

VETS Manual Series, Volume III
Human Resources Management
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3.1 Overview of this Human Resource Management Volume

This volume provides relatively brief topical narratives and hyperlinks to related policy or procedure documents of importance to human resources managers within the Veterans' Employment and Training Service (VETS).

The primary intent of the authors and editors of this volume is to help the managers and supervisors of this Agency's most valued assets--the staff who do the work of the agency--to succeed. This volume is not intended to replace the broad and deep repositories of information and guidance available from DOL and OPM sources. It offers some practical "how to" guidance in various commonly-encountered aspects of human resource management, and directs the VETS user to the related in-depth documents available on-line from those other sources.

3.1.1 Human Resources Management in DOL

Under the broad authority delegated by the Office of Personnel Management (OPM), the Department of Labor administers its human resources management activities in accordance with Title 5 of the United States Code (U.S.C.) and Title 5 of the Code of Federal Regulations (CFR). The most comprehensive, in-depth overview of the Department's Human Resource Program available is the DOL Manager's Guide to Human Capital; What Every Manager and Supervisor Needs to Know, which is available at <http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc>.

Virtually all aspects of the broad range of human resource management topics are covered in that Guide, which is written to be especially helpful to top-level managers in the Department's various agencies. Lower-level supervisors will not be involved in some of the functions described in that Guide, but knowledge of the overall framework of human capital management can help supervisors at all levels be successful in their human resource management activities. DVETs, all other managers and supervisory personnel, and individuals who aspire to become managers in VETS are strongly encouraged to become familiar with the DOL Managers Guide to Human Capital.

Especially useful in the Managers Guide is the Appendix, which contains a variety of quick reference guides to common supervisory actions presented in "checklist" formats for easy reference.

Supervisors and managers in VETS are fortunate to have as partners in human resource management activities the specialists in the Human Resource Centers maintained by the Office of the Assistant Secretary for Administration and Management (OASAM) in each DOL Regional Office and in Department headquarters in Washington, D.C. Their role combines advisory

responsibilities in those human resource management activities which front-line supervisors are required to perform, and instrumental responsibilities in activities for which the VETS does not have delegated authority to conduct on its own.

3.1.1.1 Supervisor's Toolbox

Virtually all of the guidance materials prepared by DOL especially to help supervisors be successful in their human resource management activities are compiled in one place called the "Supervisor's Toolbox," at

<http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/index.htm>.

3.1.2 VETS Workforce Planning and the VETS Hiring Process

Through the annual performance budget process, VETS, like every other agency in the DOL is allocated a specific number of full time equivalent (FTE) positions to carry out the agency's mission. In VETS the FTE level includes all of the careerist and political positions in the field offices, National Office, and Office of the Assistant Secretary for Veterans' Employment and Training.

Annually, during the budget formulation and execution processes, VETS leaders re-consider the FTE allocations to the various components of the agency, e.g., the N.O. divisions, the six regions, the states, and make decisions based on projected mission-critical workloads. In VETS, the FTE allocations are relatively stable from year-to-year.

The OPM is responsible for promulgating Federal policies and procedures governing Federal hiring practices, and it provides extensive guidance materials through its web site (see http://fehbo.opm.gov/Strategic_Management_of_Human_Capital/fhfr/default.asp), but when VETS has a vacancy to fill it must rely upon the OASAM HR Center to carry out many of the procedures involved in the process. (See <http://labornet.dol.gov/me/hr/DPR/Chapter337SubChapterII.htm>.)

There are many ways to fill jobs, some of them involving special means to facilitate the employment of certain categories of veterans. While it is advantageous for VETS managers and supervisors to be conscious of these special hiring authorities and processes, OASAM HR Center staff members do most of the bureaucratic work involved in the hiring process.

But of course it is the VETS manager or supervisor who is responsible for making the selection(s) of new employees, and for enabling a new employee to continue past the probation stage (i.e., the first year) into career conditional status and later into full careerist status, and for promoting an individual employee to a higher level position.

Probationary period for new federal employees is one year.

No matter what position is being filled, selecting the right person for the job is the most important human resource decision that a VETS manager makes. The next most important is deciding, when the time comes, whether or not that person's performance has proved that he or she should be enabled to remain in the agency with career-conditional or full careerist status.

3.1.2.1 Good Interviewing Techniques

After receipt of a certificate of eligibles or as part of structured interviews, you should keep in mind a number of Do's and Don'ts for Interviewing. These Do's and Don'ts cover key areas that might potentially cause difficulties in terms of allegations of discrimination or other considerations, provide pointers on how to make Good Interviewing Techniques a better impression on the candidates, and enable you, as an interviewer, to gain more information.

