hour notification or an amputation, loss of eye or in-patient hospitalization of one or more employees requires a 24 hour notification to the regional Occupational Safety and Health Administration (OSHA) office, the Bureau Safety Coordinator/Manager, and the DOC Office of Occupational Safety and Health (OOSH). For further instructions, refer to DAO 209-3, Injury, Illness, Incident, Fatality and Motor Vehicle Accident Reporting and Investigation.</p>
<p>SUPERVISOR: Complete questions # 25 – 31, sign, and submit this completed form within five working days according to instruction on the bottom of page 3 of this form.</p> <p>25) Date of supervisory investigation: _____</p> <p>26) Describe findings: _____</p> <p>27) Describe corrective action taken: _____</p> <p>28) Date corrective action completed: _____</p> <p>29) Name of Supervisor/Title: _____</p> <p>30) Bureau/Operating Unit: _____</p> <p>31) Phone/e-mail: _____</p> <p>I have made due inquiry into the incident(s) described above and to the best of my knowledge the information provided is accurate and complete.</p> <p>Supervisor signature: _____ Date: _____</p>
<p>BUREAU SAFETY COORDINATORS/MANAGERS ONLY:</p> <p>Does this injury/illness meet the definition of an OSHA recordable? _____ If yes, record the injury/illness on your OSHA 300 Log and put the number of the case at the top of this form. Any additional information about this incident?</p> <p>DIRECTIONS for OSHA recordable injuries: Within 7 calendar days after receiving information that an OSHA recordable work-related injury or illness occurred, this form must be submitted and your OSHA 300 log updated. For OSHA recordkeeping forms go to www.osha.gov.</p> <p style="text-align: right;">Page 2 of 4</p>

EXHIBIT 5-B CONTINUED

INSTRUCTIONS FOR COMPLETING CD – 137	
Privacy Act Statement: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of the employee to the extent possible while the information is being used for official DOC purposes.	
When to use this form: This form will be used to report work-related incidents. This form should be completed within 24 hours of the incident.	
Completing this form: The employee's first-line supervisor of the bureau/organization where the incident occurred, their designee, or the first-line supervisor's manager is responsible for completing this form. After all sections are completed, the first-line supervisor or designee who completed the form must sign and date the form in the spaces provided at the bottom of the form.	
Information and definitions	
<p>Question 5 Reason for Report: Select all that apply.</p> <p>Questions 5 & 24 Notifications: Death as a result of a work-related incident requires an 8 hour notification or an amputation, loss of eye or in-patient hospitalization of one or more employees requires a 24 hour notification to the regional Occupational Safety and Health Administration (OSHA) office, the Bureau Safety Coordinator/Manager, and the DOC Office of Occupational Safety and Health (OOSH). For further instructions, refer to DAO 209-3, Injury, Illness, Incident, Fatality and Motor Vehicle Accident Reporting and Investigation.</p> <p>Question 5 Amount of Motor Vehicle or Property Damage: If motor vehicle/property was damaged, insert estimated cost of damage. A form SF-91 Operator's Report of Motor Vehicle Accident may also need to be prepared. If no motor vehicle/property damage, insert "no damage."</p> <p>Question 6 Information about the injured /ill employee, Full Name and Age: Provide name as it appears in payroll system.</p> <p>Question 7 Address: OSHA requires employee's personal address.</p> <p>Question 8 & 9 Bureau/Occupation & Duty Station: Give full bureau name and provide description of job (e.g., Analyst, Chemist, Administrative Assistant, etc.) Provide official duty station address (bureau location, etc). Do not use temporary or travel duty stations. Give the work phone number.</p> <p>Question 16a Lost Time: If employee lost days from work due to incident, mark "yes." If unknown at time of form completion, write "unknown."</p>	<p>Question 17 Location of Incident: If incident occurred at the official duty station, provide the most detailed location information possible, including room number. If the incident occurred while on travel, telework or during temporary duty status, indicate the specific location. If incident did not occur on Department of Commerce property, give specific location.</p> <p>Questions 18 Date and Time: Provide the date and time of incident. List date and time as accurately as possible (e.g., Tuesday 9/8/12 - 10:30 AM, not "morning").</p> <p>Question 21 Description of Incident: Provide detailed information regarding what happened (e.g., "slipped and fell due to water spilled beneath fountain" rather than "fell").</p> <p>Question 22 Description of Injury /or Illness: Describe body parts involved and extent of injury (e.g., broken, sprained, required stitches; severe, mild).</p> <p>Question 25 Investigation Date: Insert date supervisor investigation was conducted.</p> <p>Questions 26 Findings: Provide findings of incident investigator and supervisor's investigation. Use additional sheets, if necessary. Attach photos, diagrams, police reports, or other available support documentation.</p> <p>Question 27 Describe Corrective Action: Supervisor's investigation may identify necessary corrective actions (e.g., repair carpet, provide safety training, etc.). Describe recommended corrective actions, including, if known, who will be responsible for completion.</p> <p>Question 28 Date of Completion of Corrective Action: List the date of completion, if known. If not known, provide targeted date for completion.</p>
Distribution of Copies	
<p>1. Supervisor submits a signed copy of this report and any supporting documentation via secure e-mail or by FAX within five (5) working days to:</p> <p style="padding-left: 20px;">Bureau or Organization Safety Coordinator/Manager [A list of Bureau Safety Coordinators/Managers is available at: http://hr.commerce.gov/Employees/WorkLifeIssues/DEV01_006462]</p> <p style="text-align: center;">AND</p> <p>2. <i>In case of the death of any employee from a work-related incident or the in-patient hospitalization of one or more employees as a result of a work-related incident</i> the Bureau or Organization Safety Coordinator/Manager must submit a signed copy of this report and any supporting documentation via secure e-mail or by FAX within 24 hours to:</p> <p style="padding-left: 20px;">Department of Commerce, Office of Occupational Safety and Health 14th & Constitution Ave., NW, Washington DC, 20230 Telephone: 202-482-4935 FAX: 202-482-4075</p>	

EXHIBIT 5-B CONTINUED

Keep this form on file for 5 years following the year to which it pertains.

Retain file copies: Bureau Safety Coordinators/Managers, Employee & Employee's Supervisor

Privacy Act Advisory Statement

The Privacy Act of 1974 requires that you be given certain information in connection with this request for information. This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes. The Department must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. The Department must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. The Department must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12.

Prefatory statement of general routing uses

In the event that a system of records maintained by the Department to carry out its function indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the department, the relevant records in the system of records may be referred, as routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

A record from this system of records may be disclosed, as routine use, to a federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of license, grant or other benefit. A record from this system of records may be disclosed, as routine use, to a federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or issuance of license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record from the system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiation.

A record from this system of records may be disclosed, as routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance for the member with respect to the subject matter of the record.

A record in this system of records which contains medical information may be disclosed, as routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR part 4b if, in the sole judgment of the department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulation at 15 CFR 4b6.

A record in this system of records may be disclosed, as a routine use, the Office of Management and Budget in connection with the review of private relief legislative as set forth in OMB Circular No. A-19 at any state of the legislation coordination and clearance process as set forth in the Circular.

A record in this system of records may be disclosed, as routine use, to the Department of Justice in connection with determining whether disclosure therefore is required by the Freedom of Information Act (5 U.S.C. 552).

A record in this system may be disclosed, as routine use, to a contractor, or agent, of the Department having a need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

A record in this system may be transferred, as routine use, to the Office of Personnel Management: for personnel research purposed, as a data source for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related manpower studies. A record in this system may be disclosed to officials of the Office of Personnel Management, Merit System Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission, the Department of State, or the Department of Labor when requested in performance of their authorized duties.

The Secretary of Labor shall have access to records and reports kept and filed by the Department pursuant to subsections (a)(3) and (5) of the OSHA Act of 1970 unless those records and reports are specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy, in which case the Secretary of Labor shall have access to such information as will not jeopardize national defense or foreign policy.

A record in this system of records may be disclosed in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvement in record management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with GSA regulation governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determination about individuals.

A record in this system may be disclosed to any source from which additional information is requested in the course of processing a grievance to the extent necessary to identify the individual, inform the sources of the purpose(s) of the request, and identify the type of information requested.

A record in this system of records may be disclosed to Senior State department officials at U.S. Embassies, including the Ambassador, deputy Chief of Mission, administrative Counselor and Human resources officers, for matters relating to employment of security issues pertaining to Department of Commerce employees working in U.S. Embassies or facilities overseas.

Page 4 of 4

EXHIBIT 5-C

SF-91, MOTOR VEHICLE ACCIDENT REPORT

MOTOR VEHICLE ACCIDENT REPORT		Please read the Privacy Act Statement on Page 3		INSTRUCTIONS: Sections I through IX are filled out by the vehicle operator. Section X, items 72 thru 82c are filled on by the operator's supervisor. Section XI thru XIII are filled out by an accident investigator for bodily injury, fatality, and/or damage exceeding \$500.			
SECTION I - FEDERAL VEHICLE DATA							
1. DRIVER'S NAME (Last, first, middle)			2. DRIVER'S LICENSE NO./STATE/LIMITATIONS			DATE OF ACCIDENT	
4a. DEPARTMENT/FEDERAL AGENCY PERMANENT OFFICE ADDRESS					4b. WORK TELEPHONE NUMBER		
5. TAG OR IDENTIFICATION NUMBER		6. EST. REPAIR COST \$	7. YEAR OF VEHICLE	8. MAKE	9. MODEL	10. SEAT BELTS USED <input type="checkbox"/> YES <input type="checkbox"/> NO	
11. DESCRIBE VEHICLE DAMAGE							
SECTION II - OTHER VEHICLE DATA (Use Section VIII if additional space is needed)							
12. DRIVER'S NAME (Last, first, middle)			13. SOCIAL SECURITY NO./TAX IDENTIFICATION NO.		14. DRIVER'S LICENSE NO./STATE/LIMITATIONS		
15a. DRIVER'S WORK ADDRESS					15b. WORK TELEPHONE NUMBER		
16a. DRIVER'S HOME ADDRESS					16b. HOME TELEPHONE NUMBER		
17. DESCRIPTION OF VEHICLE DAMAGE					18. ESTIMATED REPAIR COST \$		
19. YEAR OF VEHICLE		20. MAKE OF VEHICLE		21. MODEL OF VEHICLE		22. TAG NUMBER AND STATE	
23a. DRIVER'S INSURANCE COMPANY NAME AND ADDRESS					23b. POLICY NUMBER		
					23c. TELEPHONE NUMBER		
24. VEHICLE IS <input type="checkbox"/> CO-OWNED <input type="checkbox"/> RENTAL <input type="checkbox"/> LEASED <input type="checkbox"/> PRIVATELY OWNED			25a. OWNER'S NAME(S) (Last, first, middle)		25b. TELEPHONE NUMBER		
26. OWNER'S ADDRESS(ES)							
SECTION III - KILLED OR INJURED (Use Section VIII if additional space is needed)							
27. NAME (last, first, middle)					28. SEX	29. DATE OF BIRTH	
30. ADDRESS							
A	31. MARK "X" IN TWO APPROPRIATE BOXES <input type="checkbox"/> KILLED <input type="checkbox"/> DRIVER <input type="checkbox"/> PASSENGER <input type="checkbox"/> INJURED <input type="checkbox"/> HELPER <input type="checkbox"/> PEDESTRIAN		32. IN WHICH VEHICLE <input type="checkbox"/> FED <input type="checkbox"/> OTHER (2)	33. LOCATION IN VEHICLE	34. FIRST AID GIVEN BY		
	35. TRANSPORTED BY		36. TRANSPORTED TO				
37. NAME (last, first, middle)					38. SEX	39. DATE OF BIRTH	
40. ADDRESS							
B	41. MARK "X" IN TWO APPROPRIATE BOXES <input type="checkbox"/> KILLED <input type="checkbox"/> DRIVER <input type="checkbox"/> PASSENGER <input type="checkbox"/> INJURED <input type="checkbox"/> HELPER <input type="checkbox"/> PEDESTRIAN		42. IN WHICH VEHICLE <input type="checkbox"/> FED <input type="checkbox"/> OTHER (2)	43. LOCATION IN VEHICLE	44. FIRST AID GIVEN BY		
	45. TRANSPORTED BY		46. TRANSPORTED TO				
47. Pedestrian	a. NAME OF STREET OR HIGHWAY			b. DIRECTION OF PEDESTRIAN (SW corner to NW corner, etc.)			
				FROM		TO	
	c. DESCRIBE WHAT PEDESTRIAN WAS DOING AT TIME OF ACCIDENT (crossing intersection with signal, against signal, diagonally; in roadway playing, walking, hitchhiking, etc.)						
NSN 7540-00-634-4041 Previous edition not usable				STANDARD FORM 91 (2/2004) Prescribed by GSA-FMR 102-34.295			

EXHIBIT 5-C CONTINUED

SECTION IV - ACCIDENT TIME AND LOCATION (Use section VII if additional space is needed.)

48. DATE OF ACCIDENT	49. PLACE OF ACCIDENT (Street address, city, state, ZIP Code; Nearest landmark; Distance nearest intersection; Kind of locality (industrial, business, residential, open country, etc.); Road description).																													
50. TIME OF ACCIDENT	<input type="checkbox"/> AM <input type="checkbox"/> PM																													
51. INDICATE ON THIS DIAGRAM HOW THE ACCIDENT HAPPENED		52. POINT OF IMPACT (Check one for each vehicle)																												
<p><i>Use one of these outlines to sketch the scene. Write in street or highway names or numbers.</i></p> <p>a Number Federal vehicle as 1, other vehicle as 2, additional vehicle as 3 and show direction of travel with arrow</p> <p><i>Example.</i> → 1 2 ←</p> <p>b Use solid line to show path before accident and broken line after the accident</p> <p>c Show pedestrian by ○</p> <p>d Show railroad by ++++++</p> <p>e Place arrow in this circle to indicate NORTH</p>		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">FED</th> <th style="width:10%;">2</th> <th style="width:80%;">AREA</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td>a. Front</td></tr> <tr><td> </td><td> </td><td>b. R. Front</td></tr> <tr><td> </td><td> </td><td>c. L. Front</td></tr> <tr><td> </td><td> </td><td>d. Rear</td></tr> <tr><td> </td><td> </td><td>e. R. Rear</td></tr> <tr><td> </td><td> </td><td>f. L. Rear</td></tr> <tr><td> </td><td> </td><td>g. R. Side</td></tr> <tr><td> </td><td> </td><td>h. L. Side</td></tr> </tbody> </table>		FED	2	AREA			a. Front			b. R. Front			c. L. Front			d. Rear			e. R. Rear			f. L. Rear			g. R. Side			h. L. Side
FED	2	AREA																												
		a. Front																												
		b. R. Front																												
		c. L. Front																												
		d. Rear																												
		e. R. Rear																												
		f. L. Rear																												
		g. R. Side																												
		h. L. Side																												
53. DESCRIBE WHAT HAPPENED (Refer to vehicles as "Fed", "2", "3", etc. Please include information on posted speed limit, approximate speed of vehicles, road conditions, weather conditions, driver visibility, condition of accident vehicles, traffic controls (warning light, stop signal, etc.), condition of light (daylight, dusk, night, dawn, artificial light, etc.), and driver actions (making a U-turn, passing, stopped in traffic, etc.)																														

SECTION V - WITNESS/PASSENGER (Witness must fill out SF 94, Statement of Witness) (Continue in Section VIII.)

	64. NAME (Last, first, middle)	65. WORK TELEPHONE NUMBER	66. HOME TELEPHONE NUMBER
A	67. WORK ADDRESS	68. HOME ADDRESS	
	69. NAME (Last, first, middle)	70. WORK TELEPHONE NUMBER	71. HOME TELEPHONE NUMBER
B	72. WORK ADDRESS	73. HOME ADDRESS	

SECTION VI - PROPERTY DAMAGE (Use Section VIII if additional space is needed.)

64a. NAME OF OWNER (Last, first, middle)	64b. WORK TELEPHONE NUMBER	64c. HOME TELEPHONE NUMBER
64d. WORK ADDRESS	64e. HOME ADDRESS	
65a. NAME OF INSURANCE COMPANY	65b. TELEPHONE NUMBER	65c. POLICY NUMBER
66. ITEM DAMAGED	67. LOCATION OF DAMAGED ITEM	68. ESTIMATED COST

SECTION VII - POLICE INFORMATION

69a. NAME OF POLICE OFFICER	69b. BADGE NUMBER	69c. TELEPHONE NUMBER
70. PRECINCT OR HEADQUARTERS	71a. PERSON CHARGED WITH ACCIDENT	71b. VIOLATION(S)

EXHIBIT 5-C CONTINUED

SECTION VIII - EXTRA DETAILS

SPACE FOR DETAILED ANSWERS. INDICATE SECTION AND ITEM NUMBER FOR EACH ANSWER. IF MORE SPACE IS NEEDED, CONTINUE ITEMS ON PLAIN BOND PAPER.

PRIVACY ACT STATEMENT

The information on this form is subject to the Privacy Act of 1974 (5 U.S.C. section 552a). Authority to collect the information is Title 40 U.S.C. Section 491 and the title 31 U.S.C. Section 7701. The formation is required by federal Government agencies to administer motor vehicle programs, including maintaining records on accidents involving privately owned and Federal fleet vehicles, and collecting accident claims resulting from accidents. Federal employees, and employees under contract, will use the information only in the performance of their official duties. Routine uses of the collected information may include disclosures to: appropriate Federal, State, or local agencies or contractors when relevant to civil, criminal, or regulatory investigations or prosecutions; the Office of personnel Management and the General Accounting Office for program evaluation purposes; a Member of Congress or staff in response to a request for assistance by the individual of record; another Federal agency, including the Department of Treasury and Justice, or a court under judicial proceedings; agency Inspectors General in conducting audits; private insurance and the collection agencies (including agencies under contract to Treasury to collect debt), and to other agency finance offices for federal management and debt collection. Furnishing the requested information is mandatory, including the Social security Number or Taxpayer's Identification Number(TIN) for use as a unique identifier to ensure accurate identification for individuals or firms in the system.

SECTION IX - FEDERAL DRIVER CERTIFICATION

I certify that the information on this form (Sections I thru VII) is correct to the best of my knowledge and belief.

72a. NAME AND TITLE OF DRIVER

72b. DRIVER'S SIGNATURE AND DATE

SECTION X - DETAILS OF TRIP DURING WHICH ACCIDENT OCCURRED

73. ORIGIN

74. DESTINATION

75. EXACT PURPOSE OF TRIP

76. TRIP BEGAN	DATE	TIME (Include AM or PM)	77. ACCIDENT OCCURRED	DATE	TIME (Include AM or PM)
78. AUTHORITY FOR THE TRIP WAS GIVEN TO THE OPERATOR			79. WAS THERE ANY DEVIATION FROM DIRECT ROUTE?		
<input type="checkbox"/> ORALLY <input type="checkbox"/> IN WRITING (Explain)			<input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)		
80. WAS THE TRIP MADE WITHIN ESTABLISHED WORKING HOURS?			81. DID THE OPERATOR, WHILE ENROUTE, ENGAGE IN ANY ACTIVITY OTHER THAN THAT FOR WHICH THE TRIP WAS AUTHORIZED?		
<input type="checkbox"/> YES <input type="checkbox"/> NO (Explain)			<input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)		
82. COMPLETED BY DRIVER'S SUPERVISOR	a. DID THIS ACCIDENT OCCUR WITHIN THE EMPLOYEE'S SCOPE OF DUTY				
	<input type="checkbox"/> YES <input type="checkbox"/> NO b. COMMENTS				
83a. NAME AND TITLE OF SUPERVISOR		83b. SUPERVISOR'S SIGNATURE AND DATE		83c. TELEPHONE NUMBER	

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EXHIBIT 5-C CONTINUED

SECTION XI - ACCIDENT INVESTIGATION DATA

84. DID THE INVESTIGATION DISCLOSE CONFLICTING INFORMATION. NO YES (If checked, explain below.)

85. PERSONS INTERVIEWED

NAME	DATE	NAME	DATE
a.		c.	
b.		d.	

86. ADDITIONAL COMMENTS (Indicate section and item number of each comment).

SECTION XII - ATTACHMENTS

87. LIST ALL ATTACHMENTS TO THIS REPORT

SECTION XIII - COMMENTS/APPROVALS

88. REVIEWING OFFICIAL'S COMMENTS

89. ACCIDENT INVESTIGATOR			90. ACCIDENT REVIEWING OFFICIAL		
a. SIGNATURE	b. DATE		a. SIGNATURE	b. DATE	
c. NAME (First, middle, last)			c. NAME (First, middle, last)		
d. TITLE			d. TITLE		
e. OFFICE			e. OFFICE		
f. OFFICE TELEPHONE NUMBER			f. OFFICE TELEPHONE NUMBER		
AREA CODE	NUMBER	EXTENSION	AREA CODE	NUMBER	EXTENSION

EXHIBIT 5-D**DO'S AND DON'TS OF USING A GOVERNMENT TRAVEL CHARGE CARD**

- *Do* use the government travel card to pay for official travel expenses.
- *Do* obtain travel advances for official travel through an ATM (if authorized by a supervisor first).
- *Do* track expenses while on travel to maintain accurate information for filing a travel claim upon return home.
- *Do* file a travel claim within five days after completing a trip, or every 30 days if on continuous travel.
- *Do* submit payment in full for each monthly bill.
- *Do* follow the CITIBANK dispute process for incorrect or unauthorized charges.
- *Do* contact CITIBANK's customer service number with questions about a monthly bill.
- *Do* be aware that misuse of the card could result in disciplinary action by the employing agency.
- *Don't* use the government travel card for personal use.
- *Don't* obtain travel advances through the ATM which exceed expected expenditures for the trip.
- *Don't* obtain travel advances through the ATM unless on travel presently or in the immediate future.
- *Don't* allow the monthly bill to become overdue.
- *Don't* wait for receipt of the monthly bill to file a travel claim.
- *Don't* forget the employee issued the card has liability and responsibility for payment.
- *Don't* make late payments as card suspension or cancellation could result.

EXHIBIT 5-E**PENALTIES FOR DELINQUENCY OF THE PAYMENT OF THE GOVERNMENT-
ISSUED TRAVEL CHARGE CARD AND SCHEDULE OF FEES**

1. 45 days: CITIBANK warns the cardholder.
2. 61 days: CITIBANK suspends the card.
3. 91 days: CITIBANK pre-cancels the card.
4. 121 days: CITIBANK permanently closes the card if there is no receipt of payment. Permanently closed cards CAN NOT be re-opened unless extenuating circumstances exist and management approves reinstatement. Delinquent accounts are sent to outside collections for recovery of funds.
5. 180 days: CITIBANK writes-off the delinquent account and outside collection activity continues, until the bank recovers the funds.

Note: If CITIBANK cancels the government-issued charge card for non-payment or misuse, the traveler becomes responsible for funding his/her own trips, such as lodging, meals, and ground transportation, and then receives reimbursement from the U.S. Census Bureau. Common carrier transportation is always paid by the agency.

Note: If CITIBANK refers an account to an attorney for collection, the liable employee is responsible for attorney's fees (if any), not to exceed one-third of the recovered amount plus actual court costs (except where prohibited by law).

SCHEDULE OF FEES

Late Fee— The late fee is 2.50%.

Cash Advance Fee — The cash advance fee is **2.75%** of the amount of each cash advance transaction with a minimum fee of \$3.00. In some cases, an additional surcharge may be imposed by ATM operators.

Returned/Rejected Payment Fee — If your check or electronic payment is not honored, or if Citibank must return it to you because it cannot be processed, then Citibank will charge a Returned/Rejected Payment Fee of **\$15.00**. Citibank has the right to cancel travel card accounts for payment checks that are returned for non-sufficient funds two or more times in a 12-month period.

Collection Fees — If Citibank refers your account to an attorney for collection, you will be responsible for any attorney's fees, if any, not to exceed one third of recovered amount plus actual court costs except where prohibited by law.

CHAPTER 6

PROPERTY AND DAMAGE CLAIMS

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CHAPTER 6

PROPERTY AND DAMAGE CLAIMS

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- 6-B CERTIFICATION INSTRUCTIONS FOR NOTIFICATION OF LOSS OF PII
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CHAPTER 6

ACRONYMS

APMS	Automated Property Management System
CAPI	Computer Assisted Personal Interviewing
CHAS	Census Hardware Asset System
CSC	Census Service Center
DAO	Department Administrative Order
DOJ	Department of Justice
FR	Field Representative
FTCA	Federal Tort Claims Act
GPS	Global Positioning System
HP	Hewlett-Packard
PII	Personally Identifiable Information
POV	Privately Owned Vehicle
RD	Regional Director
RO	Regional Office
RCM	Remedy Case Management

CHAPTER 6

PROPERTY AND DAMAGE CLAIMS

6.A INTRODUCTION

In rare instances during the conduct of Census Bureau data collection activities, a field employee might suffer damage to valuable personal or Census Bureau property. You should always remember that you are ultimately responsible for all assigned Census Bureau property. In the event of loss or damage to your personal property while in a work status, you may be eligible to receive reimbursement from the Census Bureau. This chapter details the appropriate property management and claims processes for Census Bureau employees.

6.B PROPERTY MANAGEMENT

Census Bureau employees receive materials to be used to perform their job, including a laptop kit, Global Positioning System (GPS) device, and other accessories. All of these supplies are property of the federal government and may contain *Title 13* and/or *Title 18* survey data information. The Census Bureau informs each respondent through a statement on all questionnaires, schedules, and public-use forms that the data he/she provides are kept in strict confidence, as required by law. The Census Bureau's reputation for nondisclosure is a major factor in obtaining the cooperation of respondents.

After a field employee collects confidential survey data from a respondent(s), the responsibility is on the employee to protect the property and data from being damaged, lost, or stolen. If government-owned property is damaged, lost, or stolen, as a result of negligence, the employee may be liable for reimbursement to the government for the full cost of the property. The criminal code of the United States provides penalties for the theft, embezzlement, conversion of, or willful damage to government-owned property; including monetary damages and/or imprisonment. The Census Bureau's commitment is to use any lawful means necessary to recover property owned by the federal government, and to ensure the security of all data in an employee's possession.

6.B1 Employee Responsibilities

Field employee responsibilities, related to management of the property assigned by the Census Bureau for completion of official business, include the following:

- Properly caring for, handling, and protecting the assigned Census Bureau-owned property and the data on a laptop or other devices such as the GPS, at all times.
- Accessing the Census Hardware Asset System (CHAS) to acknowledge receipt of U.S. Government property (Exhibit 6-A), by first verifying that all listed components are included in the laptop kit; then following the steps in CHAS to acknowledge that the government property has been received.
- Carefully reading the *Instructions for Notification of Loss of Personally Identifiable Information* (PII) and then completing the certification form (Exhibits 6-B and 6-C). The employee should return the signed certification

form to the RO for filing in the employee laptop control folder. Employees should maintain a copy of these documents as well.

- Within ONE HOUR of discovery, calling the Customer Service Center (CSC) hotline at 877-343-2010 to report a lost, stolen, or missing accountable property, or any paper documents containing *Title 13/18* or PII data. The incident is documented in the Remedy Case Management System (RCM).
- Immediately reporting to the RO any lost, stolen, or missing laptop, other equipment, or confidential paper documents.
- Filing a report with the local law enforcement agency (if appropriate).
- Forwarding a copy of the police report and/or any additional paperwork regarding the incident (for instance, victim's statement, witness statement, etc.) to a supervisor immediately upon completion.
- Immediately reporting any laptop or equipment not working properly to the RO contact to determine how to quickly resolve the problem. When necessary, the employee may also be responsible for returning the laptop and/or accessories to the RO.
- Using Census Bureau-owned property for the sole purpose of conducting official government-related work only.
- Returning all assigned Census Bureau-owned property prior to a transfer; reassignment to another federal agency, RO, or position within the RO not requiring the use of a laptop; separation from the Census Bureau; or receipt of a replacement laptop or accessory. Return the equipment to the RO using the proper shipping and packaging method/materials. Any shipping method used must ensure that the unit is traceable. Consult a supervisor with questions regarding laptop or equipment return.

