- Summer training as members of Reserve Officers Training Corps, when employees shall be carried in leave-without-pay status;
- (b) Temporary Coast Guard Reserve;
- (c) Participation in parades by members of the National Guard of any jurisdiction except the D.C. National Guard as provided in section 1262.6 of this section;
- (d) Training with a state defense organization or a state military organization that is not a part of the National Guard, or any other organization created by the state in the absence of the state National Guard during an emergency;
- (e) Weekly drills and meetings as a member of any reserve component of the Armed Forces, including the D.C. National Guard;
- (f) Civil Air Patrol (established as a civilian auxiliary of the United States Air Force pursuant to An Act To establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes, approved May 26, 1948, Pub. L. 557, 62 Stat. 274);
- (g) Time taken on a workday to travel to the place where the training is to begin unless military training orders encompass the period of travel time required;
- (h) Active duty as a commissioned officer in the Reserve Corps of the U.S. Public Health Service; or
- Active duty with a state National Guard unit when ordered to duty by state authority, except when called for duty as specified in section 1262.3 (b) of this section.
- An employee who is a member of one of the reserve components of the Armed Forces and who is ordered into the active military service of the United States with the pay and allowances of his or her grade, may not, during the periods of such service, be employed in an active civilian capacity under the District government and receive pay therefore in the absence of specific statutory authority.
- 1262.13 Military leave shall be granted under section 1262.2 of this section subject to the following conditions:
  - (a) An employee may be carried in a military leave status for fifteen (15) calendar days, provided such leave has not been used previously during the current year;
  - (b) Military leave shall be limited to fifteen (15) calendar days in a calendar year, regardless of the number of training periods in the calendar year;
  - (c) Nonworkdays falling within a period of absence on military training duty shall be charged against the fifteen (15) days of military leave allowed during the year, however, nonworkdays occurring at the beginning or end of the training period shall

not be charged;

- (d) An employee shall not be granted more than fifteen (15) days of military leave for any one (1) period of active duty, regardless of whether that period is wholly within one (1) calendar year, or extends over more than one (1) calendar year, and regardless of whether more than one (1) set of orders is involved;
- (e) There is no requirement that the first fifteen (15) days of a longer period of active duty be considered as the period for which military leave is to be granted, if circumstances in any particular case warrant it, any other fifteen-day (15-day) period may be designated as the period for which military leave shall be granted, so long as the intent of the statute is otherwise observed; and
- (f) When an employee who has been granted the maximum of fifteen (15) days allowed during any calendar year is subsequently ordered to a second (2<sup>nd</sup>) period of training duty, and the later period extends into the next calendar year, the employee may be granted military leave commencing on the first day of the new calendar year, provided the employee was in a duty or pay status when he or she entered the second (2<sup>nd</sup>) period of training duty.
- 1262.14 If a physical examination is required in connection with military leave:
  - (a) The time required for such examination shall be counted as part of the military leave, if it does not cause the total period of absence to exceed the maximum number of days allowed and
  - (b) If the physical examination cannot be taken within the maximum period of time allowed, the required additional absence shall be charged to sick leave, annual leave, compensatory time, or leave without pay, as appropriate.
- An employee who is a member of a reserve component of the Armed Forces who is called for a period of military service in excess of the maximum number of days allowed for military leave may use annual leave, compensatory time, or leave without pay for the period of absence from duty.
- 1262.16 A member of a reserve component of the Armed Forces may also be carried in an annual leave status to the extent of annual leave accrued during the period of active military service.
- When an employee, while on annual leave before a furlough-without-pay occurring prior to separation by reduction in force, is called to military training duty, military leave shall be regarded as interrupting his or her annual leave status so as to permit him or her to revert to an annual leave status at the termination of the military leave before the previously fixed reduction-in-force termination date.
- An employee who is scheduled to work on an evening or weekend, and who is simultaneously required to be absent from duty to participate in evening or weekend drills or meetings with his or her reserve component unit, and for whom a schedule adjustment, as provided in section 1204.2 (h) of this chapter, cannot reasonably be made, shall be excused from duty, but the absence shall be charged to annual leave, compensatory time, or leave without pay, as appropriate.

### COURT LEAVE 1263 1263.1 Court leave shall be the authorized absence from work status without loss of or reduction in pay, leave to which otherwise entitled, or credit for time or service, of an employee other than an employee on a when-actually-employed (WAE) or intermittent basis, whenever the employee is performing jury service as set forth in section 1264 of this chapter, witness service, as provided in section 1265 of this chapter, or on a substituted basis, as specified in sections 1263.5, 1263.6, or 1263.15 of this section. 1263.2 Court leave shall only be granted to an employee who, except for the performance of jury or witness service, would have been on duty, or on leave with pay or compensatory time, and shall not be granted to an employee in a nonpay status when summoned to perform such service. 1263.3 A night-shift employee who performs jury or witness service during the day shall be granted court leave for his or her regularly scheduled night tour of duty. 1263.4 While the word "summoned" as used in this section and in sections 1264 and 1265 of this chapter includes a subpoena, the word does not connote any necessity for a subpoena, but does intend that the summons be an official request, invitation, or call, evidenced by an official writing from the court or authority responsible for the conduct of the proceeding, thus ruling out strictly voluntary appearances from court leave coverage, as well as a "summons" for any purpose other than those set forth in sections 1264 and 1265 of this chapter. 1263.5 If an employee is on annual leave when summoned to perform jury or witness service, court leave shall be substituted, and any annual leave forfeited as a result of the substitution shall be restored as provided in section 1241 of this chapter. 1263.6 An employee on annual leave under advance notice of separation due to reduction in force pursuant to Chapter 24 of these regulations, and who is summoned to perform jury or witness service, shall be entitled to have court leave substituted for annual leave, but not to extend beyond the date administratively fixed for his or her separation. 1263.7 Court leave shall only be granted for the period actually spent in jury or witness service, plus reasonable travel time. When no hardship would result, it shall be within the administrative discretion of the agency 1263.8 head to require an employee on court leave to return to duty or suffer a charge against his or her annual leave or compensatory time, or to be placed on leave without pay if the employee does not elect to use annual leave or compensatory time (or if there is no available annual leave or compensatory time), if the employee is excused from jury or witness service for half or more of a workday. A hardship would be deemed to occur if the employee was unable to perform a substantial part of a day's duty, or if the employee was assigned to a night shift. 1263.9 Upon return to duty, the agency head may require the employee to certify to, or submit

written evidence of, the dates and, if possible, the hours of the jury or witness service

An employee who performed jury or witness service while on court leave shall not be entitled

to also retain jury or witness fees paid by the court, a party, or other body for the same period

1263.10

performed.

of service, except as follows:

- (a) If a court's rules define its fees as payment for travel and meals, or otherwise as reimbursement for expenses, then these fees may be retained by an employee; and
- (b) An employee shall be permitted to retain fees received for jury or witness service performed on a holiday falling within the employee's basic tour of duty if, had the employee not been performing such service, he or she would have been excused from regular duties on that holiday.
- 1263.11 The employee shall turn over to his or her agency any fees for jury or witness service that are not authorized to be retained.
- 1263.12 The employee shall be permitted to keep any excess of the jury or witness fees over the amount of compensation due him or her for the same period.
- An employee who is in a leave-without-pay status as specified in section 1267 of this chapter when summoned for jury or witness service, and consequently not entitled to court leave, shall be entitled to retain all fees for services while in a leave-without-pay status.
- An employee who is a party in any civil action, or a defendant in a criminal action, shall not be entitled to court leave, but shall be required to take annual leave, compensatory time, or leave without pay, as appropriate.
- An employee who is a successful plaintiff in an action against the District government brought under the Civil Rights Act of 1964, and who used annual leave, compensatory time, or leave without pay, shall be made whole as follows:
  - (a) Any annual leave used by the employee for that period shall have court leave substituted therefore, and any annual leave forfeited as a result of the substitution shall be restored as provided in section 1241 of this chapter;
  - (b) Any compensatory time used by the employee for that period shall have court leave substituted therefore; and
  - (c) Any leave without pay used by the employee for that period shall have court leave substituted therefore, and the employee given back pay.

### 1264 JURY SERVICE

Jury service for which court leave is authorized shall include any service as either a grand juror or petit juror in any jurisdiction, including time spent pursuant to a summons to appear for such service, whether or not actually selected to serve on such jury or juries.

### 1265 WITNESS SERVICE

1265.1 For the purposes of this section, the following term has the meaning ascribed:

Judicial proceeding – any civil or criminal action, suit, or other proceeding of a judicial nature, whether at law or in equity, before a court of any jurisdiction, including any condemnation, preliminary, informational, or other such proceeding. The term also includes an administrative hearing or proceeding if it is to be held within the Washington Standard Metropolitan Statistical Area (WSMSA). All stages (preliminary hearing, inquest, trial, or deposition taking) of the proceeding would be covered, including hearings and conferences before a committing court, magistrate, commission, Administrative Law Judge, Hearing Examiner, grand jury proceedings, and coroners' inquests, and hearings and conferences conducted by a prosecuting attorney

for the purpose of determining whether an information or charge should be made in a particular case.

- Witness service for which court leave is authorized shall include any time spent by an employee summoned by any court or administrative agency having proper jurisdiction to appear as a witness or to produce evidence in any judicial proceeding in which the District of Columbia, the United States, or another state or local government is a party.
- 1265.3 An employee summoned as a witness in any matter that does not meet the requirements of section 1265.1 of this section may be granted annual leave, compensatory time, or leave without pay, as appropriate.
- An employee shall be considered to be performing official duty, rather than on court leave, during any period with respect to which he or she is summoned or assigned by his or her agency to testify or produce official records in his or her official capacity,
- 1265.5 If there is a question as to whether or not a particular summons falls within the criteria of sections 1265.1 or 1265.4 of this section, the agency head shall contact the court or other authority issuing the summons, and seek clarification.
- 1265.6 An employee performing official duty as set forth in section 1265.4 of this section shall be entitled to reimbursement of travel expenses pursuant to District government travel regulations.

### 1266 ADMINISTRATIVE LEAVE

- 1266.1 Administrative leave may be granted by an agency head, at his or her discretion, for up to ten (10) consecutive workdays.
- 1266.2 Administrative leave in excess of ten (10) consecutive workdays may be granted only with the approval of the personnel authority.
- 1266.3 Administrative leave shall be granted when an employee has been given permission to attend a meeting or conference, or to participate in an approved training program, but not directed to attend or participate.
- 1266.4 It shall be appropriate for an agency to use administrative leave in any case where time is needed to complete an investigation that could lead to a corrective or adverse action. However, before placing an employee on administrative leave while an investigation is pending, the agency head shall determine whether the employee could be temporarily reassigned to another unit for the duration of the investigation.
- 1266.5 Temporary reassignment should be chosen over administrative leave in those cases where the employee's continued presence at the work site does not interfere with government operations, impede the pending investigation, or place other employees at risk.
- 1266.6 Administrative leave shall normally be authorized on an individual basis, except when a District government facility is closed or a group of employees is excused from work for various purposes.
- As provided in Chapter 16 of these regulations, an employee shall be given administrative leave for up to ten (10) hours for the purpose of preparing his or her answer to a notice of proposed adverse action initiated under that chapter.

1266.8 An employee shall be given administrative leave at reasonable times for the purpose of consulting with District government personnel officials, an equal employment opportunity officer, or with a supervisory or management official of higher rank than the employee's immediate supervisor, concerning the employee's duties, working conditions, employment and retirement status, complaints, grievances, appeals, and like matters; however, the employee shall be required to ask his or her immediate supervisor to indicate a convenient time when he or she can be excused without unduly disruption to the work schedule, and shall be required to inform the supervisor of the name of the official the employee needs to consult with, or office to be visited. 1266.9 An employee shall be given administrative leave for the purpose of taking a medical examination for District government employment, an examination for induction or enlistment in the active—but not the reserve—armed forces, a District government vehicle operator's examination, or other examination that his or her agency has requested him or her to take in order to qualify for reassignment, promotion, or continuance of his or her present job. 1266.10 Up to two (2) hours of administrative leave may be granted to an employee to attend an initial appointment for the Employee Assistance Program (EAP) pursuant to Chapter 20 of these regulations. 1266.11 A request by an elected Advisory Neighborhood Commissioner for administrative leave to attend an official Advisory Neighborhood Commission function shall be granted, unless the absence would seriously disrupt the activities of the District government agency in which the Advisory Neighborhood Commissioner is employed. 1266.12 Except when a work schedule has been established as provided in section 1204.2(j) of this chapter, an employee who is a member of a board or commission shall be given administrative leave to attend official board or commission meetings as defined in Chapter 11 of these regulations. 1266.13 An employee shall be given administrative leave, usually for a period not to exceed four (4) hours, in order to comply with the registration requirements of section 3 of the Military Selective Service Act, as amended (50 U.S.C. APP. 453), subject to the supervisor's right to approve the date and times at which such absence shall be granted. 1266,14 As provided in section 1266.15 of this section, an employee shall be given administrative leave for the purpose of voting in any election or referendum on a civic matter in his or her community. 1266.15 Where the polls are not open at least three (3) hours either before or after an employee's regular hours of work, an employee shall be granted an amount of administrative leave that will allow the employee to report for work three (3) hours after the polls open or leave work three (3) hours before the polls close, whichever requires the lesser amount of absence from duty. 1266.16 An employee shall be given administrative leave for initial treatment (including reasonable time spent in travel) of an injury incurred in the line of duty, and for the remainder of the day in which the injury occurred when the injury is sufficiently serious to justify the granting of sick leave had the injury not have been incurred in the line of duty.