Do's

- Do thoroughly read review the candidates' applications prior to the interview to be fully aware of the candidates' written responses to application questions.
- Do use open-ended questions. Open-ended questions provide more opportunities for candidates to talk about themselves and share more relevant information.
- Do ask all candidates the same questions in the same manner. Interviewers are allowed to ask follow-up questions in order to clarify confusion or when it appears appropriate to do so; however, follow-up questions can be a source of bias so they should be limited to only clarification situations and should be worded in terms of seeking an example or asking for a further explanation.
- Do make sure that the number of questions fits the length of time for the interview (generally, no more than 60 minutes).
- Do, if possible, collapse questioning criteria (or selection indicators, as called in the DOL competency models) to allow sufficient time for the interviewees to respond to the questions.
- Do keep the questions concise, to the point, and realistic.
- Do actively listen to the candidates' answers to questions.
- Do mix up the types of structured interview questions. This can result in a better interview situation.
- Do use judgment and discretion in conducting the interview. Consider the location, setting number of participants, timing, length, demeanor, and conduct of interviewer(s), and scope of the interview in planning and carrying out the interviews.
- Do take appropriate steps to make the candidate feel comfortable and welcome.
- Do, if uncertain about the propriety of a question or any aspect of the interviewing situation, avoid the question or situation and consult with the Human Resources Office for assistance.

- Do consider and plan for building security and access issues before scheduling the interview to avoid delays or confusion.
- Do keep in mind that a candidate is screening the agency as much as the interviewer(s) is screening the candidate.
- Do give the candidate a chance after the interview to either ask questions of the interviewer(s) or to discuss the job with a human resources specialist in a separate setting. Offering this opportunity serves the agency well since the candidate is able to gather information to use in either accepting or rejecting an offer, should one be made.

Don'ts

- Don't use "yes" and "no" questions as this discourages discussion, exploration of information, and analysis of information.
- Don't vary the wording on structured interview questions. This decreases the validity, skews the responses, and limits the predictive value of the tool.
- Don't drag out the interview to ask all the questions. Economize time to ensure that the questions are asked and answered within a reasonable timeframe.
- Don't use jargon and acronyms unless such words are clearly job-related and would be familiar to all the candidates.
- Don't use the questions listed below. (The Harvard Business Essentials series of resource guides, "Hiring and Keeping the Best People," includes a list of prohibited or sensitive questions that interviewers should avoid. While this list is not meant to be exhaustive or definitive, it should serve to underscore the need to be selective in questioning and cautious in interviewing.)
 - How old are you?
 - Are you married?
 - What is your citizenship?
 - What is your sexual orientation?
 - How much do you weigh?
 - Are you disabled?
 - When did you graduate from high school?
 - Do you have children?
 - What country are you from?
 - Where were you born?
 - Have you ever been arrested?
 - Would your religion prevent you from working on weekends?

In general, the topics that should be viewed as improper in most employment interviews include religion, national origin, race, marital status, parental status, age, disability, sex, political affiliation, criminal records, and other personal information such as financial/credit history. (For some jobs,

there may be exceptions to this list, but interviewers should err on the side of caution if they are unsure as to what may be permissible.)

- Don't make the candidate wait. Unnecessary waiting by the candidate for the start of an interview gives a bad impression of the organization and can impact the tone and effectiveness of the interview.
- Don't schedule the interviews so rigidly that the schedule seems to get in the way of a successful and thorough interview.
- Don't abruptly close an interview. While there are structured interview questions, the candidate should not feel like he/she does not have the opportunity to ask questions of the interviewer(s).

Don't get distracted during the interview. The interviewers should avoid appearing not interested, distracted, or evasive – this puts the candidate in an uncomfortable environment.

3.1.2.2 VETGuide

Since VETS also has some program responsibilities related to the veterans' preference statute applicable to most Federal jobs, VETS managers and supervisors should be aware of the various aspects of the statute applicable to the employment of veterans in the Federal government. The most comprehensive source of information available from OPM is the VETGuide, which can be found at

<http://www.opm.gov/employ/veterans/html/vetguide.asp>.

3.1.2.3 Special Appointment Authorities for Veterans

Guidance related specifically to three types of special recruitment/selection avenues available only to veterans: Veterans Recruitment Appointments (formerly called Veterans Readjustment Appointments), non-competitive appointments of 30% (or greater) disabled veterans, and Veterans Employment Opportunities Act (VEOA) appointments may be found at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994855.