6.B2 Hewlett-Packard (HP) Inventory Instrument

The Census Bureau implemented inventory procedures for the HP Computer Assisted Personal Interviewing (CAPI) laptops for all employees working in the ROs and field. The new procedures consist of the employees accessing the Inventory questionnaire that is available on each laptop. Each employee must complete the questionnaire periodically. Upon completion of the questionnaire, the data is matched against Sunflower property system and the Census Hardware Asset System (CHAS) to determine if all the information is correct.

Employees are responsible for the following:

1. Confirming receipt of the Inventory application. The Inventory application icon will appear on the laptop's home screen.
2. Completing the Inventory questionnaire. The employee should double click the Inventory icon and complete the questionnaire during the stated inventory period. If an employee makes an error, forgets to include some equipment, or receives a replacement laptop during the inventory cycle, he/she may

complete the questionnaire again and retransmit the data. If necessary, employees may retransmit questionnaires repeatedly during the inventory cycle.

6.B3 Laptop and Property Do's and Don'ts

Do's

- Store laptops, questionnaires, and other materials in a home or hotel room, in a secure place that is not easily visible.
- When arriving home, bring materials and equipment into the residence; do not leave in a vehicle.
- Retain the original packaging from the original mailing/receipt of the Census Bureau-issued laptop.
- When experiencing software or hardware problems with the laptop, call a supervisor immediately. If asked to ship equipment to the RO, re-pack the necessary equipment in the original packing and quickly ship following RO shipping procedures.
- Handle laptops and accessories with care.
- Always transport the laptop in the laptop tote bag.

Don'ts

- Do not drink liquids around the laptop.
- To prevent unauthorized persons from viewing or seizing equipment or documents, do not leave laptops, questionnaires, and other materials containing *Title 13* data or PII in a visible place in a home, hotel room, or vehicle.
- Do not leave laptops, questionnaires, and other materials containing *Title 13* or PII data in any vehicle. If absolutely necessary for a brief period, place the items in the trunk. If the trunk is not accessible, then ensure the windows are up, the doors locked, and the items are not visible.
- Do not initiate repair, replacement, or other procedures, such as software installations for this equipment until receiving instructions from a supervisor.
- Do not close the laptop lid when an object, such as a pen, is on the keyboard.
- Do not use excessive force to connect a cable or open latches. Generally, forcing a cable means the equipment is being installed incorrectly.
- Do not place the laptop near any source of magnetism, such as stereo speakers or speakerphones.

- Do not leave the laptop in direct sunlight, exposed to extreme hot or cold temperature changes, next to cleaning solvents, or vulnerable to dust, moisture, or heat sources.
- Do not let rain fall directly on the laptop.
- Do not keep the laptop plugged in to an electrical outlet during a storm. If necessary, run the laptop on battery power.
- Do not clean or touch the screen while the laptop is turned on.
- Do not touch or use any pointed or sharp objects on the surface of the laptop screen.
- Do not place the laptop on slanted or slippery surfaces.
- Do not allow anyone, other than a sworn Census Bureau employee (only if necessary), to use the issued laptop.
- Do not attempt to alter or make any changes to the laptop. Such actions may result in dismissal.
- Do not bend, hit, twist, puncture, or write on the laptop.

6.C CLAIMS MADE AGAINST AN EMPLOYEE

6.C1 *The Federal Tort Claims Act*

The *Federal Tort Claims Act* (FTCA) is a statute enacted by the United States Congress, which permits private parties to sue the United States in federal court for most torts committed by persons acting on behalf of the United States.

The definition of a tort claim is a filing against the government, by a third party; due to loss of property, personal injury, or death; caused by the negligent or wrongful act of an employee in the performance of official duty.

If a Census Bureau employee is personally sued for an alleged tort committed within the scope of his/her employment, the Assistant General Counsel for Finance and Litigation will request that the Department of Justice (DOJ) certify that the employee is within the scope of employment. The DOJ then moves to dismiss the action against the employee and substitute the Census Bureau as sole defendant.

The employee, or his/her representative, must deliver to the Regional Director (RD) within three calendar days, all processes and pleadings served to him/her. In addition, if an employee receives any process, proceedings, or advance information regarding the initiation of a civil law suit, the employee must immediately advise the RD by telephone or email.

6.C2 Liability Insurance

The Census Bureau advises employees to carry adequate liability insurance and ensure that the policy is in full effect when using a personally owned vehicle (POV) when on official business. The FTCA applies differently from state to state, and employees should not rely on the Act for complete protection. An employee's physical damage insurance must also cover damages to a POV or other major personal property.

Two features of the Act may be grounds for an employee's personal liability for an accident. These features are:

1. The United States equates to a private person; so if a private person is not liable under the facts of an accident, neither is the United States as an employer.
2. The law of the place where the incident occurred governs the liability.

6.C3 Property Damage Insurance

In addition to liability insurance, the Census Bureau advises employees to carry the necessary amount of insurance for property damage to a POV. Except in rare circumstances, the Census Bureau will not reimburse an employee for damages to a POV during official duty hours. The mileage reimbursement covers insurance as well as other operating expenses (see Chapter 5 for additional information regarding mileage reimbursement). An employee should check with his/her insurance provider to make certain his/her policy provides the coverage needed while completing Census Bureau work.

6.D CLAIMS MADE BY AN EMPLOYEE

6.D1 General

The Census Bureau encourages all employees to carry private insurance against damage or loss to personal property. However, if personal property is lost or damaged, an employee or his/her representative may file a claim for reimbursement if one or any of the following situations apply:

- The loss or damage resulted from the employee's work.
- The employee files within two years after the incident that caused the claim.
- An employee's negligence was not the cause of the loss or damage.
- Witnesses can verify the loss or damage, or an employee has other evidence, such as a receipt or similar document to prove the value of the property.
- There was a valid reason for the employee to have the property at the time of the loss or damage.
- The loss is not otherwise covered by insurance.

The Census Bureau may be able to give consideration to a claim for loss or damage to personal property in unusual circumstances if a serious inequity would otherwise occur.

6.D2 Allowable Claims

Below is a list of allowable claims:

- Loss or damage occurs due to forced evacuation of transportation facilities while on official business.
- Loss or damage results from an employee's subjection to extraordinary risks while on official business.
- Loss or damage due to the unpredictable behavior of an animal(s), while on official business.
- Loss or damage caused by the negligence or omission of other employees of the government, acting within the scope of their employment, without negligence on the part of the claiming employee.
- Any claim must involve property used for the benefit of the government, at the direction or approval of a supervisor.

6.D3 Disallowable Claims

Below is a list of disallowable claims for employee reimbursement:

- Theft or burglary of personal property while on official duty, unless the employee can prove the existence of the theft/burglary and show that he/she took all reasonable precautions and security measures.
- While on official business, theft of articles of extraordinary value or those easily stolen.
- Loss of money, currency, or intangible property unless payable under other conditions.
- Loss or damage to motor vehicles (except allowable deductible), while on official business.
- Loss or damage covered by insurance.
- Loss or damage to worn-out or unserviceable property.
- Loss or damage to property normally used for private business or profit.
- Property acquired, possessed, or transported in violation of the law.
- Repair estimate fees for damaged property, except when an RD approves the fees in advance of obtaining the estimate.

6.D4 Submitting Claims

Employees wishing to submit a claim for property loss or damage should send the RO the original and one copy of the completed CD-224, Employee Claim for Loss of or Damage to Personal Property (Exhibit 6-D), CD-137, Report of Incident, Injury, Illness, Motor Vehicle Accident, Property Damage, or Fatality (Exhibit 6-F), and SF-91, Operators Report of Motor Vehicle Accident (Exhibit 7-C) with the following:

- Statement of witness(es).
- Receipt of property received or replaced in-kind.
- At least one written estimate of the repair cost by a person qualified to complete the repair. If the estimate requires a fee, the RD must approve the fee prior to obtaining the estimate (in order to claim reimbursement).
- Itemized repair bill and/or receipt for the repaired damaged property.
- Receipts or similar documents providing the value or cost of the original property.
- Statement of insurance coverage (insurance declaration page). Copies of insurance claim papers (if submitted).
- Power of attorney, or other acceptable evidence of authority, must support any claim filed by an agent or survivor.
- Written justification establishing a claimant's right to have the property on-person, or located at the place of work, when lost or damaged.
- Copy of a police report, if applicable.

6.D5 Computation of Awards

The Census Bureau bases the amount awarded for property loss (or damaged beyond repair) on the property's estimated fair market value at the time and place of the loss. If the cost of repair is less than the depreciated value, the Census Bureau considers the property economically repairable, and awards only the cost of restoring the property to the condition before the damage. The Census Bureau's Claims Officer at Headquarters determines all award amounts.

6.E THIRD PARTY CLAIMS FOR LOSS OF PROPERTY OR PERSONAL INJURY OR DEATH

In any case of damage to, or loss of property, or of personal injury or death, in which there is any question of negligence or wrongful act on the part of a Census Bureau employee; the third party claimant (non-Census Bureau employee) shall receive Form SF-95, Claim for Damage, Injury, or Death (Exhibit 6-E), to be completed by or on behalf of the person/firm having sustained the injury or damage.

Send Form SF-95 to the claimant and instruct him/her to complete the form and return the original to the RO. Also, inform the claimant to attach any additional statements or supporting evidence (for example, police reports, repair estimates, etc.), which might be pertinent to a proper adjudication of the filed claim. The claimant should complete Form SF-95 and forward it to the RO as quickly as possible to expedite settlement (although claims may be submitted no later than two years after the date of injury or damage).

All property and damage claims are in accordance with *Department Administrative Order (DAO) 203-17, Personal Claims of DOC Personnel*, revised July 11, 1997, and *DAO 203-24, Claims Under the FTCA*, revised March 27, 1997.

EXHIBIT 6-A**ACKNOWLEDGEMENT FOR U.S. GOVERNMENT PROPERTY RECEIVED****Acknowledgement for U.S. Government Property Received**

I hereby acknowledge that I have received from the U.S. Bureau of the Census the following:

Type	Manufacturer	Model	Serial Number
Laptop	HP	ELITEBOOK REVOLVE G2	MXL4370

Please enter the asset barcode number:

Please enter your James Bond ID:

I understand that the above equipment is the property of the U.S. Government and that it is furnished solely for my use in performing my work as an employee of the U.S. Census Bureau. I understand that by accepting this equipment I will be expected to care for it properly and safeguard it at all times from damage or theft. I will not initiate repair, replacement, or other procedures, such as, software installations for this equipment, until I have received instructions from my supervisor. If for any reason my employment with the U.S. Census Bureau is terminated, I understand that this equipment, along with the original packing, must be returned to the U.S. Census Bureau immediately. Otherwise, I will be responsible for the full cost of the missing items. The criminal code of the United States provides penalties for the theft, embezzlement, conversion of, or willful damage to Government property. Title 18, U.S. code 641 provides penalties of up to \$250,000 and/or up to 10 years imprisonment. Transferring this computer to a person who is not sworn to maintain Census confidentiality could also be a violation of Title 13, United States Code, Section 214, which prohibits disclosure of Census information. Anyone who is convicted of violating Section 214 can be fined up to \$250,000 and/or imprisoned up to 5 years.

I have read and understood the above.

EXHIBIT 6-B

CERTIFICATION INSTRUCTIONS FOR NOTIFICATION OF LOSS OF PII

I certify that I have carefully read and fully understand the attached *Instructions for Notification of Loss of PII*.

I will comply with the requirement for notifying the Census Service Center (CSC) within ONE HOUR of discovering any incident in which a Census Bureau laptop, memory keys, CDs, DVDs, GPSs, or any other paper forms that contain respondent data are missing, lost, or stolen.

Print Name

Signature

FR Code

Position Title

RO

Date

EXHIBIT 6-C**CSC JOB AID
Instructions for Notification of Loss of PII****PERSONALLY IDENTIFIABLE INFORMATION JOB AID****Instructions for Notification of Loss of
Personally Identifiable Information (PII)**

The Census Bureau takes our pledge of confidentiality and the protection of our respondents' personal data very seriously. As a Census Bureau Field Representative who gathers information from households, it is important that you take preventative measures and follow all procedures to ensure the security of all Personally Identifiable Information (PII) on your laptop, memory keys, CDs, DVDs, GPSs, paper assignment sheets (CAPI-35s), and any other device or paper questionnaires and forms you have in your possession.

These instructions provide procedures to follow in the event that personally identifiable data on any of the above devices or forms is lost or stolen. You should report all incidents involving personally identifiable information in electronic or physical form and should not distinguish between suspected and confirmed breaches.

Keep these instructions somewhere that is easily accessible in case you need to report an incident which involves a loss of personally identifiable information. **DO NOT** keep this sheet with your laptop or store it in your laptop carrying case.

**IF A CENSUS BUREAU LAPTOP, MEMORY KEY, CD, DVD, GPS OR
ANY PAPER FORMS THAT CONTAIN RESPONDENT DATA ARE
MISSING, LOST, OR STOLEN, YOU MUST:**

1. **Notify the Census Service Center (CSC)** directly within **ONE HOUR** of discovering the incident. **Call the CSC at 1-877-343-2010.** They can be reached 24 hours a day, 7 days a week.
2. **Notify local law enforcement** to complete a police report, if your laptop, any memory keys, CDs, DVDs, GPSs, or any documents containing personally identifiable information are stolen. Get a copy of the police report.

EXHIBIT 6-C Continued

**CSC JOB AID
Instructions for Notification of Loss of PII**

PERSONALLY IDENTIFIABLE INFORMATION JOB AID

3. **Notify your Regional Office as soon as possible.** If it is not during business hours, leave a voice mail message. They will assist you in completing the necessary paperwork.

PROVIDE THE FOLLOWING INFORMATION TO THE CSC:

Your Name

Your Phone Number

Regional Office

Date of Incident

Time of Incident

What was lost or stolen (Laptop, Memory Key, CAPI-35, etc.)

What happened?

Were the data encrypted? *If you are reporting a lost or stolen laptop or memory key, answer "yes" the data were encrypted.*

Was it password protected? *If you are reporting a lost or stolen laptop, answer "yes" the device was password protected. Answer "no" for other types of media containing personally identifiable information.*

EXHIBIT 6-D

FORM CD-224, EMPLOYEE CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY

FORM CD-224 (REV. 7-72) LF DAO 203-17		U.S. DEPARTMENT OF COMMERCE		
EMPLOYEE CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY (P.L. 88-558)				
INSTRUCTIONS: Submit in duplicate to Operating Unit Claims Officer. Please type.				
NAME OF EMPLOYEE		OPERATING UNIT OR DEPARTMENTAL OFFICE		
NAME AND ADDRESS OF CLAIMANT. <i>If claimant is other than employee, submit names and addresses of all parties in interest. (See DAO 203-22 Section 6)</i>		CITY	AREA CODE AND PHONE NUMBER	
		LOCATION OF LOSS OR DAMAGE		
		DATE OF LOSS OR DAMAGE	TOTAL AMOUNT OF CLAIM	
DESCRIPTION OF PROPERTY				
ITEMIZED LISTING	DATE ACQUIRED	PURCHASE PRICE OR VALUE	VALUE WHEN LOST OR DAMAGED	ESTIMATED REPAIR COST
CLAIM IS FOR <input type="checkbox"/> LOSS <input type="checkbox"/> DAMAGE <i>(Check One)</i> GIVE BRIEF STATEMENT OF CIRCUMSTANCES:				
WAS PROPERTY INSURED?	IF ANSWER IS "YES" GIVE NAME OF INSURER, AMOUNT OF INSURANCE CARRIED, AND RESULTS OF EFFORTS TO COLLECT IT.			
<input type="checkbox"/> YES				
<input type="checkbox"/> NO				
CRIMINAL PENALTY FOR PRESENTING A FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS: Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. (See 62 Stat. 698, 749; 18 U.S.C. 287,1001)				
CIVIL PENALTY FOR PRESENTING A FRAUDULENT CLAIM: The claimant shall forfeit and pay to the United States the sum of \$2,000, plus double the amount of damages sustained by the United States. (See R.S. Sec. 3490, 5438; 31 U.S.C. 231)				
ADMINISTRATIVE PENALTY: Removal from the service.				
I make this claim with full knowledge of the penalties for making a false claim, and certify that I am entitled to any payments.				
SIGNATURE OF CLAIMANT		IF CLAIMANT IS NOT OWNER, STATE RELATIONSHIP		DATE

EXHIBIT 6-E

FORM SF-95, CLAIM FOR DAMAGE, INJURY, OR DEATH

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency:			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code.		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	7. TIME (A.M. OR P.M.)
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).					
9. PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).					
10. PERSONAL INJURY/WRONGFUL DEATH					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.					
11. WITNESSES					
NAME			ADDRESS (Number, Street, City, State, and Zip Code)		
12. (See instructions on reverse). AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE		12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights).	
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side).			13b. PHONE NUMBER OF PERSON SIGNING FORM	14. DATE OF SIGNATURE	
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM			CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS		
The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

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28 CFR 14.2

EXHIBIT 6-E CONTINUED

INSURANCE COVERAGE	
In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.	
15. Do you carry accident insurance? <input type="checkbox"/> Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. <input type="checkbox"/> No	
16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? <input type="checkbox"/> Yes <input type="checkbox"/> No	17. If deductible, state amount.
18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).	
19. Do you carry public liability and property damage insurance? <input type="checkbox"/> Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). <input type="checkbox"/> No	
INSTRUCTIONS	
<p>Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.</p> <p style="text-align: center;">Complete all items - Insert the word NONE where applicable.</p> <p>A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY</p> <p>Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.</p> <p>If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.</p> <p>The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.</p> <p>If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.</p>	
<p>DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.</p> <p>The amount claimed should be substantiated by competent evidence as follows:</p> <p>(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.</p> <p>(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.</p> <p>(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.</p> <p>(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.</p>	
PRIVACY ACT NOTICE	
<p>This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.</p> <p>A. <i>Authority:</i> The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R., Part 14.</p>	<p>B. <i>Principal Purpose:</i> The information requested is to be used in evaluating claims.</p> <p>C. <i>Routine Use:</i> See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.</p> <p>D. <i>Effect of Failure to Respond:</i> Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."</p>
PAPERWORK REDUCTION ACT NOTICE	
<p>This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.</p>	

EXHIBIT 6-F

FORM CD-137, REPORT OF INCIDENT, INJURY, ILLNESS, MOTOR VEHICLE ACCIDENT, PROPERTY DAMAGE, OR FATALITY

FORM CD-137 (Rev 2/15)	U.S. Department of Commerce U.S. Bureau of the Census	Safety Coordinator/Manager Complete this Box OSHA Log #: _____ Date of Receipt of this Report: _____ OSHA Injury Type: _____ OSHA Source of Injury: _____
Report of Incident, Injury, Illness Motor Vehicle Accident, Property Damage, or Fatality		
<p>DIRECTIONS: Employee completes ALL questions (#1-24) as thoroughly as possible. Submit completed form within 24 hours to the appropriate supervisor. Supervisor completes questions #25-31, signs and distributes it according to instructions on the bottom of page 3 of this form.</p>		
<p>Form Completed by:</p> 1) Full Name and Title: _____ 2) Bureau/Operating Unit: _____ 3) Phone/Email: _____ 4) Date: _____		
<p>Reason for Report: (Check all that apply)</p> 5) Injury, illness/disease, fatality or inpatient hospitalization of the employee (See #24) <input type="checkbox"/> Motor vehicle accident (include estimated repair cost); an SF-91 Motor Vehicle Accident Report must be completed <input type="checkbox"/> Property damage (other) (include estimated repair cost) <input type="checkbox"/> Near miss <input type="checkbox"/> Amputation <input type="checkbox"/> Loss of Eye(s) <input type="checkbox"/>		
<p>Information about the injured/ill employee:</p> 6) Employee Full Name: _____ Age: _____ 7) Employee Home Address: _____ 8) Bureau/Occupation: _____ 9) Duty Station: _____ Work Phone: _____ 10) Date of Hire: _____ Male <input type="checkbox"/> Female <input type="checkbox"/>		
<p>Information about treatment:</p> 11) Name of physician or health care provider, if known: _____ 12) Was the employee treated in an emergency room? _____ 13) Location of Facility (Street, City, State, Zip Code): _____ 14) Was the employee hospitalized overnight as an inpatient? _____ 15) What type of treatment was received? _____ 16) Did this incident result in the employee being placed on restricted or light duty, or transfer to another job? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain restricted/light duty position: _____ 16a) Did employee lose any days away from work other than the day of the injury? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, how many days? _____		
<p>Information about the incident: (Be specific)</p> 17) Location of incident: _____ 18a) Date and day of the week of the incident: _____ 18b) Time of incident: _____ 18c) Date employee reported incident: _____ 18d) Time employee began work, on the day of the incident: _____		

EXHIBIT 6-F CONTINUED

<p>Actions at time of incident:</p> <p>19) Describe what the employee was doing just before the incident occurred (be specific)</p> <p>20a) Did employee violate any safety rules? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain.</p> <p>20b) Was the action willful misconduct? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain.</p>	
<p>Description of the incident:</p> <p>21) Describe the incident. (Be specific; e.g., Employee was carrying a heavy box, did not see the steps, and fell down three steps.)</p>	
<p>Description of injury/illness:</p> <p>22) Describe the injury/illness. (Be specific; e.g., Employee twisted left ankle; bruised right shoulder; abrasions on right arm.)</p>	
<p>Other information/Fatality:</p> <p>23) What object or substance directly harmed the employee?</p> <p>24) If the employee died, when did the death occur?</p> <p>ATTENTION: Death, or inpatient hospitalization of one or more employees, or amputation, or loss of eye(s) as a result of a work-related incident require immediate notification to the Census Bureau Headquarters, Health and Safety Office, at (301) 763-3711.</p>	
<p>SUPERVISOR: Complete questions #25-31, sign, and submit this completed form within five working days according to instruction on the bottom of page 3 of this form.</p> <p>25) Date of supervisory investigation: _____</p> <p>26) Describe findings: _____</p> <p>27) Describe corrective action taken: _____</p> <p>28) Date corrective action completed: _____</p> <p>29) Name of Supervisor/Title: _____</p> <p>30) Bureau/Operating Unit: _____</p> <p>31) Phone/Email: _____</p>	
<p>I have made due inquiry into the incident(s) described above and to the best of my knowledge the information provided is accurate and complete.</p> <p>Supervisor signature: _____ Date: _____</p>	
<p>BUREAU SAFETY COORDINATORS/MANAGERS ONLY:</p> <p>Does this injury/illness meet the definition of an OSHA recordable? _____ If yes, record the injury/illness on your OSHA 300 Log and put the number of the case at the top of this form. Any additional information about this incident?</p> <p>DIRECTIONS for OSHA RECORDABLE INJURIES: Within 7 calendar days after receiving information that an OSHA recordable work-related injury or illness occurred, this form must be submitted and your OSHA 300 Log updated. For OSHA recordkeeping forms go to www.osha.gov.</p>	

EXHIBIT 6-F CONTINUED

INSTRUCTIONS FOR COMPLETING CD-137	
Privacy Act Statement: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of the employee to the extent possible while the information is being used for official DOC purposes.	
When to use this form: This form will be used to report work-related incidents. This form should be completed within 24 hours of the incident.	
Completing this form: The employee's first-line supervisor of the bureau/organization where the incident occurred, their designee, or the first-line supervisor's manager is responsible for completing this form. After all sections are completed, the first-line supervisor or designee who completed the form must sign and date the form in the spaces provided at the bottom of the form.	
Information and Definitions	
<p>Question 5 Reason for Report: Select all that apply.</p> <p>Questions 5 and 24 Notifications: If incident resulted in the death of one or more persons or the hospitalization of three or more persons, immediately notify your bureau Safety Coordinator/Manager. Indicate on form if notification was made. The Bureau Safety Coordinator/Manager should notify the nearest OSHA office. For instructions, refer to DAO 209-3, Injury, Illness, Incident, Fatality and Motor Vehicle Accident Reporting and Investigation.</p> <p>Question 5 Amount of Motor Vehicle or Property Damage: If motor vehicle/property was damaged, insert estimated cost of damage. A form SF-91 Operator's Report of Motor Vehicle Accident may also need to be prepared. If no motor vehicle/property damage, insert "no damage."</p> <p>Question 6 Information about the injured/ill employee, Full Name and Age: Provide employee's name as it appears in payroll stream, and age at time of incident.</p> <p>Question 7 Address: OSHA requires employee's personal address.</p> <p>Questions 8 and 9 Bureau/Occupation and Duty Station: Give full Bureau name and provide description of job (e.g., Analyst, Chemist, Administrative Assistant, etc.). Provide official duty station address (Bureau location, etc.). Do not use temporary or travel duty stations. Give the work phone number.</p> <p>Question 16a Lost Time: If employee lost days from work due to incident, mark "yes." If unknown at time of form completion, write "unknown."</p>	<p>Question 17 Location of Incident: If incident occurred at the official duty station, provide the most detailed location information possible, including room number. If the incident occurred while on travel, telework or during temporary duty status, indicate the specific location. If incident did not occur on Department of Commerce property, give specific location.</p> <p>Questions 18 Date and Time: Provide the date and time of incident. List date and time as accurately as possible (e.g., Tuesday 9/8/12 10:30 AM, not "moming").</p> <p>Question 21 Description of Incident: Provide detailed information regarding what happened (e.g., "slipped and fell due to water spilled beneath fountain" rather than "fell").</p> <p>Question 22 Description of Injury/Illness: Describe body parts involved and extent of injury (e.g., broken, sprained, required stitches, severe, mild, etc.).</p> <p>Question 25 Investigation Date: Insert date supervisor investigation was conducted.</p> <p>Question 26 Findings: Provide findings of incident investigator and supervisor's investigation. Use additional sheets if necessary. Attach photos, diagrams, police reports or other available support documentation.</p> <p>Question 27 Describe Corrective Action: Supervisor's investigation may identify necessary corrective actions (e.g., repair carpet, provide safety training, etc.). Describe recommended corrective actions including, if known, who will be responsible for completion.</p> <p>Question 28 Date of Completion of Corrective Action: List the date of completion if known. If not known, provide targeted date for completion.</p>
Distribution of Copies	
<p>1. Census HQ: Supervisor submits a signed copy of this report and any supporting documentation via hand delivery or FAX within 5 working days to: Health & Safety Branch, Room 2K044 Fax: (301) 763-4373</p> <p>Field Locations: Regional Office Administrative Officer will scan this report to their designated shared drive subfolder within 2 days of receipt. Injuries determined to be recordable must be recorded on the OSHA Log within 7 days.</p> <p>2. In case of the death of any employee from a work-related incident or the inpatient hospitalization of 1 or more employees, or amputation, or loss of eye(s) as a result of a work-related incident, in addition to immediate telephone notification the supervisor or Administrative Officer must submit a signed copy of this report and any supporting documentation via hand delivery or by FAX within 24 hours to: Census Bureau Headquarters, Health & Safety Branch Room 2K044 Voice (301) 763-3711 Fax (301) 763-4373</p> <p>Keep this form on file for 5 years following the year to which it pertains. Retain file copies: Bureau Safety Coordinators/Managers; Employee; Employee's Supervisor</p>	

EXHIBIT 6-F CONTINUED

Privacy Act Advisory Statement

The Privacy Act of 1974 requires that you be given certain information in connection with this request for information. This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes. The Department must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. The Department must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. The Department must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12.