An employee who has returned to a full tour of duty but who, as a result of an illness or injury incurred in the line of duty, must report periodically for subsequent or follow-up treatment to a facility or physician authorized to treat him or her, shall be given administrative leave for the time necessary to receive such treatment (including travel) when treatment must be

1266.17

### 1267 LEAVE WITHOUT PAY

- 1267.1 Leave without pay shall be charged only for those hours during which an employee would otherwise work or for which he or she would be paid, but shall not be charged for hours for which an employee would receive overtime pay.
- The permissive nature of leave without pay distinguishes it from absence without leave, which shall be a nonpay status resulting from an agency determination that it will not grant annual leave, sick leave, compensatory time, or leave without pay, for a period of absence for which the employee did not obtain advance authorization or for which his or her request for leave has been denied.
- 1267.3 Except as provided by the D.C. FMLA, authorizing leave without pay shall be a matter of administrative discretion.

Pay shall be withheld for the entire period of AWOL.

An agency head is authorized to determine whether an employee should be carried as AWOL.

1268.2

1268.3

1268.5 An employee shall not be required to perform duties during the period of the AWOL charge.

#### 1269 - RESERVED

### 1270 DECLARED EMERGENCIES—IN GENERAL

- 1270.1 During a declared emergency, the following situations may occur:
  - (a) In response to circumstances that develop while employees are at work, employees may be dismissed early as provided in section 1271 of this chapter;
  - (b) In response to circumstances that develop prior to normal duty hours, employees may be authorized to take unscheduled leave, unscheduled telecommuting, or arrive late, as provided in section 1272 of this chapter; and
  - (c) In response to circumstances that arise prior to normal duty hours, there may be a shutdown of District government operations as provided in section 1273 of this chapter.
- 1270.2 The Mayor may declare an emergency whenever he or she deems it to be appropriate and in the public interest.
- 1270.3 For the purposes of this section as well as sections 1271 through 1273 of this chapter, certain District government employees shall be designated as "essential" or "emergency" employees.
- 1270.4 Critical District government operations cannot be suspended or interrupted during emergency situations such as those described in subsection 1270.1 of this section. Agencies shall identify each agency position with duties that are vital to the continuity of medical facilities, public safety, emergency services, or other crucial operations; and shall designate employees occupying such positions as "essential employees." Employees designated "essential" shall be required to be at work regardless of the emergency situation declared.
- 1270.5 The position description or job specification for a position or groups (families) of positions with duties as described in subsection 1270.4 of this section shall state that the incumbent of the position or positions shall be considered an essential employee required to be at work when an emergency is declared and regardless of the emergency situation declared.
- An employee designated as an "essential employee" under the provisions of subsection 1270.4 of this section shall be identified by position title or other appropriate means and shall be notified in writing of his or her designation as an essential employee and the specific requirements placed upon the employee in emergency situations. The written notification shall occur within thirty (30) days of the agency determination for current employees, or at the time of hire or appointment to the essential position, as applicable. The required thirty-day (30-day) notification period may be suspended during a period of a declared emergency.

- An agency head may designate employees as "emergency employees," based on the nature and circumstances of a particular declared emergency. Employees may be designated as emergency employees on a case-by-case basis and, when so designated, will be called in to work, required to stay at work, or required to telecommute, if approved to do so, during the particular emergency situation.
- An employee designated as an "emergency employee" under the provisions of subsection 1270.7 of this section shall be informed of the designation within 30 days of such designation and in writing, or by any other means the agency deems appropriate (i.e., over the telephone or by electronic mail if the employee is not at work when the emergency is declared). A written notification shall follow a verbal notification. The required thirty-day (30-day) notification period may be suspended during a period of a declared emergency.
- 1270.9 Upon determination by an agency head that an employee's position designation as an emergency employee is no longer applicable, the agency head shall notify the employee, in writing, within 30 days of such determination.
- 1270.10 Essential and emergency employees who are required to work during a declared emergency when non-essential and non-emergency employees are on administrative leave shall be entitled to compensation as provided in Chapter 11 of these regulations.

### 1271 DECLARED EMERGENCIES—EARLY DISMISSALS

- 1271.1 The Mayor may, whenever he or she deems it to be appropriate in the public interest, authorize the early dismissal of employees, whereupon he or she shall notify agencies to dismiss, for a specified period of time, and grant administrative leave to as many employees as the agency head has determined to be practicable.
- 1271.2 Agency heads and other personnel authorities may dismiss, and grant administrative leave to, employees due to breakdown of heating or air conditioning equipment and other similar situations within one or more of the agency's or personnel authority's facilities.
- 1271.3 Except as provided in subsection 1271.5 of this section, whenever early dismissal has been authorized, all employees, except essential and emergency employees subject to the provisions of section 1270 of this chapter, shall be permitted to leave their assigned duty stations prior to the close of the normal workday, on administrative leave, if the following conditions are met:
  - (a) They are in a duty status when the notice of early dismissal is received; and
  - (b) Their regular tours of duty end after the hour given as the authorized time for early departure, but otherwise end no later than 7:00 p.m.
- An employee who previously requested and was granted leave for the entire day shall be charged leave for the entire day.
- 1271.5 An employee who, prior to the notice of early dismissal, requests and is granted leave for the remainder of his or her tour of duty, shall be charged leave for the remainder of the tour of

duty.

- An employee who requests and is granted leave at any time after the receipt of the notice of early dismissal shall be charged leave only for that period when leave commences to the hour that early dismissal is authorized.
- An employee who requests and is granted leave prior to the notice of early dismissal, but who otherwise makes known his or her intention of returning to duty status at a time that precedes the end of his or her regular tour of duty shall be charged leave only for the period of time specified.

# 1272 DECLARED EMERGENCIES—LATE ARRIVAL, UNSCHEDULED LEAVE, OR UNSCHEDULED TELECOMMUTING POLICY

- 1272.1 The Mayor may, whenever he or she deems it to be appropriate and in the public interest, authorize one or all of the following:
  - (a) A late arrival policy authorizing up to two (2) hours of excused absence;
  - (b) An unscheduled leave policy; or
  - (c) An unscheduled telecommuting policy.
- Whenever the Mayor authorizes one of the policies set forth in subsection 1272.1 of this section, he or she shall make every reasonable effort to ensure that such decision is disseminated by the media as widely and as promptly as possible.
- Each employee shall be responsible for reporting for duty and for making every possible effort to do so, even upon the occurrence of conditions beyond the control of an employee, such as inclement or hazardous weather or transportation disruption.
- Whenever the Mayor determines that an unscheduled leave policy is in effect, an employee, other than an essential or emergency employee subject to the provisions of section 1270 of this chapter, shall be permitted to utilize annual leave, compensatory time, exempt time off, or leave without pay, for all or part of that day, up to a maximum of eight (8) hours or hours worked under a compressed work schedule, if applicable, without obtaining advance approval or providing detailed justification. The use of sick leave must be approved in accordance with section 1243 of this chapter.
- Whenever the Mayor determines that a late arrival policy is in effect in accordance with subsection 1272.1(a) of this section, a non-essential and non-emergency employee shall be granted up to two hours of excused absence. The late arrival period shall not extend beyond 10:00 a.m.
- Whenever the Mayor determines that an unscheduled telecommuting policy is in effect in accordance with subsection 1272.1(c) of this section, an emergency employee previously approved in writing to telecommute by his or her supervisor and agency head, may telecommute if directed to do so.

1272.7 An employee who does not request leave during a period when an unscheduled leave policy is in effect, and refuses to consent to any type of leave upon return to duty, shall be charged with absence without leave (AWOL).

### 1273 DECLARED EMERGENCIES—SHUT-DOWN

- 1273.1 The Mayor may, whenever he or she deems it to be appropriate and in the public interest, authorize the shut-down of all non-essential District government operations prior to the commencement of normal duty hours.
- 1273.2 Whenever the Mayor authorizes a shut-down of all non-essential operations, he or she shall make every reasonable effort to ensure that such decision shall be disseminated by the media as widely and as promptly as possible.
- 1273.3 Agency heads and other personnel authorities may authorize the shut-down of one or more of their facilities due to breakdown of heating or air conditioning equipment or other similar situations, and shall ensure that all affected employees are promptly notified.
- 1273.4 Except as provided in subsections 1273.5 and 1273.6 of this section, employees shall be given administrative leave for the entire day of shut-down.
- 1273.5 Each essential employee subject to the provisions of section 1270 of this chapter shall still be required to report for duty even upon the occurrence of conditions beyond the control of an employee, such as inclement or hazardous weather or transportation disruption.
- Each emergency employee subject to the provisions of section 1270 of this chapter shall be required to report for duty or telecommute, if so directed, even upon the occurrence of conditions beyond the control of an employee, such as inclement or hazardous weather or transportation disruption.

### 1274 THRU 1278 - RESERVED

- 1279 PAID LEAVE PURSUANT TO THE ACCRUED SICK AND SAFE LEAVE ACT OF 2008 (D.C. LAW 17-152), AS AMENDED
- As specified in this section, certain District government employees described in subsection 1279.6 of this section ("covered employees") are entitled to leave as provided for in the Accrued Sick and Safe Leave Act of 2008 ("2008 Act"), effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code §§ 32-131.01, et seq. (2010 Repl.)), as amended by the Earned Sick and Safe Leave Amendment Act of 2013 ("2013 Act"), effective February 22, 2014 (D.C. Law 20-89; D.C. Official Code §§ 32-131.02 et seq.) (the 2008 Act, as amended by the 2013 Act is referred to in this section as the "Act").
- 1279.2 The purpose of the Act is to provide paid leave to covered employees for illness and for absences associated with domestic violence and sexual abuse.
- 1279.3 In accordance with this section, covered employees are provided with not less than one (1) hour of paid leave for every thirty seven (37) hours worked, not to exceed seven (7) days a year.

- 1279.4 Paid leave accrued under this section may be used by a covered employee for any of the following:
  - (a) An absence resulting from a physical or mental illness, injury, or medical condition of the employee;
  - (b) An absence resulting from obtaining professional medical diagnosis or care, or preventive medical care, for the employee;
  - (c) An absence for the purpose of caring for a family member who has any of the conditions or needs for diagnosis or care described in paragraphs (a) and (b) of this subsection; or
  - (d) An absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse, provided, that the absence is directly related to medical, social or legal services pertaining to the stalking, domestic violence, or sexual abuse, an employee seeking leave under paragraph (d) of this subsection, may do so to:
    - Seek medical attention for the employee or the employee's family member to treat
      or recover from physical or psychological injury or disability caused by the
      stalking, domestic violence, or sexual abuse;
    - (2) Obtain services from a victim services organization;
    - Obtain psychological or other counseling services; temporarily or permanently relocate;
    - (4) Take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the stalking, domestic violence, or sexual abuse; or
    - (5) Take other actions to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or to enhance the safety of those who associate or work with the employee.
- Pursuant to D.C. Official Code § 32-131.05, and notwithstanding the provisions of subsection 1279.2 of this section, an employer with a paid leave policy providing paid leave options shall not be required to modify such policy if it offers employees the option to accrue and use leave under terms and conditions that are at least equivalent to the paid leave prescribed in this section.
- 1279.6 Applicability only to "Intermittent" appointments.
  - (a) Because the District government currently has paid leave policies, as specified in this chapter, that provide leave options to eligible District government employees at higher accrual rates than those provided in this section, the provisions of this section shall only apply to "covered employees," that is, temporary employees serving under "When Actually Employed" (WAE) (also known as Intermittent) appointments who have been continuously employed under a WAE appointment for at least one (1) year.