3.1.2.4 Veterans'/Disabled Veterans' Preference

Explanation of the basic principles and eligibilities for "veterans' preference" in competitive hiring situations may be found at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994795.

3.1.2.5 Rehabilitation Act Requirements

Explanation of the requirements of the Rehabilitation Act of 1973 related to the hiring of individuals who have disabilities is found at <http://labornet.dol.gov/workplaceresources/policies/DLMS/DLMS04/dlms4-0306.htm>.

3.1.3 Prohibited Personnel Practices and Ethics Guide

Explanations of all of the things managers and employees may not do!

<http://www.opm.gov/ovrsight/proidx.asp>

<http://labornet.dol.gov/me/hr/ethics/prohibited-personnel-action.htm>.

<http://www.osc.gov/documents/pubs/rights.htm>

Explanations of the DOL policy, rules and procedures regarding harassment can be found at

<http://labornet.dol.gov/me/hr/Harassing-Conduct-in-the-Workplace.htm>

3.1.4 DOORS - DOL Online Opportunity Recruitment System

Detailed guidance specially prepared for managers may be found at

<http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/PDFs/ManagersGuidetoDOORS.pdf>.

3.1.5 WebPARs (People Power)

How do VETS managers and their OASAM partners initiate and manage just about all personnel actions? The answer is, through the Web-based Personnel Action Request system. To become familiar with WebPARs see the basic information used in the training sessions for users at

<https://www.peoplepower.dol.gov/webpar/hrms4/index.jsp>.

3.1.6 Performance Management – What is “Performance Management?”

From Performance Management - A Briefcase Book, by Robert Bacal (McGraw-Hill)

Performance management is an ongoing communication process, undertaken in partnership, between an employee and his or her immediate supervisor that involves establishing clear expectations and understanding about:

- the essential job functions the employee is expected to do
- how the employee's job contributes to the goals of the organization
- what "doing the job well" means in concrete terms
- how employee and supervisor will work together to sustain, improve, or build on existing employee performance (Often overlook – employees participation)

- how job performance will be measured

The OPM handbook (at www.opm.gov/perform/WPPDF/2002/HANDBOOK.PDF) describes performance management as a systematic process composed of five key components:

- Planning work and setting expectations
- Continually monitoring performance
- Developing the capacity to perform
- Periodically rating performance in a summary fashion
- Rewarding good performance

3.1.6.1 Performance Management Plans

A good employee Performance Plan clearly states all of the standards indicative of successful performance of each significant element of the job encumbered by the subject employee.

Performance standards for individual employees must be objective and measurable. In order to develop and implement a Performance Plan that is objective and measurable, a supervisor or manager must recognize the difference between describing activities to be performed by an employee, and describing the results expected from an employee's performance.

Describing activities to be performed is the critical task when writing a position description; describing the results expected in measurable and objective terms is the critical task when writing personnel performance standards.

The OPM Handbook on Performance Management (hyperlinked above) defines three types of elements,

- critical elements, (Page 8)
- noncritical elements, and (Page 9)
- additional performance elements (Page 10)

But current DOL policy is that only critical elements are to be included in individual Performance Plans.

A critical element is an aspect of the subject job that is so important that failure to meet the performance standards for the element obligates the supervisor to commence formal performance improvement actions with the

employee. An employee may eventually be demoted or removed for failing to meet the requirements established for a critical element.

What constitutes eventual demotion or removal (is there a step by step process that leads to demotion or removal?)

DOL offers an extensive guide to supervisors at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994893.

3.1.6.2 How do you address accomplishments rather than activities in a Performance Plan?

The principle to keep in mind when writing performance standards is that a "standard" clearly states or indicates the results expected of the individual's performance of specific work activities. So, rather than describing the work activity itself, a "standard" refers specifically to the outcome(s) expected to come out of the work activities included within each element of the job. For example, "standards" will describe specific products or services and the quality, quantity, or timeliness of those products or services expected of the employee.

The differences between writing a job description of a work activity and writing performance standards are illustrated in the following comparative example:

Job description: "A current inventory list is maintained of all accountable property within the area of responsibility. The inventory is periodically reconciled against the regional inventory log, and discrepancies are identified and resolved."

Performance standard: "The requirements of this element are met when:

- An accurate inventory of all accountable property is maintained at all times.
- The inventory is reconciled quarterly with the regional inventory log, and discrepancies are identified to the DVET within three work days following the end of the review.
- Timely and appropriate actions to resolve discrepancies are completed within the time frame specified by the DVET."

3.1.6.3 How do you develop a Performance Plan that establishes elements and standards that lead to organizational goal achievement?