Prefatory statement of general routing uses

In the event that a system of records maintained by the Department to carry out its function indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the department, the relevant records in the system of records may be referred, as routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

A record from this system of records may be disclosed, as routine use, to a federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of license, grant or other benefit. A record from this system of records may be disclosed, as routine use, to a federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or issuance of license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record from the system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiation.

A record from this system of records may be disclosed, as routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance for the member with respect to the subject matter of the record.

A record in this system of records which contains medical information may be disclosed, as routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR part 4b if, in the sole judgment of the department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulation at 15 CFR 4b8.

A record in this system of records may be disclosed, as a routine use, the Office of Management and Budget in connection with the review of private relief legislative as set forth in OMB Circular No. A-19 at any state of the legislation coordination and clearance process as set forth in the Circular.

A record in this system of records may be disclosed, as routine use, to the Department of justice in connection with determining whether disclosure therefore is required by the Freedom of Information Act (5 U.S.C. 552).

A record in this system may be disclosed, as routine use, to a contractor, or agent, of the Department having a need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

A record in this system may be transferred, as routine use, to the Office of Personnel Management: for personnel research purposed, as a data source for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related manpower studies. A record in this system may be disclosed to officials of the Office of Personnel Management, Merit System Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission, the Department of State, or the Department of Labor when requested in performance of their authorized duties.

The Secretary of Labor shall have access to records and reports kept and filed by the Department pursuant to subsections (a)(3) and (5) of the OSHA Act of 1970 unless those records and reports are specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy, in which case the Secretary of Labor shall have access to such information as will not jeopardize national defense or foreign policy.

A record in this system of records may be disclosed in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvement in record management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with GSA regulation governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determination about individuals.

A record in this system may be disclosed to any source from which additional information is requested in the course of processing a grievance to the extent necessary to identify the individual, inform the sources of the purpose(s) of the request, and identify the type of information requested.

A record in this system of records may be disclosed to Senior State department officials at U.S. Embassies, including the Ambassador, deputy Chief of Mission, administrative Counselor and Human resources officers, for matters relating to employment of security issues pertaining to Department of Commerce employees working in U.S. Embassies or facilities overseas.

CHAPTER 7

SAFETY, CAR ACCIDENTS, INJURIES, AND ASSAULTS

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CHAPTER 7

SAFETY, CAR ACCIDENTS, INJURIES, AND ASSAULTS

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CHAPTER 7

ACRONYMS

ASWC	Area Specialist for Workers' Compensation
ECOMP	Employees' Compensation Operations & Management Portal
FECA	Federal Employee's Compensation Act
FL	Field Leader
FR	Field Representative
FS	Field Supervisor
GSA	General Services Administration
HRD	Human Resources Division
HQ	Headquarters
OWCP	Office of Worker's Compensation Programs
POV	Privately Owned Vehicle
RD	Regional Director
RO	Regional Office

CHAPTER 7

SAFETY, CAR ACCIDENTS, INJURIES, AND ASSAULTS

7.A INTRODUCTION

The job of Census Bureau field staff requires continuous interaction with strangers and travel to unfamiliar locations. Field staff includes Field Supervisors (FS), Field Leaders (FL), and Field Representatives (FR). This chapter outlines general personal safety guidance and protective measures to reduce or eliminate rare occurrences of crime related incidents. Field staff should protect life, information, and equipment, in that order. Field employees should complete upon hire the detailed 11-109, Personal Security Self-Study, and use the manual for future reference.

7.B BENEFITS AND LEGAL COVERAGE

The Federal Employees' Compensation Act (FECA) covers all federal employees, including field staff. The FECA provides compensation benefits to civilian employees of the United States government for disability due to personal injury or disease sustained in the performance of work duties. This benefit carries with it your responsibility to return to duty as soon as you are released to perform any useful work. If you are not able to immediately return to your regular job, Census may design a temporary special-duty assignment for you. You will receive regular wages and benefits for this temporary assignment.

Federal law also protects federal employees against assault. Under *Title 18, United States Code*, intimidation or assault of a U.S. Census Bureau field employee, while he/she performs work duties, is a felony offense. Refer to Section 7G for additional information regarding assaults.

7.C SAFETY

The Census Bureau employs many experienced workers in the field. The following sections offer safety and security best practices for consideration when performing the duties of a field employee. Employees should make safety preparation an integral part of planning daily work assignments and discuss any concerns with their supervisors. Field employees should always call a supervisor if they consider an area too unsafe to perform their work duties.

7.C1 Safety and Maintaining Confidentiality

The safety of every employee is of the utmost importance to the Census Bureau. However, to the extent possible, maintaining the confidentiality of respondents' personal data is critical.

Field employees should never reveal any confidential information, such as specific addresses or survey information to anyone who is not a sworn Census Bureau employee (with a need to know). Refer to Chapter 2 for additional information about *Title 13* and Census confidentiality.

The Census Bureau prohibits employees from providing copies of official Census Bureau maps (such as segment maps) to family members or friends for the purpose of informing them of where and when they will be performing their work duties. Official Census

Bureau maps contain *Title 13* information, such as map spots and may also identify the survey name for the area indicated; which violates Census confidentiality protocol.

Before leaving for an interviewing assignment, an employee should tell someone the approximate location, the time of departure, and estimated arrival time back home. An employee should never leave the full addresses of the interview. *For example, employees may describe the area in which they work as the “100 through 500 blocks of Main Street in Anytown.”*

Below are some additional nonspecific ways for employees to describe their work location:

- Provide the name of the community or neighborhood.
- Provide the name of the residential subdivision.
- Provide the name of the area around a well-known location or landmark, such as a school, intersection of major roads/highways, or shopping area.
- Provide a range of addresses which is several blocks long.

In addition, field employees should prepare and provide personal contacts with an emergency information packet to share with law enforcement, should the need arise. This packet should include:

- The employee’s cell phone number.
- The type of privately-owned vehicle (POV) the employee drives when conducting field data collection, including the year, make and model, and license plate information.
- A recent photograph of the employee.

7.C2 General Safety Tips

Employees should carefully plan their routes to their destinations, keeping in mind alternate detours to and from interviewing sites. Knowing how to quickly enter and exit a particular area could prove critical in protecting one’s safety and well-being.

7.C3 Walking Safety

- Never take walking safety for granted. Slips, trips, and falls are by far the most frequent cause of serious injuries to field staff.
- Stay on well-lit streets when walking at night. Avoid walking past dark shadows near buildings, or walking too close to doorways, shrubbery, and other potential hiding places. If needed, use a flashlight.
- In freezing weather, be alert for “black ice.” Walk slowly and take small steps.
- Carry handbags close to your body, with the flap or clasp next to you.

- Carry wallets in an inside or front pocket to avoid pickpockets.
- Avoid walking on uneven, broken, or poorly constructed surfaces or stairs.
- Grasp the handrails along stairways. If there are none, proceed with extra caution.
- Wear comfortable easy-walking shoes. These shoes may come in handy should there be a need to run.
- Do not carry valuables, such as large sums of money, expensive jewelry, and watches.
- When entering a building, pause and let your eyes adjust to the indoor lighting before moving on.
- Be cautious when riding elevators. If you are suspicious of another passenger, wait for the next car.
- Stay alert for objects that may pose tripping hazards.
- Be aware of your surroundings at all times.

7.C4 Vehicle Safety Tips

Field employees spend a significant amount of time in their POVs to conduct data collection activities over a wide range of geographic areas. Below are vehicle safety tips for an employee to implement when driving during on-duty hours.

- Pay particular attention when making left turns.
- Check for other vehicles before backing, turning, or entering an intersection.
- Watch for erratic movements of other cars. Drive defensively, yielding to other cars to avoid accidents.
- Check your maps and locations before your start to drive. If necessary, pull off the road into a parking lot and stop your vehicle to check directions.
- Do not use cell phones, handhelds or other such devices while driving. Census employees have unfortunately suffered fatal injuries as a result of such distractions. When the car is in motion, pay 100% attention to your driving. See Census Bureau Mobile Communications Device Acceptable Use Policy (Exhibit 7-A).
- It is mandatory to wear a seat belt at all times, even when pulled to the side of the road.

NOTE: REGULATIONS REQUIRING FEDERAL EMPLOYEES TO USE SEATBELTS AND PROHIBITING USE OF CELL PHONE/ELECTRONIC DEVICES APPLY AT ALL TIMES REGARDLESS OF THE STATE OR TERRITORY IN WHICH AN EMPLOYEE MAY BE DRIVING.

- Observe speed limits.
- Keep your car doors locked.
- Watch for children, jaywalkers, and pedestrians.
- Do not carry valuables in your car; keep your car locked when parked.
- Maintain a safe distance from the vehicle ahead of you; DO NOT tailgate.
- Watch for deer, moose and other animals in rural areas.
- Be alert to brake lights or turn signals on the vehicle ahead of you. Anticipate when others will slow down.
- When stopping, leave space between your vehicle and the vehicle ahead of you. Should another vehicle rear-end you, this may protect you from hitting the car in front of you.
- Keep your vehicle in good operating condition with emphasis on brakes, lights, tires, wiper blades, and belts.
- Never pickup hitchhikers in your vehicle.
- Park in well-lit parking places at night.
- As you walk towards your vehicle, scan around and beneath the vehicle for persons who could endanger you. Check the back seat and floor for hidden persons before entering your vehicle.
- If your vehicle stalls, stay inside and hang a brightly colored cloth out the window and call for help. If someone stops to assist you, stay in the vehicle until police or service vehicles arrive.
- If you are being followed, do not drive directly home. Drive to the nearest police or fire station, hospital, or other public place. Do not exit your vehicle until you are sure it is safe.
- Have your vehicle keys ready before you reach your car. Do not open your purse or distract yourself when walking to your vehicle.
- Park in highly visible lots with a lot of activity. Be alert for anything out of the ordinary.

- Do not leave any items visible inside a POV. *Note: Always store a Census Bureau-issued laptop or other work-related materials in the trunk of the car. See Chapter 6 for information on securing government-owned property.*

7.C4a Precautions When Refueling a Vehicle

- Turn off engine.
- Do not smoke.
- Lock the vehicle (be sure to remove keys) to prevent potential theft from car or carjacking.
- Do not re-enter the vehicle while refueling; this action may cause static electricity, which can result in serious injury.
- Do not use a cell phone; electronics may provide enough energy to cause a spark, and possibly an explosion.

7.C5 Tips for Encountering Pets or Other Animals

- Be aware of dogs and other animals. Even though they look friendly, they may bite strangers; do not try to make friends with the dog, pet it, or put your hands or face near it. A dogs' natural instinct is to protect its territory.
- Be aware of unleashed dogs or guard dogs on posted property.
- If warning signs are posted, call the respondents to the door or telephone for an appointment before entering the premises.
- Do not run past a dog; in doing so you trigger its natural instinct to chase and catch prey.
- If confronted by a dog, face the dog without making direct eye contact and back away slowly. Be submissive, but do not run. If you run, the dog may try to knock you to the ground and you could be seriously hurt.
- Put something between you and the dog, such as a bag. If the dog does bite, do not pull away—it will cause a tear and worse wound. Instead, try to make the dog release its hold. Quickly obtain medical attention and report the injury to the local health department or police department.
- Many dog bites occur inside respondents' homes. If you encounter a dog inside, ask respondent to confine the dog to another room during the interview. This is a good practice to follow for any pet that has free run of the residence.
- Learn to recognize the warning signs that a dog is about to attack; tail high and stiff; ears up; hair on back standing up; and/or teeth showing.

7.D OTHER SAFETY ISSUES

Below are additional options for consideration in safely completing data collection activities:

- If an employee feels an area is unsafe to carry out normal work duties, he/she should ask a supervisor to allow “team interviewing”. The supervisor will make a determination if team interviewing is appropriate for the area. Areas designated for team interviewing are noted as such in the segment folder. An employee assigned to an area designated for team interviewing, has the option to have another Census-sworn employee accompany him/her for the personal visit, but must make sure to let a supervisor know in advance.
- If an employee feels his/her safety is at risk, and a Census-sworn employee is not readily available, the employee may have a non-Census Bureau escort accompany him/her while performing official Census Bureau duties. With the Regional Director’s (RD) advance approval, and the oath of non-disclosure re-delegated to the employee in writing, the employee may have one relative or friend ride in, or drive, his/her POV as a non-Census Bureau escort. Agency policy permits a passenger in an employee’s vehicle, but does not allow this individual to accompany the employee into the respondent’s home during the interview.
- Any individual with access to *Title 13* information must have *Special Sworn Status*. Individuals with sworn status assure confidentiality of the information and are aware of the possibility of a penalty of up to a \$250,000 fine and/or five years imprisonment for disclosure of *Title 13* data. Before taking a non-Census Bureau escort on official business, an employee must complete Form BC-1759, Special Sworn Status (Exhibit 7-B), to “swear in” the non-Census Bureau escort. The Regional Office (RO) must retain the original BC-1759.
- Please note: Any non-Census employee who is given Special Sworn Status under these provisions is considered a volunteer for the Census Bureau. In the unlikely event that an individual suffers an injury related to their Census Bureau volunteer activities, that person must complete Form CD-137, Report of Incident, Illness, Motor Vehicle Accident, Property Damage or Fatality.

7.E CAR ACCIDENTS

In the event of a car accident in a POV while on official duty, an employee should take the following steps:

1. Furnish his/her name, address, driver’s license number, and insurance information upon request. *The employee should NOT sign his/her name for anyone;* this prevents someone from typing or writing statements over the signature without the employee’s knowledge.
2. DO NOT give statements or opinions about the accident, except to law enforcement.
3. Complete Form SF-91, Motor Vehicle Accident Report (Exhibit 7-C); if possible, complete this form at the accident scene.
4. Have each witness complete a separate SF-94, Statement of Witness (Exhibit 7-D). If not possible at the time of the accident, mail each witness a copy for completion.

5. Prepare Form CD-137, Report of Incident, Injury, Illness, Accident, Property Damage, or Fatality (Exhibit 7-E), when involved in a motor vehicle accident.
6. If the vehicle was from the General Services Administration (GSA) Motor Pool System, notify the RO as soon as possible. All GSA vehicles contain a folder with special procedures for accidents.
7. As required by law, notify state, county, or municipal authorities and provide any information concerning the accident.
8. Notify a supervisor and designated Area Specialist for Workers' Compensation (ASWC) immediately or as soon as possible following the accident. Submit Forms SF-91, SF-94, and CD-137 to the RO within 48 hours of the accident. If there is a police report, citation, subpoena, summons, or ticket resulting from the accident, forward the copy with the accident forms to the RO. Obtain a copy of any explanatory documents required to interpret the police report, and submit those as well.
9. Complete accident forms furnished by his/her own insurance company, and follow the company's advice on insurance matters.

Field employees should review Chapter 5 for information regarding accidents involving a rental car while on official travel.

7.F INJURIES

Every Field employee should carry the "Are You Hurt?" wallet card at all times while working for ready reference to injury reporting. Wallet cards are supplied in every new hire kit.

Below are procedures to follow if a field employee suffers an injury while working, regardless of the severity:

- If required, get emergency treatment from the nearest hospital or physician's office.

Unless otherwise advised, employees may use their own physicians for treatment. The term "physician" used in the FECA, includes surgical and osteopathic practitioners, clinical psychologists, dentists, podiatrists, and optometrists. The term "physician" includes chiropractors, only to the extent that their reimbursable services are limited to treatment consisting of "manual manipulation of the spine to correct a subluxation, as demonstrated by X-ray to exist". Employees can find additional information in the Department of Labor's publication CA-11, "When Injured at Work Information Guide for Federal Employees" (Exhibit 7-F).

- Notify a supervisor and Area Specialists for Workers' Compensation (ASWC) as soon as possible. Along with headquarters (HQ) workers' compensation staff in the Human Resources Division (HRD), they assist injured workers with all phases of a Workers' Compensation claim. ASWCs are located in Seattle, Denver, Detroit, and Atlanta. ASWCs function as the supervisors of record for all Field employee workers' compensation claim processing.

The following table shows each ASWC's assigned regions and contact information:

ASWC Location	Toll Free Telephone: Blackberry: Fax:	Regions Served
Atlanta, Georgia Sherry Wilcox	800-819-4215 404-576-2280 877-713-8077	Atlanta/New York
Denver, Colorado Mark Matthews	800-819-4215 720-388-9594 888-658-5535	Denver
Detroit, Michigan Lorie Plegue	800-819-4215 586-256-2735 877-232-3385	Chicago/Philadelphia
Seattle, Washington Jama Palomo	800-819-4215 360-722-6213 888-658-5549	Los Angeles

- When an employee notifies the ASWC of a work related injury, the ASWC will authorize immediate medical care when appropriate. The ASWC will email the injured employee instructions for electronically filing a workers' compensation claim through the Employees' Compensation Operations & Management Portal (ECOMP).
- Employees must complete their portion of form CD-137 (rev. 05/2015), *Report of Incident, Injury, Illness, Motor Vehicle Accident, Property Damage or Fatality* (Exhibit 7-E), and submit it promptly to their immediate supervisor. The supervisor must complete their portion and submit the entire form to their designated RO liaison within 48 hours of the injury. This form is available on the HRD Intranet Site, http://cww.hrd.census.gov/hrd/emp/health_unit/otj_injury.htm.
- When submitting workers' compensation claims or CD-137s, **never identify the name or location of the respondent, as covered by the provisions of Title 13.** Only provide a general description of the area or person, and not the actual address or name of the respondent. However, responsible third parties who are not Census respondents (for example, another driver who strikes the car of a Census worker en route from one assignment to another) must be reported.

Note: The Census Bureau requires field staff to keep supervisors informed of their ability to work, even on a limited or "light" duty basis. If the Census Bureau offers work of any kind which accommodates the injured party's medical restrictions, the employee is required to accept that work, or risk losing eligibility for all or any part of Workers' Compensation benefits.

7.G ASSAULTS

An assault of any kind on an employee, while he/she performs Census Bureau work duties, is extremely rare. However, since field staff are federal employees, federal law enforcement (if available) and local law enforcement will quickly become involved in the event of an assault. The definition of assault includes at least one of the following:

- Violence and/or an attempt or threat to enact violence.

- Striking or touching in an offensive manner.
- Threats or intimidations of any kind.

If confronted by an attacker, try to remain calm and not panic or show any signs of anger or confusion. Also, make a conscious effort to get an accurate description of the attacker (for example, age, race, complexion, body build, height, weight, and type and color of hair and clothing).

In instances of assault, an employee should immediately:

- Notify the police to report the incident.
- Seek any required medical attention.

As soon as possible, the employee must:

- Call a supervisor to report the incident.
- Complete a CD-137 and provide the police report number and/or attach the police report, and include a signed account of the incident. Send the forms to the RO.

Note: The procedures outlined in Sections 7E, F, and G are not all-inclusive. Each situation has different circumstances, and the Census Bureau recommends that employees seek the appropriate advice from supervisors, medical staff, etc. to handle any incident in the best possible manner.

7.H Prohibited Possession of Weapons and Chemical Projectors

The Census Bureau does not condone, encourage, or otherwise allow field employees to carry firearms or other weapons while performing their official duties. The Census Bureau does not officially allow employees to carry pepper spray or other chemical projectors while on official government business. If an employee chooses to carry any chemical projectors that is permissible by local law and an individual owns and carries a commercially available product that is an employee's personal decision. The use of any such device will be a personal decision with any criminal or civil liability accruing to the employee. The Census Bureau does not support or represent an individual as an employee performing official duties in a case involving the use of a chemical projector.

If you have any questions regarding the Census Bureau position on the possession of weapons or chemical projectors while on official business, please consult your supervisor or Regional Office management.

EXHIBIT 7-A

**CENSUS BUREAU MOBILE COMMUNICATIONS DEVICE
ACCEPTABLE USE POLICY**



U.S. Census Bureau
Mobile Communications Device
Acceptable Use Policy

January 26, 2016

Version 1.2.2

4600 Silver Hill Road
Suitland, MD 20746

EXHIBIT 7-A CONTINUED



1. Purpose and Scope

The purpose of this document is to present U.S. Census Bureau (Census) policies and procedures intended to ensure proper management, maintenance, care, and acceptable use of mobile communications devices in an office or work-at-home setting. Use of mobile communication devices for Field Data Collection is covered in a different document. It is also intended to reinforce policies set forth by the Census concerning the protection of these devices and the data stored on, processed by, or used in association with them. Mobile communications devices consist of tablets, smartphones, cell phones, and aircards.

The policies and procedures set forth apply to all Census mobile communications devices owned and maintained by the Information Technology Directorate (ITD).

2. Policies in General

2.1. Individual Responsibility

By acknowledging receipt and taking possession of a Census-provided mobile communications device (whether a tablet, smartphone, cell phone or aircard), you are accepting personal responsibility for ensuring proper use and security of the device. This document provides specific details regarding these important responsibilities and contains rules that apply to all Census personnel provided with these devices. Where used, the term "personnel" includes employees, contractors, associates, interns, guests, and others.

It is incumbent upon you to read this document, *Mobile Communications Device Acceptable Use Policy*, and sign the Acknowledgement form on page nine herein. It is also your responsibility to read Executive Order 13513, *Federal Leadership on Reducing Text Messaging While Driving*, if you are using a Census-provided device capable of texting. The Census text messaging policy is available on the Census intranet via the following link:

<https://collab.ecm.census.gov/div/tco/intranet/Documents/SMSTextPolicy-12-08-2010.pdf>

In addition, you are responsible for reading any documentation provided before using the device to ensure understanding of operating procedures and controls.

It is important to note that when using tablets and smartphones, the user assumes the responsibility for creating an account and accepts the usage terms and risks associated with providing credit card information to storefronts. The ITD will not authorize any charges incurred for the purchase of any application, regardless of device.

2.2. Loss or Theft

Loss or theft of a government-owned mobile communications device is considered serious and should be reported as soon as possible by calling the appropriate office:

- **Tablets and smartphones:** Report the incident to the Bureau of the Census Computer Incident Response Team (BOC CIRT) within one hour of discovery.

EXHIBIT 7-A CONTINUED



- Call 301-763-3333 during normal work hours, or
- Call 1-877-343-2010 anytime.

- **Cell phones and aircards:** Call the IT Service Desk at 301-763-3333. The staff will notify ITD accordingly.

Be advised that the device will be wiped and reimaged to default settings once reported lost or stolen.

2.3. Right to Privacy

There is no right to privacy for data stored on, processed by, or accessed by Government-owned mobile communications devices. The ITD reserves the right to wipe and reimage devices for any reason deemed necessary.

All government owned smartphones and tablets are managed and tracked by Mobile Device Management software. For devices reported missing or stolen, this software will allow ITD to pinpoint the location of a device on a map.

NOTE: You do have the right to ownership of any applications you purchase through your personal account.

2.4. Adherence to Calling Plan Minutes

You are expected to make a reasonable effort to adhere to the calling plan that applies to your particular device; however, because we have shared minutes, plan limits may be exceeded as necessary, provided the usage is essential for conducting business.

Table 1: Calling Plan Minutes

Device Type	Plan Minutes
Tablet	NA
Smartphone	400 minutes
Cellular Phone	300 minutes
Aircard	NA

NA = Not Applicable

EXHIBIT 7-A CONTINUED



2.5. Prohibited, Permitted and Required Activities

Table 1 lists the tablet, smartphone, cell phone, and aircard activities and whether they are prohibited or permissible. Some prohibited functions are disabled on the device.

Table 2: Prohibited and Permitted Activities

Activity	Tablets	Smartphones	Cell Phones	Aircards
Use the device to read from or enter data, including for the purpose of e-mailing, instant and text messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication while operating a motor vehicle. ¹	Prohibited	Prohibited	Prohibited	Prohibited
Use the phone while driving without a hands-free device where required by law (e.g., Maryland or the District of Columbia).	Prohibited	Prohibited	Prohibited	NA
Download any 3rd party applications or files (e.g., music, video) to the device. ²	Permitted	Permitted	Prohibited	NA
Send and receive Multimedia Messaging Service (MMS) picture text (known as "pictext") messages.	Permitted	Permitted	Prohibited	NA
Add external storage.	Prohibited	Prohibited	Prohibited	NA
Take photos or capture video clips. ³	Permitted	Permitted	Prohibited	NA
Send and receive e-mails to and from the device.	Permitted	Permitted	NA	Permitted
Send and receive text messages.	Permitted	Permitted	Permitted	Permitted
Create memo pad entries.	Permitted	Permitted	Permitted	NA
Add contacts to the address book.	Permitted	Permitted	Permitted	NA
Connect to another Wi-Fi hotspot.	Permitted	Permitted	NA	Permitted
Pair Bluetooth ⁴ headsets/hands-free devices with the mobile communications device in public places.	Prohibited	Prohibited	Prohibited	NA
Use Bluetooth technology to remotely control any device other than that to which it was assigned, including personally owned computers.	Prohibited	Prohibited	Prohibited	NA
Transfer your address book(s) via	Prohibited	Prohibited	Prohibited	NA

¹ See Presidential Executive Order 13513, [Federal Leadership on Reducing Text Messaging While Driving](#), October 1, 2009.

² ITD reserves the right to block specific apps or music.

³ Exceptions may be granted based on Census business needs.

⁴ Always observe Federal, state and local laws regarding mobile communications devices and Bluetooth device usage. All Bluetooth Personal Identification Numbers (PINs) must be changed from the device defaults, if possible.

EXHIBIT 7-A CONTINUED



Activity	Tablets	Smartphones	Cell Phones	Aircards
Bluetooth-enabled devices.				
Use Bluetooth-enabled devices while on international travel.	Prohibited	Prohibited	Prohibited	NA

NA = Not Applicable

EXHIBIT 7-A CONTINUED



2.6. General Device Security

- Adhere to all applicable policies and procedures regarding Census IT systems.
- Use only your assigned Census-issued mobile communications device to conduct Census work, whether on- or off-site.
- Do not attempt to remove the tablet or any other accountable property from Census premises without an official property pass.
- Do not use the device for unauthorized purposes.
- Do not allow unauthorized individuals to use the device.
- As much as possible, limit physical access to the device (i.e., do not leave the device unsecured location or unattended).
- Store the device in a locked container or room when not in use to ensure it is out of sight and inaccessible to potential thieves.
- Use a nondescript carrying-case when traveling to avoid unwanted attention.
- Do not share passwords with anyone.
- Do not store passwords on devices in plain text.

2.7. Device Check-Out and Check-In

- Submit requests for mobile communications devices to the IT Service Desk at least three business days before the date the device is needed.
- Sign all related forms when checking a device in or out.
- Promptly return the device to the Mobile Communications Device Team when:
 - The approved assignment period has expired,
 - The device is no longer needed,
 - The device requires repair or maintenance,
 - When changing employment or department status, or
 - When requested.

2.8. Device Care

- Protect the device from exposure to water, dust, debris, magnetic or electromagnetic fields, and extreme temperatures.
- Store the device and accessories in the case provided (if applicable) and use appropriate protective coverings within the case.
- Keep the device and accessories out of reach of children and pets when working from home. Do not eat or drink near the device.
- Do not set the device in an area where food or drink could be spilled on it.
- Do not drop, scratch, strike, kick, toss, step on, sit on, or otherwise physically compromise the device or accessories (or allow anyone else to do so).
- Do not attach personal labels or decorations of any kind to the device.
- For annual tablet loaners, return the device to the ITD annually for inventory control, to ensure that Mobile Device Management (MDM) software and policies are in place, and that the device has the most current version of its operating system.

EXHIBIT 7-A CONTINUED

2.9. Protecting Sensitive Information

- Do not store any sensitive, Personally Identifiable Information (PII), or Titled information on the device.
- Do not send sensitive information in the body of an e-mail.
- Immediately report the compromise—or suspected compromise—of sensitive information to the Bureau of Census Computer Incident Response Team (BOC CIRT) at 1-301-763-3333.