- (b) Eligible WAE employees shall accrue paid leave on a prorated basis, and shall accrue one (1) hour of paid leave per biweekly pay period.
- 1279.7 Pursuant to the Act, an employee's paid leave under this section shall accrue in accordance with the District government's established biweekly pay period, and at the beginning of his or her employment.
- 1279.8 An employee may begin to access the accrued paid leave after ninety (90) days of service with the District government.
- 1279.9 The unused paid leave previously accrued by an employee subject to this section who separates from employment and is rehired within one (1) year of separation shall be reinstated. The employee shall be entitled to use the accrued paid leave and accrue additional paid leave immediately upon re-employment provided that the employee had previously been eligible to use paid leave.
- 1279.10 The unused paid leave previously accrued by an employee subject to this section who separates from employment for more than one (1) year, shall not be reinstated, and the employee shall be considered as being on a new appointment for purposes of leave accrual and access as provided in subsections 1279.7 and 1279.8
- 1279.11 The use of paid leave by an eligible employee in accordance with this section shall not be taken as an absence that may result in discipline, termination, demotion, suspension or other adverse action.
- 1279.12 If the Mayor (or his or her designee) determines that an employer has violated any provisions of the section, the Mayor (or his or her designee) shall order affirmative remedies in accordance with provisions contained in the Act.
- 1279.13 The employer, as defined in this section, shall retain records documenting the hours worked and the paid leave taken by an employee subject to the provisions of this section for a period of three (3) years. The employer shall allow access to the retained records by the Mayor and the Office of the D.C. Auditor, with appropriate notice.
- 1279.15 For the purposes of this section, the following terms shall have the meanings ascribed:

Domestic violence - an intrafamily offense as defined in D.C. Official Code § 16-1001(5) (8).

Employee – any individual employed by an employer, but shall not include: (a) any individual who, without payment and without expectation of any gain, directly or indirectly, volunteers to engage in the activities of an educational, charitable, religious, or non-profit organization; (b) any lay member elected or appointed to office within the discipline of any religious organization and engaged in religious functions; (c) any individual employed as a casual babysitter, in or about the residence of the employer; (d) an independent contractor; (e) a student; or (f) health care workers who choose to participate in a premium pay program.

Employer - the District government.

Family member - (a) a spouse, including the person identified by an employee as his or her

domestic partner, as defined in Section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3) (2012 Repl.)); (b) the parents of a spouse; (c) children (including foster children and grandchildren); (d) the spouses of children; (e) parents; (f) brothers and sisters; and (g) the spouses of brothers and sisters; (h) a child who lives with an employee and for whom the employee permanently assumes and discharges parental responsibility; or (i) a person with whom the employee shares or has shared, for not less than the preceding twelve (12) months, a mutual residence and with whom the employee maintains a committed relationship, as defined in Section 2(1) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3).

Paid leave – accrued increments of compensated leave provided by an employer for use by an employee.

**Premium pay program** – a plan offered by an employer pursuant to which an employee may elect to receive extra pay in lieu of benefits.

Sexual abuse – any offense described in the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code §§ 22-3001, et seq. (2001 ed. & 2011 Supp.)).

### 1280 PARENTAL LEAVE

- District government employees are covered by the provisions of the Parental Leave Act (Act), effective August 17, 1994 (D.C. Law 10-146; D.C. Official Code §§ 32-1201, et seq. (2010 Repl.)). Regulations on the Act, adopted by the Office of Human Rights, are contained in Chapter 17, Parental Leave, of title 4 of the District of Columbia Municipal Regulations.
- An employee who is a parent shall be entitled to a total of twenty four (24) hours leave during any twelve (12)-month period to attend or participate in school-related events of his or her child.
- 1280.3 An employer may deny the leave only if the granting of it would disrupt the employer's business and make the achievement of production or service delivery unusually difficult.
- 1280.4 For the purposes of this section, the following terms shall have the meaning ascribed:

Parent – (a) the natural mother or father of a child; (b) a person who has legal custody of a child; (c) a person who acts as a guardian of a child regardless of whether he or she has been appointed legally as such; (d) an aunt, uncle, or grandparent of a child; or (e) a person who is married to, or in a domestic partnership with a person listed in categories (a) through (d) of this definition.

School-related event – an activity sponsored by either a school or an associated organization such as a parent-teacher association. A school-related event includes: a student performance such as a concert, play, or rehearsal; the sporting game of a school team or practice; a meeting with a teacher or counselor; or any similar type of activity. A school-related event shall involve the parent's child directly either as participant or subject but not as a spectator.

1280.5 The parental leave described in subsection 1280.2 of this section may consist of unpaid leave unless the parent elects to use any paid family, vacation, personal, compensatory, or leave bank leave that has been provided by the employer.

- 1280.6 Eligible employees shall notify the employer of the desire for leave to attend a school-related event at least ten (10) calendar days prior to the event, unless the need to attend the school-related event cannot be reasonably foreseen.
- 1280.7 Employers shall post and maintain in a conspicuous place, a notice that sets forth excerpts from or summaries of the pertinent provisions of the Act and information that pertains to the filing of a complaint under the Act.

### 1281 VOLUNTARY LEAVE TRANSFER PROGRAM

- 1281.1 District government employees are covered by the provisions of D.C. Official Code § 1-612.31 et seq. (2006) establishing the Voluntary Leave Transfer Program for the District government.
- 1281.2 In accordance with D.C. Official Code § 1-612.32 (a) (2006), each District government agency shall establish a voluntary leave transfer program for its employees, under which annual or universal leave accrued or accumulated by an employee may be transferred on an hour-for-hour basis within the agency to the annual or universal leave account of any other eligible agency employee.
- 1281.3 In accordance with D.C. Official Code § 1-612.32 (b) (2006), a voluntary transfer of leave is authorized when a potential recipient employee will suffer a prolonged absence due to:
  - (a) The employee's serious health condition; or
  - (b) The employee's responsibility to provide personal care to an immediate relative.

### 1299 DEFINITIONS

1299.1 When used in this chapter, the following terms have the meaning ascribed:

Absence without leave - an unauthorized and unapproved absence from duty; also referred to as "AWOL."

Accrued leave = the leave earned by an employee during the current leave year that is unused at any given time in that leave year.

Accumulated leave – the unused leave remaining to the credit of an employee at the beginning of the leave year.

Administrative leave - an excused absence from duty without loss of pay and without charge to annual leave, sick leave, or compensatory time.

Administrative workweek - a period of seven (7) consecutive calendar days, Sunday through Saturday.

Agency—has the meaning set forth in D.C. Official Code § 1-603.01(1).

Alternative work schedules - means both flexible work schedules and compressed work schedules.

**Annual leave** – leave earned by an employee to be used for absence from duty, without loss of pay, primarily for a vacation or time off for personal or emergency purposes.

**Annual leave bank**—a fund of accumulated annual leave donated by employees of a personnel authority for the use of leave bank members of that personnel authority who need such leave because of a medical emergency.

Basic workweek - the days and hours within an administrative workweek that make up the employee's scheduled tour of duty.

**Biweekly pay period** – two (2) designated consecutive administrative workweeks as established by the pay authority.

Biweekly rate of basic pay—the biweekly rate of pay fixed by appropriate authority, before deductions and exclusive of any premium pay, authorized for the grade of the position held by the employee.

Child—a person twenty-one (21) years of age, and also persons who, though twenty-one (21) years of age or older, are substantially dependent upon the eligible employee by reason of physical or mental disability, and persons up to twenty-three (23) years of age and a full-time student at an accredited college or university.

Communicable disease – a disease that is ruled as subject to quarantine, requires isolation of the patient, or requires restriction of movement by the patient for a specified period as prescribed by the health authorities having jurisdiction.

Compressed work schedule – in the case of a full-time employee, an eighty-hour (80-hour) biweekly basic work requirement that is scheduled for less than ten (10) workdays; in the case of a part-time employee, a biweekly basic work requirement of less than eighty (80) hours that is scheduled for less than ten (10) workdays and which may require the employee to work more than eight (8) hours in a day (D.C. Official Code § 1-510 (b)) (2006).

Core hours – the time periods during the workday, workweek, or pay period that are within the tour of duty during which an employee under a flexible work schedule is required to be present for work.

Employee—has the meaning provided in D.C. Official Code § 1-603.01(7), except that it shall mean only an employee who accrues annual leave as provided in D.C. Official Code § 1-612.03.

Excused absence—an absence from duty administratively authorized and approved without loss of pay and without charge to leave.

Family member – the spouse (including the person identified by an employee as his or her "domestic partner" as defined in D.C. Official Code § 32-701 (2006) and parents thereof, children (including foster children) and spouses thereof, parents, brothers and sisters and spouses thereof, and any individual related by blood.

Full-time employee – earns leave during each full biweekly pay period while in a pay status or in a combination of a pay status and a non-pay status.

Flexible work schedule – in the case of a full time employee, a work schedule that has an eighty-hour (80-hour) biweekly basic work requirement that allows an employee to determine his or her own schedule within the designated hours (core hours) set by the employing agency; in the case of a part-time employee, a work schedule that has a biweekly basic work requirement of less than eighty (80) hours which allows an

employee to determine his or her own schedule within the designated hours set by the employing agency.

FLSA compensatory time - time off in lieu of overtime pay for overtime work performed, earned and accrued under the conditions set forth in Chapter 11 of these regulations.

### Hourly rate of basic pay-

- (a) For employees paid on an annual basis, the employee's scheduled rate of pay divided by two thousand eighty (2080) hours; except that for uniformed members of the Fire Fighting Division of the Fire and Emergency Medical Services Department, the employee's scheduled rate of pay divided by the number of work hours contained in the work year; and
- (b) For employees paid on an hourly basis, the hourly rate of pay contained on the salary schedule.

Immediate relative – an individual who is related to an employee covered by this chapter by blood, marriage, adoption, or domestic partnership as father, mother, child, husband, wife, sister, brother, aunt uncle, grandparent, grandchild, or similar familial relationship; an individual for whom an employee covered by this chapter is the legal guardian; or fiancé, fiancée, or domestic partner of an employee covered by this chapter.

Leave bank member—an employee who donates at least four (4) hours of annual leave in a leave year to the annual leave bank established by his or her personnel authority.

Leave donor—an employee who donates annual leave to the annual leave bank established by his or her personnel authority.

Leave recipient—a leave bank member whose personnel authority has approved the member's application to receive annual leave from the annual leave bank.

Leave restriction – a limitation on an employee's ability to use annual or sick leave as a result of engaging in a pattern or practice of abuse of leave.

Leave to which otherwise entitled – accumulated and accrued annual leave, sick leave, and compensatory time.

Leave without pay – a temporary nonpay status and absence from duty granted at the employee's request or as otherwise authorized by regulations; also referred to as "LWOP."

**Leave year** – the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately preceding the first day of the first complete pay period in the following calendar year.

Medical certificate – a written statement signed by a registered practicing physician or other practitioner certifying to the incapacitation, examination, or treatment, or to the period of disability while the patient was receiving professional treatment.

Medical condition – a health impairment that results from injury or disease, including psychiatric disease, or any other physical or mental impairment that may affect an individual's capacity to safely and satisfactorily perform his or her assigned duties.

Medical emergency—a medical condition of an employee or a member of an employee's family that is likely to require the employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave.

Official duty station - the place at which the employee is required to perform duties.

Personnel authority—an individual or entity authorized by D.C. Official Code § 1-604.06(b) to implement personnel rules and regulations for employees of an agency or group of agencies of the District of Columbia; or persons delegated that authority by that individual or entity.

Prolonged period of time—at least ten (10) consecutive workdays.

Scheduled tour of duty – the period within an administrative workweek, within which employees are required to be on duty regularly.

Sick leave – leave with pay earned by an employee to be used while receiving medical, dental, or optical examination or treatment; while incapacitated for the performance of duties by sickness, injury, or pregnancy or childbirth; while required to give care or attendance to a family member who is afflicted with a contagious disease; or when the employee's presence at his or her official duty station would jeopardize the health of others because of exposure to a contagious disease.

Standby time – period(s) in which an employee is officially ordered to remain at or within the confines of his or her official duty station, not performing actual work but holding himself or herself in readiness to perform actual work when the need arises or when called.

Substantial loss of income—pay which is more than fifty percent (50%) of the employee's biweekly rate of basic pay.

Unscheduled leave –annual leave, compensatory time, exempt time off, or leave without pay during a declared emergency taken by an employee without obtaining advance approval or providing detailed justification. Unscheduled leave is distinct from emergency annual leave, as provided in section 1236 of this chapter.

