

HHS Transmittal 95.6
Personnel Manual
Issue Date: 5/1/95

Material Transmitted

None

Material Superseded

HHS Instruction 432-1 Performance Based Reduction-in-Grade and removal
(Exception: Exhibit 432-1-A)
751-1 Official Reprimands
(Exception: Exhibit 751-1-A)
751-2 Admonishments
752-1 Adverse Actions
(Exception: Exhibit 752-1-A)
810-1 Management of the Injury Compensation Program

Background

The Department of Health and Human Services Intra-Departmental committee on Adverse Actions and Grievances (ICAAG), tasked with the development and review of the Department's employee relations policy, formed a subgroup to examine the viability of Instructions 432-1, 751-1, 751-2, 752-1, and 810-1. The ICAAG, which consists of Employee Relations Specialists throughout the Department, made the following recommendations based on the subgroup's findings.

HHS Instruction 432-1 states the Department's supplementation of Part 432 of the Office of Personnel Management's (OPM) Regulations at 5 CFR Part 432, Performance Based Reduction-in-Grade and Removal Actions. HHS Instruction 751-1 sets forth the Department's requirements for issuing Official Reprimands. HHS Instruction 751-2 clarifies that specific delegations of authority to admonish employees are not necessary and the Department has established no requirements for the use or issuance of admonishments. HHS Instruction 752-1 covers removals, suspensions, reductions in grade, reductions in pay, and furloughs of 30 days or less; it serves as a supplement to 5 CFR Part 752. HHS Instruction 810-1 provides policies and procedures for managing provisions of the Federal Employee's Compensation Act within the Department.

Consistent with the Department's continuous improvement initiatives, and the recommendations of the ICAAG, the aforementioned instructions are abolished except for the delegations of authority.

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OPDIVs may establish in their organizations the appropriate criteria to be used when addressing the issues covered by these instructions.

The abolishment of Instructions 432-1, 751-1, 751-2, 810-1 will be effective June 1, 1995.

Thomas S. McFee
Assistant Secretary for
Personnel Administration

DEPARTMENT OF HEALTH & HUMAN SERVICES

Memorandum

Date AUG 11 1988

From Assistant Secretary for Personnel Administration

Subject Delegation of Authority to Propose, Decide, and Concur in Reductions in Grade and Removals Under HHS Personnel Instruction 432-1

To Heads of Operating Divisions
Regional Directors for Regions VI, VIII, IX, and X

1. Under the authority vested in the Assistant Secretary for Personnel Administration by memorandum from the Secretary dated January 24, 1983, I hereby delegate the authority to propose, decide, and concur in reductions in grade and removals under HHS Personnel Instruction 432-1, Reduction in Grade and Removal Based on Unacceptable Performance, to Heads of Operating Divisions, including the Assistant Secretary for Management and Budget for the Office of the Secretary, for employees in their respective organizations, including employees in or under a regional office.
2. This authority may be redelegate, and further redelegation may be authorized. A concurring official must be a different and higher level official than a deciding official for any reduction in grade or removal under this authority. Also, the addressees must state in their redelegations whether or not the authority to decide an action is to be exercised by the official authorized to propose the action or by a different and higher level official. All redelegations must be in writing and in accordance with the requirements of HHS Personnel Instruction 250-3 and Chapter 8-100 of the HHS General Administration Manual.
3. I hereby delegate the authority cited above to the Regional Directors for Regions VI, VIII, X, and X for the personnel staffs of each Indian Health Service Area that has its Area Office in their respective regions. I hereby delegate the authority cited above to the Regional Director, Region VI, for the personnel staff of the Gillis W. Long Hansen's Disease Center. The authority for these personnel staffs must be redelegate and further redelegation authorized. Redelegations are to be from the Regional Directors to the Regional Personnel Officers or Regional Personnel Managers, who are to redelegate to the Indian Health Service Area Directors, and to the Director of the Gillis W. Long Hansen's Disease Center for the personnel staffs of those organizations.

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4. Requirements and instructions for exercising this authority are contained in 5 CFR Part 432 as supplemented by HHS Personnel Instruction 432-1.
5. This delegation is effective immediately. It supersedes the ASPER delegation memorandum of November 9, 1982, Subject: Delegation of Authority to Propose, Decide, and Concur in Reduction in Grade and Removals Under HHS Personnel Instruction 432-1. However, existing redelegations made under that memorandum that are consistent with the provisions of this delegation will continue in effect until new redelegations are made under the authority of this memorandum.