2.10. Internet and E-Mail Use

- Use the Internet for authorized purposes only.
- Use Census Bureau e-mail for authorized purposes only.
- Do not open e-mail (especially attachments) from unknown sources.
- Consider all e-mail messages sent through the Census Bureau e-mail system as Census Bureau property, subject to review and monitoring.
- Do not leave the device unattended while a remote communications session is in progress, unless the area is secured.

2.11. Replacement of Lost/Stolen/Damaged Devices

Replacement of lost, stolen or damaged devices may incur costs to be covered by the customer's division. Currently there is a cost associated with the loss or damage of tablets and smartphones.

EXHIBIT 7-A CONTINUED



3. International Travel

3.1. Tablets

Long-term tablets cannot be taken on international travel. Short-term, cellular-only tablets are available for international travel and a separate request for international travel is required as well as a valid project code.

NOTE: Wi-Fi use is not permitted on international travel and will be disabled by ITD technicians.

3.1.1. Prior to International Travel

- Notify the IT Service Desk at 301-763-3333 at least five workdays prior to any foreign travel.
- The Help Center will generate a Remedy ticket and assign action to the ITD.
- You will be notified to pick up the device from the ITD when it is ready for international travel.

3.1.2. During International Travel

- Never leave your device unattended.
- Always disable Wi-Fi capability.
- Always disable all Bluetooth features/capabilities on the device while abroad.
- Immediately report any known or suspected tampering with your device to the BOC CIRT by calling 1-301-763-3333 anytime.

3.1.3. Upon Completion of International Travel

- Upon completion of your international travel, open a Remedy ticket for the return of the device. Once the necessary paperwork is completed, the ITD will contact you, and then you can return the tablet. Tablets are then wiped and reimaged for reuse.

3.2. Smartphones

Census-issued smartphones cannot be taken on international travel. Short-term smartphones are available for international travel and a separate request for international travel is required as well as a valid project code.

Taking a Census-issued smartphone on personal international travel is not recommended.

3.2.1. Prior to International Travel

- Notify the IT Service Desk at 301-763-3333 at least five workdays prior to any foreign travel.
- The Service Center will generate a Remedy ticket and assign action to the ITD.
- You will be notified to return to the ITD to pick up your loaner device when it is ready for international travel.
- If you have a Census issued smartphone, the loaner phone will be set up to have all calls

EXHIBIT 7-A CONTINUED



forwarded from your regular smartphone.

3.2.2. During International Travel

- Never leave your device unattended.
- Always disable all Bluetooth features/capabilities on the device while abroad.
- Immediately report any known or suspected tampering with your device to the BOC CIRT by calling 1-301-763-3333 anytime.

3.2.3. Upon Completion of International Travel

- Upon completion of your international travel, open a Remedy ticket for the return of the device. Once the necessary paperwork is completed, the ITD will contact you, and then you can return the smartphone. Smartphones are then wiped and reimaged for reuse.

4. Turn-In or Transfer of Devices

Contact the IT Service Desk at 301-763-3333 if you:

- No longer require a Census-provided mobile communications device to perform your job.
- Are terminating employment at Census (including transfer to another Federal agency), or
- Are transferring the device to another employee within a Division/Office within Census, or
- Are transferring to a different Division/Office within Census.

You should also contact the IT Service Desk if you experience problems with your device or need information or assistance.

Upon turn-in of a device, device phone numbers will be retained by the Census Bureau and cannot be transferred to a personally owned device.

5. Accountability

Individuals who fail to adhere to established policies and procedures or who misuse a Census mobile communications device, whether advertently or inadvertently, may be subject to disciplinary action, up to and including removal of privileges or dismissal.

EXHIBIT 7-A CONTINUED



Acknowledgement

By signing below, I certify that:

- I have read the *Mobile Communications Device Acceptable Use Policy* document, including Executive Order 13513, *Federal Leadership on Reducing Text Messaging While Driving*, which prohibits use of Government-furnished electronic devices for texting, e-mailing, etc. at any time while driving.
- I understand and acknowledge my responsibilities with regard to proper use and safeguard of my Census-furnished (check all that apply):
 - Tablet
 - Smartphone
 - Cell phone
 - Aircard
- I am aware that if I have any questions about authorized use or if I have problems with the device that I should contact the IT Service Desk at 301-763-3333 for assistance.
- I am aware that replacement of a lost, stolen or damaged device may result in a charge to my division for replacement.
- I am aware that Mobile Device Management Software will track the location of tablets and smartphones.

You may decline this device if you choose not to agree to the Acceptable Use Policy:

- I decline to accept this device, as I don't agree to this Acceptable Use Policy.**

Signature

Date

Printed Name

IT Representative Signature

Date

IT Representative Printed Name

EXHIBIT 7-B

FORM BC-1759, SPECIAL SWORN STATUS



SPECIAL SWORN STATUS

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

PART A - IDENTIFICATION					
1. Name - Last, first, middle		2. Date of birth	Month	Day	Year
3. Place of birth - City and State or Country			4. Social Security Number		
Citizenship		5. Local home address			
6. Name and address of present employer		7. Prior investigation contact:			
		Telephone number			

PART B - WAIVER OF COMPENSATION	
I, the undersigned, offer my services to the U.S. Census Bureau with Special Sworn Status on a voluntary/contractor basis without compensation. On behalf of myself and my heirs and assigns, I release and discharge the Government of the United States from any claims, suits, or demands that I or my heirs or assigns may, can, or shall have in connection with compensation for my volunteer/contractor services for the Government of the United States.	
Signature	Date
Witness signature	Date

PART C - AFFIDAVIT OF NON-DISCLOSURE	
I, _____, do solemnly swear (or affirm) I will not disclose any information contained in the schedules, lists, or statements obtained for or prepared by the U.S. Census Bureau to any person or persons either during or after appointment. (Under title 13, U.S.C. section 214 and title 18, U.S.C. 3551, et. seq., the penalty for unlawful disclosure is a fine of not more than \$250,000 or imprisonment for not more than 5 years, or both.)	
_____ (Signature of appointee)	
Subscribed and sworn (or affirmed) before me this _____ day of _____, 20____,	
at _____ (City), _____ (State)	
[SEAL] _____ Signature	
My commission expires _____ Title (Officer/Notary Public)	
NOTE - The oath of nondisclosure must be administered by a person specified in 5 U.S.C. §2903. The word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavit; only these words may be stricken and only when the appointee elects to affirm the affidavit.	

PART D - DIVISION/OFFICE AUTHORIZATION						
1. Work location	a. Div. & Org. code	b. Census facility	c. Non-Census	2. Date	Start	3. Special access: (Attach documentation)
	d. Room	e. Office telephone number			Proposed end	
4. Approving Census Official	a. COTR/Division Chief - Type				b. Approver's telephone number	
	c. Signature				d. Date of request	

PART E - TO BE COMPLETED BY SECURITY				
1. Approved by Security	2. Badge issued for - Specify time limit. →	3. Fingerprints required <input type="checkbox"/> Yes <input type="checkbox"/> No	4. Renewal <input type="checkbox"/> Yes <input type="checkbox"/> No	5. Badge issued <input type="checkbox"/>

FORM BC-1759 (12-9-2013)

Clear Fields Print Form Save Form As

EXHIBIT 7-B CONTINUED

EXPLANATION OF SPECIAL SWORN STATUS (BC-1759)

- Part A:** Completed by the special sworn/contractor. Contractors who are not U.S. citizens should bring INS documentation with them.
- Part B:** Signed by the special sworn/contractor in the presence of a witness. The witness should be either a Census Bureau employee authorized by the Security Office or a notary public.
- Note:** Signature for Part B of the BC-1759 is a Human Resources Division requirement. Individuals working as contractors or volunteers are not paid employees of the U.S. Census Bureau; therefore, they do not receive the benefits of the Bureau's payroll system. Volunteers receive no compensation. Contractors are paid through a contractual agreement with the Bureau's procurement office or sponsoring division.
- Part C:** Signed by the special sworn/contractor in the presence of either a Census Bureau employee authorized to administer the oath of non-disclosure or a notary public.
- Note:** Special sworn/contractors who refuse to sign Part C **will not** be allowed to have access to Census Bureau facilities or information.
- Part D:** Signed by the authorized Contracting Officer's Technical Representative (COTR) or the sponsoring Division Chief.
- Note:** Part D **MUST** be completed **before** the Security Office will initiate any action on the security processing or issuance of a building pass. Special Access includes 24-hour access and proxy card access, which require additional documentation. For further information, contact the Security Office. The authorized signature in Part D indicates that the COTR or Division Chief is responsible for the actions of the special sworn/ contractor.
- Renewals:** Contractors complete Part A of BC-1759, and COTR or Division Chief completes Part D. Contractor brings completed form to Security Office for approval.

EXHIBIT 7-C

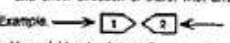
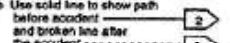
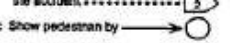
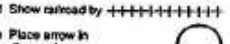
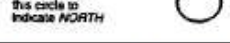
SF-91, MOTOR VEHICLE ACCIDENT REPORT

MOTOR VEHICLE ACCIDENT REPORT	<i>Please read the Privacy Act Statement on Page 3</i>	INSTRUCTIONS: Sections I through IX are filled out by the vehicle operator. Section X, items 73 thru 83c are filled out by the operator's supervisor. Section XI thru XIII are filled out by an accident investigator for bodily injury, fatality, and/or damage exceeding \$500.			
SECTION I - FEDERAL VEHICLE DATA					
1. DRIVER'S NAME (Last, First, Middle)		2. DRIVER'S LICENSE NO./STATE/LIMITATIONS		3. DATE OF ACCIDENT	
4a. DEPARTMENT/FEDERAL AGENCY PERMANENT OFFICE ADDRESS				4b. WORK TELEPHONE NUMBER	
5. TAG OR IDENTIFICATION NUMBER	6. EST. REPAIR COST \$	7. YEAR OF VEHICLE	8. MAKE	9. MODEL	
11. DESCRIBE VEHICLE DAMAGE				10. SEAT BELTS USED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
SECTION II - OTHER VEHICLE DATA (Use Section VIII if additional space is needed)					
12. DRIVER'S NAME (Last, First, Middle)		13. SOCIAL SECURITY NO./ TAX IDENTIFICATION NO.	14. DRIVER'S LICENSE NO./STATE/LIMITATIONS		
15a. DRIVER'S WORK ADDRESS			15b. WORK TELEPHONE NUMBER		
16a. DRIVER'S HOME ADDRESS			16b. HOME TELEPHONE NUMBER		
17. DESCRIPTION OF VEHICLE DAMAGE			18. ESTIMATED REPAIR COST \$		
19. YEAR OF VEHICLE	20. MAKE OF VEHICLE	21. MODEL OF VEHICLE		22. TAG NUMBER AND STATE	
23a. DRIVER'S INSURANCE COMPANY NAME AND ADDRESS			23b. POLICY NUMBER		
			23c. TELEPHONE NUMBER		
24. VEHICLE IS <input type="checkbox"/> CO-OWNED <input type="checkbox"/> RENTAL <input type="checkbox"/> LEASED <input type="checkbox"/> PRIVATELY OWNED		25a. OWNER'S NAME(S) (Last, First, Middle)		25b. TELEPHONE NUMBER	
26. OWNER'S ADDRESS(ES)					
SECTION III - KILLED OR INJURED (Use Section VIII if additional space is needed)					
27. NAME (Last, First, Middle)			28. SEX	29. DATE OF BIRTH	
30. ADDRESS					
A	31. MARK "X" IN TWO APPROPRIATE BOXES <input type="checkbox"/> KILLED <input type="checkbox"/> DRIVER <input type="checkbox"/> PASSENGER <input type="checkbox"/> INJURED <input type="checkbox"/> HELPER <input type="checkbox"/> PEDESTRIAN		32. IN WHICH VEHICLE <input type="checkbox"/> FED <input type="checkbox"/> OTHER (2)	33. LOCATION IN VEHICLE	34. FIRST AID GIVEN BY
	35. TRANSPORTED BY		36. TRANSPORTED TO		
	37. NAME (Last, First, Middle)			38. SEX	39. DATE OF BIRTH
40. ADDRESS					
B	41. MARK "X" IN TWO APPROPRIATE BOXES <input type="checkbox"/> KILLED <input type="checkbox"/> DRIVER <input type="checkbox"/> PASSENGER <input type="checkbox"/> INJURED <input type="checkbox"/> HELPER <input type="checkbox"/> PEDESTRIAN		42. IN WHICH VEHICLE <input type="checkbox"/> FED <input type="checkbox"/> OTHER (2)	43. LOCATION IN VEHICLE	44. FIRST AID GIVEN BY
	45. TRANSPORTED BY		46. TRANSPORTED TO		
	47. Pedestrian			b. DIRECTION OF PEDESTRIAN (SW corner to NW corner, etc.) FROM TO	
c. DESCRIBE WHAT PEDESTRIAN WAS DOING AT TIME OF ACCIDENT (crossing intersection with signal, against signal, diagonally, in roadway playing, walking, hitchhiking, etc.)					

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Previous editions are not usable

STANDARD FORM 91 2/2004
Prescribed by GSA-FMR 102-34.290

EXHIBIT 7-C CONTINUED

SECTION IV - ACCIDENT TIME AND LOCATION (Use Section VII if additional space is needed)																													
48. DATE OF ACCIDENT	49. PLACE OF ACCIDENT (Street address, city, state, ZIP Code; Nearest landmark; Distance nearest intersection; Kind of locality (Industrial, business, residential, open country, etc.); Road description).																												
50. TIME OF ACCIDENT	<input type="checkbox"/> AM <input type="checkbox"/> PM																												
51. INDICATE ON THIS DIAGRAM HOW THE ACCIDENT HAPPENED		52. POINT OF IMPACT (Check one for each vehicle)																											
<p>Use one of these outlines to sketch the scene. Write in street or highway names or numbers.</p> <p># Number Federal vehicle as 1, other vehicle as 2, additional vehicle as 3 and show direction of travel with arrow.</p> <p>Example: </p> <p>b Use solid line to show path before accident and broken line after the accident. </p> <p>c Show pedestrian by </p> <p>d Show railroad by ++++++ </p> <p>e Place arrow in this circle to indicate NORTH </p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">FED</th> <th style="width: 10%;">2</th> <th style="width: 80%;">AREA</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td>a. Front</td></tr> <tr><td> </td><td> </td><td>b. Right Front</td></tr> <tr><td> </td><td> </td><td>c. Left Front</td></tr> <tr><td> </td><td> </td><td>d. Rear</td></tr> <tr><td> </td><td> </td><td>e. Right Rear</td></tr> <tr><td> </td><td> </td><td>f. Left Rear</td></tr> <tr><td> </td><td> </td><td>g. Right Side</td></tr> <tr><td> </td><td> </td><td>h. Left Side</td></tr> </tbody> </table>	FED	2	AREA			a. Front			b. Right Front			c. Left Front			d. Rear			e. Right Rear			f. Left Rear			g. Right Side			h. Left Side
FED	2	AREA																											
		a. Front																											
		b. Right Front																											
		c. Left Front																											
		d. Rear																											
		e. Right Rear																											
		f. Left Rear																											
		g. Right Side																											
		h. Left Side																											
53. DESCRIBE WHAT HAPPENED (Refer to vehicles as "Fed", "2", "3", etc. Please include information on posted speed limit, approximate speed of vehicles, road conditions, weather conditions, driver visibility, condition of accident vehicles, traffic controls (warning light, stop signal, etc.), condition of light (daylight, dusk, night, dawn, artificial light, etc.), and driver actions (making a U-turn, passing, stopped in traffic, etc.).																													

SECTION V - WITNESS/PASSENGER (Witness must fill out SF 94, Statement of Witness) (Continue in Section VIII.)		
54. NAME (Last, First, Middle)	55. WORK TELEPHONE NUMBER	56. HOME TELEPHONE NUMBER
57. WORK ADDRESS		58. HOME ADDRESS
59. NAME (Last, first, middle)	60. WORK TELEPHONE NUMBER	61. HOME TELEPHONE NUMBER
62. WORK ADDRESS		63. HOME ADDRESS

SECTION VI - PROPERTY DAMAGE (Use Section VIII if additional space is needed.)		
64a. NAME OF OWNER (Last, first, middle)	64b. WORK TELEPHONE NUMBER	64c. HOME TELEPHONE NUMBER
64d. WORK ADDRESS		64e. HOME ADDRESS
65a. NAME OF INSURANCE COMPANY	65b. TELEPHONE NUMBER	65c. POLICY NUMBER
66. ITEM DAMAGED	67. LOCATION OF DAMAGED ITEM	68. ESTIMATED COST

SECTION VII - POLICE INFORMATION		
69a. NAME OF POLICE OFFICER	69b. BADGE NUMBER	69c. TELEPHONE NUMBER
70. PRECINCT OR HEADQUARTERS	71a. PERSON CHARGED WITH ACCIDENT	71b. VIOLATION(S)

EXHIBIT 7-C CONTINUED

SECTION VIII - EXTRA DETAILS

SPACE FOR DETAILED ANSWERS: INDICATE SECTION AND ITEM NUMBER FOR EACH ANSWER. IF MORE SPACE IS NEEDED, CONTINUE ITEMS ON PLAIN BOND PAPER.

PRIVACY ACT STATEMENT

The information on this form is subject to the Privacy Act of 1974 (5 U.S.C. section 552a). Authority to collect the information is Title 40 U.S.C. Section 491 and the title 31 U.S.C. Section 7701. The information is required by Federal Government agencies to administer motor vehicle programs, including maintaining records on accidents involving privately owned and Federal fleet vehicles, and collecting accident claims resulting from accidents. Federal employees, and employees under contract, will use the information only in the performance of their official duties. Routine uses of the collected information may include disclosures to: appropriate Federal, State, or local agencies or contractors when relevant to civil, criminal, or regulatory investigations or prosecutions; the Office of Personnel Management and the General Accounting Office for program evaluation purposes; a Member of Congress or staff in response to a request for assistance by the individual of record; another Federal agency, including the Department of the Treasury and Justice, or a court under judicial proceedings; agency Inspectors General in conducting audits; private insurance and the collection agencies (including agencies under contract to Treasury to collect debt), and to other agency finance offices for federal management and debt collection. Furnishing the requested information is mandatory, including the Social security Number or Taxpayer's Identification Number (TIN) for use as a unique identifier to ensure accurate identification for individuals or firms in the system.

SECTION IX - FEDERAL DRIVER CERTIFICATION

I certify that the information on this form (Sections I thru VII) is correct to the best of my knowledge and belief.

72a. NAME AND TITLE OF DRIVER	72b. DRIVER'S SIGNATURE AND DATE
-------------------------------	----------------------------------

SECTION X - DETAILS OF TRIP DURING WHICH ACCIDENT OCCURRED

73. ORIGIN	74. DESTINATION
------------	-----------------

75. EXACT PURPOSE OF TRIP

76. TRIP BEGAN	DATE	TIME (Include AM or PM)	77. ACCIDENT OCCURRED	DATE	TIME (Include AM or PM)
----------------	------	-------------------------	-----------------------	------	-------------------------

78. AUTHORITY FOR THE TRIP WAS GIVEN TO THE OPERATOR <input type="checkbox"/> ORALLY <input type="checkbox"/> IN WRITING (Explain)	79. WAS THERE ANY DEVIATION FROM DIRECT ROUTE? <input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)
---	--

80. WAS THE TRIP MADE WITHIN ESTABLISHED WORKING HOURS? <input type="checkbox"/> YES <input type="checkbox"/> NO (Explain)	81. DID THE OPERATOR, WHILE ENROUTE, ENGAGE IN ANY ACTIVITY OTHER THAN THAT FOR WHICH THE TRIP WAS AUTHORIZED? <input type="checkbox"/> NO <input type="checkbox"/> YES (Explain)
---	--

82. COMPLETED BY DRIVER'S SUPERVISOR <input type="checkbox"/> YES <input type="checkbox"/> NO	a. DID THIS ACCIDENT OCCUR WITHIN THE EMPLOYEE'S SCOPE OF DUTY? b. COMMENTS
---	--

83a. NAME AND TITLE OF SUPERVISOR	83b. SUPERVISOR'S SIGNATURE AND DATE	83c. TELEPHONE NUMBER
-----------------------------------	--------------------------------------	-----------------------

EXHIBIT 7-C CONTINUED

SECTION XI - ACCIDENT INVESTIGATION DATA

84. DID THE INVESTIGATION DISCLOSE CONFLICTING INFORMATION? NO YES (If checked, explain below.)

85. PERSONS INTERVIEWED

NAME		DATE	NAME		DATE
a.			c.		
b.			d.		

86. ADDITIONAL COMMENTS (Indicate section and item number of each comment)

SECTION XII - ATTACHMENTS

87. LIST ALL ATTACHMENTS TO THIS REPORT

SECTION XIII - COMMENTS/APPROVALS

88. REVIEWING OFFICIAL'S COMMENTS

89. ACCIDENT INVESTIGATOR			90. ACCIDENT REVIEWING OFFICIAL		
a. SIGNATURE	b. DATE		a. SIGNATURE	b. DATE	
c. NAME (First, Middle, Last)			c. NAME (First, Middle, Last)		
d. TITLE			d. TITLE		
e. OFFICE			e. OFFICE		
f. OFFICE TELEPHONE NUMBER			f. OFFICE TELEPHONE NUMBER		
AREA CODE	NUMBER	EXTENSION	AREA CODE	NUMBER	EXTENSION

EXHIBIT 7-D**SF-94, STATEMENT OF WITNESS**

STATEMENT OF WITNESS <i>(Attach additional sheets if necessary)</i>			OMB Control Number: 3090-0118 Expiration Date: 8/31/2020	
<small>Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. The OMB control number for this collection is 3090-0118. We estimate that it will take 20 minutes to read the instructions, gather the facts, and answer the questions. Send only comments relating to our time estimate, including suggestions for reducing this burden, or any other aspects of this collection of information to: U.S. General Services Administration, Regulatory Secretariat Division (M1V1CB), 1800 F Street, NW, Washington, DC 20405.</small>				
1. WITNESS INFORMATION				
a. NAME OF WITNESS:				
b. HOME ADDRESS <i>(Include ZIP Code)</i>				
c. E-MAIL ADDRESS				
d. WORK TELEPHONE NUMBER		e. CELLULAR TELEPHONE NUMBER		f. HOME TELEPHONE NUMBER
2. ACCIDENT INFORMATION				
a. DID YOU WITNESS THE ACCIDENT?	b. DATE OF ACCIDENT:	c. TIME OF ACCIDENT: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	d. TIME YOU ARRIVED AT SCENE? <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
3. WHERE DID THE ACCIDENT OCCUR? <i>(Give Street Location, City, and State)</i>				
4. TELL IN YOUR OWN WAY HOW THE ACCIDENT HAPPENED.				
5. WAS ANYONE INJURED, AND IF SO, EXTENT OF INJURY IF KNOWN?				
6. DESCRIBE THE APPARENT DAMAGE TO PRIVATE PROPERTY.				
7. DESCRIBE THE APPARENT DAMAGE TO GOVERNMENT PROPERTY.				
8. DESCRIBE ROAD AND CONDITIONS THAT INFLUENCED THE ACCIDENT <i>(e.g. weather, terrain, debris, road work, time of day)</i> .				
9. DID YOU NOTICE ANYTHING UNUSUAL PRIOR TO OR DURING THE ACCIDENT? <i>IF YES, PLEASE DESCRIBE WHAT YOU NOTICED AND WHY YOU THINK IT WAS PERTINENT TO THIS ACCIDENT.</i>				

EXHIBIT 7-E

FORM CD-137, REPORT OF INCIDENT, INJURY, ILLNESS, MOTOR VEHICLE ACCIDENT, PROPERTY DAMAGE, OR FATALITY

FORM CD-137 (Rev 2/15)	U.S. Department of Commerce U.S. Bureau of the Census	Safety Coordinator/Manager Complete this Box OSHA Log #: _____ Date of Receipt of this Report: _____ OSHA Injury Type: _____ OSHA Source of Injury: _____
Report of Incident, Injury, Illness Motor Vehicle Accident, Property Damage, or Fatality		
<p>DIRECTIONS: Employee completes ALL questions (#1-24) as thoroughly as possible. Submit completed form within 24 hours to the appropriate supervisor. Supervisor completes questions #25-31, signs and distributes it according to instructions on the bottom of page 3 of this form.</p>		
<p>Form Completed by:</p> 1) Full Name and Title: _____ 2) Bureau/Operating Unit: _____ 3) Phone/Email: _____ 4) Date: _____		
<p>Reason for Report: (Check all that apply)</p> 5) Injury, illness/disease, fatality or inpatient hospitalization of the employee (See #24) <input type="checkbox"/> Motor vehicle accident (include estimated repair cost); an SF-91 Motor Vehicle Accident Report must be completed <input type="checkbox"/> Property damage (other) (include estimated repair cost) <input type="checkbox"/> Near miss <input type="checkbox"/> Amputation <input type="checkbox"/> Loss of Eye(s) <input type="checkbox"/>		
<p>Information about the injured/ill employee:</p> 6) Employee Full Name: _____ Age: _____ 7) Employee Home Address: _____ 8) Bureau/Occupation: _____ 9) Duty Station: _____ Work Phone: _____ 10) Date of Hire: _____ Male <input type="checkbox"/> Female <input type="checkbox"/>		
<p>Information about treatment:</p> 11) Name of physician or health care provider, if known: _____ 12) Was the employee treated in an emergency room? _____ 13) Location of Facility (Street, City, State, Zip Code): _____ 14) Was the employee hospitalized overnight as an inpatient? _____ 15) What type of treatment was received? _____ 16) Did this incident result in the employee being place on restricted or light duty, or transfer to another job? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain restricted/light duty position. _____ 16a) Did employee lose any days away from work other than the day of the injury? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, how many days? _____		
<p>Information about the incident: (Be specific)</p> 17) Location of incident: _____ 18a) Date and day of the week of the incident: _____ 18b) Time of incident: _____ 18c) Date employee reported incident: _____ 18d) Time employee began work, on the day of the incident: _____		

EXHIBIT 7-E CONTINUED

<p>Actions at time of incident:</p> <p>19) Describe what the employee was doing just before the incident occurred (be specific)</p> <p>20a) Did employee violate any safety rules? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain.</p> <p>20b) Was the action willful misconduct? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, explain.</p>
<p>Description of the incident:</p> <p>21) Describe the incident. (Be specific; e.g., Employee was carrying a heavy box, did not see the steps, and fell down three steps.)</p>
<p>Description of injury/illness:</p> <p>22) Describe the injury/illness. (Be specific; e.g., Employee twisted left ankle; bruised right shoulder; abrasions on right arm.)</p>
<p>Other information/Fatality:</p> <p>23) What object or substance directly harmed the employee?</p> <p>24) If the employee died, when did the death occur?</p> <p>ATTENTION: Death, or inpatient hospitalization of one or more employees, or amputation, or loss of eye(s) as a result of a work-related incident require immediate notification to the Census Bureau Headquarters, Health and Safety Office, at (301) 763-3711.</p>
<p>SUPERVISOR: Complete questions #25-31, sign, and submit this completed form within five working days according to instruction on the bottom of page 3 of this form.</p> <p>25) Date of supervisory investigation: _____</p> <p>26) Describe findings: _____</p> <p>27) Describe corrective action taken: _____</p> <p>28) Date corrective action completed: _____</p> <p>29) Name of Supervisor/Title: _____</p> <p>30) Bureau/Operating Unit: _____</p> <p>31) Phone/Email: _____</p>
<p>I have made due inquiry into the incident(s) described above and to the best of my knowledge the information provided is accurate and complete.</p> <p>Supervisor signature: _____ Date: _____</p>
<p>BUREAU SAFETY COORDINATORS/MANAGERS ONLY:</p> <p>Does this injury/illness meet the definition of an OSHA recordable? _____ If yes, record the injury/illness on your OSHA 300 Log and put the number of the case at the top of this form. Any additional information about this incident?</p> <p>DIRECTIONS for OSHA RECORDABLE INJURIES: Within 7 calendar days after receiving information that an OSHA recordable work-related injury or illness occurred, this form must be submitted and your OSHA 300 Log updated. For OSHA recordkeeping forms go to www.osha.gov.</p>