Unscheduled telecommuting – telecommuting by an emergency employee previously designated and approved, in writing, to telecommute when an emergency is in effect on a day or during a period during which the employee was not previously scheduled to telework.

When Actually Employed (WAE) Appointment – an appointment under which an employee serves on an intermittent basis, that is, nonfull-time without a prescheduled regular tour of duty. A person serving on a WAE appointment provides occasional or irregular services on programs or projects requiring intermittent support. This type of appointment is also referred to as an "intermittent appointment."

### D.C. Register Updates for Chapter 12 of the D.C. Personnel Regulations, Hours of Work, Legal Holidays and Leave

The following D.C. Register citations identify when a given section(s) of Chapter 12, Hours or Work, Legal Holidays and Leave, of Title 6 of the District of Columbia Municipal Regulations, was amended. Following the publication in the D.C. Register of subsequent final rulemaking notices, this Addendum will be updated accordingly.

For the convenience of DPM subscribers, the Addendum identifies amendments on a section-by-section basis; identifies the page(s) in a DPM Transmittal impacted by the amendment(s); and provides brief comments on the amendment(s)

accomplished.

D.C. Register Date	Section(s)	Change(s) Reflected on Page(s)	Comments
40 DCR 1292 (2/12/93)	Section 1250	DPM Transmittal No. 33 (March 11, 2003)	The rules added a new section 1250, Annual Leave Bank, to the chapter,
49 DCR 9056 (10/4/02)	Sections 1250 through 1258; 1259; and 1299	DPM Transmittal No. 89 (Entire chapter)	The rules added a new section 1259, Excused Absence in Connection with Serving as a Bone Marrow or Organ Donor, to the chapter, updated the citations in sections 1250 through 1258; and added a definition of the term "excused absences" to the chapter.
54 DCR 11538 (11/30/07)	Entire chapter	DPM Transmittal No. 156  (Entire chapter)	These rules amended the chapter to implement all the provisions of Title XII of the CMPA. Also, the Notice of Proposed Rulemaking published at 54 DCR 9780 (10/12/07) superseded the Notice of Proposed Rulemaking published at 29 DCR 3727 (9/27/82); and supplemented sections 1250 through 1259 and 1299 related to the annual leave bank program; excused absence in connection with serving as a bone marrow or organ donor; and definitions, respectively, published at 40 DCR 1292 (2/12/93) and amended at 49 DCR 9056 (10/4/02). These sections were unaffected by the Notice of Final Rulemaking published on 11/30/07, and remain in effect as previously published, except that this notice would add definitions not previously included in section 1299 of the chapter.
55 DCR 012489 (12/12/08)	Section 1299	DPM Transmittal No. 177	Added the definition for the term "immediate relative" to section 1299 of the chapter.
59 DCR 02690 (4/6/12)	Sections 1201.1; 1204.2(e); 1210.5 through 1210.6; 1211.8; 1212.1 through 1212.6; 1220.1; 1227.1; 1232.1 through 1232.2; 1232.6	DPM Transmittal No. 203	These rules amended section 1270 to change the term "emergency employees" to "essential employees" when designating employees required to be at work when an emergency situation is declared by the Mayor and to add a new category to be designated as "emergency employees."

	through 1232.8; 1233.1 through 1233.5; 1235.1 through 1235.5; 1236.1 through 1236.7; 1237.1 through 1237.3; 1239.1 through 1239.4; 1240.1 through 1240.5; 1243.1 through 2193.8; 1244.1 through 1244.2; 1250.1 through 1250.2; 1258.2 through 1258.4; 1266.4; 1266.23; 1270 through 1270.9; 1271.3; 1272.4; 1273.5; 1279.1 through 1279.9; and 1280.1 through 1280.7		In addition, these rules added new sections 1279 (Paid Leave Pursuant to the Accrued Sick and Safe Leave Act of 2008) and 1280 (Parental Leave); and amended subsection 1204.2(e), regarding the lunch period provided to certain District government employees; amended subsection 1211.8, regarding telecommuting; changed the heading of section 1212 of the chapter from "Rest Periods" to "Rest and Lunch Periods". Also amend sections 1227.1; 1232.6, 1232.7, 1232.8, 1233.5, 1232, 1236.2; 1237.1; 1239; 1240.3, 1242.4, 1243, and 1244.2 related annual and sick leave.
D.C. Law 20-83 (2/22/14)	1261 and 1299	DPM Transmittal No. 214	This Transmittal is being issued following the enactment of the Funeral and Memorial Service Leave Amendment Act of 2013 (D.C. Law 20-83) (Act). The transmittal incorporates provisions of D.C. Law 20-83 which amended section 1261. Funeral Leave, to provide that an employee shall be entitled to not more than three (3) days of authorized absence, without loss of or reduction in his or her pay, or leave to make arrangements for, or attend the funeral of, or memorial service for, an immediate relative. Additionally, the law repealed subsection 1261.3 and the definition of the term "Combat zone" in section 1299, Definitions: and the term "immediate relative" was amended.
61 DCR 011412 (10/31/14)		DPM Transmittal No. 219	This Transmittal amends provisions contained in section 1279 on the Paid Leave Pursuant to the Accrued Sick and Safe Leave Act of 2008, which, among other things, allows an individual who is not covered by another, more generous leave system to begin accruing paid leave at the start of his or her employment, and provides for access to such paid leave after 90 days of service with an employer. The rules amend the provisions in sections 1211, 1270, 1272, 1273; and add definitions of the terms "Unscheduled Leave," and "Unscheduled Telecommuting" to 1299.



# Time Entry - PeopleSoft HCM 9.0

# **DC Government**

**Self Service Timesheet** 

# **DC** Government

# PeopleSoft HCM 9.0

# Self Service Timesheet Time Entry

2014

v.2



## Enterprise Time and Labor (TL) 9.0

### Self Service - Time Entry

Use the ESS Timesheet to report your time worked and not worked. It is recommended that time should be entered weekly. This page also can be used to view the status of your reported time and your leave balances.

Note: Once time is submitted, your approver can immediately approve time.

### Procedure:

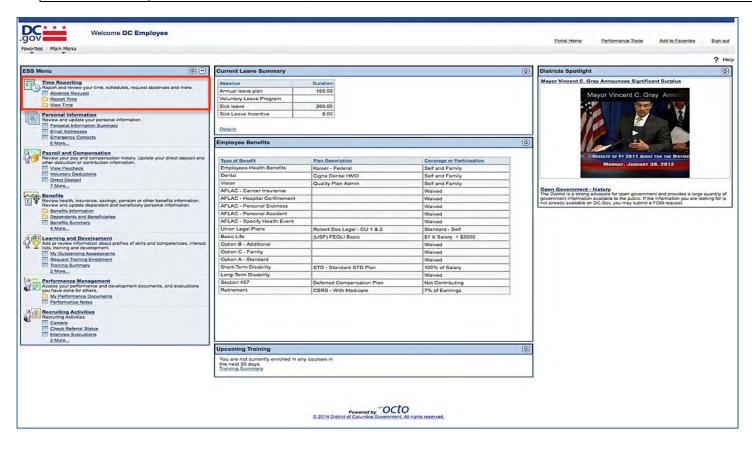
This lesson describes the process for entering time in PeopleSoft 9.0 through Employee Self Service (ESS). At the end of the lesson, you should be able to:

- Navigate to the ESS timesheet
- Understand the page features and options on the Timesheet
- Enter time for a pay period
- Submit time for approval

In this exercise, you are going to enter 80 hours of Regular Time and submit that time for a pay period.

Note: Supplementary tutorials are available for specific scenarios such as entering leave, overtime and premium pays.

Step	Action
1.	Begin by navigating to the <b>Timesheet</b> page.
	Click the Time Reporting link.

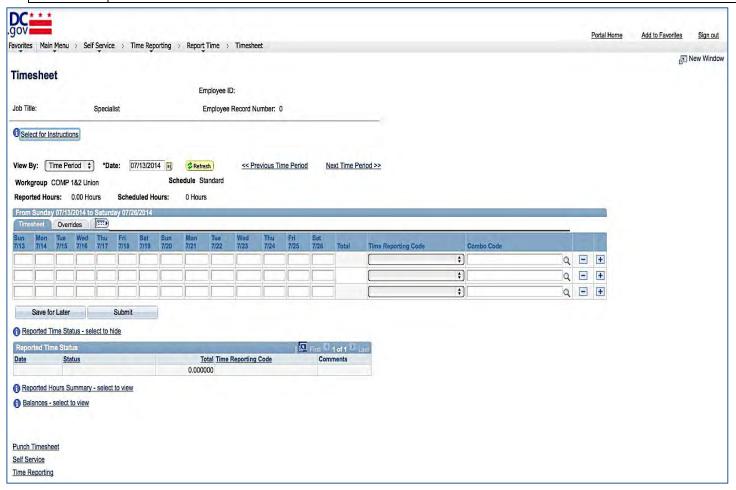








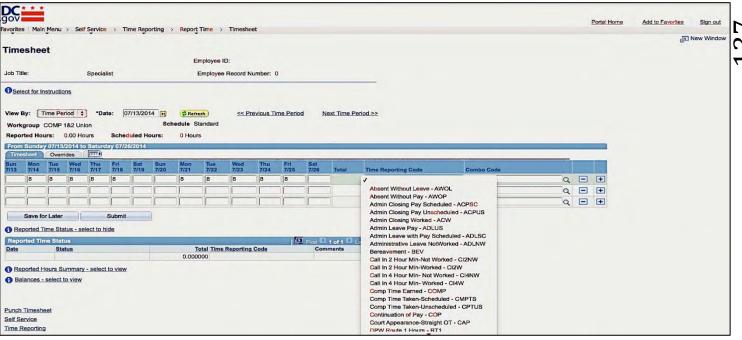




Step	Action
3.	Use the <b>Timesheet</b> page to report your time.
	You can also use this page to track the status of your time and view your current leave balances.

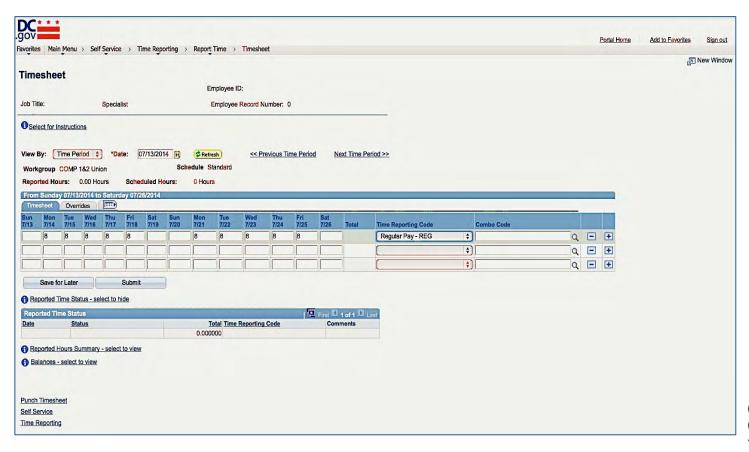


Step	Action
4.	The top section contains your employee information:
	Employee ID: A unique number assigned to every employee in PeopleSoft.
	Job Title: The title of your job listed in the PeopleSoft Human Resources Module.
	Employee Record Number: A number assigned in HR to identify when an employee has more than one job at the District.
5.	The <b>Timesheet</b> page defaults to show two weeks. If you like, you can change this view, click the <b>View By</b> list.
6.	In this example, we will enter 80 hours of Regular time for this pay period.
	To enter in time for a day click in the box below that day.
	Click in the top Monday box.
7.	Note: All hours entered on this line should correspond to the TRC that you select on this line. Enter the desired information into the Mon 7/14 field. Enter "8".
8.	Enter the desired information into the Tue 7/15 field. Enter "8".
9.	Enter the desired information into the Wed 7/16 field. Enter "8".
10.	Enter the desired information into the Thu 7/17 field. Enter "8".
11.	Enter the desired information into the Fri 7/18 field. Enter "8".
12.	Enter the desired information into the Mon 7/21 field. Enter "8".
13.	Enter the desired information into the Tue 7/22 field. Enter "8".
14.	Enter the desired information into the Wed 7/23 field. Enter "8".
15.	Enter the desired information into the Thu 7/24 field. Enter "8".
16.	Enter the desired information into the Fri 7/25 field. Enter "8".
17.	To select the TRC that is associated with this line click the Time Reporting Code list.