The OPM Handbook describes an eight-step process for creating Performance Plans (beginning on page 24). As the Handbook states, each step in the eight-step process builds on the previous step.

In VETS, most of the agency's goals relate either to services provided directly by VETS staff or by staff of affiliated agencies or organizations to VETS' customers. So, many of the "elements" in VETS field staff Performance Plans relate to the various customer service program operations, e.g., USERRA, the grants programs, the Transition Assistance Program, et cetera. And, most of VETS goals have been related to specific DOL strategic goals, as required by DOL policy.

A Fully Successful or equivalent standard, (in DOL, "Meets") must be established for each critical element. The Fully Successful standard identifies the level of performance below which performance is either "Needs Improvement" or "Fails," or above which ("Exceeds"), special recognition may be warranted.

When creating a Performance Plan for a subordinate employee, the supervisor has to determine what data will be needed to appraise the employee's performance, how to collect the data for each performance element, which source the data should come from, and whether to collect all the data or just a sample. He or she also has to determine when to collect the data, who should collect it, and who should receive it. It's a good idea to try to design feedback processes that give employees feedback automatically.

OPM recommends that a supervisor use the following list of questions to evaluate each Performance Plan that he or she intends to establish:

- Are the critical elements truly critical? Would failure in the critical element mean that the employee's overall performance is not acceptable?
- Is the range of acceptable performance clear? Are the performance expectations quantifiable, observable, and/or verifiable?
- Are the standards attainable? Are expectations reasonable?
- Are the standards challenging? Does the employee need to exert a reasonable amount of effort to reach a fully successful performance level?

- Are the standards fair? Are they comparable to expectations for other employees in similar positions? Do they allow for some reasonable margin of error?
- Are the standards applicable? Can the appraiser(s), i.e., the Rater (immediate supervisor) and Reviewer (second-level supervisor) use the standards to appraise performance? Can the appraiser(s) manage the data collected through the measurement process?
- Will employee(s) understand what is required?
- Are the elements and standards flexible? Can they be adapted readily to changes in resources or objectives?
- Is the “Meets” standard exceedable? Is it possible for an employee’s performance to exceed it in a measurable way?

3.1.6.4 How do you write standards that support program goals if the program is conducted by another entity, such as a grantee?

VETS is a grantor agency (e.g., the State Jobs for Veterans grants and the competitively awarded grants), and a direct service agency (e.g., the USERRA program), so the majority of VETS field staff engage in work activities in which the degree of control over program results varies considerably.

Whereas a VETS staff member responsible for handling a USERRA claim has a relatively high level of control or influence on the outcome of that claim with regard to the program measure(s) (e.g., timeliness of case disposition), that same staff member may also be responsible for grant oversight and technical assistance duties. Clearly the employee’s level of control or influence on the grant program outcomes (e.g., the “entered employment rate”) is relatively less than in the USERRA program situation.

A performance standard for the grant oversight and/or technical assistance element(s) of a typical VETS field staff member may be unfair if it is interpreted to mean that in order for the VETS staff member to “meet” his or her standard the grantee(s) must attain or surpass the program goals set for the grantee(s).

One way to construct a performance standard for a grant oversight and/or technical assistance element that supports attainment of the grant program goals and challenges the VETS staff member while also being fair is to include a clause in the standard related to the program goals, but making attainment by the grantee of the goals an optional measure within the standard, e.g.:

Performance Standard: For an overall rating of “meets” for this element, the incumbent must meet no less than 10 of 12 requirements listed below; requirements #1, 2, 3, 4, 5, 6, 7, 9 and 11 must be among the 10 met.

1. Analyses of grant modification proposals and/or initial applications are complete with respect to review requirements, e.g., agency-approved checklists.
2. Analyses of grant mod proposals and/or initial applications are presented to the DVET within established time frames.
3. Requests for technical assistance from grantees or grant applicants are properly recorded.
4. Technical Assistance provided to grantees is accurate and timely with respect to fiscal and programmatic rules/guidelines applicable to the subject grant.
5. All post-award reports required of the respective grantees under the various grant programs are tracked to see that suspense dates are met. Deviations are promptly identified and referred to DVET for action.
6. Reports are reviewed for completeness and adherence to applicable guidelines. Deviations are identified and referred to DVET for action.
7. Analyses provided to DVET regarding program outcomes achieved by grantees are timely.
8. Analyses regarding program outcomes reflect proper comparisons to grant goals, performance measures and special assurances.
9. Findings from on-site evaluations or desk audits of grantee operations (LV/DV, HRVP, TAP, etc.) reflect thorough understanding of applicable policies and regulations.
10. Complete reports of findings from on-site evaluations or desk audits of grantee operations and any recommendations are presented to the DVET no later than ten days following completion of the review.
11. Liaison efforts result in the effective partnering between or among grantees and the creation of other appropriate linkages of benefit to the target groups served by VETS’ grantees.
12. Performance targets for the common measures are met or exceeded by the grantees.