EXHIBIT 7-E CONTINUED

INSTRUCTIONS FOR COMPLETING CD-137	
Privacy Act Statement: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of the employee to the extent possible while the information is being used for official DOC purposes.	
When to use this form: This form will be used to report work-related incidents. This form should be completed within 24 hours of the incident.	
Completing this form: The employee's first-line supervisor of the bureau/organization where the incident occurred, their designee, or the first-line supervisor's manager is responsible for completing this form. After all sections are completed, the first-line supervisor or designee who completed the form must sign and date the form in the spaces provided at the bottom of the form.	
Information and Definitions	
<p>Question 5 Reason for Report: Select all that apply.</p> <p>Questions 5 and 24 Notifications: If incident resulted in the death of one or more persons or the hospitalization of three or more persons, immediately notify your bureau Safety Coordinator/Manager. Indicate on form if notification was made. The Bureau Safety Coordinator/Manager should notify the nearest OSHA office. For instructions, refer to DAO 209-3, Injury, Illness, Incident, Fatality and Motor Vehicle Accident Reporting and Investigation.</p> <p>Question 5 Amount of Motor Vehicle or Property Damage: If motor vehicle/property was damaged, insert estimated cost of damage. A form SF-91 Operator's Report of Motor Vehicle Accident may also need to be prepared. If no motor vehicle/property damage, insert "no damage."</p> <p>Question 6 Information about the injured/ill employee, Full Name and Age: Provide employee's name as it appears in payroll stream, and age at time of incident.</p> <p>Question 7 Address: OSHA requires employee's personal address.</p> <p>Questions 8 and 9 Bureau/Occupation and Duty Station: Give full Bureau name and provide description of job (e.g., Analyst, Chemist, Administrative Assistant, etc.). Provide official duty station address (Bureau location, etc.). Do not use temporary or travel duty stations. Give the work phone number.</p> <p>Question 16a Lost Time: If employee lost days from work due to incident, mark "yes." If unknown at time of form completion, write "unknown."</p>	<p>Question 17 Location of Incident: If incident occurred at the official duty station, provide the most detailed location information possible, including room number. If the incident occurred while on travel, telework or during temporary duty status, indicate the specific location. If incident did not occur on Department of Commerce property, give specific location.</p> <p>Questions 18 Date and Time: Provide the date and time of incident. List date and time as accurately as possible (e.g., Tuesday 9/8/12 10:30 AM, not "moming").</p> <p>Question 21 Description of Incident: Provide detailed information regarding what happened (e.g., "slipped and fell due to water spilled beneath fountain" rather than "fell").</p> <p>Question 22 Description of Injury/Illness: Describe body parts involved and extent of injury (e.g., broken, sprained, required stitches, severe, mild, etc.).</p> <p>Question 25 Investigation Date: Insert date supervisor investigation was conducted.</p> <p>Question 26 Findings: Provide findings of incident investigator and supervisor's investigation. Use additional sheets if necessary. Attach photos, diagrams, police reports or other available support documentation.</p> <p>Question 27 Describe Corrective Action: Supervisor's investigation may identify necessary corrective actions (e.g., repair carpet, provide safety training, etc.). Describe recommended corrective actions including, if known, who will be responsible for completion.</p> <p>Question 28 Date of Completion of Corrective Action: List the date of completion if known. If not known, provide targeted date for completion.</p>
Distribution of Copies	
<p>1. Census HQ: Supervisor submits a signed copy of this report and any supporting documentation via hand delivery or FAX within 5 working days to: Health & Safety Branch, Room 2K044 Fax: (301) 763-4373</p> <p>Field Locations: Regional Office Administrative Officer will scan this report to their designated shared drive subfolder within 2 days of receipt. Injuries determined to be recordable must be recorded on the OSHA Log within 7 days.</p> <p>2. In case of the death of any employee from a work-related incident or the inpatient hospitalization of 1 or more employees, or amputation, or loss of eye(s) as a result of a work-related incident, in addition to immediate telephone notification the supervisor or Administrative Officer must submit a signed copy of this report and any supporting documentation via hand delivery or by FAX within 24 hours to: Census Bureau Headquarters, Health & Safety Branch Room 2K044 Voice (301) 763-3711 Fax (301) 763-4373</p> <p>Keep this form on file for 5 years following the year to which it pertains. Retain file copies: Bureau Safety Coordinators/Managers; Employee; Employee's Supervisor</p>	

EXHIBIT 7-E CONTINUED

Privacy Act Advisory Statement

The Privacy Act of 1974 requires that you be given certain information in connection with this request for information. This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes. The Department must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. The Department must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. The Department must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12.

Prefatory statement of general routing uses

In the event that a system of records maintained by the Department to carry out its function indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the department, the relevant records in the system of records may be referred, as routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

A record from this system of records may be disclosed, as routine use, to a federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of license, grant or other benefit. A record from this system of records may be disclosed, as routine use, to a federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or issuance of license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record from the system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiation.

A record from this system of records may be disclosed, as routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance for the member with respect to the subject matter of the record.

A record in this system of records which contains medical information may be disclosed, as routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR part 4b if, in the sole judgment of the department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulation at 15 CFR 4b6.

A record in this system of records may be disclosed, as a routine use, the Office of Management and Budget in connection with the review of private relief legislative as set forth in OMB Circular No. A-19 at any state of the legislation coordination and clearance process as set forth in the Circular.

A record in this system of records may be disclosed, as routine use, to the Department of Justice in connection with determining whether disclosure therefore is required by the Freedom of Information Act (5 U.S.C. 552).

A record in this system may be disclosed, as routine use, to a contractor, or agent, of the Department having a need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

A record in this system may be transferred, as routine use, to the Office of Personnel Management: for personnel research purposes, as a data source for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related manpower studies. A record in this system may be disclosed to officials of the Office of Personnel Management, Merit System Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission, the Department of State, or the Department of Labor when requested in performance of their authorized duties.

The Secretary of Labor shall have access to records and reports kept and filed by the Department pursuant to subsections (a)(3) and (5) of the OSHA Act of 1970 unless those records and reports are specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy, in which case the Secretary of Labor shall have access to such information as will not jeopardize national defense or foreign policy.

A record in this system of records may be disclosed in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvement in record management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with GSA regulation governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determination about individuals.

A record in this system may be disclosed to any source from which additional information is requested in the course of processing a grievance to the extent necessary to identify the individual, inform the sources of the purpose(s) of the request, and identify the type of information requested.

A record in this system of records may be disclosed to Senior State department officials at U.S. Embassies, including the Ambassador, deputy Chief of Mission, administrative Counselor and Human resources officers, for matters relating to employment of security issues pertaining to Department of Commerce employees working in U.S. Embassies or facilities overseas.

EXHIBIT 7-F**CA-11, "WHEN INJURED AT WORK INFORMATION GUIDE FOR FEDERAL EMPLOYEES"****Introduction**

The Federal Employees' Compensation Act (FECA) (5 U.S.C. 8101 et seq.) is administered by the Office of Workers' Compensation Programs (OWCP) of the U.S. Department of Labor. It provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained while in the performance of duty or to employment-related disease. The FECA also provides for the payment of benefits to dependents if the injury or disease causes the employee's death. Benefits cannot be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about his or her injury or death or that of another, or if intoxication (by alcohol or drugs) is the proximate cause of the injury or death.

Medical Benefits

An employee is entitled to medical, surgical and hospital services and supplies needed for treatment of an injury as well as transportation for obtaining care. The injured employee has initial choice of physician and may select any qualified local physician or hospital to provide necessary treatment or may use agency medical facilities if available. Except for referral by the attending physician, any change in treating physician after the initial choice must be authorized by OWCP. Otherwise, OWCP will not be liable for the expenses of treatment.

The term "physician" includes surgeons, osteopathic practitioners, podiatrists, dentists, clinical psychologists, optometrists and chiropractors within the scope of their practice as defined by State law. Payment for chiropractic services is limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist. If the physician selected has been excluded from participating in the Compensation Program the OWCP District Office will advise the employee of the exclusion and the need to select another physician.

Compensation for Temporary Total Disability

An employee who sustains a disabling, job-related traumatic injury may request continuation of regular pay for the period of disability not to exceed 45 calendar days or sick or annual leave. If disability continues beyond 45 days or the employee is not entitled to continuation of pay, the employee may use sick or annual leave or enter a leave without pay status and claim compensation from OWCP.

When disability results from an occupational disease, the employing agency is not authorized to continue the employee's pay. The employee may use sick or annual leave or enter a leave without pay status and claim compensation.

Compensation for loss of wages may not be paid until after a three-day waiting period, except when permanent effects result from the injury or where the disability causing wage loss exceeds 14 calendar days. Compensation is generally paid at the rate of 2/3 of the salary if the employee has no dependents and 3/4 of the salary if one or more dependents are claimed.

EXHIBIT 7-F CONTINUED

The term "dependent" includes a husband, wife, unmarried child under 18 years of age, and a wholly dependent parent. An unmarried child may qualify as a dependent after reaching the age of 18 if incapable of self-support by reason of mental or physical disability, or as long as the child continues to be a full-time student at an accredited institution, until he or she reaches the age of 23 or has completed four years of education beyond the high school level.

Compensation for Permanent Effects of Injury

The Act provides a schedule of benefits for permanent impairment of certain members, functions and organs of the body such as the eye, arm, or kidney and for serious disfigurement of the head, face or neck. For example, an award of 160 weeks of compensation is payable for total loss of vision in one eye.

In addition, compensation for loss of earning capacity may be paid if the employee is unable to resume regular work because of injury-related disability. This compensation is paid on the basis of the difference between the employee's capacity to earn wages after an injury and the wages of the job he or she held when injured.

OWCP may arrange for vocational rehabilitation and provide a maintenance allowance not to exceed \$200 per month. A disabled employee participating in an OWCP-approved training or vocational rehabilitation program is paid at the compensation rate for total disability.

If the employee's condition requires a constant attendant, an additional amount not to exceed \$1500 per month may be allowed.

Compensation for Death

If no child is eligible for benefits, the widow or widower's compensation is 50 percent of the employee's pay at the time of death, if death was due to the employment-related injury or disease. If a child or children are eligible for benefits, the widow or widower is entitled to 45 percent of the pay and each child is entitled to 15 percent. If children are the sole survivors, 40 percent is paid for the first child and 15 percent for each additional child, to be shared equally. Other persons such as dependent parents, brothers, sisters, grandparents, and grandchildren may also be entitled to benefits. The total compensation may not exceed 75 percent of the employee's pay or the pay of the highest step for GS-15 of the General Schedule, except when such excess is created by authorized cost-of-living increases.

Compensation to an employee's surviving spouse terminates upon his or her death or remarriage. A widow or widower's benefits continue, however, if the remarriage takes place after the age of 55. Awards to children, brothers, sisters and grandchildren terminate at the age of 18, unless the dependent is incapable of self-support, or continues to be a full-time student at an accredited institution, until he or she reaches the age of 23, or has completed four years of education beyond the high school level.

Burial expenses not to exceed \$800 are payable. Transportation of the body to the employee's former residence in the United States is provided where death occurs away from the employee's home station. In addition to any burial expenses or transportation costs, a \$200 allowance is paid for the administrative costs of terminating an employee's status with the Federal Government.

EXHIBIT 7-F CONTINUED

Cost-of-Living Increases

Compensation payments on account of a disability or death which occurred more than one year before March 1 of each year are increased on that date by any percentage change in the Consumer Price Index published for December of the preceding year.

Settlements With Third Parties

Where an employee's injury or death in the performance of duty occurs under circumstances placing a legal liability on a party other than the United States, a portion of the cost of compensation and other benefits paid by OWCP must be refunded from any settlement obtained. OWCP will assist in obtaining the settlement and the Act guarantees that the employee may retain a certain proportion of the settlement (after any attorney fees and costs are deducted) even when the cost of compensation and other benefits exceeds the amount of the settlement.

Appeal Rights

An employee or survivor who disagrees with a final determination of OWCP may request an oral hearing or a review of the written record from the Branch of Hearings and Review. Oral and/or written evidence in further support of the claim may be presented. The employee may also request a reconsideration of a decision by submitting a written request to the District Office which issued the decision. The request must be accompanied by evidence not previously submitted. If reconsideration has been requested, a hearing on the same issue may not be granted. The employee or survivor may also request review by the Employees' Compensation Appeals Board (ECAB). Because the ECAB rules solely on the evidence of record at the time the decision was issued, no additional evidence may be presented.

More Detailed Information

More detailed information about the requirements for coverage and benefits under the Federal Employees' Compensation Act may be obtained from Federal Personnel Manual Chapter 810, Injury Compensation [now OWCP Publication CA-810], and booklet CA-550, Questions and Answers About the Federal Employees' Compensation Act, which answers questions commonly asked about compensation benefits.

What To Do...

1. Keep This Pamphlet. It is important that you know what you are entitled to, since benefits are not paid automatically. You or your survivors must claim them.

2. In Case of Injury, obtain first aid or medical treatment even if the injury is minor. While many minor injuries heal without treatment, a few result in serious prolonged disability that could have been prevented had the employee received treatment when the injury occurred.

For traumatic injuries, ask your employer to authorize medical treatment on Form CA-16 BEFORE you go to the doctor. Take Form CA-16 when you go to the doctor, along with Form OWCP-1500, which the

EXHIBIT 7-F CONTINUED

doctor must use to submit bills to OWCP. Your employer may authorize medical treatment for occupational disease ONLY if OWCP gives prior approval.

Submit bills promptly, as bills for medical treatment may not be paid if submitted to OWCP more than one year after the calendar year in which you received the treatment or in which the condition was accepted as compensable.

3. *Report Every Injury* to your supervisor. Submit written notice of your injury on Form CA-1 if you sustained a traumatic injury or Form CA-2 if the injury was an occupational disease or illness. (Forms CA-1 and CA-2 may be obtained from your employing agency or OWCP.)

Form CA-1 must be filed within 30 days of the date of injury to receive continuation of pay (COP) for a disabling traumatic injury. COP may be terminated if medical evidence of the injury- related disability is not submitted to your employer within 10 workdays. **YOU ARE RESPONSIBLE FOR ENSURING THAT SUCH MEDICAL EVIDENCE IS SUBMITTED TO YOUR EMPLOYING AGENCY.** Form CA-2 should also be filed within 30 days. Any claim which is not submitted within 3 years will be barred by statutory time limitations unless the immediate superior had actual knowledge of the injury or death within 30 days of occurrence.

4. *Establish the Essential Elements of Your Claim.* You must provide the evidence needed to show that you filed for benefits in a timely manner; that you are a civil employee; that the injury occurred as reported and in the performance of duty; and that your condition or disability is related to the injury or factors of your Federal employment. OWCP will assist you in meeting this responsibility, which is called burden of proof, by requesting evidence needed to fulfill the requirements of your claim.

5. *File a Claim for Compensation.* File Form CA-7, Claim for Compensation on Account of Traumatic Injury or Occupational Disease, if you cannot return to work because of your injury and you are losing (or expect to lose) pay for more than three days. Give the form to your supervisor seven to ten days before the end of the COP period, if you received COP. If you are not entitled to COP, submit Form CA-7 when you enter or expect to enter a leave without pay status. All wage loss claims must be supported by medical evidence of injury-related disability for the period of the claim.

If you continue to lose pay after the dates claimed on Form CA-7, submit Forms CA-8 Claim for Continuing Compensation on Account of Disability, through your employer to claim additional compensation until you return to work or until OWCP advises they are no longer needed. You are not required to use your sick or annual leave before you claim compensation.

If you choose to use your leave, you may, with your agency's concurrence, request leave buy-back by submitting Form CA-7 to OWCP through your employing agency. Any compensation payment is to be used to partially reimburse your agency for the leave pay. You must also arrange to pay your agency the difference between the leave pay based on your full salary and the compensation payment that was paid at 2/3 or 3/4 of your salary. Your agency will then re-credit the leave to your leave record.

6. *Return To Work As Soon As Your Doctor Allows You To Do So.* If your employing agency gives you a written description of a light duty job, you must provide a copy to your doctor and ask if and when you can perform the duties described. If your agency is willing to provide light work, you must ask your

EXHIBIT 7-F CONTINUED

doctor to specify your work restrictions. In either case, you must advise your agency immediately of your doctor's instructions concerning return to work, and arrange for your agency to receive written verification of this information. COP or compensation may be terminated if you refuse work which is within your medical restrictions without good cause, or if you do not respond within specified time limits to a job offer from your agency.

In appropriate cases, OWCP provides assistance in arranging for reassignment to lighter duties in cooperation with the employing agency. In addition, injured employees have certain other specified rights under the jurisdiction of the Office of Personnel Management, such as reemployment rights if the disability has been overcome within one year.

7. Tell Your Family about the benefits they are entitled to in the event of your death. For assistance in filing a claim they may contact your employing agency's personnel office or OWCP.

CHAPTER 8

THE PERFORMANCE APPRAISAL SYSTEM

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CHAPTER 8

THE PERFORMANCE APPRAISAL SYSTEM

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CHAPTER 8

ACRONYMS

CAE	Census Award of Excellence
DOC	Department of Commerce
EEO	Equal Employment Opportunity
EPF	Employee Performance Folder
FL	Field Leader
FR	Field Representative
FS	Field Supervisor
GPS	Generic Performance Standards
HRD	Human Resources Division
OMA	Outstanding Mentor Award
OTS	On-The-Spot
PMR	Performance Management Record
RIF	Reduction-In-Force
RSM	Regional Survey Manager
RD	Regional Director
RO	Regional Office
SHRO	Servicing Human Resources Office
WGI	Within-Grade Increase

CHAPTER 8

THE PERFORMANCE APPRAISAL SYSTEM

8.A INTRODUCTION

The performance appraisal system serves several purposes:

1. To align employee performance elements with organizational goals and objectives.
2. To provide meaningful distinctions in levels of performance.
3. To recognize and reward employee accomplishments based on meeting overall organizational goals and objectives.

This chapter explains the performance plan, progress reviews, ratings, and various incentive awards for Schedule A positions. Schedule A positions include Field Representatives (FRs), Field Leaders (FLs), Field Supervisors (FSs), and temporary Clerks. The Performance Appraisal System for Schedule A employees covers all Schedule A staff with appointments of 120 days or more.

8.B DEFINITIONS

Below are several key terms and definitions used throughout this chapter:

1. *Performance Management Record (PMR)*: The document containing the employee's critical elements, performance standards, and appraisal record. It is generally referred to as the Performance Plan. The Census Bureau has developed standardized plans on form CD-430, Performance Management Record (PMR). The Rating Official, Approving Official, and Employee must sign the first page of the PMR under "Performance Plan Certification" (Exhibit 8-A) when the plan is established. The exhibits included in this chapter provide the complete PMR for Schedule A.
2. *Performance Levels*: There are five performance levels used in the rating of employees' performance; Level 5 being the highest, Level 4, Level 3, Level 2, and Level 1 being unacceptable.
3. *Critical Element*: A work assignment or responsibility that is of such importance that unacceptable performance (Level 1) in that element results in a determination that the employee's overall performance is unacceptable (Level 1). Critical Elements are recorded on the CD-430(b), the Performance Plan and Appraisal Record (Exhibit 8-B). In accordance with Department of Commerce (DOC) regulations, all employees are required to have a Customer Service critical element within their PMR.
4. *Rating Official*: For teams led by an FS, the FS is the Rating Official for all FRs in the team. For field teams led by an FL, the Regional Survey Manager (RSM) is the Rating Official for the FRs. Temporary Clerks are rated by their supervisor. FLs and FSs are rated by their RSM. Regional Office (RO) management will make all employees clearly aware of their assigned rating officials. Rating Officials are responsible for the following:
 - a. Communicating the contents of the performance plan.

- b. Identifying the applicable performance standards.
 - c. Appraising performance.
 - d. Assigning the performance rating.
5. *Approving Official*: The supervisor who assigns, controls, and is ultimately responsible for the work of the Rating Official(s). The Approving Official maintains responsibility for resolving disputes over ratings, and approving the performance plan and the final summary rating. The Rating Official must confer with the Approving Official about the employee's performance plan and final summary rating, and receive approval including the Approving Official's signature on the CD-430. This approval of the employee's performance plan and rating by the Approving Official is required prior to issuing the plan and discussing the final rating with the employee. If the FR team is led by an FS, an RSM is the Approving Official for the FRs. If the FR team is led by an FL and the RSM is the rating official, a Coordinator is the Approving Official. The Approving Official for FLs and FSs is the Coordinator.
6. *Performance Standards*: Expressions of the performance threshold requirements, or expectations, that employees must meet to be appraised at each level of performance. Each performance standard is expressed in terms of quality, quantity, timeliness, cost-effectiveness, or other relevant measures; rather than tasks or specific duties. There are two types of performance standards:
- a. *Generic Performance Standards (GPS)* apply to each critical element, and are described at each of the five (5) performance levels. These are found in CD-430(f), Exhibit 8-F.
 - b. A *Supplemental Standard* is a more detailed statement of performance requirements and expectations necessary to meet the critical element, and generally describes the criteria required to meet Level 3 performance.

The FR Performance Standards

The FR performance plan is standardized and provides definitions of the performance standards that the FR is expected to achieve. Supervisors must discuss these standards with the employee at the beginning of the rating period to ensure a common understanding of performance expectations.

The standardized performance plan includes the supplemental standards, which describe Level 3 performance (Exhibit 8-B) and augment the GPS (Exhibit 8-F).

Additionally, for FRs, the survey specific Response Rate Standards and Production Standards that have been developed either nationally or regionally, depending on the survey, must be attached to the performance plan and referenced in Critical Element 2 (for response rate) and Critical Element 3 (for production rate). These standards provide the numerical goals against which the FR's performance will be rated. Occasionally these standards may change during the performance year, and if so, the supervisor will discuss such changes with the employee and then document at that time. No changes can be made to the performance plan within 120 days of the end of the rating period.

8.C APPRAISAL CYCLE

The period of time, during which a supervisor observes and discusses an employee's performance for the purpose of assigning a rating of record. The official rating period is normally one year, beginning October 1 and ending the following September 30. An employee who did not work under a performance plan for 120 days during the rating period, such as those employees who enter-on-duty during the last 120 days of the appraisal cycle, will be placed on an Extended Rating Cycle (i.e., have the rating period extended by up to 120 days) to allow the employee to work under the plan for the required 120 days. Additionally, intermittent employees must be in a work status for 120 days during the rating period to receive a final rating of record for that performance year. Any part of a day counts toward the 120 days worked. The employee must receive one formal progress review during the Extended Rating Cycle. The Rating Official rates the employee's performance at the end of the rating period extension. Intermittent employees that will not attain 120 days worked within the rating period, including the extended rating period, are considered "unrateable" and the plan is closed out. The intermittent employee is immediately given a new plan for the next rating period. This employee is not eligible for a performance award.

8.D PERFORMANCE MANAGEMENT RECORD (PMR)

The PMR, or performance plan, is the document containing the employee's critical elements and performance standards. At the beginning of the performance year, or when entering the position, the supervisor will explain the critical elements and standards to the employee and the employee will sign and date the PMR under the "Performance Plan Certification" section. See Exhibit 8-A. The employee will receive a copy of the PMR for his/her record. The plan must be returned to the Rating Official within specified timeframes that will be set by the RO. The PMR, CD-430 is issued annually. If any changes to the standards or critical elements are made during the performance year, the employee will receive a revised copy.

New employees MUST receive a PMR within 60 days of their appointment. This also applies to existing staff that are promoted or converted to a new position.

8.E CRITICAL ELEMENTS

All elements described in the PMR, CD-430 (Exhibit 8-B) are critical, and are weighted based on the relative significance of the element.

The Critical Elements and their respective weights (where prescribed) for the FY15 rating cycle are as follows:

FR

1. Customer Service (15%)
2. Interviewing, Listing, and Sampling (40%)
3. Production and Cost (30%)
4. Administrative/Automation Activities (15%)

FL

1. Customer Service (15%)
2. Leadership/Management (20%)
3. Administrative/Automation Activities (15%)
4. Survey Management (30%)
5. Fiscal Management (20%)

FS

1. Customer Service (15%)
2. Leadership/Management (20%)
3. Administrative/Automation Activities (15%)
4. Survey Management (30%)
5. Fiscal Management (20%)

Schedule A Clerk (weights are set by RO)

1. Customer Service
2. Administrative Support
3. Office Support

Notice that the percentages for each element sum to 100%. The criteria for evaluation and critical activities associated with these elements are listed on the PMR. The supervisor will review these elements with each employee in detail when the PMR is provided. It is essential that the employee clearly understand each element and how they will be evaluated so that he/she understands the evaluation process and the standards upon which their performance will be evaluated. All field staff employees will be held responsible for accurately documenting their time and attendance per the instructions presented in the mandatory WebFred training. Language regarding WebFred responsibilities must be included within a critical element.

8.F GENERIC AND SUPPLEMENTAL PERFORMANCE STANDARDS

The Generic Performance Standards (GPS) are displayed in Exhibit 8-F. The GPS are general in nature, and apply to every position. In addition, each critical element contains supplemental standards in the section "Criteria for Evaluation." These supplemental standards are specific to the duties and responsibilities of the position. Some standards are applied on a nationwide basis, and others are established by the ROs. FRs have survey specific performance standards for Response Rate (Critical Element #2), and Production Rate (Critical Element #3). These are numerical standards specific to each survey, and are standardized either nationally or regionally. These standards are attached to the PMR. The Rating Official provides and discusses the definitions of the performance standards at the beginning of the rating period to ensure a common understanding of performance expectations.

The Rating Official provides a copy of the signed performance plan and all applicable performance standards to the employee. When determining a rating, the supervisor considers the nature of the field employee's assignment, any quantitative and qualitative records that are maintained, and if applicable, any extenuating circumstances.

8.G PROGRESS REVIEWS

Management uses progress reviews to evaluate an employee's progress toward meeting the performance standards as applied to each critical element in the performance plan. Progress reviews also provide an opportunity for specific recommendations on overcoming performance deficiencies, as well as to make any necessary changes or revisions to the performance plan.

At a minimum, field staff (FRs, FLs, and FSs) and Schedule A clerks will receive one formal progress review during the appraisal period. RO staff will receive two formal progress reviews during the appraisal period. An employee also may receive information on his/her performance through informal communications, conversations with a supervisor, and other records explained in

the field program manual. The “Progress Reviews” section of the PMR, CD-430(c), is provided at (Exhibit 8-C).

A supervisor maintains the PMR during the performance year, gains an employee’s initials and date on the original progress review page, and returns the original to the RO at the end of the performance year. The employee retains a copy for his/her records. For any questions or disagreement with the review, call a supervisor to discuss the concerns.

Field staff will receive at least one formal progress review each fiscal year. Progress reviews normally occur around April and reflect performance from October through March. Employees that are placed on a PMR for the first time during the period June 4 through September 30, will be placed on an extended rating cycle, and will receive one formal progress review documented on CD-430(c). Additional reviews may be done at the discretion of the supervisor.