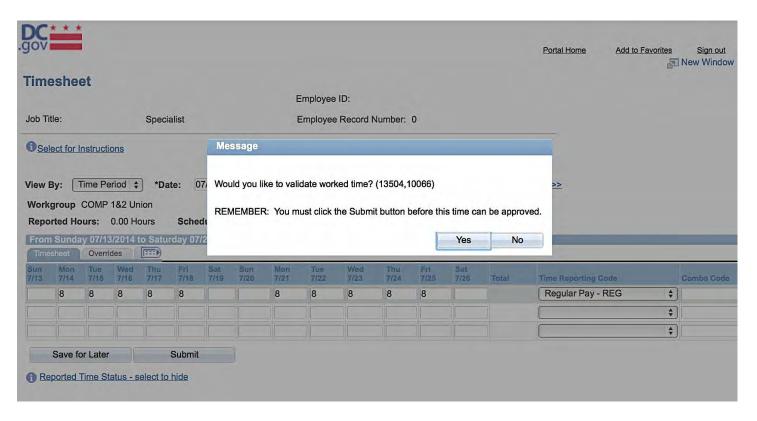
Step	Action
18.	All TRCs that you are eligible to select are displayed. Please remember that the TRC that you select on this line only corresponds to the hours that are entered on this line.
	Click the scrollbar.
	Click the Regular Pay - REG list item.
19.	Regular Pay - REG



Step	Action	
	Once you have entered the time you have two options "Save for Later" and "Submit".	
20.		
	<b>Save for Later:</b> Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.	
	Submit: Use this button to submit this Timesheet to your manager.	
	Note: Every time you submit your timesheet an email notification is sent to your manager.	
	Click the Save for Later button.	



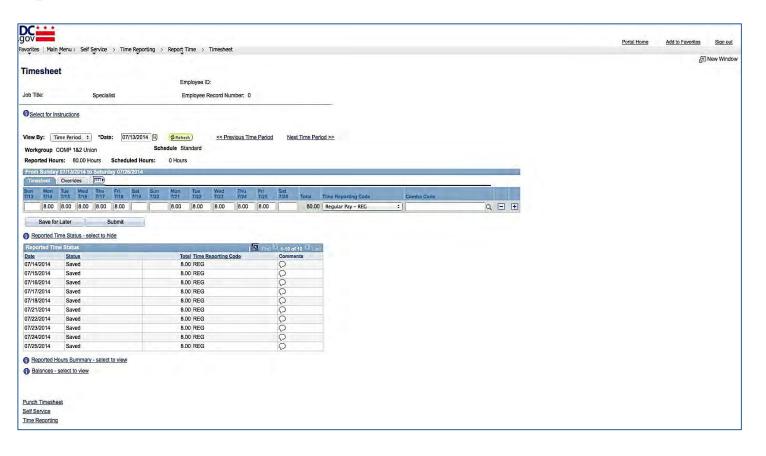
# Instructor Manual-Standard Operating Procedure (SOP)



Step	Action
	The Validate Worked Time page is displayed.
21.	
	Use this page to confirm that you want to save your timesheet.
22.	Click the <b>Yes</b> button.



### $Instructor\ Manual-Standard\ Operating\ Procedure\ (SOP)$



Step	Action
23.	Once you have "Saved" your time the <b>Reported Time Status</b> grid is populated with the time entered. The <b>Reported Time Status</b> displays the stage the time in.
	The "Status" field for each line will display "Saved" until further action is taken.
24.	Also populated are the <b>Reported Hours</b> field and each TRC line <b>Total</b> .
25.	Once your timesheet is complete click the <b>Submit</b> button.
	END OF PROCESS



# **End Document**



# **Time and Labor - Overtime**

# **DC Government**

**Self Service Timesheet** 



### Enterprise Time and Labor (TL) 9.0

DC GOV 9.0 TL Training

### SS Timesheet - Overtime

Use the Employee Self Service (SS) Timesheet to report your time worked and not worked.

### **Purpose**

The objective of this document is to show the end user how to enter Overtime.

Please review "SS - Detailed Timesheet Overview" tutorial for further information on:

- Navigating to the SS Timesheet.
- Details on SS Timesheet page features and options.

All overtime must be reported as Regular Pay. PeopleSoft will calculate the total number of hours worked for each day/week and apply pay rules to determine the correct number of hours for Overtime and if the employee is eligible.

### Note:

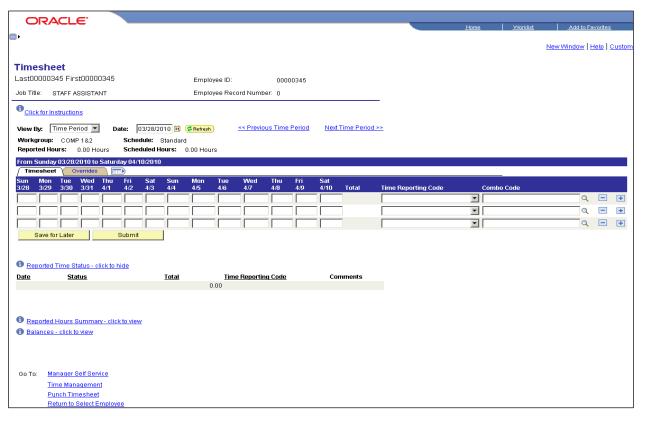
Some agencies have their employees and timekeepers use a separate "Time Reporter" overtime code when entering overtime. For these employees please see the tutorial "SS Timesheet Overtime Code Entered by Time Reporter".

• This example depicts an employee who works 8 hours a day Monday through Friday. In addition to his 40 hour tour of duty, the employee works 2 hours of overtime each day on 4/1, 4/2, 4/5 and 4/6.

l	Step	Action
Ī	1.	Enter Regular and Overtime hours.
		Note: All overtime hours are entered as Regular Pay.



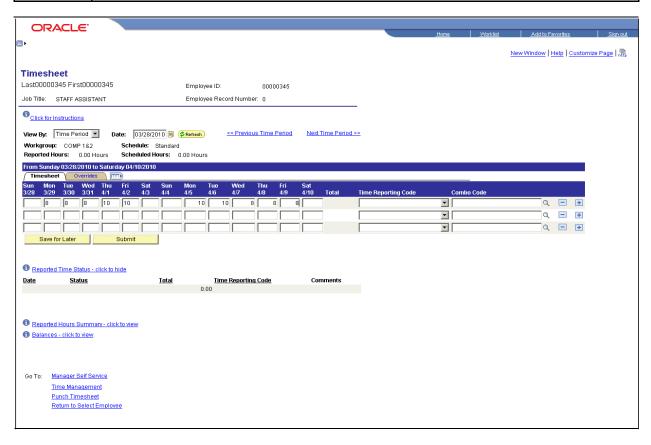




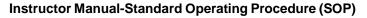
Step	Action
2.	Click in the Mon 3/29 field.
3.	Enter the desired information into the Mon 3/29 field. Enter "8".
4.	Press [Tab].
5.	Enter the desired information into the Tue 3/30 field. Enter "8".
6.	Press [Tab].
7.	Enter the desired information into the Wed 3/31 field. Enter "8".
8.	Press [Tab].
9.	Two hours of overtime was worked on Thursday, Friday, Monday and Tuesday.  Since overtime hours are entered as regular hours, simply enter the total hours worked for each day.
10.	Enter the desired information into the Thu 4/1 field. Enter "10".
11.	Press [Tab].
12.	Enter the desired information into the Fri 4/2 field. Enter "10".
13.	Click in the Mon 4/5 field.



Step	Action
14.	Enter the desired information into the Mon 4/5 field. Enter "10".
15.	Press [Tab].
16.	Enter the desired information into the Tue 4/6 field. Enter "10".
17.	Press [Tab].
18.	Enter the desired information into the Wed 4/7 field. Enter "8".
19.	Press [Tab].
20.	Enter the desired information into the Thu 4/8 field. Enter "8".
21.	Press [Tab].
22.	Enter the desired information into the Fri 4/9 field. Enter "8".
23.	After all the Regular and Overtime hours have been entered select the appropriate TRC.

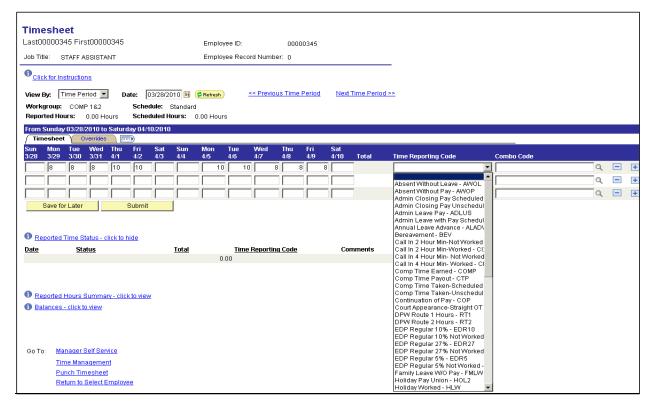


Step	Action
1.	Click the Time Reporting Code list.

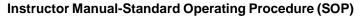




### SS Timesheet - Overtime

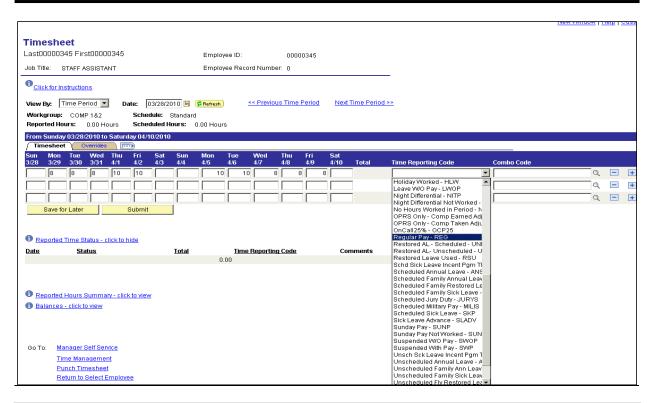


Step	Action
24.	Click the scrollbar.





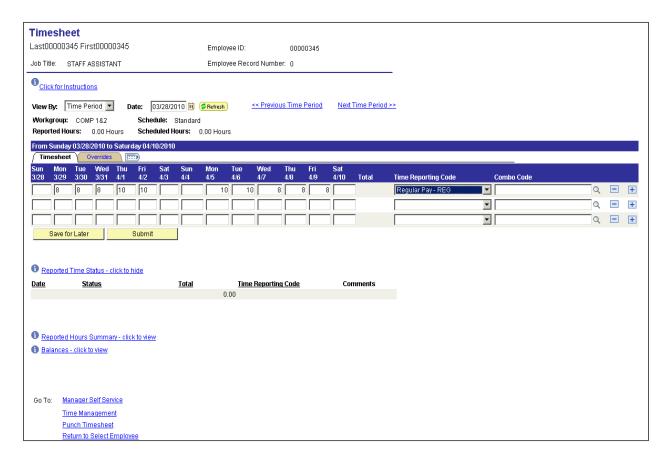




Step	Action
25.	Click the Regular Pay - REG list item. Regular Pay - REG
26.	Once you have entered the time you have two options "Save for Later" and "Submit".  Save for Later: Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.  Submit: Use this button to submit this Timesheet to your manager.
	Note:  Every time you submit your timesheet an email notification is sent to your manager.







I	Step	Action
	27.	Click the Submit button.  Submit







[OK]

SS Timesheet – Overtime

	Step	Action
	28.	Click the OK button.
		OK OK
Time	esheet	
Sub	mit Confi	rmation
V	The Submit wa	is successful.
	Time a Kamalla a Tim	Daried 45000 00 004- 2000 04 40 is a chaired
	time for the fir	me Period of 2010-03-28 to  2010-04-10 is submitted

Step	Action
29.	Click the OK button.
30.	have successfully submitted a Timesheet with Overtime for a Pay Period.  End of Procedure.



# **Holiday NOT Worked**

## **DC Government**

**Self Service Timesheet** 

#### Enterprise Time and Labor (TL) 9.0

DC GOV 9.0 TL Training

#### SS Timesheet - Holiday Not Worked

Use the Self Service (SS) Timesheet to report your time worked and not worked.

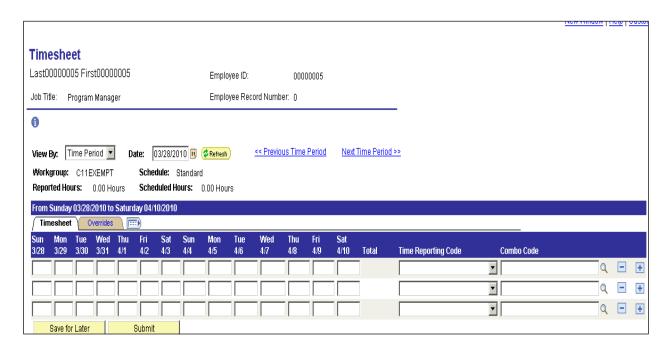
#### **Purpose**

The objective of this document is to show the end user how to enter a holiday where the employee does not work on the Timesheet.