Note: The sample element and related standards above might be considered by some staff, in some circumstances, to be inclusive of too many aspects of

grant management. If so, the element could be divided into two, for example by separating performance requirements into pre-award and post-award elements of grant management.

3.1.6.5 Guiding Principles for Performance Measurement

Probably the most important thing a supervisor needs to do is to strive to measure what is important – *which may not be the same as what is easy to measure* – regarding an employee's performance.

That may require constructing a performance standard for each critical element of the job that involves multiple measures of the various qualitative and quantitative aspects of the element. And almost certainly it will require teamwork by the employee and supervisor to devise appropriate measures for each element of the job.

3.1.6.6 Principles Regarding Feedback to Employees

Effective, frequent, and timely feedback addressing employee performance on elements and standards is an essential component of a successful performance management program.

Feedback works best when it relates specifically to particular elements and standards, and is timely. People respond better to information presented in a positive way. Present accurate, factual, and complete feedback; it is more effective when it both reinforces what the employee did right and also identifies what the employee needs to do in the future if he or she is to receive a better rating for a specific element of the job.

3.1.6.7 Specific DOL Progress Review Requirements

Each Agency Head is required to ensure that performance feedback is provided to each employee during the appraisal period. A formal progress review must be held at least once during the appraisal period, and under normal circumstances is expected to be done no later than 120 days before the end of the rating period. This review—which may be done orally--must include areas of critical competencies requiring improvement and feedback on sustaining positive performance. At a minimum, during this progress review, employees will be informed orally of their performance relative to the elements and standards in their Performance Plans. The rating official and the employee will certify (by signing) on the Performance Plan form (which is also the appraisal form) that the progress review was held.

In VETS the expectation is that employees who are in the probation stage (i.e., first year after initial appointment) or in the career conditional stage will receive a written progress report 120 days before the date that those respective career-status periods end. It is imperative, therefore, that supervisors ensure that those employees receive their signed Performance

Plans in time to ensure that that expectation regarding timely progress assessments may be met.

3.1.6.8 Performance Appraisals: Who Gets Rated, and When?

All DOL employees are supposed to have a twelve-month performance rating period beginning on October 1 and ending on September 30. Supervisors are expected to establish (through discussion of and joint signing of) individual Performance Plans for each employee at the beginning of the rating period, and to complete an appraisal of each employee within 30 days after the end of the cycle.

An appraisal cycle does not actually begin until the supervisor and employee have signed a Performance Plan and the Plan is signed by the second-level supervisor, i.e., the Reviewer. At a minimum, appraisals must cover a 90-day period of performance.

In the event that a change in supervisors occurs during the fiscal year, or a new employee begins work after the start of the fiscal year, VETS' expectation is that a new Performance Plan will be signed by the employee and the Rater and Reviewer within 30 days of the date of the change of supervisor or start date of the new employee.

The entire body of DOL guidance regarding performance appraisals may be found at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994893.

3.1.6.9 Performance Improvement Actions

In DOL, because all elements set forth in an employee's Performance Plan are considered critical, if an employee fails to meet the performance standard for any element the supervisor is obligated by Federal rules to initiate actions to positively address the under-performance situation.

In VETS, the first step in such a situation that the supervisor should take is to inform his or her supervisor, the "Reviewer," of the under-performance situation. Typically in VETS this sort of circumstance results in advice being sought by VETS management from the appropriate OASAM Human Resources labor relations specialist to ensure that relevant DOL policies and procedures are understood before remedial actions are initiated.

The supervisor is obligated by Federal rules and DOL policy to formally counsel the employee about the under-performance. It is the supervisor's responsibility to clearly identify the area(s) of under-performance and ensure that the expectations stated or implied within the particular standard(s) are understood by the employee.

The counseling session should be a two-way communication so that the supervisor can ascertain whether or not there are reasonable actions he or she might take to assist the employee in rising to the acceptable level of performance.

A written record for both employee and supervisor should be made of the counseling session.

If after a reasonable period of time the employee's performance has not improved to the acceptable level, the supervisor is obligated to construct, with the involvement of the employee, a formal Performance Improvement Plan. This document becomes a compact between the employee and the supervisory levels that lays out in writing what the employee is expected to do to improve to the acceptable level of performance and what the agency will do to assist in that improvement plan. At this time, the employee will be formally put on notice what will be the consequence(s) of failure to attain the required level of performance.