8.H ANNUAL RATINGS

All employees must be on a performance plan for a minimum of 120 calendar days in order to receive an annual rating. Employees placed on a plan after June 3, must have their plan extended until they reach the 120 days in order to be rated. For example, an employee placed on a plan on August 1, 2015 would not reach 120 calendars until November 28. This employee would be on an extended plan from October 1 until November 28. The employee would receive a summary rating effective November 28, and then would be immediately put on a new plan effective November 29. That plan would end on September 30 of the following year. Employees on an extended plan are not eligible to receive a performance award.

Schedule A, intermittent employees must also “work” 120 days in order to receive an annual rating. For example, an intermittent FR is put on a performance plan on Oct 15, 2015. This person only works Current Population Surveys and works 5 days every month. This equals to 60 days worked in the performance year. This FR will NOT receive a final rating as they did not WORK 120 days. In addition, this FR will not be eligible for a performance award. All part-time FRs receive an annual rating, provided they were on a performance plan for at least 120 calendar days.

By mid-November of each year, a supervisor will rate each critical element in a plan using a five level rating scale; with Level 5 being the highest, Level 4, Level 3, Level 2, and Level 1 being unacceptable.

A supervisor’s assessment of an employee’s performance against the prescribed performance standards is the basis of an employee’s rating. In applying these standards, supervisors consider extenuating circumstances affecting assignments.

If an employee performs at a high level on some activities within an element and at a lower level on other activities, his/her supervisor must consider the overall effect of the work on the element before making a judgment on the appropriate rating level assigned. For example, an employee’s production may be a higher level than his/her accuracy rate. The critical element rating is indicated by assigning a rating of Level 1-5 under the “Performance Summary Rating” on CD-430(d), Exhibit 8-D.

The rating official will consider an employee’s performance during the rating period, obtain feedback from any other supervisors, and assign a rating of Level 1-5 for each critical element.

If an employee receives a rating of Level 1 “unacceptable” in any critical element, the employee will receive an overall rating of Level 1 “unacceptable.” Otherwise, the employee will receive a rating of Level 2 or above based on the total score computed.

Rating Officials must provide either an overall narrative justification of the summary rating, or a written justification for each element rating. A Rating Official may choose to provide both. A written justification is required for each element rating that is rated below Level 3. An element narrative is written in the space provided on CD-430(b) after each critical element. A summary narrative is written in the space provided on CD-430(e), Exhibit 8-E.

The process that must be followed to calculate the summary rating is explained in CD-430(g), Exhibit 8-G.

Following the performance rating discussion, both the employee and his/her rating official will sign and date the PMR under “Performance Rating,” an indication of discussion of the rating. Employees will receive a copy (for their records) of their annual summary rating of record, and return the original to a manager or the RO. Each RO provides employees with specific guidance regarding signing and submitting documents related to performance appraisals.

An employee’s signature does not indicate agreement with the summary rating, only acknowledgement that the PMR has been discussed with them. If an employee declines to sign the summary rating page, the rating official will annotate the refusal in the “Employee Signature” block on the summary rating page. If the rating is Level 1 “unacceptable,” the supervisor must provide a copy of the summary rating of record to the employee at the appraisal meeting.

8.H1 Consideration of Interim Ratings

Interim ratings are prepared during the course of a rating period when an employee has spent the minimum appraisal period (120 days) in a covered position and then changes to another position. Exhibit 8-H provides guidance on interim ratings. Interim ratings made during the performance year should be considered by the rating official when preparing the final summary rating.

8.I ANNUAL RATINGS RESULTS

Management makes personnel decisions, such as promoting and granting Within-Grade increases (WGI), consistent with performance appraisal results. Promotions correlate with annual ratings since the Census Bureau does not promote employees unless they perform at or above Level 3. Annual ratings are a significant factor in determining whether an employee demonstrated the ability to perform at the next higher level.

In the event of a Reduction-In-Force (RIF), an employee receives service credit based on an average of the employee’s three most recent ratings of record received during the prior four-year period. An employee receives service credit in accordance with Census Bureau policy and federal regulations.

An employee’s original rating is kept on file for four years. Administration maintains field staffs’ performance-related documentation in Employee Performance Folders (EPF), which are located in the RO.

8.J WHAT TO DO IF YOU QUESTION YOUR FINAL RATING

Employees covered by Departmental Administrative Order (DAO) 202-771, Administrative Grievance Procedure, may grieve the rating and /or the performance score in accordance with the procedures in the DOC Performance Management Handbook and DAO 202-771 (Exhibits 8-I and 8-J). The employee must first present a Request for Reconsideration either orally or in writing to the rating official within 15 calendar days of receipt of the performance appraisal (Exhibit 8-I). The rating official must provide a written decision to the employee within 15 calendar days of receipt of the Request for Reconsideration. The rating official will consult with the Servicing Human Resources Office (SHRO) for guidance before issuing a written decision. If the matter is not resolved at that stage, the employee may then file a formal grievance in accordance with the procedures in the DAO 202-771 (Exhibit 8-J). The administrative grievance procedures are also outlined in Chapter 3 of the 11-55RO.

8.K INCENTIVE AWARDS

The Census Bureau and Department of Commerce (DOC) recognize and reward employees for exceptional contributions to government operations through honorary awards or Performance Awards. Performance Awards are the only awards directly linked to a rating of record.

The following are types of awards field staff may be eligible to receive:

8.K1 Awards Presented Once Per Year

Performance Award

This is a cash award directly linked to the summary rating recognizing a high level of performance at the end of the appraisal period. This award is based on overall performance throughout the appraisal year. An employee must receive a Level 3 or higher performance rating to be entitled to a Performance Award. Award amounts are at the discretion of the Regional Director (RD) and Human Resources Division (HRD).

8.K2 Awards Presented Once Per Year at Special Ceremonies

a. Census Award of Excellence (CAE)

CAE is a cash award of \$5,000 for employees Grades 10 or below. The CAE recognizes notable accomplishments, exceptional contributions, and/or innovative ideas.

b. Director's Award for Innovation

This award is presented to individuals or teams to acknowledge creativity, effectiveness, and risk-taking behavior in developing new processes, products, or services that contribute to the mission of the Census Bureau. This is a cash award.

c. Diversity Champion and Leadership Award (DCLA)

The DCLA recognizes employees who have contributed significantly to diversity initiatives at the Census Bureau.

d. Equal Employment Opportunity (EEO) Award

An honorary award recognizing devotion to public service and significant contributions in the area of EEO.

e. Outstanding Mentor Award (OMA)

The OMA recognizes employees who exemplify the spirit and value of mentoring through their efforts to develop the skill and/or professionalism of other employees.

f. Honor Medals

- *Gold Medal*-The highest honorary award granted by the Secretary of Commerce for extraordinary achievements in support of the critical objectives of the DOC with a significant beneficial effect on the Department.
- *Silver Medal*-The second highest honorary award granted by the Secretary for major contributions of exceptional value in support of the DOC's overall goals in service to the Nation.
- *Bronze Medal*- Presented by the Census Bureau, this is the highest honorary award granted for significant contributions that have increased the efficiency and effectiveness of the Census Bureau.

8.K3 Awards Presented Throughout the Year

a. On-the-Spot (OTS) Award

These are merchandise awards granted to recognize employees for day-to-day efforts which contribute "in a special way" to getting the job done, such as developing a new approach to a task or demonstrating efforts that are clearly "above and beyond the call of duty." These awards are valued up to \$25. Employees may receive a maximum of five OTS awards, for a combined value of up to \$125 in a performance year.

b. Time-Off Award

This award is an excused absence without charge to leave or loss of pay. Supervisors can recognize short-term, recent contributions of individuals and groups of employees. Receipt of this award does not limit the receipt of other awards. The limit per person in a calendar year cannot exceed 80 hours for full-time employees or the average number of hours in the part-time employee's bi-weekly scheduled tour of duty. Employees must use a time-off award within one year of the effective date, and the leave cannot be restored or converted to cash value.

8.K4 Other Types of Recognition

a. Letters and Certificates of Commendation or Appreciation

When appropriate, management may use letters and/or certificates of commendation or appreciation to recognize outstanding performance. A Census Bureau official at a level commensurate with the nature of the contribution signs the letter.

b. Career Service Recognition

Employees receive commemorative pins and certificates for years of government service after completing ten years of service and thereafter in five-year increments (for example at 15, 20, 25, 30, 35, 40, 45, and 50 years). The five-year increment recognition took effect on April 8, 1992, and is not retroactive.

EXHIBIT 8-A

FORM CD-430, PERFORMANCE MANAGEMENT RECORD FOR FIELD REPRESENTATIVES (FR)

CD-430 (REV. 05-18)	U.S. Department of Commerce
PERFORMANCE MANAGEMENT RECORD	

Coverage	Bureau Appraisal Cycle	Appraisal Period
<input checked="" type="checkbox"/> General Schedule <input type="checkbox"/> Federal Wage System <input type="checkbox"/> Wage Marine	<input checked="" type="checkbox"/> October 1 – September 30 <input type="checkbox"/> June 1 – May 31 <input type="checkbox"/> November 1 – October 31	From: _____ To: _____ ▾

Employee's Name: _____

Position Title: Field Representative Pay Plan, Series, Grade/Step: GS or GG-0303/

Organization: 1. Department of Commerce 3. Field Division
 2. Census Bureau 4. Regional Office

PERFORMANCE PLAN CERTIFICATION

This plan is an accurate statement of the work that will be the basis for the employee's performance appraisal.

Signature/Title (Rating Official)	Date
Signature/Title (Approving Official)	Date
Employee Signature	Date
<p>My signature acknowledges discussion and receipt of the plan, and does not necessarily signify agreement. It also certifies the following: a) I understand how my individual performance is linked to the organization's mission and goals and b) my supervisor has discussed this with me upon presentation of my performance plan.</p>	

Privacy Act Statement - Disclosure of your social security number is voluntary. The number is linked with your name in the official personnel records to ensure unique identification of your records. The social security number will be used solely to ensure accurate entry of your performance rating into the automated record system.

EXHIBIT 8-B

FORM CD-430(b), PERFORMANCE PLAN AND APPRAISAL RECORD

CD-430(b)

PERFORMANCE PLAN AND APPRAISAL RECORD		
Employee Name: _____	Date _____	Element No. <u>1</u> of <u>4</u>
Cascaded Organizational Goals		
<p>The Department's Strategic Plan identifies five key goals. Each of these goals has Strategic Objectives that one or more bureaus support. Each critical element must cascade from a goal identified for each critical element, and each critical element must have at least one Strategic Objective. First, select the appropriate Strategic Goal. Then, fill in the appropriate Strategic Objective(s), the bureau goal/strategy/initiative, and the SES performance requirement (as applicable) to complete the cascade. The SES performance requirement will be in the performance plan for the SES member who is in the employee's chain of command. The weight for each element should reflect the significance within the Department and bureau's organizational goals. Weights should not be assigned based on the percentage of time an employee spends working on the element.</p>		
<p>Strategic Goals</p> <p><input type="checkbox"/> Goal 1 - Accelerate American Leadership - To strengthen US leadership, supporting the growth of commercial space activities, investing in foundational research, and protecting intellectual property.</p> <p><input checked="" type="checkbox"/> Goal 2 - Enhance Job Creation - Facilitate job creation through streamlining regulations and supporting the growth of aquaculture, exports, and foreign direct investment, along with attracting investment and creating economic opportunity.</p> <p><input type="checkbox"/> Goal 3 - Strengthen U.S. Economic and National Security - Enforce compliance with trade laws, provide cybersecurity tools, disseminate weather information, and deploys a first-responder broad band network that will protect lives and property.</p> <p><input type="checkbox"/> Goal 4 - Fulfill Constitutional Requirements and Support Economic Activity - Utilize DOC data sets to support research by the private sector and academic institutions, and inform critical business decisions across all sectors of the economy.</p> <p><input checked="" type="checkbox"/> Goal 5 - Deliver Customer-Centric Service Excellence - Implement strategies to better align workforce skills with current priorities, modernize enabling technology, and consolidate transactional functions, improving service and cost-effectiveness.</p>		
<p>Strategic Objective(s):</p> <p>Strategic Obj. 5.1. Engage Commerce Employees.</p>		
<p><input checked="" type="checkbox"/> Bureau Goal: Exceptional Customer Service: Provide an exceptional end-to-end customer experience to our stakeholders, respondents, data users, and the public.</p> <p><input type="checkbox"/> SES/Organizational Goal/SES Performance Requirement (as applicable):</p> <p>Customer Service Excellence: Stakeholders including survey sponsors and respondents have confidence and trust in the Bureau's Field Directorate.</p>		
Critical Element: Customer Service		Element Weight: 15
Objective: To respond to internal and external customers, stakeholders, and the public.		
<p>Results of Activities: Identify what results need to be accomplished in support of the Strategic Objective(s). A minimum of three and a maximum of six results must be listed.</p>		
<p>Customer service is provided in collaboration, consultation, and partnership with customers, other agencies, and stakeholders. ♦ Customer inquiries are acknowledged, and customers are apprised of the status of the inquiry and when to expect resolution. ♦ Customer needs are identified, and issues are clarified in communications with the customer. ♦ Customer expectations are managed to ensure that customers understand the type and level of service available and expected time frames. ♦ Responses to customer inquiries for information or services comply with Regional Office standards. ♦ Data stewardship responsibilities are fulfilled; sensitive personally identifiable information and business identifiable information, both physical and electronic, is protected; classified materials are managed; and accountable property is maintained and/or managed.</p>		
<p>Criteria for Evaluation (Metrics): Identify how the above activities are to be evaluated. The metrics should be defined at Level 3 performance in terms of quality, quantity, timeliness, and/or cost-effectiveness. Generic Performance Standards (attached) also apply.</p>		
<p>Based on direct observation and input/discussion with customers, stakeholders, and or peers: ♦ Routinely responds to customer requests with factually accurate information that is consistent with Regional Office and departmental guidance and policies, as well as other relevant program or technical documents. ♦ Work products reflect thorough research and consideration of customer issues and concerns. ♦ Routinely responds to inquiries (i.e., mail, written requests, or telephone calls) within 16 business hours or by the established deadline. If information is not readily available, usually responds to requests within 24-48 business hours or by the established deadline. Oral and written responses to customers are usually clear, courteous and directly address issues and questions. ♦ If on approved absence, an automated notification e-mail will normally be sent in response to in-coming messages that indicates your absence, the period of absence and identifies an alternate contact. Voice mail messages must also provide the caller with the same information. ♦ Data is safeguarded in accordance with mandatory training guidance and Census Bureau data stewardship policies. Sensitive personally identifiable information and business identifiable information is protected from unauthorized release, alteration, loss and deletion and complies with security and privacy policies regarding access to computerized and paper files. Classified materials are managed in accordance with applicable laws, executive orders, directives and regulations. Accountable property is maintained and/or managed in accordance with the Department of Commerce and Census Bureau policies and procedures for property management.</p>		

EXHIBIT 8-B (continued)

FORM CD-430(b), PERFORMANCE PLAN AND APPRAISAL RECORD

CD-430(b)		
PERFORMANCE PLAN AND APPRAISAL RECORD		
Employee Name:	Date	Element No. <u>2</u> of <u>4</u>
Cascaded Organizational Goals		
<p>The Department's Strategic Plan identifies five key goals. Each of these goals has Strategic Objectives that one or more bureaus support. Each critical element must cascade from a goal identified for each critical element, and each critical element must have at least one Strategic Objective. First, select the appropriate Strategic Goal. Then, fill in the appropriate Strategic Objective(s), the bureau goal/strategy/initiative, and the SES performance requirement (as applicable) to complete the cascade. The SES performance requirement will be in the performance plan for the SES member who is in the employee's chain of command. The weight for each element should reflect the significance within the Department and bureau's organizational goals. Weights should not be assigned based on the percentage of time an employee spends working on the element.</p>		
<p><input type="checkbox"/> Goal 1 - Accelerate American Leadership - To strengthen US leadership, supporting the growth of commercial space activities, investing in foundational research, and protecting intellectual property.</p> <p><input type="checkbox"/> Goal 2 - Enhance Job Creation - Facilitate job creation through streamlining regulations and supporting the growth of aquaculture, exports, and foreign direct investment, along with attracting investment and creating economic opportunity.</p> <p><input type="checkbox"/> Goal 3 - Strengthen U.S. Economic and National Security - Enforce compliance with trade laws, provide cybersecurity tools, disseminate weather information, and deploys a first-responder broad band network that will protect lives and property.</p> <p><input type="checkbox"/> Goal 4 - Fulfill Constitutional Requirements and Support Economic Activity - Utilize DOC data sets to support research by the private sector and academic institutions, and inform critical business decisions across all sectors of the economy.</p> <p><input checked="" type="checkbox"/> Goal 5 - Deliver Customer Centric Service Excellence - Implement strategies to better align workforce skills with current priorities, modernize enabling technology, and consolidate transactional functions, improving service and cost-effectiveness.</p>		
Strategic Objective(s):		
Strategic Obj. 5.1: Engage Commerce Employees.		
<input checked="" type="checkbox"/> Bureau Goal: Data Innovation: Implement cutting-edge statistical methods, sources, and products to anticipate a changing environment.		
<input checked="" type="checkbox"/> SES/Organizational Goal/SES Performance Requirement (as applicable): Mission Excellence: Provide quality data collection, data capture, and data processing for censuses and surveys.		
Critical Element:	Interviewing, Listing and Sampling	Element Weight: 40
Objective:	To collect data for current surveys and/or other one-time surveys by contacting respondents by a designated personal visit or telephone call	
Results of Activities: Identify what results need to be accomplished in support of the Strategic Objective(s). A minimum of three and a maximum of six results must be listed.		
<ul style="list-style-type: none"> -Interviewing assignments are completed according to established survey procedures and goals, and if required, geocoded according to survey procedures. -Interviews are completed in a manner that results in quality data and maximum response rates. -Quality data is collected and the work is acceptable based on reinterview results. -Participates in the observation process, as required. -Listing, using LIMA as required, sampling, and abstracting assignments as required. -Completed work is reviewed and transmitted each day when working assignment to ensure accuracy, completeness, and timeliness. 		
Criteria for Evaluation (Metrics): Identify how the above activities are to be evaluated. The metrics should be defined at Level 3 performance in terms of quality, quantity, timeliness, and/or cost-effectiveness. Generic Performance Standards (attached) also apply.		
<ul style="list-style-type: none"> -The FR follows survey interviewing procedures, asks questions as worded, successfully completes all observations, and takes appropriate action to maintain data quality and survey response rates, including geocoding cases if required. -The FR displays an understanding of survey contents and concepts. -The FR displays an understanding of listing and sampling concepts. -FR meets established survey specific performance standards. For surveys with supplement interviews, supplement response rates are in line with the average response rate within similar geographical areas throughout the region. -Data collected meets quality standards and reinterview quality controls for surveys. Also see attached survey specific performance standards (response rate and production rate). 		

EXHIBIT 8-B (continued)

FORM CD-430(b), PERFORMANCE PLAN AND APPRAISAL RECORD

CD-430(b)

PERFORMANCE PLAN AND APPRAISAL RECORD		
Employee Name:	Date	Element No. <u>3</u> of <u>4</u>
Cascaded Organizational Goals		
<p>The Department's Strategic Plan identifies five key goals. Each of these goals has Strategic Objectives that one or more bureaus support. Each critical element must cascade from a goal identified for each critical element, and each critical element must have at least one Strategic Objective. First, select the appropriate Strategic Goal. Then, fill in the appropriate Strategic Objective(s), the bureau goal/strategy/initiative, and the SES performance requirement (as applicable) to complete the cascade. The SES performance requirement will be in the performance plan for the SES member who is in the employee's chain of command. The weight for each element should reflect the significance within the Department and bureau's organizational goals. Weights should not be assigned based on the percentage of time an employee spends working on the element.</p>		
<p>Strategic Goals</p> <ul style="list-style-type: none"> <input type="checkbox"/> Goal 1 - Accelerate American Leadership - To strengthen US leadership, supporting the growth of commercial space activities, investing in foundational research, and protecting intellectual property. <input type="checkbox"/> Goal 2 - Enhance Job Creation - Facilitate job creation through streamlining regulations and supporting the growth of aquaculture, exports, and foreign direct investment, along with attracting investment and creating economic opportunity. <input type="checkbox"/> Goal 3 - Strengthen U.S. Economic and National Security - Enforce compliance with trade laws, provide cybersecurity tools, disseminate weather information, and deploys a first-responder broad band network that will protect lives and property. <input type="checkbox"/> Goal 4 - Fulfill Constitutional Requirements and Support Economic Activity - Utilize DOC data sets to support research by the private sector and academic institutions, and inform critical business decisions across all sectors of the economy. <input checked="" type="checkbox"/> Goal 5 - Deliver Customer Centric Service Excellence - Implement strategies to better align workforce skills with current priorities, modernize enabling technology, and consolidate transactional functions, improving service and cost-effectiveness. 		
<p>Strategic Objective(s): Strategic Obj. 5.3. Consolidate Functions for Cost Savings.</p>		
<p><input checked="" type="checkbox"/> Bureau Goal: Organizational Excellence: Operate as a strategic, integrated, efficient organization, built on sound management practices and scientific principles.</p> <p><input checked="" type="checkbox"/> SES/Organizational Goal/SES Performance Requirement (as applicable): Organizational Excellence: The Field Directorate is an anticipatory, responsive, cost-effective, and adaptable organization.</p>		
Critical Element: Production and Cost		Element Weight: 30
Objective: To ensure assigned work is efficiently performed in a cost-effective manner, and meets production standards.		
Results of Activities: Identify what results need to be accomplished in support of the Strategic Objective(s). A minimum of three and a maximum of six results must be listed.		
<ul style="list-style-type: none"> -Work assignments and associated travel are planned and executed efficiently to optimize production rate and minimize miles per case. -Work assignments are accomplished in a manner that minimizes costs where possible. -Interview results are transmitted according to transmittal goals and deadline. 		
Criteria for Evaluation (Metrics): Identify how the above activities are to be evaluated. The metrics should be defined at Level 3 performance in terms of quality, quantity, timeliness, and/or cost-effectiveness. Generic Performance Standards (attached) also apply.		
<ul style="list-style-type: none"> -The FR follows designated procedures to maintain data quality and production standards. -The FR makes efficient use of time and plans travel and work in a way that results in cost savings to the government. -The FR transmits established percentages of work by set transmittal goals and closeout dates. <p>See attached survey specific production standards (production rate and miles per case).</p>		

EXHIBIT 8-B (continued)

FORM CD-430(b), PERFORMANCE PLAN AND APPRAISAL RECORD

CD-430(b)

PERFORMANCE PLAN AND APPRAISAL RECORD		
Employee Name:	Date	Element No. <u>4</u> of <u>4</u>
Cascaded Organizational Goals		
<p>The Department's Strategic Plan identifies five key goals. Each of these goals has Strategic Objectives that one or more bureaus support. Each critical element must cascade from a goal identified for each critical element, and each critical element must have at least one Strategic Objective. First, select the appropriate Strategic Goal. Then, fill in the appropriate Strategic Objective(s), the bureau goal/strategy/initiative, and the SES performance requirement (as applicable) to complete the cascade. The SES performance requirement will be in the performance plan for the SES member who is in the employee's chain of command. The weight for each element should reflect the significance within the Department and bureau's organizational goals. Weights should not be assigned based on the percentage of time an employee spends working on the element.</p>		
<p>Strategic Goals</p> <p><input type="checkbox"/> Goal 1 - Accelerate American Leadership - To strengthen US leadership, supporting the growth of commercial space activities, investing in foundational research, and protecting intellectual property.</p> <p><input type="checkbox"/> Goal 2 - Enhance Job Creation - Facilitate job creation through streamlining regulations and supporting the growth of aquaculture, exports, and foreign direct investment, along with attracting investment and creating economic opportunity.</p> <p><input type="checkbox"/> Goal 3 - Strengthen U.S. Economic and National Security - Enforce compliance with trade laws, provide cybersecurity tools, disseminate weather information, and deploys a first-responder broad band network that will protect lives and property.</p> <p><input type="checkbox"/> Goal 4 - Fulfill Constitutional Requirements and Support Economic Activity - Utilize DOC data sets to support research by the private sector and academic institutions, and inform critical business decisions across all sectors of the economy.</p> <p><input checked="" type="checkbox"/> Goal 5 - Deliver Customer Centric Service Excellence - Implement strategies to better align workforce skills with current priorities, modernize enabling technology, and consolidate transactional functions, improving service and cost-effectiveness.</p>		
<p>Strategic Objective(s):</p> <p>Strategic Obj. 5.1. Engage Commerce Employees.</p>		
<p><input checked="" type="checkbox"/> Bureau Goal: Organizational Excellence: Operate as a strategic, integrated, efficient organization, built on sound management practices and scientific principles.</p> <p><input checked="" type="checkbox"/> SES/Organizational Goal/SES Performance Requirement (as applicable)</p> <p>Organizational Excellence: The Field Directorate is an anticipatory, responsive, cost-effective, and adaptable organization.</p>		
Critical Element: Administrative and Automation Activities		Element Weight: 15
Objective: Completes administrative reporting responsibilities to meet survey and administrative program requirements.		
Results of Activities: Identify what results need to be accomplished in support of the Strategic Objective(s). A minimum of three and a maximum of six results must be listed.		
<ul style="list-style-type: none"> -Requests for respondent survey materials and supplies are submitted to ensure work assignments are completed by established deadlines. -All training (classroom, CBT, yearly refresher, self-study, etc.) and quarterly and yearly inventories are completed as required by established deadlines. -Supervisors are kept informed of survey progress and problems. -Administrative information, including performance plans and progress reviews, are transmitted to the regional office by established deadlines; Laptop operations, including transmissions, telecommunications, installation functions; and laptop and GPS inventories are performed as directed and case management and instrument functions are performed as required. -Automated equipment and accessories are provided proper care and maintenance; hardware/software problems are reported as required; and return of automated equipment is accomplished according to established procedures and deadlines. -Time and Attendance entries and reimbursements are completed through WebFRED in a timely manner and are an accurate accounting of work performed and expenses incurred. 		
Criteria for Evaluation (Metrics): Identify how the above activities are to be evaluated. The metrics should be defined at Level 3 performance in terms of quality, quantity, timeliness, and/or cost-effectiveness. Generic Performance Standards (attached) also apply.		
<ul style="list-style-type: none"> -The FR completes all administrative activities in a timely manner. -Materials and administrative products are accurate and complete upon submission. -The FR transmits materials to ensure established deadlines are met. -The FR regularly informs supervisors and team leaders of survey progress and problems. -The FR demonstrates full technical competency and understanding of the methods and procedures associated with interviewing and administrative activities using automated equipment. -The FR consistently follows procedures for use and care of the laptop and accessories. -The FR performs all automation activities, including checking email, in a timely manner and according to established procedures. -The FR meets established deadlines for the mandatory training sessions and inventories. -Time and Attendance entries and reimbursements are usually completed through WebFRED and accurately reflect work and non-work activities and expenses incurred. 		

EXHIBIT 8-C
FORM CD-430(c), PROGRESS REVIEW

CD-430(c)

Progress Review

Employee Name:

Please check the appropriate box.
<input type="checkbox"/> 1. Review indicates performance is at Level 3 or higher on <u>all</u> critical elements. <input type="checkbox"/> 2. Review indicates performance is at Level 3 on all critical elements <u>except</u> those critical elements where deficiencies are stated.
NOTE: If box 2 is checked, the supervisor should contact the servicing human resources office.