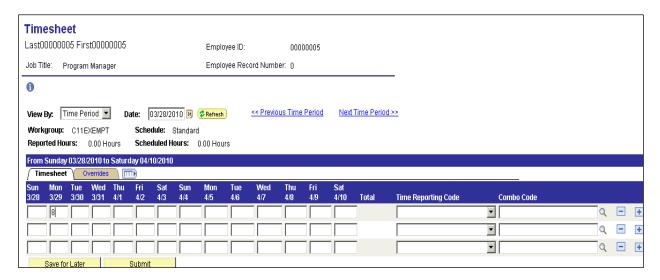
Please review "SS - Detailed Timesheet Overview" tutorial for further information on:

- Navigating to the SS Timesheet.
- Details on SS Timesheet page features and options.
- In this example, there is a holiday on 3/29/10. The employee does not work on this day and all other time is reported as Regular Time.

Step	Action	l
1.	Enter holiday hours.	
	Note:  If you are using the same Time Reporting Code (TRC). All the hours associated with that TRC should be reported on the same line.	



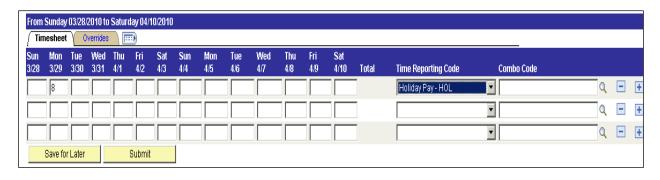
Step	Action
2.	Click in the Mon 3/29 field.
3.	Enter the desired information into the Mon 3/29 field. Enter "8".
4.	After all the holiday hours have been entered.  Select the appropriate TRC.



Step	Action
5.	Click the Time Reporting Code list.
6.	The TRCs displayed are based on employee's position information. This means that different employees may see different codes. For example, union employees will see "Holiday Pay Union".

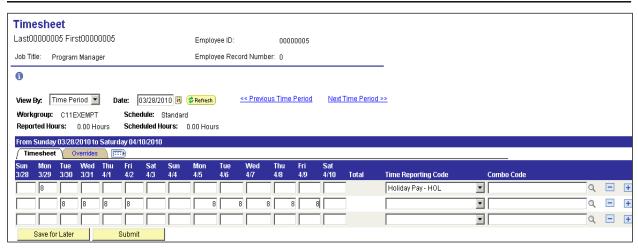


Step	Action
7.	In this example the employee is a non-union employee.
	Click the Holiday Pay - HOL list item. Holiday Pay - HOL

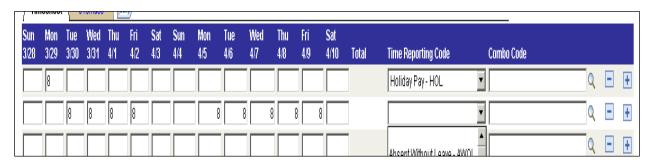


Step	Action
8.	Enter Regular Pay for the rest of the Pay Period.
	Note:  Do not enter Holiday Pay hours for the same hours that you have Regular Pay Hours.  Click in the Tue 3/30 field.
9.	Enter the desired information into the Tue 3/30 field. Enter "8".
10.	Press [Tab].
11.	Enter the desired information into the Wed 3/31 field. Enter "8".
12.	Press [Tab].
13.	Enter the desired information into the Thu 4/1 field. Enter "8".
14.	Press [Tab].
15.	Enter the desired information into the Fri 4/2 field. Enter "8".
16.	Click in the Mon 4/5 field.
17.	Enter the desired information into the Mon 4/5 field. Enter "8".
18.	Press [Tab].
19.	Enter the desired information into the Tue 4/6 field. Enter "8".
20.	Press [Tab].
21.	Press [Tab].
22.	Enter the desired information into the Thu 4/8 field. Enter "8".
23.	Press [Tab].
24.	Enter the desired information into the Fri 4/9 field. Enter "8".

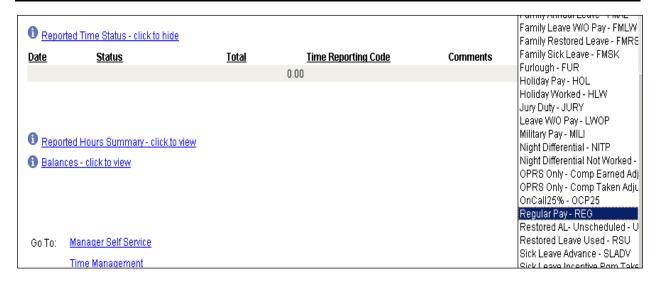




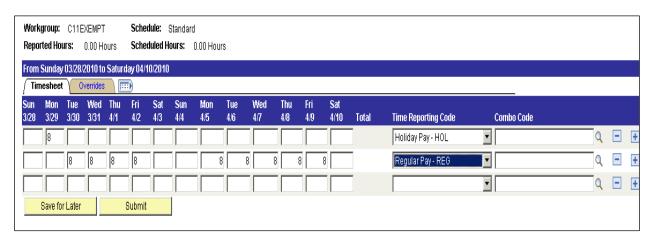
ĺ	Step	Action
	25.	Click the Time Reporting Code list.



Step	Action
26.	Click the scrollbar.



Step	Action
27.	Click the Regular Pay - REG list item.  Regular Pay - REG
28.	Once you have entered the time you have two options "Save for Later" and "Submit".
	Save for Later: Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.
	Submit: Use this button to submit this Timesheet to your manager.
	Note:  Every time you submit your timesheet an email notification is sent to your manager.



Step	Action	
29.	Click the Submit button.	
	Submit	

Are you sure you want to submit the Timesheet?

OK Cancel

Step	Action
30.	Click the OK button.  OK

#### Timesheet

### Submit Confirmation



The Submit was successful.

Time for the Time Period of 2010-03-28 to 2010-04-10 is submitted



Step	Action
31.	Click the OK button.
	OK
32.	You have successfully submitted a Timesheet with Holiday Pay for a Pay Period. End of Procedure.



# **Holiday Worked**

## **DC Government**

**Self Service Timesheet** 



#### Enterprise Time and Labor (TL) 9.0

DC GOV 9.0 TL Training

#### **ESS Timesheet - Holiday Worked**

Use the Employee Self Service (ESS) Timesheet to report your time worked and not worked.

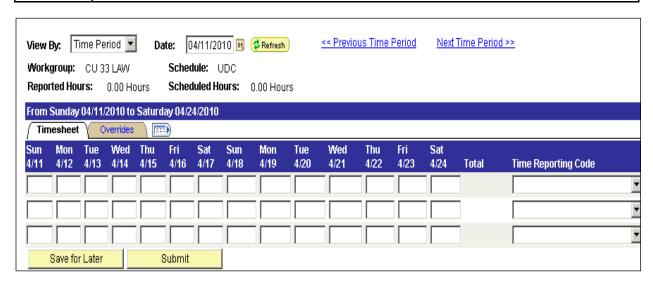
#### **Purpose**

The objective of this document is to show the end user how to enter a holiday on the Timesheet where the employee **works** on the holiday (and is entitled to receive a premium for working on the holiday).

Please review "ESS - Detailed Timesheet Overview" tutorial for further information on:

- Navigating to the ESS Timesheet.
- Details on ESS Timesheet page features and options.
- In this example, there are holidays on 4/12/10 and 4/23/10. The employee works all day on 4/12 and 5 hours on 4/23. All other time is Regular Time.

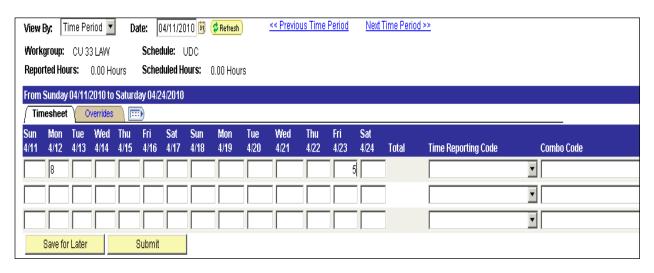
Step	Action
1.	Enter holiday hours that the employee worked.
	Note: If you are using the same Time Reporting Code (TRC). All the hours associated with that TRC should be reported on the same line.



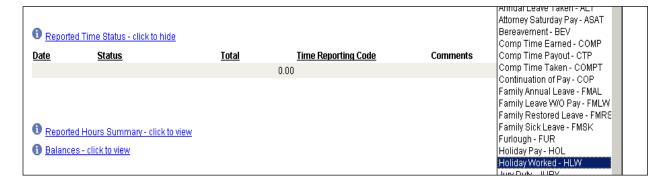
ı	Step	Action
	2.	Click in the Mon 4/12 field.
	3.	Enter the desired information into the Mon 4/12 field. Enter "8".



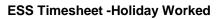
Step	Action
4.	Click in the Fri 4/23 field.
5.	Enter the desired information into the Fri 4/23 field. Enter "5".
6.	Once all the holiday hours worked have been entered the next step is to select the appropriate TRC.



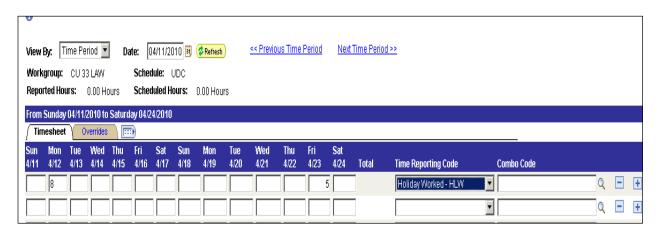
Step	Action
7.	Click the Time Reporting Code list.
8.	The TRCs displayed are based on employee's position information. This means that different employees may see different codes.



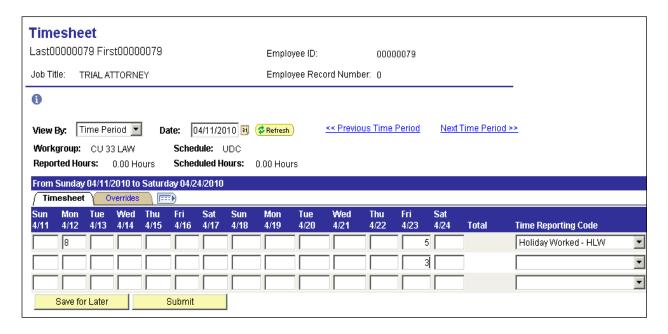
Step	Action
9.	Click the Holiday Worked - HLW list item. Holiday Worked - HLW
10.	Next enter 3 hours of Holiday Pay (holiday hours not worked) 04/23/10.







	Step	Action
	11.	Click in the Fri 4/23 field.
	12.	Enter the desired information into the Fri 4/23 field. Enter "3".



Step	Action
13.	Click the Time Reporting Code list.



#### **ESS Timesheet -Holiday Worked**



Step	Action
14.	Click the Holiday Pay - HOL I item. Holiday Pay - HOL
15.	Enter Regular Pay.
	Note: Holiday Worked hours should always be matched with Regular Pay hours.



Step	Action
16.	Click in the Mon 4/12 field.
17.	Enter the desired information into the Mon 4/12 field. Enter "8".



Step	Action
18.	Press [Tab].
19.	Enter the desired information into the Tue 4/13 field. Enter "8".
20.	Press [Tab].
21.	Enter the desired information into the Wed 4/14 field. Enter "8".
22.	Press [Tab].
23.	Enter the desired information into the Thu 4/15 field. Enter "8".
24.	Press [Tab].
25.	Enter the desired information into the Fri 4/16 field. Enter "8".
26.	Click in the Mon 4/19 field.
27.	Enter the desired information into the Mon 4/19 field. Enter "8".
28.	Press [Tab].
29.	Enter the desired information into the Tue 4/20 field. Enter "8".
30.	Press [Tab].
31.	Enter the desired information into the Wed 4/21 field. Enter "8".
32.	Press [Tab].
33.	Enter the desired information into the Thu 4/22 field. Enter "8".
34.	Press [Tab].
35.	Again, all Holiday Worked hours should have matching Regular Pay hours. We therefore have to match the 5 Holiday Worked hours on Friday with Regular Pay hours.
	Enter the desired information into the Fri 4/23 field. Enter "5".