Specific DOL guidance may be found at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994893.

3.1.7 DOL Awards Programs

The DOL awards program is designed to improve Government operations by motivating and rewarding excellence by members of the workforce. Recognizing outstanding performance and achievement is an essential management responsibility critical to stimulating and sustaining high levels of proficiency and productivity. The Employee Recognition and Awards Program Handbook provides detailed information on the guidelines and criteria required for each award. VETS supervisors are encouraged to familiarize themselves with the array of awards and to make good use of them.

Nomination forms for the various types of DOL awards are listed in the forms index beginning with the words, "Recommendation for..." at <http://labornet.dol.gov/forms/sort-by-name.htm>.

3.1.8 Staff Training

The Department and VETS support the concept of "continuous learning." The fact that VETS field staff are widely dispersed rather than clustered in the regional office cities adds significant cost factors to the challenge of providing appropriate training opportunities to all VETS employees.

3.1.8.1 New Supervisor Training

The new supervisor training is designed to focus on the competencies identified as being crucial to effective leadership. As a new supervisor or manager, you are required to complete 80 hours of supervisory/managerial

training and/or development during the first 24 months following your appointment to a supervisory or managerial position. The first 40 hours of the new supervisors' mandatory training is obtained by completing the core curriculum course, "Leadership Competencies for the New DOL Leader." If you are a new manager, your completion of this course is mandatory. If you seek a waiver to this requirement, consult with HRC, OASAM.

Continuous Development – Management development is an on-going process. It is designed to help you, as an experienced manager, continue to develop and expand your leadership skills. You are encouraged to complete 24 hours of leadership/management development each fiscal year. You can enroll in a number of formal and informal learning activities, i.e., on-line training, classroom training, completing courses at local colleges and universities, attending seminars and forums, etc. Your remaining training hours can be completed through DOL-offered leadership development courses outlined in the Lifelong Training Catalog.

3.1.8.2 Online Learning Opportunities

One major resource available to all VETS staff is the catalog of skills courses available on-line from the LearningLink web site at <http://www.dol.gov/oasam/learninglink/SkillSoftCatalog-Abridged.xls>.

There VETS staff can find a wide variety of courses, many of which can help staff attain or further develop skills useful in the work that they do.

Staff members must discuss and obtain supervisory approval prior to starting any on-line learning and development activity that takes place during duty hours.

Supervisors are encouraged to be proactive in

- Assuring that employees have the opportunity for learning and development that will enhance present job performance.
- Making decisions regarding scheduling and/or approving on-line time for employees to complete learning and development activities, and evaluating the results of such activities.

Unless specifically required by the supervisor, course work performed outside of normal duty hours is not considered "hours worked" and is, therefore, not compensable.

Employees are responsible for

- Discussing their learning and development needs with their Supervisors.

- Participating in planning for their development, including, where appropriate, the preparation of an Individual Development Plan (IDP).
- Requesting approval of on-line time for learning and development activities.
- Successfully completing and evaluating approved learning and development activities.
- Applying learning to current position in an effort to enhance and influence the organization.

To learn how to access and use the LearningLink site, go to <http://www.dol.gov/oasam/learninglink/>.

3.1.8.3 Individual Development Plan (IDP)

The IDP is a short-term action plan designed to help your employees “grow in place” and master skills or learn facets of their current jobs better. The IDP outlines learning and development needs for the next year or two and lists possible training solutions.

The IDP is:

- A process to help employees do a better job where they are now;
- A way employees can close the gap between where they are and where they want to be in their current jobs and in the near future;
- Related to organizational needs and goals;
- A document where employees can chart and monitor their own individual development; and
- A joint effort between employees and their supervisors.

VETS supervisors are encouraged to work with the employees under their supervision to create and/or update individual development plans as needed, but at least on an annual basis.

DOL guidance regarding Individual Development Plans may be found at <http://labornet.dol.gov/me/careercenter/continuouslearning/cts/individual-development-plan.htm>

The form used for recording an IDP may be found at <http://labornet.dol.gov/forms/sort-by-name.htm>.

3.1.8.4 National Veterans' Training Institute (NVTI)

The NVTI was established in 1986 to further develop and enhance the professional skills of veterans' employment and training service providers throughout the United States. The school is funded by the VETS, and administered by the University of Colorado at Denver. Classroom training is conducted in Denver, Colorado and at selected regional sites in the U.S. and abroad. The Institute is the only one of its kind in the United States.