	Employee's Initials	Date	Rating Official's Initials	Date
Progress Review				
Progress Review				
Progress Review				

EXHIBIT 8-D

FORM CD-430(d), PERFORMANCE SUMMARY RATING

CD-430(d)

Employee Name:			
PERFORMANCE SUMMARY RATING			
<ul style="list-style-type: none"> • List each element in the performance plan. • All elements are critical. • Assign a rating level for each element: <ul style="list-style-type: none"> (5) Level 5 (highest level of performance); (4) Level 4; (3) Level 3; (2) Level 2; (1) Level 1 (unacceptable performance) • Score each element by multiplying the weight by the rating level. • Interim ratings should be considered when you prepare the final summary rating. • After each element has been scored, compute the total point score by adding the individual scores. • Rating officials must provide either an overall narrative justification of the summary rating or a written justification for each element rating. • A written justification is required for any element rated below Level 3. 			
Performance Element	Individual Weights (Total must equal 100)	Element Rating (5, 4, 3, 2, 1)	Score
Customer Service	15		0
Interviewing, Listing and Sampling	40		0
Production and Cost	30		0
Administrative and Automation Activities	15		0
Check One: <input type="checkbox"/> Summary Rating <input type="checkbox"/> Interim Rating Reset Weights, Rating, and Score			TOTAL SCORE
PERFORMANCE RATING			
<input type="checkbox"/> Level 5 (470 – 500) <input type="checkbox"/> Level 4 (380 – 469) <input type="checkbox"/> Level 3 (290 – 379) <input type="checkbox"/> Level 2 (200 – 289) <input type="checkbox"/> Level 1 (100 – 199)			
Rating Official's Signature/Title			Date
Approving Official's Signature/Title			Date
Employee's Signature (indicates appraisal meeting held) Employee comments attached?			Date
			<input type="checkbox"/> Yes <input type="checkbox"/> No
PERFORMANCE RECOGNITION			
<input type="checkbox"/> Performance Award \$ _____ (%)			
APPROPRIATION CODE: Bureau Code (2 Digits) FY (2 Digits) Fund Code (2 Digits) Project Code (7 Digits) Task Code (3 Digits) (Required for Performance Award) _____ _____ _____ _____ _____			
<input type="checkbox"/> QSI (Level 5 Required)			
Rating Official's Signature/Title			Date
Approving Official's Signature/Title			Date

EXHIBIT 8-E

FORM CD-430(e), SUMMARY RATING NARRATIVE DOCUMENTATION

CD-430(e)

**Summary Rating
Narrative Documentation**

Employee Name:

[Empty box for narrative documentation]

EXHIBIT 8-F**FORM CD-430(f), APPENDIX A, GENERIC PERFORMANCE STANDARDS**

APPENDIX A		U.S. DEPARTMENT OF COMMERCE
GENERIC PERFORMANCE STANDARDS		
<p>INSTRUCTIONS</p> <p>The generic performance standards (GPS) and supplemental performance standards are used to assign an element rating in the Department of Commerce. The summary rating is determined by using the summary derivation scheme. When evaluating an employee's overall performance, the rater should:</p> <ol style="list-style-type: none"> 1. Read carefully each performance standard level beginning with Level 3. (It is considered the base level standard.) 2. Determine which level best describes the employee's performance on the element. (Each and every criterion in the standards does not have to be met by the employee in absolute terms for the rater to assign a particular rating level. The sum of the employee's performance on the elements must, in the rater's judgment, meet the assigned level's criteria.) 3. Provide in writing, on the appraisal form, specific examples of accomplishments which support the assigned summary level. Rating officials must provide either an overall narrative justification of the summary rating or a written justification for each element rating. They must do one or the other, and may do both. A written justification is required for any element rated below Level 3. To assign a Level 3 summary rating, the rating official need only document in writing that: (1) the Level 3 standards were met, and (2) that the rating was discussed in detail with the employee. <p>Occasionally, when rating some elements, a rating official may determine that an employee's performance on an element was not consistent. For example, the employee may have performed at Level 4 on several major activities within a critical element and at Level 2 on several others. In such a case, the rating official must consider the overall effect of the employee's work on the element and make a judgment as to the appropriate rating level he or she will assign. The rationale for the decision must be documented on the rating form, citing specific accomplishments which support the decision. Supplemental standards must be written at Level 3 for all elements.</p> <p>The nonsupervisory standards apply to all employees including team leaders and supervisors. The team leader and supervisory standards are in addition to the broader standards set forth in the nonsupervisory standards.</p>	<p>LEVEL 5 NONSUPERVISORY</p> <p>This is a level of rare, high-quality performance. The quality and quantity of the employee's work substantially exceed Level 3 standards and rarely leave room for improvement. The impact of the employee's work is of such significance that organizational objectives were accomplished that otherwise would not have been. The accuracy and thoroughness of the employee's work on this element are exceptionally reliable. Application of technical knowledge and skills goes beyond that expected for the position. The employee significantly improves the work processes and products for which he or she is responsible. Thoughtful adherence to procedures and formats, as well as suggestions for improvement in these areas, increase the employee's usefulness.</p> <p>This person plans so that work follows the most logical and practical sequence; inefficient backtracking is avoided. He or she develops contingency plans to handle potential problems and adapts quickly to new priorities and changes in procedures and programs without losing sight of the longer-term purposes of the work. These strengths in planning and adaptability result in early or timely completion of work under all but the most extraordinary circumstances. Exceptions occur only when delays could not have been anticipated. The employee's planning skills result in cost-savings to the government.</p> <p>In meeting element objectives, the employee handles interpersonal relationships with exceptional skill, anticipating and avoiding potential causes of conflict and actively promoting cooperation with clients, co-workers, and his or her supervisor.</p> <p>The employee seeks additional work or special assignments related to this element at increasing levels of difficulty. The quality of such work is high and is done on time without disrupting regular work. Appropriate problems are brought to the supervisor's attention; most problems are dealt with routinely and with exceptional skill.</p> <p>The employee's oral and written expression are exceptionally clear and effective. They improve cooperation among participants in the work and prevent misunderstandings. Complicated or controversial subjects are presented or explained effectively to a variety of audiences so that desired outcomes are achieved.</p> <p>TEAM LEADER</p> <p>The employee is a superior team leader. Performs a variety of coordinating, coaching, facilitating, and planning functions for the team in a way that not only facilitates the accomplishment of organizational goals, but also results in substantial innovation in work processes that results in improvements in the overall quality, quantity, and timeliness of products, services, and/or work products assigned to the team. Applies an in-depth, expert knowledge of functions led, as well as superior leadership and team building skills and techniques in the day-to-day accomplishment of work priorities.</p> <p>SUPERVISORY</p> <p>The employee is a strong leader who works well with others and handles difficult situations with dignity and effectiveness. The employee encourages independence and risk-taking among subordinates, yet takes responsibility for their actions. Open to the views of others, the employee promotes cooperation among peers and subordinates, while guiding, motivating, and stimulating positive responses. The employee's work performance demonstrates a strong commitment to fair treatment, equal opportunity, and the affirmative action objectives of the organization.</p>	<p>LEVEL 4 NONSUPERVISORY</p> <p>This is a level of unusually good performance. The quantity and quality of work under this element are consistently above average. Work products rarely require even minor revision. Thoroughness and accuracy of work are reliable. The knowledge and skill the employee applies to this element are clearly above average, demonstrating problem-solving skill and insight into work methods and techniques. The employee follows required procedures and supervisory guidance so as to take full advantage of existing systems for accomplishing the organization's objectives.</p> <p>The employee plans the work under this element so as to proceed in an efficient, orderly sequence that rarely requires backtracking and consistently leads to completion of the work by established deadlines. He or she uses contingency planning to anticipate and prevent problems and delays. Exceptions occur when delays have causes outside the employee's control. Cost savings are considered in the employee's work planning.</p> <p>The employee works effectively on this element with co-workers, clients, as appropriate, and his or her supervisor, creating a highly successful cooperative effort. He or she seeks out additional work or special assignments that enhance accomplishment of this element and pursues them to successful conclusion without disrupting regular work. Problems which surface are dealt with; supervisory intervention to correct problems occurs rarely.</p> <p>The oral and written expression applied to this element are noteworthy for their clarity and effectiveness, leading to improved understanding of the work by other employees and clients of the organization. Work products are generally given sympathetic consideration because they are well-presented.</p> <p>TEAM LEADER</p> <p>The team leader effectively distributes work and monitors team members' work performance to ensure completion of work in accordance with the supervisor's work plans. The team leader coordinates, coaches, and facilitates work of the team in a way that enables the team to consistently deliver services and/or work products that exceed established standards of performance of quality and timeliness, and contribute significantly to the accomplishment of organizational goals and objectives.</p> <p>SUPERVISORY</p> <p>The employee is a good leader, establishes sound working relationships and shows good judgment in dealing with subordinates, considering their views. He or she provides opportunities for staff to have a meaningful role in accomplishing organizational objectives and makes special efforts to improve each subordinate's performance.</p>

EXHIBIT 8-F (continued)**FORM CD-430(f), APPENDIX A, GENERIC PERFORMANCE STANDARDS**

CD-430(f) continued

LEVEL 3**NONSUPERVISORY**

This is the level of good, sound performance. The quality and quantity of the employee's work under this element are those of a fully competent employee. The performance represents a level of accomplishment expected of the great majority of employees. The employee's work products fully meet the requirements of the element. Major revisions are rarely necessary; most work requires only minor revision. Tasks are completed in an accurate, thorough, and timely way. The employee's technical skills and knowledge are applied effectively to specific job tasks. In completing work assignments, he or she adheres to procedures and format requirements and follows necessary instructions from supervisors.

The employee's work planning is realistic and results in completion of work by established deadlines. Priorities are duly considered in planning and performing assigned responsibilities. Work reflects a consideration of costs to the government, when possible.

In accomplishing element objectives, the employee's interpersonal behavior toward supervisors, co-workers, and users promotes attainment of work objectives and poses no significant problems.

The employee completes special assignments so their form and content are acceptable and regular duties are not disrupted. The employee performs additional work as his or her workload permits. Routine problems associated with completing assignments are resolved with a minimum of supervision.

The employee speaks and writes clearly and effectively.

TEAM LEADER

The team leader successfully leads subordinate team members in the accomplishment of assigned projects and workload. The leader ensures adequate understanding of the work requirements and coordinates, coaches, and facilitates accomplishment of the team's work. The team leader ensures that the unit provides timely and quality services and/or work products that contribute to the accomplishment of the organization's goals and objectives.

SUPERVISORY

The employee is a capable leader who works successfully with others and listens to suggestions.

The employee rewards good performance and corrects poor performance through sound use of performance appraisal systems, performance-based incentives and, when needed, adverse actions; and selects and assigns employees in ways that use their skills effectively.

The employee's work performance shows a commitment to fair treatment, equal opportunity, and the affirmative action objectives of the organization.

LEVEL 2**NONSUPERVISORY**

This level of performance, while demonstrating some positive contributions to the organization, shows notable deficiencies. It is below the level expected for the position, and requires corrective action. The quality, quantity or timeliness of the employee's work is less than Level 3, jeopardizing attainment of the element's objective.

There is much in the employee's performance that is useful. However, problems with quality, quantity or timeliness are too frequent or too serious to ignore. Performance is inconsistent and problems caused by deficiencies counterbalance acceptable work. These deficiencies cannot be overlooked since they create adverse consequences for the organization or create burdens for other personnel. When needed as input into another work process, the work may not be finished with such quality, quantity and timeliness that other work can proceed as planned.

Although the work products are generally of usable quality, too often they require additional work by other personnel. The work products do not consistently and/or fully meet the organization's needs. Although mistakes may be without immediate serious consequences, over time they are detrimental to the organization.

A fair amount of work is accomplished, but the quantity does not represent what is expected of Level 3 employees. Output is not sustained consistently and/or higher levels of output usually result in a decrease in quality. The work generally is finished within expected timeframes but significant deadlines too often are not met.

The employee's written communication usually considers the nature and complexity of the subject and the intended audience. It conveys the central points of information important to accomplishing the work. However, too often the communication is not focused, contains too much or too little information, and/or is conveyed in a tone that hinders achievement of the purpose of the communication. In communication to co-workers, the listener must question the employee at times to secure complete information or avoid misunderstandings.

TEAM LEADER

The team leader's performance while demonstrating some positive contributions to the success of the organization shows notable deficiencies. Performance is below the level expected for the position. The quality, quantity or timeliness of the team leader's work is less than Level 3. Performance is inconsistent and problems caused by deficiencies counterbalance acceptable work. The team leader does not always provide specific direction to team members on how to carry out assignments and/or adequately convey performance expectations, and/or provide an understanding of the goals of the organization or their team member roles in meeting those goals. The team leader does not always motivate the team and promote a team spirit. Performance at this level indicates that improvement or additional development is needed for the team leader to operate at an acceptable level.

SUPERVISORY

Inadequacies surface in performing supervisory duties. Deficiencies in areas of supervision over an extended period of time affect adversely employee productivity or morale, or organizational effectiveness. The Level 2 employee does not provide strong leadership or take the appropriate initiative to improve organizational effectiveness. For example, he or she too often fails to make decisions or fulfill supervisory responsibilities in a timely manner, to provide sufficient direction to subordinates on how to carry out programs, to give clear assignments and/or performance requirements, and/or to show an understanding of the goals of the organization or subordinates' roles in meeting those goals.

LEVEL 1**NONSUPERVISORY**

The quantity and quality of the employee's work under this element are not adequate for the position. The employee's work products fall short of requirements of the element. They arrive late or often require major revision because they are incomplete or inaccurate in content. The employee fails to apply adequate technical knowledge to complete the work of this element. Either the knowledge applied cannot produce the needed products, or it produces technically inadequate products or results. Lack of adherence to required procedures, instructions, and formats contributes to inadequate work products.

Because the employee's work planning lacks logic or realism, critical work remains incomplete or is unacceptably late. Lack of attention to priorities causes delays or inadequacies in essential work; the employee has concentrated on incidental matters.

The employee's behavior obstructs the successful completion of the work by lack of cooperation with clients, supervisor, and/or co-workers, or by loss of credibility due to irresponsible speech or work activity.

In dealing with special projects, the employee either sacrifices essential regular work or fails to complete the projects. The employee fails to adapt to changes in priorities, procedures, or program direction and, therefore, cannot operate adequately in relation to changing requirements.

The oral and written expression the employee uses in accomplishing the work of this element lacks the necessary clarity for successful completion of required tasks. Communication failures interfere with completion of work.

TEAM LEADER

The team leader does not meet performance expectations on one or more critical elements. The team leader fails to properly distribute, monitor, and ensure completion of the team's workload. Due to these deficiencies, the team is unsuccessful in delivering work products that meet standards for quality, timeliness, and accuracy.

SUPERVISORY

Most of the following deficiencies are typically, but not always, common, characteristics of the employee's work:

- Inadequate guidance to subordinates;
- Inattention to work progress; and
- Failure to stimulate subordinates to meet goals.

EXHIBIT 8-G

FORM CD-430(g), SUMMARY RATING DERIVATION

CD-430(g)

Summary Rating Derivation

To derive a final, or summary, performance rating at the end of the appraisal cycle, each critical element must be assessed against the generic (and supplemental) performance standards established at the beginning of the cycle or as modified and documented during a progress review. Each element is evaluated and translated into a score using the following scale:

- Level 5 (the highest level of performance) = 5 points
- Level 4 = 4 points
- Level 3 = 3 points
- Level 2 = 2 points
- Level 1 (unacceptable performance) = 1 point

After each critical element has been rated, multiply the score for each element by the weight assigned to it. No fractional scores or weights may be used.

Example:

Critical Element 1 is 30% of plan	Rated at Level 4	30 x 4 = 120 points
Critical Element 2 is 30% of plan	Rated at Level 3	30 x 3 = 90 points
Critical Element 3 is 20% of plan	Rated at Level 5	20 x 5 = 100 points
Critical Element 4 is 20% of plan	Rated at Level 4	20 x 4 = 80 points

TOTAL 390	points
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Total the individual scores to determine the overall score. In the example above, the sum of 120 + 90 + 100 + 80 = 390.

Using the ranges below, determine what range the overall score (example 390) falls within.

Overall Score	Summary	Rating
470 – 500 points		Level 5
380 – 469 points		Level 4
290 – 379 points		Level 3
200 --289 points		Level 2
100 – 199 points		Level 1

This becomes the employee’s summary rating for that performance appraisal cycle. In the example cited, the final summary rating would be a Level 4 since the score of 390 falls within the range for Level 4.

Note: If one critical element is rated Level 1, the summary rating must be Level 1.

EXHIBIT 8-H**FORM CD-430(h), INTERIM RATINGS**

CD-430(h)

INTERIM RATINGS**Overview**

Interim ratings are prepared during the course of a rating period when an employee has spent the minimum appraisal period (120 days) in a covered position and then changes to another position. This may happen more than once during the rating period. These ratings must be completed within 30 days of the change of position and are prepared in the same manner as a summary rating. In fact, the interim rating may become the summary rating when an employee changes positions toward the end of the rating period (i.e., where the time remaining in the appraisal cycle is less than 120 days).

When an Interim Rating Should Be Completed:

- After a detail which lasts at least the minimum appraisal period (120 days);
- After a temporary promotion/assignment which lasts at least 120 days;
- When an employee changes positions after serving at least 120 days;
- When a supervisor leaves his/her position and an employee has been under a performance plan for 120 days;
- When an employee transfers from the Department to another federal agency after serving in a position for at least 120 days; or
- After an assignment in a federally-sponsored program, such as an Intergovernmental Personnel Act (IPA) assignment.

Benefits of Interim Ratings:

- To provide input from a departing supervisor to assist a new supervisor who is preparing a final rating of record;
- To provide a final rating of record to an employee who changes positions during the last 120 days of the rating period;
- To provide a final rating of record to an employee who moves more than once during the rating period or is on a detail; and
- To provide appropriate performance credit for work performed on a detail or temporary promotion/assignment.

Consideration of Interim Ratings When Completing Final Appraisals

An interim rating that was completed for an employee for service in another position should be considered when you prepare the final summary rating for the position of record. If there is more than one rating:

- **Ratings at Different Levels:** When an interim rating(s) and the rating for the current position are different, the current rating official must prepare a written narrative that explains/justifies the assignment of the summary rating level.

EXHIBIT 8-H (continued)**FORM CD-430(h), INTERIM RATINGS**

CD-430(h) continued

INTERIM RATINGS (Continued)

- When an employee receives an interim rating of Level 1 without further action and then receives a Level 3 or above on a rating for another position in the same performance period, the summary rating is not reduced by the interim rating. Instead, the summary rating is assigned in accordance with the Performance Management Handbook based solely on the individual critical element ratings for the current position.
- When an employee receives an interim rating of Level 3 or above and then receives a rating of Level 1 for another position in the same performance period, the summary rating is not raised by the interim rating. Instead, the summary rating is assigned in accordance with the Performance Management Handbook and based on the individual element for the current position.
- When an employee has received an interim rating that is less than Level 3, but the rating for service in the current position is Level 3 or higher, the final rating cannot be less than Level 3.
- When an employee changes positions toward the end of the rating period (*i.e.*, where the time remaining in the appraisal cycle is less than the minimum appraisal period), the interim rating becomes the rating of record for that appraisal period.

Transfers From Other Federal Agencies

- If an employee has served in a position for more than the minimum appraisal period in another federal agency, that agency should provide an interim summary rating and forward it to the Department's employing office with the employee's Official Personnel Folder.
- If the employee transfers to the Department toward the end of the rating period (*i.e.*, where the time remaining in the appraisal cycle is less than the minimum appraisal period), the employee's interim rating, prepared when he or she transferred, will become his/her rating of record for the appraisal period.
- If no interim rating can be obtained from the employee's former agency, the employee's last rating of record becomes their current rating of record. If no rating can be obtained, then the employee will be considered unratable.

EXHIBIT 8-I**PERFORMANCE MANAGEMENT HANDBOOK (APPRAISAL SECTION)
CHAPTER 9****Chapter 9. Evaluating Employee Performance**

Approximately 30 days before the end of the performance appraisal cycle, rating officials and employees should begin to prepare for the appraisal process. Rating officials will ask employees to submit written documentation of accomplishments. An employee who is ratable as of the end of the rating cycle (September 30, October 31, or May 31) must receive an annual performance summary rating.

An employee is ratable if:

- He or she is under an approved performance plan on the last day of the appraisal cycle; and
- He or she worked at least 120 days under an approved performance plan in one or more positions during the appraisal cycle.

An employee is unratable if one of the following applies:

- The employee did not work at least 120 days under an approved performance plan in one or more positions during the appraisal cycle; and
- The employee has been placed on Performance Improvement Plan (PIP) because the rating official has determined that the employee's performance is at Level 1 on one or more critical elements. A PIP is only developed when an employee's is at Level I.

If an employee is unratable because he or she was on a PIP, the rating period will be extended for the duration of the PIP and the employee will be rated upon completion of the PIP.

Performance appraisal discussions are conducted in two stages. The rating official is required to

conduct a 1) pre-appraisal meeting only if the employee requests one and 2) performance appraisal meeting with each employee.

Pre-appraisal Meeting

The purpose of the pre-appraisal meeting is to provide the employee an opportunity to meet with the rating official prior to the formal appraisal meeting. At the pre-appraisal meeting the employee may:

- Present an assessment of his or her performance achieved during the appraisal cycle;
- Inform the rating official of aspects of his or her work of which the rating official may not be aware; and
- Identify objectives he or she would like to include in the performance plan for the next appraisal period.

EXHIBIT 8-I (continued)**PERFORMANCE MANAGEMENT HANDBOOK (APPRAISAL SECTION)
CHAPTER 9**

During the pre-appraisal meeting, the rating official clarifies his or her understanding of the employee's performance, and discusses the employee's accomplishments. The rating official may not discuss overall scores, ratings, or awards.

Performance Appraisal Meeting

A rating official must confer with the approving official about the organization's performance and gain approval of (including the approving official's signature on CD-430, Performance Management Record) the rating they recommend for their employees before discussing those ratings with employees. Following approval of the performance summary ratings by the approving official, the rating official is responsible for conducting a performance appraisal meeting to present the final rating to the employee.

If an employee receives Level 1 on any critical element rating in his or her position of record, or in an interim rating that becomes a final rating of record, the employee's summary rating must be Level 1.

As provided in Executive Order 5396, the performance appraisal and resulting rating of a disabled veteran may not be lowered because the veteran has been absent from work to seek medical treatment.

Signatures

The employee signs and dates the summary rating to indicate that it has been discussed. If the employee refuses to sign, the rating official should note this in the employee signature block of the summary rating.

Signature by the approving official places both the performance plan and summary rating in effect. A copy of the summary rating must be given to the employee.

Written Documentation Requirements

Rating officials must provide either an overall narrative justification of the summary rating or a written justification for each element rating. They must do one or the other, and may do both. A written justification is required for any element rated below Level 3.

Ratings of Record

The following summary performance ratings constitute a rating of record

- The annual performance appraisal rating as discussed above;
- An interim rating given by a departing supervisor or to a departing employee when no opportunity to serve the minimum appraisal period (120 days) in the current cycle remains; or

EXHIBIT 8-I (continued)**PERFORMANCE MANAGEMENT HANDBOOK (APPRAISAL SECTION)
CHAPTER 9**

- A rating rendered following completion of a PIP.

Summary Rating Derivation

To derive a final, or summary, performance rating at the end of the appraisal cycle, each critical element must be assessed against the generic (and any supplemental) performance standards established at the beginning of the cycle or as modified and documented during a progress review.

Each element is evaluated and translated into a score using the following scale:

Level 5 (the highest level of performance) = 5 points
 Level 4 = 4 points
 Level 3 = 3 points
 Level 2 = 2 points
 Level 1 (unacceptable performance) = 1 point

After each critical element has been rated, multiply the score for each element by the weight assigned to it. No fractional scores or weights may be used.

Example:

Critical Element 1 is 30% of plan Rated at Level 4 $30 \times 4 = 120$ points
 Critical Element 2 is 30% of plan Rated at Level 3 $30 \times 3 = 90$ points
 Critical Element 3 is 20% of plan Rated at Level 5 $20 \times 5 = 100$ points
 Critical Element 4 is 20% of plan Rated at Level 4 $20 \times 4 = 80$ points
TOTAL 390 points

Total the individual scores to determine the overall score. In the example above, the sum of $120 + 90 + 100 + 80 = 390$.

Using the ranges below, determine what range the overall score (example 390) falls within.

Overall Score Summary Rating

470 – 500 points Level 5
 380 – 469 points Level 4
 290 – 379 points Level 3
 200 --289 points Level 2
 100 – 199 points Level 1

EXHIBIT 8-I (continued)**PERFORMANCE MANAGEMENT HANDBOOK (APPRAISAL SECTION)
CHAPTER 9**

This becomes the employee's summary rating for that performance appraisal cycle. In the example cited, the final summary rating would be a Level 4 since the score of 390 falls within the range for Level 4.

Note: If one critical element is rated Level 1, the summary rating must be Level 1.

Unratable Employees

If an employee has served for the entire rating cycle on detail to another agency, on an approved federally-sponsored program or long-term training, and an appraisal of performance cannot be obtained despite reasonable efforts, the employee must be considered unratable.

Other unratable situations may include:

- The employee's supervisor leaving the Agency when no other supervisor or acting supervisor can reasonably appraise the employee's performance; or

Approved absences creditable under 5 CFR 531.406 (LWOP, Military Service, etc.).

Reconsideration

An employee covered by Departmental Administrative Order (DAO) 202-771, "Administrative Grievance Procedure," may grieve the rating and/or the performance score in accordance with the procedures of this Handbook and DAO 202-771. The employee must first present a Request for Reconsideration. It may be presented either orally or in writing to the rating official within 15 days of receipt of the appraisal from the rating official. The rating official must provide a written decision back to the employee within 15 days of receipt of the Request for Reconsideration. The rating official will consult with the Servicing Human Resources Office (SHRO) for guidance before issuing a written decision. If the matter is not resolved at that stage, the employee may then file a formal grievance by following the procedures in DAO 202-771.

Employees who are excluded from coverage under DAO 202-771 because they are in a collective bargaining unit and want to grieve the rating and/or the performance score must follow the procedures contained in the applicable negotiated grievance procedure (NGP).

Oversight

The Department does not prescribe a distribution of ratings and does not permit a distribution to be prescribed. The Department assures that only employees whose performance exceeds normal expectations are rated at the level above Level 3, by sampling plans and ratings by servicing human resources offices, by Departmental oversight reviews, and by other reviews required by regulation.

Exhibit 8-J

DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE

**ADMINISTRATIVE GRIEVANCE
PROCEDURE**

Number: DAO 202-771

Effective Date: 2011-06-08

SECTION 1. PURPOSE.

.01 This Order prescribes the system under which an employee, or a group of employees acting as individuals, may request personal relief in a matter of concern or dissatisfaction regarding their employment. The personal relief sought by the employee must be within the authority and control of management officials of the Department of Commerce (the Department).

.02 This revision clarifies that an employee may not use the informal grievance process to contest a performance payout, rating, or score. The employee must use the “Request for Reconsideration” procedures in the Performance Management System Handbook, the Operating Manual for the Commerce Alternative Personnel System (CAPS), or the Operating Manual for the Alternative Personnel Management System (APMS), as applicable.

SECTION 2. DEFINITIONS.

In this Order:

.01 **Appropriate official** generally means the supervisor or manager at the lowest organizational level who has responsibility for the matter that is the subject of the grievance.

.02 **Deciding official** means a supervisor or manager at least one organizational level above the official who made the decision regarding the informal grievance, request for reconsideration or disciplinary action.

.03 **Bargaining unit employee** means an employee included in a bargaining unit for which a labor organization holds exclusive recognition under title 5, United States Code (U.S.C.) Chapter 71, as certified by the Federal Labor Relations Authority.

.04 **Day** means a calendar day.

.05 **Employee** has the meaning given in 5 U.S.C. 2105 and includes former employees of the Department if the requested relief involves compensatory matters within the control of the Department management at the time of employment.