Thomas S. McFee

DEPARTMENT OF HEALTH&HUMAN SERVICES

(Office of the Secretary)

Memorandum

Date November 8, 1982

From Assistant Secretary for
Personnel Administration

Subject Delegation of Authority to Issue Official Reprimands
Under HHS Personnel Instruction 751-1

To Heads of HHS Operating Divisions
Assistant Secretary for Management and Budget
Director, Office of Child Support Enforcement

Under the authority vested in the Assistant Secretary for Personnel Administration by memorandum from the Secretary dated March 11, 1966, as modified by the Secretary's Reorganization Order of March 8, 1977, I hereby delegate the authority to issue Official Reprimands under HHS Personnel Instruction 751-1 to Heads of Operating Divisions, the Assistant Secretary for Management and Budget for the Office of the Secretary, and the Director, Office of Child Support Enforcement, for employees in their respective organizations, including employees in or under a regional office.

Requirements and instructions for exercising this authority are contained in HHS Personnel Instruction 751-1, "Official Reprimands ." This delegation is effective on January 1, 1983. It may be redelegate, and further redelegation may be authorized. All delegations and redelegations must be in writing, in memorandum format, and published as supplements to the HHS Personnel Manual.

This delegation supersedes HHS Personnel Instruction 250-22, "Authority to Propose and Issue Official Reprimands," dated December 5, 1973. Existing redelegations made under that previous delegation will continue in effect for 90 days from the effective date of this memorandum (i.e., through March 31, 1983).

Thomas S.McFee

DEPARTMENT OF HEALTH & HUMAN SERVICES

Memorandum

Date AUG 11 1988

From Assistant Secretary for
Personnel Administration

Subject Delegation of Authority to Propose and Decide on Adverse
Actions Under HHS Personnel Instruction 752-1

To Heads of Operating Divisions
Regional Directors for Regions VI, VIII, IX, and X

1. Under the authority vested in the Assistant Secretary for Personnel Administration by memorandum from the Secretary dated January 24, 1983, I hereby delegate the authority to propose and decide adverse actions under HHS Personnel Instruction 752-1, Adverse Actions, to Heads of Operating . Divisions, including the Assistant Secretary for Management and Budget for the Office of the Secretary, for employees in their respective organizations, including employees in or under a regional office.
2. This authority may be redelegate, and further redelegation may be authorized. A deciding official must be a different and higher level official than a proposing official for any adverse action under this "authority, except in the case of of furloughs or any action for which thirty days advance written notice is not required by 5 CFR Part 752. All redelegations must be in writing and in accordance with the requirements of HHS Personnel Instruction 250-3 and Chapter 8-100 of the HHS General Administration Manual.
3. I hereby delegate the authority cited above to the Regional Directors of Regions VI, VIII, IX, and X for the personnel staffs of each Indian Health Service Area that has its Area Office in their respective regions. I hereby delegate the authority cited above to the Regional Director, Region VI, for the personnel staff of the Gillis W. Long Hansen's Disease Center. The authority for these personnel staffs must be redelegate and further redelegation authorized. Redelegations are to be from the Regional Directors to the Regional Personnel Officers or Regional Personnel Managers, who are to redelegate to the Indian Health Service Area Directors, and to the Director of the Gillis W. Long Hansen's Disease Center for the personnel staffs of those organizations.

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4. This delegation does not include the authority retained by the Secretary to make the decision on the- suspension or removal of an employee, whether in a sensitive or a nonsensitive position, on grounds of disloyalty or subversion.
5. Requirements and instructions for exercising this authority are contained in 5 CFR Part 752 as supplemented by HHS Personnel Instruction 752-1.
6. This delegation is effective immediately. It supersedes the ASPER delegation memorandum of September 30, 1982, Subject: Delegation of Authority to Propose and Decide on Adverse Actions Under HHS Personnel Instruction 752-1. However, existing redelegations made under that memorandum that are consistent with the provisions of this delegation will continue in effect until new redelegations are made under the authority of this memorandum.

Thomas S. McFee