Most of the training courses offered by the NVTI are for non-federal staff, but three courses, basic USERRA, Investigator training, and VEOA (federal veterans' preference) are specifically for VETS staff. See information on the courses and how to apply at <http://www.nvti.cudenver.edu/home/homePage.htm>.

3.1.8.5 Tuition Assistance for Commercial Training Opportunities

In some circumstances, training for employees may be purchased by the agency from commercial vendors such as community colleges, trade schools, for-profit or not-for-profit agencies or organizations, et cetera. The availability of funds for such purchases is expressed in the annual budget execution guidance provided to regional offices, along with the procurement guidelines and authorities.

3.1.8.6 Mentoring

Mentoring is probably the most common mode of training used in VETS to help new employees and/or newly promoted employees acquire the knowledge and the skills they will need to be successful. Mentoring arrangements vary from region to region, due in part to geographic differences and cost considerations, but the basic concept is pairing of the new employee with one or more well regarded peer(s). Mentors serve as a job coach for specific aspects of the job.

3.2 Safety and Health

In the DOL, it is management's responsibility to ensure that the safety and occupational health provisions of the DOL - Local 12 of the American Federation of Government Employees (Local 12), AFL-CIO; DOL - National Council of Field Labor Locals (NCFLL), AFGE, AFL-CIO; and DOL, Office of Labor Management Standards - National Union of Labor Investigators are met.

The complete explanation and description of the DOL safety and health program is found at:

<http://labornet.dol.gov/me/owsh/index.htm>.

3.3 Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) was passed in 1938 and represents one of the most important compensation laws ever passed by Congress. FLSA established minimum wage rates, defined two sets of categories of employees (exempt and non-exempt), and required employers to pay overtime to those employees determined to be non-exempt under the law.

Exempt vs. non-exempt – Under FLSA, exempt employees are those who are not covered by the provisions of the Act, and thus the agency is not required to pay them overtime. They include:

Professional – those employees whose primary work required specialized study, and is primarily non-routine or intellectual in nature. The consistent exercise of discretion and judgment is required;

Administrative – those employees who perform office work directly related to management policies or general business operations. An administrative worker must customarily exercise discretion and independent judgment and regularly assist an executive or administrator. Generally the work is specialized or technical and requires some special training; and

Executive – those employees engaged in managerial duties with relative freedom from supervision. An executive has the authority to hire, fire, and regularly exercises discretionary powers.

As a manager or supervisor, you need to know whether your employees have been assigned an “exempt” or “non-exempt” classification. The determination as to whether or not an employee is exempt or non-exempt under FLSA is made by your servicing HR specialist, and the designation is annotated on the employee’s Position Description.

Employees who are designated as non-exempt under FLSA and who work a regularly scheduled 40-hour basic workweek must be paid overtime at the rate of one and one-half times the employee’s rate of pay for all work in excess of 40 hours per week. Employees who have not officially requested or been directed to work overtime may in fact be entitled to compensation for additional overtime hours if you “suffer” or “permit” that employee to work beyond the normal workweek. To “suffer” or “permit” means that you are aware that the employee is working beyond his/her normal working hours, and although the overtime hours have not been officially approved, you allow the employee to continue working. For example, if a non-exempt employee works through his/her lunch period, e.g., answering phones, working on a project, etc., and the supervisor has not officially approved the overtime, but is aware that the employee is working outside of his/her normal working hours, the time may be considered additional overtime hours. This does not apply to those employees whose positions have been designated as “exempt” under FLSA.

You should not permit non-exempt employees to work beyond their normal 40-hour workweek unless allowed to do so under a flexible work schedule, or

unless overtime hours have been officially approved. See the "Alternative Work Schedules" section in the "Time and Attendance" Chapter of the DOL Managers Guide for more information.

3.3.1 Time Accounting (People Time/People Power)

Before you get into the People Time system, you have to know all about it. Go here first: <https://www.peoplepower.dol.gov/about/PtQsGuide.pdf>.

This link will enable you to see the bigger picture about personnel record management in DOL. <http://www.peoplepower.dol.gov/>.

3.4 Leave Program

Annual leave, sick leave, military leave, family leave—guidance regarding every type of covered absence from work is here <http://labornet.dol.gov/me/leave/Supervisors-Policies.htm>.

Additional guidance may be found at http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227994942.

3.5 Continuity of Operations Plan (COOP)

Every agency in DOL has a plan for coping with emergency situations, should they arise. Information is available at <http://labornet.dol.gov/security/emc/Programs/coop/index.htm>.