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

.06 **Grievance** means a request by an employee, or by a group of employees acting as individuals, for personal relief in a matter of concern or dissatisfaction regarding their employment. The personal relief sought by the employee must be within the authority and control of management officials of the Department.

.07 **Grievance file** means an official file that contains all documents pertinent to the understanding of the grievance issues, and documenting any resolution/decisions including, but not limited to, a copy of the grievance and any amendments filed, copies of statements of witnesses, copies of any statements executed by the grievant(s), settlement agreements, and the decision(s) on the grievance.

.08 **Organizational level** means an echelon within the Department that is distinct from other levels and represented in the organizational chart of the Department as a separate entity. For purposes of this Order, a supervisor or manager's deputy is not considered to be at the same organizational level.

.09 **Party** means the grievant(s), the grievant's representative(s), and management officials involved in the grievance.

.10 **Personal relief** means a specific remedy that directly benefits the grievant regarding the matter(s) giving rise to the grievance, is within the authority and control of management officials of the Department, and complies with controlling laws, rules, and regulations. A request for any action affecting another employee, such as reassignment, discipline, or requiring a specific action from another employee such as an apology or change in behavior is not personal relief under this Order.

.11 **Principal Human Resources Manager (PHRM) or Servicing Human Resources Manager (SHRM)** means the head of a Servicing Human Resources Office.

.12 **Servicing Human Resources Office (SHRO)** means the human resources office that services an employee's organizational component.

.13 **Summary Performance Rating** means a written record of the evaluation of the employee's performance for each critical element/result/objective, with a final documented rating and with the appropriate management approvals. This is often referred to as a "rating of record."

SECTION 3. COVERAGE.

.01 **Matters not covered.** This Order applies to any matter regarding an employee's concern or dissatisfaction with his/her employment that is subject to the control of

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

management officials within the Department, including any matter in which an employee alleges coercion, reprisal, harassment, or retaliation, with the following exceptions:

- a. A decision that is appealable to the Merit Systems Protection Board (MSPB) (such as a suspension of 15 days or more or a removal) or is subject to final administrative review by the Office of Personnel Management (OPM); or the Equal Employment Opportunity Commission (EEOC);
- b. Any proposal notice for which a decision notice would effect an action that would then be subject to review by MSPB, EEOC, or OPM as described above in Section 3.01a. of this Order;
- c. The content of, or an exclusion listed in, a published policy, procedure, or regulation of the Department;
- d. Claims of sexual orientation discrimination processed under DAO 215-11, “Complaint Process for Sexual Orientation Discrimination”;
- e. Nonselection for a position from a group of properly ranked and certified candidates or the failure to receive a noncompetitive promotion;
- f. Termination of a temporary promotion within a maximum period of two years, when returning the employee to the position from which promoted, or placing the employee in another position provided that it is not at a lower grade or pay than the position from which temporarily promoted;
- g. Termination of a term promotion at the completion of a project or specified period or at the end of a rotational assignment in excess of 2 years, but not more than 5 years, that returns the employee to the position from which promoted or places the employee in another position provided that is not at a lower grade or pay than the position from which promoted in accordance with Title 5, Code of Federal Regulations (CFR) Part 335;
- h. Granting or failure to grant a performance award under 5 U.S.C. _5384, a quality step increase under 5 U.S.C. _5336, a bonus, other monetary or honor award, or adopting or failing to adopt an employee’s suggestion or invention;
- i. The substance of critical elements/results/objectives and performance standards/indicators in an employee’s performance plan;
- j. The return of an employee from an initial appointment to a supervisory or managerial position to a nonsupervisory or nonmanagerial position for failure to satisfactorily complete the required probationary period;

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

- k. Any other separation action not specifically excluded in this Section;
- l. Any matter the substance of which has been the subject of a previous grievance or a previous or current complaint of discrimination submitted by the same employee, or the subject of a grievance decision with respect to the same employee;
- m. A reassignment of a Senior Executive Service (SES) appointee following the appointee's receipt of an unsatisfactory performance rating under 5 U.S.C. _4314;
- n. The annual summary or narrative performance rating of an SES appointee under 5 U.S.C. _4312;
- o. The termination under 5 CFR Part 359, subpart D of an SES career appointee during probation for unsatisfactory performance;
- p. The return of an SES career appointee to the General Schedule or other pay schedule during the one-year probationary period, or for less than fully successful executive performance under 5 U.S.C. _3592;
- q. The termination of a probationary employee for unsatisfactory performance or misconduct;
- r. Any action taken in accordance with the terms of a formal agreement, voluntarily entered into by the employee;
- s. Granting or failure to grant a retention allowance/incentive, or a reduction in the amount of a previously granted retention allowance/incentive;
- t. The classification of a position description and decisions excluded under 5 CFR _511.607;
- u. Receipt or nonreceipt of any benefit conferred under a Governmentwide benefits program such as the Federal Employees Health Benefits Program, Workers' Compensation, retirement benefits, etc.;
- v. Any matter covered by a negotiated grievance procedure; and
- w. Any decision made on matters covered in this Order by Sections 4.01 and 4.04, "Roles and Responsibilities"; Section 5.06, "Grievance Rights"; Section 9, "Grievance Rejection Procedures"; and Section 10, "Abuse of Procedure."

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

.02 **Individuals not covered.** This Order applies to all Departmental employees, except the following:

- a. Employees in a bargaining unit, for those matters that are not specifically excluded by the negotiated grievance procedure of that bargaining unit under 5 U.S.C. _7121;
- b. Noncitizens appointed under regulations regarding appointments to overseas positions;
- c. Aliens appointed under 22 U.S.C. _1471;
- d. Members of the Foreign Service of the United States covered under the Foreign Service grievance system as described in Chapter 11 of the Foreign Service Act of 1980, as amended (P.L. 96-465);
- e. Applicants who are not currently employed by the Department;
- f. Individuals who are not employees of the Department at the time of the occurrence of the matter causing the concern or dissatisfaction;
- g. Employees who are members of a class of employees specifically excluded by OPM; and
- h. Employees whose rights to file a grievance under this Order have been abridged by the Deputy Chief Human Capital Officer and Director for Human Resources Management (Director) in accordance with the provisions of Section 10.

SECTION 4. ROLES AND RESPONSIBILITIES.

.01 **The Deputy Chief Human Capital Officer and Director for Human Resources Management,** or his/her designee, is responsible for establishing, amending, granting exceptions to and evaluating the Department's grievance procedure; providing guidance to SHROs as requested; consulting on the appropriateness of remedies; approving settlement content that would set a Departmental precedent; and deciding whether an employee's grievance rights should be abridged under Section 10 of this Order.

.02 **The Director for Civil Rights, or his/her designee,** is responsible for informing the Director and SHRMs, as necessary, when an employee files a discrimination complaint. If the employee has filed both a grievance and a discrimination complaint on the same matter, he/she must make a binding election in accordance with Section 6 of this Order, to continue processing the matter under one, but not both, avenue of redress.

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

.03 **The Chief, Employment and Labor Law Division, Office of General Counsel**, or his/her designee, is responsible for providing guidance, as requested, on matters covered by this Order, and for reviewing all settlement agreements for legal sufficiency and advising management accordingly.

.04 **Principal and Servicing Human Resources Managers, or designees**, are responsible for implementing the procedures contained in this Order within their serviced population; receiving and timely processing employee grievances; making decisions regarding the acceptability of an employee's choice of representation in accordance with Section 5 of this Order; and designating appropriate deciding officials (in consultation with senior management of the employee's organization). They provide advice and guidance on the acceptance or rejection of formal grievances or specific requests for personal relief; and on whether a grievance and EEO complaint concern the same matter, in accordance with Section 6 of this Order. They also ensure compliance with this Order, Departmental policy, and applicable law, rules, and regulations (including appropriate consultation with the Office of General Counsel (OGC)). They authorize the use of Alternative Dispute Resolution (ADR); provide technical review of all grievance decisions or settlement documents; and make this Order available to employees.

.05 **Secretarial Officers and Heads of Operating Units** are responsible for ensuring that management officials within their respective organizations fulfill their duties and responsibilities under this Order. They consult with the PHRMs and SHRMs on issues related to the grievance and its resolution, as necessary and appropriate, and provide a work environment for all employees that is free from discrimination and improper management actions that can reasonably be expected to result in employee grievances.

.06 **Managers and supervisors** are responsible for fully participating in the procedures and processes described by this Order, including but not limited to: meeting with employees to informally resolve grievances; providing information to the deciding official about the circumstances giving rise to the grievance; serving as the deciding official on grievances, when designated; voluntarily participating in ADR, as appropriate, when a grievance has been filed; maintaining all related records of decisions/actions giving rise to the grievance and providing them to the deciding official or servicing human resources representative, as requested; or taking other appropriate actions as may be required to process the grievance. In addition, managers and supervisors are responsible for communicating with employees on the day-to-day issues and decisions that may arise in the workplace in order to provide the employees with greater understanding of the decision-making process, and thus diminish the number of matters that may give rise to the filing of grievances.

.07 **Employees** are responsible for complying with the policy and procedures outlined in this Order when filing a grievance; electing a single avenue of redress in lieu of filing in

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

multiple forums, such as both a discrimination complaint and a grievance, for the same matter of concern; providing all relevant information at the time the grievance is filed; and cooperating in any resulting inquiry related to the matter grieved. Employees are also responsible for bearing any expense associated with the preparation and presentation of a grievance.

SECTION 5. GRIEVANCE RIGHTS.

.01 Right to file a grievance. An employee is entitled to pursue resolution of a grievance under the system established by and for matters covered under this Order. The appropriate official and SHRO must accept and process a properly presented grievance in accordance with the provisions of this Order unless the employee's right to file grievances has been abridged (see Section 10 of this Order.)

.02 Right to request alternative dispute resolution (ADR). An employee filing a grievance at the informal or formal stage(s) and the supervisor or manager who serves as the deciding official at either stage have the right to separately request that the SHRO approve use of an ADR process. Participation on the part of both parties is voluntary. If an employee and/or the supervisor or manager make(s) such a request, the SHRO shall consult both parties, seek their agreement to use an ADR process, and, if appropriate, authorize such a process in accordance with the applicable operating unit's ADR policy or Section 8 of this Order.

.03 Right to information. An employee pursuing a grievance is entitled to communicate with the SHRO to obtain information about the grievance process and to get clarification about any provision of this Order. An employee filing a grievance also has the right to review all regulatory material regarding the grievance process and/or the matter being grieved and to review the grievance file.

.04 Right to representation. An employee has the right to a representative of his/her own choosing. This right may be exercised at any time during the grievance process. The employee also has the right to change his/her representative during the processing of the grievance. The grievant must notify the official handling the grievance (usually the employee's immediate supervisor) at the informal stage, in writing, of the name and contact information for his/her representative, and must likewise notify the SHRO at the formal grievance stage. A grievant can have only one representative at a time.

a. The grievant may select another Departmental employee as his/her representative; however, the selection may be rejected if service by the selectee would result in conflict of position or interest. Conflict of position refers to an incompatibility between the representation function and the selectee's official duties. For example, members of the SHRO, the OGC staff, employees of the Department's Office of Civil Rights, and the

Exhibit 8-C (continued)**DAO 202-771 ADMINISTRATIVE GRIEVANCE PROCEDURE**

operating unit's Equal Employment Opportunity (EEO) Office (including collateral duty EEO counselors) may not serve as employee representatives in the grievance process. Conflict of interest includes, but is not limited to, representation by a subordinate of the supervisor or other management official or an official of a labor organization that represents or has pending a petition to represent employees under the labor official's influence. Decisions regarding the acceptability of the employee's choice of representative are made by the SHRM, in consultation with OGC, as appropriate, and may not be further delegated.

b. The employee's representative, once selected and approved, has the right to consult with and review information from the same individuals listed as available to the grievant.

.05 Right to use duty time. An employee, if otherwise in an active duty status, is entitled to use a reasonable amount of duty time and official resources (with approval of his/her supervisor) to present a grievance. The employee's representative, if an employee of the Department who is otherwise in an active duty status, is entitled to use an equally reasonable amount of duty time to present the grievance. Time for presentation of the grievance shall not include time for preparation of the written or oral presentation of the grievance, but shall include time spent in an ADR process authorized by the SHRO. The amounts of time allowed are determined solely by management, and questions concerning duty time should be referred to the SHRO. Arrangements for the use of official time and official resources must be coordinated with, and approved by, the grievant's and representative's supervisors prior to use.

.06 Right to a written decision. The appropriate official and deciding official must provide a written decision to the grievant on any grievance accepted for processing. The written decision must include any agreements reached by the parties including any follow-up action required of either party. A written resolution agreement entered into and signed by the parties and appropriate concurring officials, as identified in Section 8.04 of this Order, will represent management's written decision with respect to the grievance it resolves.

.07 Right to confidentiality. All persons involved in the processing or adjustment of a grievance must protect the confidentiality of all related communications with the employee and others involved in the grievance and the right of those individuals to privacy. Anyone with access to information related to the grievance must not disclose that information except to those who have an official need to know. Individuals granted access to grievance information should be advised of the requirements of this paragraph.

.08 Right to freedom from interference or reprisal. Any person involved in the processing or adjustment of a grievance, including the grievant(s), management officials, and their respective representatives and witnesses must not be subjected to restraint,

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interference, coercion, discrimination, or reprisal by any employee of the Department in connection with the exercise of rights and responsibilities under this Order.

.09 Right to withdraw a grievance. An employee may withdraw a grievance at any step in the process, but must do so in writing.

SECTION 6. ELECTION BETWEEN THE GRIEVANCE AND EEO PROCESSES.

.01 If an employee has already filed an EEO complaint under [DAO 215-9](#), “Filing Discrimination Complaints” or [DAO 215-11](#) on a subject, he/she cannot then file a grievance on the same subject.

.02 If an employee files a grievance on a subject and, before a final decision is made, files an EEO complaint under [DAO 215-9](#) or [DAO 215-11](#) on the same subject, the grievance will not be further processed because the filing of the EEO complaint is a binding election of the EEO complaint process.

.03 If an employee files a grievance on a subject and a final decision is made on it, he/she cannot then file an EEO complaint under [DAO 215-9](#) or [DAO 215-11](#) on the same subject.

SECTION 7. FILING PROCEDURES.

The following procedures will be followed for all grievances filed within the Department.

.01 Informal grievances.

a. Covered employees must file a written informal grievance on covered matters with the appropriate official prior to filing a formal grievance, except:

1. Where an employee has followed the Request for Reconsideration procedures prescribed in

the Performance Management System Handbook, the Commerce Alternative Personnel System (CAPS) Operating Manual, or the Alternative Personnel Management System (APMS) Operating Manual, as applicable; or

2. Where the matter involved a disciplinary action for which the employee received an advance notice providing for the right to reply.

b. The appropriate official is the supervisor or manager at the lowest organizational level who

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has responsibility for the matter that is the subject of the grievance. Normally, this is the employee's immediate supervisor. If the grievant is unsure who the appropriate official is, he/she may consult with the SHRO.

c. The individual must present sufficient information upon which the appropriate official may make an informed decision on whether to grant all, some, or none of the personal relief requested. At a minimum, the informal grievance must contain: a description of the specific matter(s) giving rise to the grievance; the date of the event or decision that prompted the individual to grieve; any supporting information, such as documents, work products, witnesses' names and/or statements; and a statement of the personal relief requested.

d. Informal grievances must be presented within 15 days of the event or decision giving rise to the grievance or within 15 days of the date the employee first became aware of or should have become aware of the act or occurrence. This time limit may be extended in writing only for good cause shown by the employee.

e. Upon receipt of an informal grievance, the appropriate official should consult with SHRO and OGC, as necessary, for the proper assistance as provided for in Section 4 of this Order.

f. If the employee presents an informal oral response along with the written informal grievance, the appropriate official is responsible for summarizing the employee's presentation in writing, including the date of presentation, and for obtaining the grievant's written concurrence that the written summary is a reasonably accurate statement of the grievance. The official must do this prior to attempting to resolve the grievance.

g. A written record of the appropriate official's decision must be provided to the employee. This document may be in the form of a memorandum for the record and must contain the following information:

1. The decision with respect to each matter presented in the grievance, the reason(s) for the decision, and any relief granted;
2. References to all laws, regulations, or policies relied upon in reaching the decision;
3. A statement of the grievant's right to file under the formal procedures provided in this Order, if still dissatisfied;
4. The time limit within which the formal grievance must be filed (10 days from the receipt of the notice of decision on the informal grievance);

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5. The name and address/location of the SHRO to which a formal grievance must be submitted; and
6. Either a statement of or reference to the requirements for formal grievance submission, or the name and location of the person from whom such information may be obtained (e.g., the operating unit's administrative personnel or the SHRO).
- h. The appropriate official should respond to an informal grievance within 15 days of receipt, unless prevented from doing so by absence, unavailability of necessary information, or other matters outside his/her control. Authorized delays are acceptable, but in no case should a decision be rendered more than 30 days after receipt. In the event that a decision is not rendered within 30 days of receipt by the appropriate official, the grievance shall be referred to the SHRO for processing as a formal grievance.

.02 Formal grievances.

- a. An employee may file a formal grievance with the SHRO within 10 days of the receipt of a decision on a request for reconsideration of a summary performance rating, the effective date of a disciplinary action (if covered by these procedures, i.e., not appealable to the MSPB and not a proposed disciplinary action), or an informal grievance.
- b. For all matters in which the informal procedure (including a request for reconsideration) is mandatory, the grievant may present only the matter(s) and request for personal relief that were provided at the informal stage. If the formal grievance presents matters or requests for relief not covered by the informal grievance, the formal grievance may be rejected by the SHRO under the procedures in Section 9 of this Order.
- c. Formal grievances must:
 1. Be in writing, and provide sufficient detail concerning the matter(s) being grieved to clearly identify the basis for the grievance;
 2. Specify the personal relief requested;
 3. Include a copy of the informal grievance, the appropriate official's decision on the informal grievance, request for reconsideration, or official disciplinary action letter, as applicable, and any supporting documentation such as copies of email, memoranda, etc., relative to the matter(s) presented in the grievance. If an employee alleges he/she filed an informal grievance and the appropriate official did not timely respond, the employee must provide sufficient documentation to demonstrate attempts to satisfy the informal grievance process.

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d. The SHRM or his/her designee will review the submission and determine the appropriate action to be taken. The grievance will be accepted if: the grievance is timely submitted; the individual submitting the grievance and the matter(s) presented are covered by this Order; the submission provides sufficient detail to clearly identify the matter(s) presented; the relief requested is personal relief as defined by this Order; and the requirement for informal submission has been satisfied. If any of the above conditions are not met, the formal grievance may be rejected under the procedures provided by this Order.

e. Upon acceptance of a formal grievance, the SHRM or his/her designee will determine, in consultation with OGC, as appropriate, the deciding official for the formal grievance. The appropriate deciding official will normally be at least one organizational level above the official who decided the informal grievance, request for reconsideration, or disciplinary action. The SHRM or his/her designee will present the grievance to the deciding official, normally within 15 days of receipt.

f. The deciding official must give the grievance due consideration and should take the following actions:

1. Thoroughly review the contents of the grievance and associated documentation provided by the employee;
2. Conduct or initiate whatever inquiry he/she deems appropriate. The deciding official may, but is not required to, designate an examiner to conduct the inquiry. If the deciding official designates an examiner, that individual:
 - (a) Must not have been involved in, or be a subordinate of an official who has been involved in, the matter giving rise to the grievance;
 - (b) Must not be a subordinate of the official who rendered a decision on the informal grievance; and
 - (c) Must not be a subordinate of any management official who provided substantial advice and input into the previous decisions on the matter(s) covered by the grievance.
3. Establish a formal grievance file that includes all documentation mentioned in Section 2.07 of this Order.
4. Provide an opportunity for the grievant and/or grievant's representative to provide comments, in writing, on the contents of the grievance file (including all documents, report of any inquiry, and all witness statements on which the deciding official will rely

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in making a decision). Include any comments received from the grievant and his/her representative in the grievance file.

5. Consult with the SHRM and/or OGC as appropriate.
6. Issue a written decision, in consultation with the SHRM and OGC, as appropriate, normally within 45 days of the receipt of the grievance that contains the following:
 - (a) The decision on the matter(s) presented in the grievance and the reasons for each decision;
 - (b) The personal relief granted, including the specific period within which action(s) will be taken;
 - (c) The personal relief denied and the reason(s) for denial; and
 - (d) A statement that this is the final decision of the Department.

SECTION 8. ALTERNATIVE DISPUTE RESOLUTION.

.01 **ADR techniques.** ADR techniques include, but are not limited to, facilitated discussion of the issues and requested remedies by a designated SHRO representative, formal mediation conducted by a certified mediator from an authorized source, or a negotiated settlement between the employee and the supervisor.

.02 **ADR procedures.** A grievant may request to use an ADR process in connection with an informal or formal grievance. The request must be submitted in accordance with the operating unit's ADR policy. If there is not an operating unit policy, the request must be submitted in writing to the SHRM or his/her designee within 14 days after the employee's informal or formal grievance is filed.

.03 **Lack of an ADR policy.** When an operating unit does not have an ADR policy, the following provisions also apply:

- a. Within five days of his/her receipt of the grievance at the informal or formal grievance stage, a management official may submit a written request to the SHRM or his/her designee to use an ADR process.
- b. All requests to use ADR must be made in advance of any final agency decision on the grievance. Within 10 days of receipt of a request, the SHRM or his/her designee shall consult with both parties and issue a written determination advising whether ADR is authorized and, if so, the process that will be used.

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- c. Participation by the grievant and management official in ADR is voluntary and does not commit either party to agree to any compromise or settlement of the issue(s).
- d. The timeframe for a decision by the appropriate official at the informal stage or the deciding official at the formal stage shall be stayed pending the outcome of any ADR process requested and/or agreed to by the parties and authorized by the SHRM or his/her designee. If ADR does not successfully resolve the grievance within 30 days from the date ADR is authorized, the timeframe for a decision as specified by this Order shall commence.
- e. If ADR is not successful within 30 days at either, or both, stages of the grievance procedure, the grievance process is no longer stayed. However, settlement attempts may continue.

.04 Resolutions. Any proposed resolutions must be reduced to writing and require the signatures of the parties to the grievance along with technical concurrence of both the SHRM, or his/her designee, and the Chief, Employment and Labor Law Division, OGC. Grievances that address discrimination in the work place must also have the concurrence of the operating unit's EEO Officer or his/her designee.

SECTION 9. GRIEVANCE REJECTION PROCEDURES.

The SHRO may reject a grievance following the procedures and for the reasons outlined in this Section.

.01 Reasons for rejection. A grievance may be rejected for any one of the following reasons:

- a. The grievance is not timely filed;
- b. The grievant has had his/her right to file a grievance abridged by formal written decision;
- c. The grievant is filing a formal grievance and has not addressed the matter of concern or dissatisfaction through the required informal procedure, or its equivalent (e.g., responds to a proposal of discipline, requests reconsideration of a summary performance rating);
- d. The grievance does not contain sufficient information to clearly indicate the matter of concern or dissatisfaction, or other required documentation such as a copy of the decision at the informal grievance level;

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- e. The relief requested violates law, rule, or regulation, or is not personal to the grievant, as defined by this Order;
- f. The matter or individual is excluded from coverage under this Order; or
- g. The individual has filed or files a complaint of discrimination on the same matter(s).

.02 Rejection procedures. When a grievance is rejected employees are entitled to a written notice following the procedures below:

- a. If the individual filing the grievance is excluded from coverage by this Order, the grievance is untimely, consists wholly of matters excluded from coverage by this Order, or the relief requested is not personal as defined in Section 2 of this Order, the SHRO will not accept the grievance. The grievance will be returned to the individual who filed it with a written explanation of the reason for its rejection. No further action is then taken on the grievance.
- b. If the grievance consists in part of a matter(s) not covered by this Order, a portion of the requested relief is not personal, or the grievance does not contain sufficient information, the SHRO will return the grievance to the employee. In returning the grievance, the SHRO will provide a written explanation to the employee as to the specific reasons for the partial rejection, e.g., the matter is not covered, the relief is not personal, or additional information is required. The grievant will have seven days to revise the grievance and resubmit it to the SHRO.
- c. If the grievance is otherwise acceptable, but the employee has not satisfied the requirements under informal procedures, the SHRO will return the grievance to the employee with written notification of the requirement to follow the informal procedures. The employee will then have seven days from the receipt of the notice to present the matter(s) as an informal grievance to the appropriate official. The appropriate official must be identified in the notice.
- d. If the employee fails to resubmit the revised grievance or present a grievance under informal procedures within the specified timeframe, the grievance will be denied, in writing by the SHRO, with no further action required on the grievance.

SECTION 10. ABUSE OF PROCEDURE.

.01 The right of an employee, or group of employees acting as individuals, to file a grievance may be abridged when it has been determined that the grievance procedure has been abused.

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.02 Abuse of the procedure includes, but is not limited to, patterns of actions that demonstrate the individual's attempt to proceed under this Order is not made in good faith to resolve matters of concern or dissatisfaction regarding the individual's employment. This may include such actions as: submitting incomplete grievances without presenting evidence that supports the matters being grieved; failing or refusing to provide additional information when requested to do so by an individual responsible for processing/deciding the matter(s) covered by the grievance; filing multiple grievances on the same matter, or matters so similar that the parties involved are the same and no new event giving rise to the grievance is identified; repeatedly submitting grievances that objective evidence shows are frivolous (e.g., there is no remedy available as a matter of law or regulation) or retaliatory in nature; or failing or refusing to cooperate in any inquiry that may result from the grievance.

.03 A SHRM may request that the Director abridge an individual's right to file a grievance. The request must: be in writing; contain a chronological listing of the individual's grievance activity (usually not more than two years of history); provide a copy of any grievance(s) stated to be frivolous, repetitive, or retaliatory; and include a recommendation that the instant matter being grieved be dismissed with prejudice (i.e., no further right to raise the same matter).

.04 Upon receipt of the request, the Director will take the following actions:

- a. Assign a case manager to review the request, obtain additional information and/or consult with OGC, as appropriate, and draft the final decision.
- b. Issue a final written decision to the SHRM, with a copy to the grievant and his/her representative, normally within 30 days of receipt of the SHRM's written request.

.05 Employees whose rights to file grievances have been abridged in accordance with this Section may file a written petition with the Director to restore these rights after one calendar year and, if denied, annually thereafter. The Director will take the same actions as in Section 10.03 above.

SECTION 11. CANCELLATION OF A GRIEVANCE.

An operating unit should cancel a grievance after consultation with the SHRO:

- .01 At the employee's request;
- .02 Upon termination of the employee's employment with the Department, unless the grievance involves an issue of compensation;

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.03 Upon the death of the employee, unless the grievance involves an issue of compensation; or

.04 For failure to prosecute, i.e., if the employee does not furnish required information or duly proceed with the grievance.

SECTION 12. EXCEPTIONS.

Within the limits of administrative discretion permitted to the Department, exceptions to the provisions of this Order may be granted in unusual circumstances by the SHRM if the facts indicate that such an exception would promote the efficiency of the service. Each request for an exception must be submitted in writing and must contain a full statement of the justification for the request. Any exception will be granted in writing, specifying the justification, with copies to all relevant parties.

SECTION 13. EFFECTS ON OTHER ORDERS.

This Order supersedes DAO 202-771, dated November 2, 2007. Administrative grievances initiated before the effective date of this Order must be processed under the superseded Order. This Order also supersedes all previous operating unit or regional directives prescribing administrative grievance systems.

Signed by: Director for Human Resources Management

Approved by: Chief Financial Officer and Assistant Secretary for Administration

Office of Primary Interest: Office for Human Resources Management