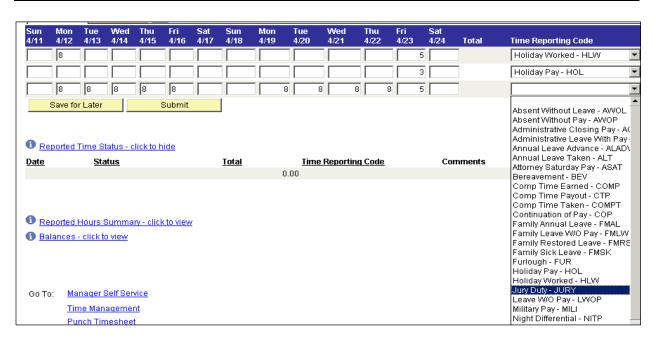
#### **ESS Timesheet -Holiday Worked**







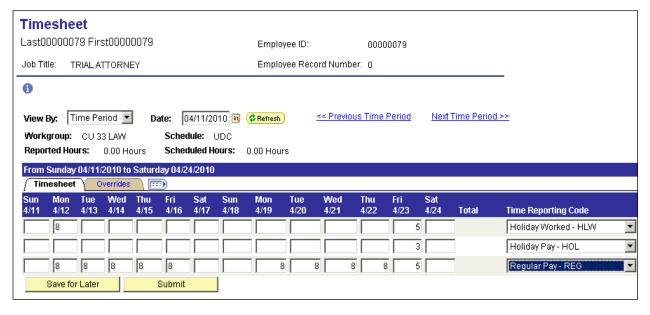
Step	Action
36.	Click the Time Reporting Code list.



Step	Action
37.	Click the scrollbar.
38.	Click the Regular Pay - REG list item. Regular Pay - REG
39.	Once you have entered the time you have two options "Save for Later" and "Submit".
	Save for Later: Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.
	Submit: Use this button to submit this Timesheet to your manager.
	Note: Every time you submit your timesheet an email notification is sent to your manager.



OK



Step	Action
40.	Click the Submit button. Submit

Are you sure you want to submit the Timesheet?

OK

Cancel

Step	Action
41.	Click the OK button.  OK

# Timesheet Submit Confirmation The Submit was successful. Time for the Time Period of 2010-04-11 to 2010-04-24 is submitted

77	00
7	Page 🕇 (

Step	Action
42.	Click the OK button.
43.	You have successfully submitted a Timesheet with Holiday Worked for a Pay Period. End of Procedure.



# **Sick Leave**

## **DC Government**

**Self Service Timesheet** 



#### Enterprise Time and Labor (TL) 9.0

DC GOV 9.0 TL Training

#### **ESS Timesheet - Sick Leave**

Use the Employee Self Service (ESS) Timesheet to report your time worked and not worked.

#### **Purpose**

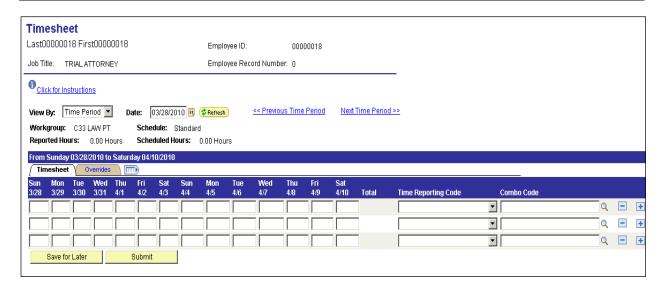
The objective of this document is to show the end user how to enter Sick Leave on the Timesheet. Please note that the steps covered can be applied to different TRCs including:

- Family Sick Leave
- Sick Leave Bank Taken
- Personal Sick Leave Taken
- Scheduled Sick Leave
- Unscheduled Sick Leave
- Bereavement

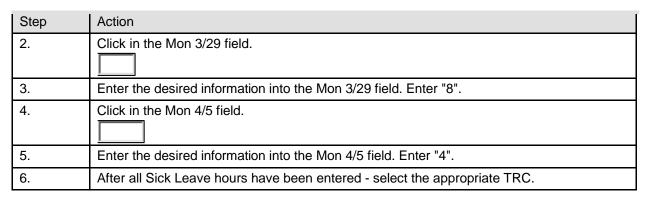
Please review "ESS - Detailed Timesheet Overview" tutorial for further information on:

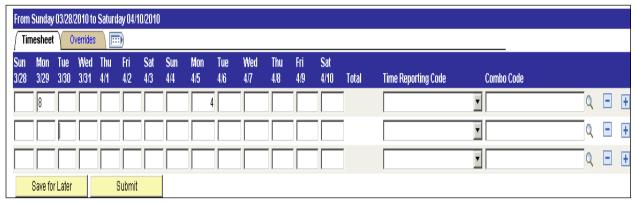
- Navigating to the ESS Timesheet.
- Details on ESS Timesheet page features and options.
- In this example, an employee takes 8 hours of Sick Leave on 3/29/10 and 4 hours on 4/5/10. All other time is reported as Regular Time.

Step	Action
1.	Enter leave hours.
	Note:  If you are using the same Time Reporting Code (TRC). All the hours associated with that TRC should be reported on the same line.

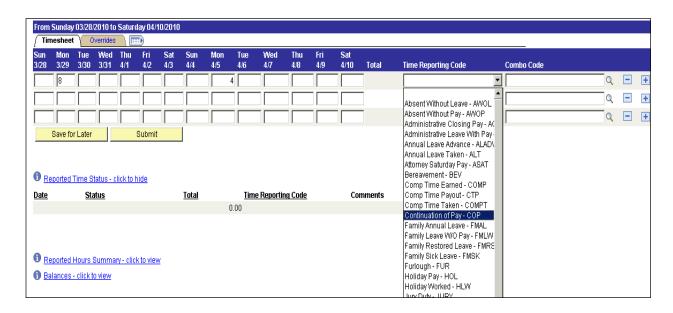






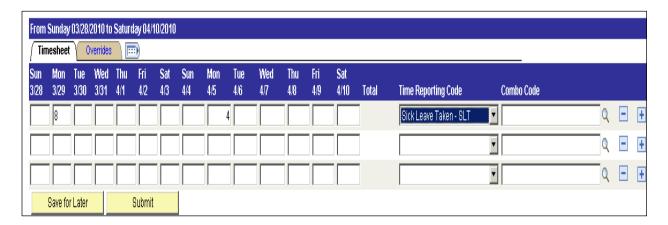


Ste	р	Action
7.		Click on the Time Reporting Code list.





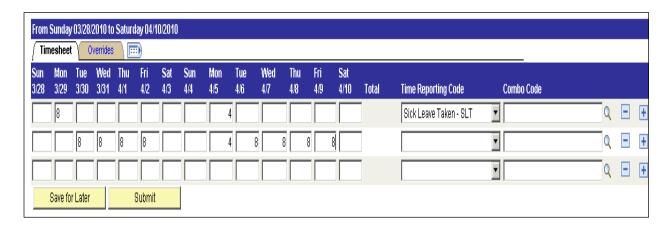
Step	Action
8.	Click the scrollbar.
9.	Note: The TRCs displayed are based on employee's position information. This means that different employees may see different codes. For example, union employees will see "Scheduled Sick Leave" and "Unscheduled Sick Leave".  In this example the employee is a non-union employee. Click the Sick Leave Taken - SLT list item.  Sick Leave Taken - SLT
10.	Enter Regular Pay hours for the rest of the Pay Period.  Note:  Do not enter Regular hours for the same hours that you were on leave.

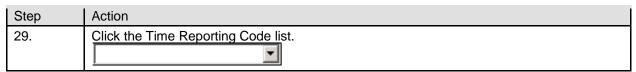


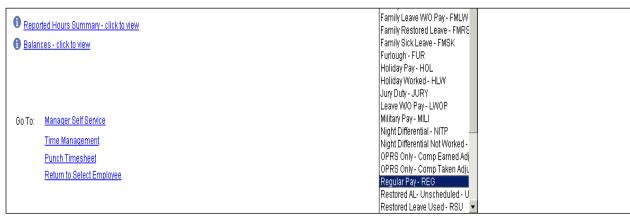
Step	Action
11.	Click in the Tue 3/30 field.
12.	Enter the desired information into the Tue 3/30 field. Enter "8".
13.	Press [Tab].
14.	Enter the desired information into the Wed 3/31 field. Enter "8".
15.	Press [Tab].
16.	Enter the desired information into the Thu 4/1 field. Enter "8".
17.	Press [Tab].
18.	Enter the desired information into the Fri 4/2 field. Enter "8".
19.	Click in the Mon 4/5 field.



Step	Action
20.	4 hours of Sick Leave was reported on 4/5, The 4 hours worked should be entered as Regular Pay to make up the 8 hour work day.
	Enter the desired information into the Mon 4/5 field. Enter "4".
21.	Press [Tab].
22.	Enter the desired information into the Tue 4/6 field. Enter "8".
23.	Press [Tab].
24.	Enter the desired information into the Wed 4/7 field. Enter "8".
25.	Press [Tab].
26.	Enter the desired information into the Thu 4/8 field. Enter "8".
27.	Press [Tab].
28.	Enter the desired information into the Fri 4/9 field. Enter "8".

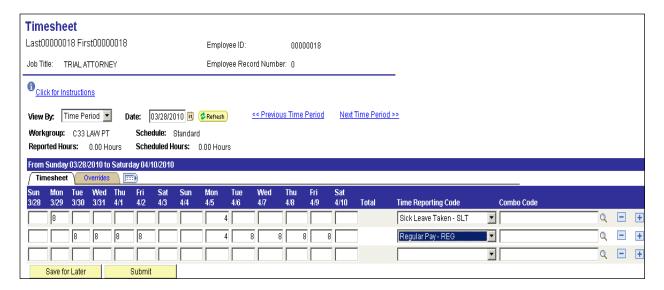




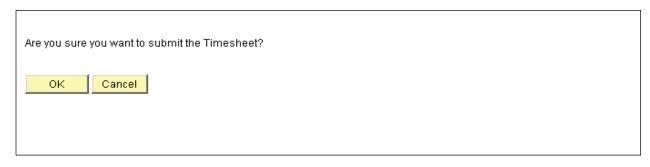




Step	Action
30.	Click the Regular Pay - REG list item.
	Regular Pay - REG
31.	Once you have entered the time you have two options "Save for Later" and "Submit".
	Save for Later:
	Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.
	Submit: Use this button to submit this Timesheet to your manager.
	, ,
	Note:  Every time you submit your timesheet an email notification is sent to your manager.



Step	Action
32.	Click the Submit button.
	Submit



Step	Action
33.	Click the OK button.
	OK OK

#### Timesheet

#### **Submit Confirmation**



The Submit was successful.

Time for the Time Period of 2010-03-28 to 2010-04-10 is submitted



Step	Action
34.	Click the OK button.
35.	You have successfully submitted a Timesheet with Sick Leave for a Pay Period. End of Procedure.



# **Annual Leave**

## **DC Government**

**Self Service Timesheet** 

#### SS Timesheet - Annual Leave

#### Enterprise Time and Labor 9.0

DC GOV 9.0 TL Training

#### SS Timesheet - Annual Leave

Use the Self Service (SS) Timesheet to report your time worked and not worked.

#### **Purpose**

The objective of this document is to show the end user how to enter Annual Leave with Pay Time Reporting Code (TRC). Please note that the steps covered can be applied to different TRCs including:

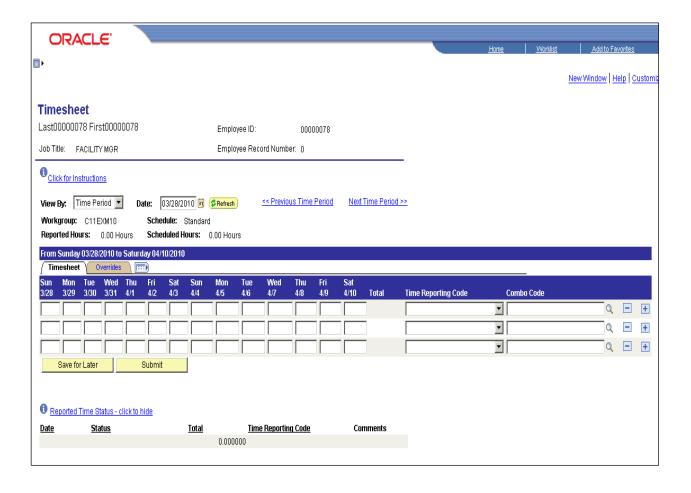
- Scheduled Annual Leave
- Unscheduled Annual Leave
- CFO Universal Leave
- Donated Leave Taken
- Family Annual Leave

Please review "SS - Detailed Timesheet Overview" tutorial for further information on:

- Navigating to the SS Timesheet.
- Details on SS Timesheet page features and options.
- In this example, an employee takes 8 hours of Annual Leave on 3/29/10 and 4 hours on 4/5/10. All other time is reported as Regular Time.