3.6 Dealing with Accidents, Medical Illnesses, or Deaths Affecting the Workplace

Injuries from accidents and/or illnesses that result in long-term absences from work or the death of a colleague can have serious impacts on other VETS personnel, and also on program services to VETS customers.

Rules and procedures regarding leave applicable to various situations may be found through the Labornet link in the "Leave" section (#3.4) above. In section 3.2 above (Health and Safety), the Labornet links will enable a VETS supervisor to see what he or she is responsible for in terms of accident reporting. Properly carrying out the supervisory responsibilities regarding leave, or accident reporting has to be a high priority for the supervisor, for the benefit of the employee, his or her dependents, and also for the agency.

VETS supervisors are encouraged to maintain "emergency contact" information for each employee under his or her supervision who wishes to supply such information. Any such information volunteered by an employee must be kept confidential and secure. An employee may choose not to divulge such information to a supervisor, as it is solely the individual's choice whether or not, or how, or to whom to make such information available.

Giving bad news to a dependent or to colleagues is never an easy task, but occasionally it may be required of a supervisor. Before so doing, the supervisor may benefit by seeking advice from a counselor in the Employee Assistance Program (See 3.6.1 below).

Dealing compassionately with the affected people is only part of the supervisor's responsibility. He or she must also make prudent decisions based on the circumstances to ensure that vital customer services are carried out in a timely manner.

In circumstances wherein other staff is called upon to take on additional burdens, arrangements to compensate them appropriately must be made. While it is highly possible, given the nature of most VETS staff, that people will volunteer to work "over and above" in order to "cover" for a convalescing colleague, a supervisor must remember that he or she is obligated to ensure that all employees are justly compensated for the work they perform regardless of the circumstances.

3.6.1 Employee Assistance Program.

Traumatic events in or outside the workplace can have deleterious effects not only on the immediate victims, but on others as well. Counselors affiliated with the DOL Employee Assistance Program may be able to help. Information about the Employee Assistance Program can be found here

<http://labornet.dol.gov/me/worklife/eap/index.htm>.

3.6.2 Workers Compensation Program

The specific guidelines for supervisory actions and documentation required in situations where an injury or illness apparently has arisen due to circumstances in the workplace are found at

http://labornet.dol.gov/workplaceresources/supervisors/supervisortools/docs/DOL-Managers-Guide-to-Human-Capital.doc#_Toc227995114.

3.7 Labor Management Relations

In the Department of Labor a supervisor must know the principles and agreements applicable to labor-management relations.

3.7.1 Merit System Principles

<http://labornet.dol.gov/workplaceresources/supervisors/guidelines/merit-system-principles.htm>.

3.7.2 Collective Bargaining Agreements

There are two employee unions with which the Department has collective bargaining agreements. Each union has stewards who are authorized to assist and represent covered employees in labor-management relations activities as described or implied in the respective agreements.

3.7.2.1 National Council of Field Labor Locals (NCFL)

The NCFL covers all employees throughout the nation in field duty stations of the Department outside the Washington, DC area, except for:

- Non-clerical employees of the Office of Labor-Management Standards;
- Employees serving in temporary appointments of less than one year's duration;
- Employees who are management officials or supervisors;
- Employees who act in a confidential capacity;
- Those engaged in personnel work in other than a clerical capacity; and
- Employees engaged in administering the provision of the Statute.

The official Position Description for each employee should denote whether or not the incumbent is in one of those exempted categories.

<http://labornet.dol.gov/me/lmr/DOL-Agreement.pdf>.

3.7.2.2 Local 12 (Washington, DC area offices)

AFGE Local 12 covers all employees in the Washington, DC metropolitan area, except for:

- Management officials and supervisors;
- Employees who act in a confidential capacity or are engaged in personnel work in other than a clerical capacity;
- Employees engaged in investigation or audit functions relating to the work of bargaining unit employees whose duties affect the internal security of the Department;
- Employees engaged in administering labor-management relations policy;
- All Schedule C and Senior Executive Service employees;
- Employees in regional/field duty stations in the Washington, DC area of the Employee Benefits Security Administration and the Office of Labor-Management Standards; and

Employees on an initial temporary appointment of less than one year, or employees on successive temporary appointments totaling a year or more performing generally different duties and/or working in different DOL agencies.

<http://labornet.dol.gov/me/lmr/DOL-Local-12-Final.pdf>

3.8 EEO and Diversity Programs

DOL guidance regarding EEO and diversity programs, including specific guidance regarding the filing and handling of EEO complaints, may be found at <http://www.dol.gov/oasam/programs/crc/internal-enforcement.htm>

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