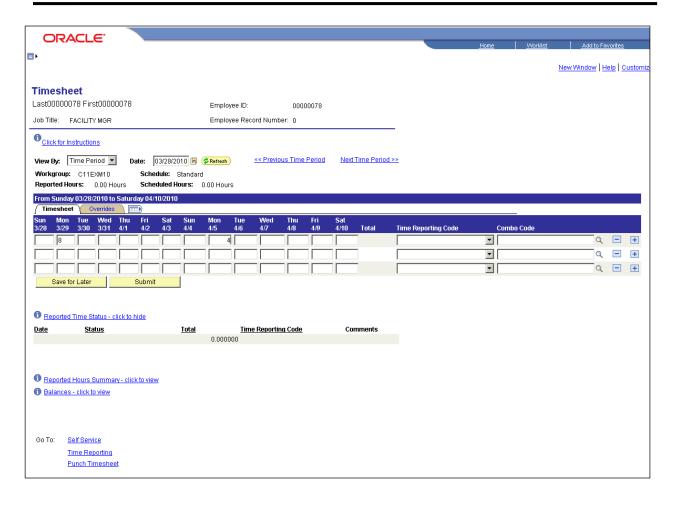
Step	Action
1.	Enter leave hours.
	Note: If you are using the same Time Reporting Code (TRC), all the hours associated with that TRC should be reported on the same line.





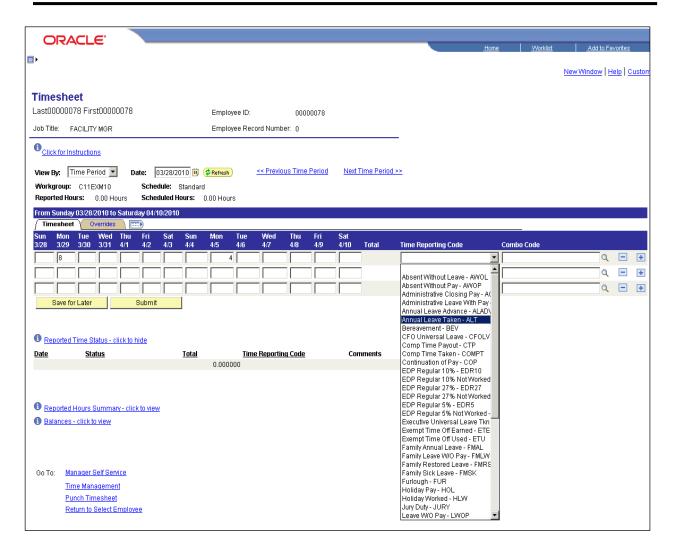
Step	Action
2.	Click the Mon 3/29 field.
3.	Enter the desired information into the Mon 3/29 field. Enter "8".
4.	Click in the Mon 4/5 field.
5.	Enter the desired information into the Mon 4/5 field. Enter "4".
	After all the Annual Leave hours have been entered the next step is to select the appropriate TRC.





Step	Action
6.	Click the Time Reporting Code list.
	The TRCs displayed are based on employee's position information.
	This means that different employees may see different codes.
	For example, union employees will see "Scheduled Annual Leave" and "Unscheduled Annual Leave".





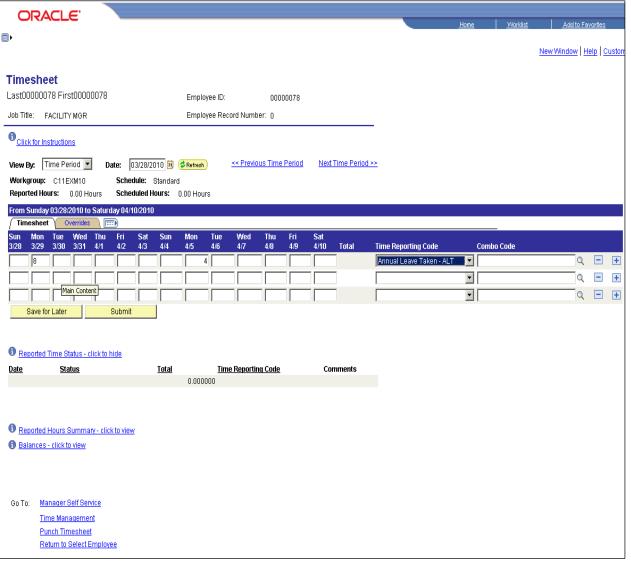
Step	Action
7.	In this example the employee is a non-union employee.
	Click the Annual Leave Taken - ALT list item. Annual Leave Taken - ALT
8.	Enter Regular Pay for the rest of the Pay Period.
	Note: Do not enter Regular hours for the same hours that you were on leave.





#### SS Timesheet - Annual Leave

**Instructor Manual-Standard Operating Procedure (SOP)** 

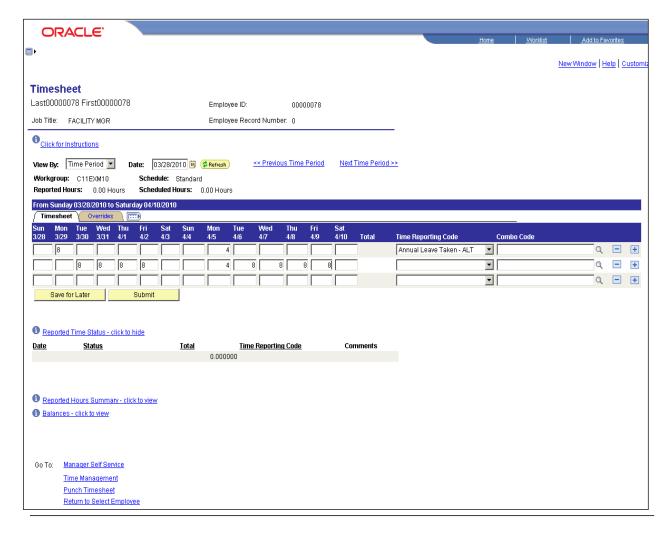


Step	Action
9.	Click in the Tue 3/30 field.
10.	Enter the desired information into the Tue 3/30 field. Enter "8".
11.	Press [Tab].
12.	Enter the desired information into the Wed 3/31 field. Enter "8".
13.	Press [Tab].
14.	Enter the desired information into the Thu 4/1 field. Enter "8".
15.	Press [Tab].
16.	Enter the desired information into the Fri 4/2 field. Enter "8".

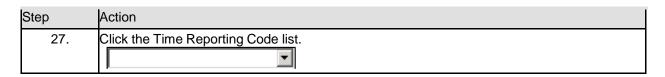


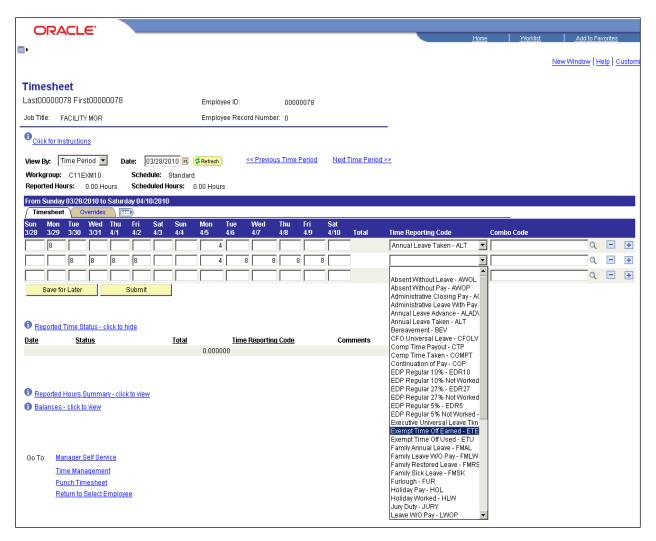


Step	Action
17.	Click in the Mon 4/5 field.
18.	Since 4 hours of Annual Leave was reported on 4/5, The 4 hours worked should be entered as Regular Pay to make up the 8 hour work day.  Enter the desired information into the Mon 4/5 field. Enter "4".
19.	Press [Tab].
20.	Enter the desired information into the Tue 4/6 field. Enter "8".
21.	Press [Tab].
22.	Enter the desired information into the Wed 4/7 field. Enter "8".
23.	Press [Tab].
24.	Enter the desired information into the Thu 4/8 field. Enter "8".
25.	Press [Tab].
26.	Enter the desired information into the Fri 4/9 field. Enter "8".



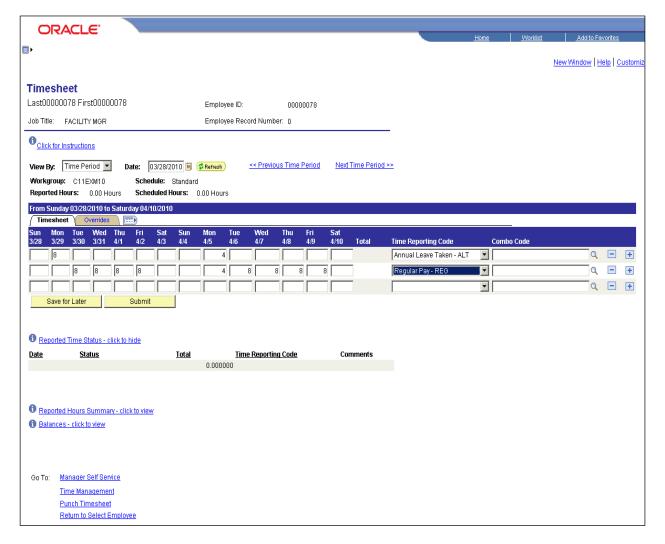






St	ер	Action
	28.	Click the scrollbar.
		Click the Regular Pay - REG list item.
		Note:  Every type of time should be on a separate line.  Regular Pay - REG

Step	Action
	Once you have entered the time you have two options "Save for Later" and "Submit".
	Save for Later: Use this button to partially enter a timesheet and to complete at a later date. You can enter information on the page each day and submit at the end of the reporting period.
	Submit: Use this button to submit this Timesheet to your manager.
	<b>Note:</b> Every time you submit your timesheet an email notification is sent to your manager.



Step	Action
29.	Click the Submit button. Submit

Step	Action
30.	Click the OK button.  OK



Step	Action
31.	Click the OK button.
	You have successfully submitted a Timesheet with Annual Leave for a Pay Period. End of Procedure.



# District Policy on Performance Management

The Performance Management Program is a cornerstone of the Administration's effort to create a productive and accountable workforce. The DC Department of Human Resources has an ongoing commitment to promote the continuous professional development and growth of its employees.

The Performance Management Program provides a framework for developing the skills of our workforce, defining employee goals and objectives and supporting employee growth through meaningful performance evaluations.

The ePerformance module in PeopleSoft, the comprehensive training program, coupled with Chapter 14 of the District Personnel Manual will support managers and employees in this process.

# **Phase I - Planning Performance**

The performance planning phase is a formalized process for identifying and communicating the organizational, agency, and individual goals expected of the employee. The performance plan consists of performance expectations (i.e. Competencies and S.M.A.R.T Goals) and an Individual Development Plan.

Performance planning is a collaborative process that consists of the supervisor and employee working together to determine the performance expectations and development objectives to be accomplished during the review period.

**The ePerformance System** open for plan creation and finalization. All Performance Plans must be in place and finalized by Jan 31

# **Phase II - Managing Performance**

The Managing Performance Phase of the performance management cycle begins **February 1st -May 31**st it consists of:

- I. the mid-year progress discussion;
- II. Documentation of performance and plan modifications;
- III. Performance Improvement Plan (If necessary) and
- IV. Feedback.



### Office of the Chief Medical Examiner - 401 E Street, S.W., Washington DC 20024

**I. Mid-year progress discussion** - A formal meeting between a supervisor and employee to discuss the employee's performance and development.

SUPERVISOR'S ROLE	EMPLOYEE'S ROLE
Provide feedback to the employee and identify performance deficiencies that need to be addressed prior to the end of the review period.	Provide the supervisor with information on her/his accomplishments, obstacles that may be preventing her/him from meeting performance expectations, and ask for feedback on her/his

How to Prepare for and Conduct a Mid-year Progress Discussion

#### **SUPERVISOR**

- **Step 1:** Gather your observations, notes, documentation, and any other materials in regards to the employee's performance.
- **Step 2**: Compare actual performance to the performance expectations.
- **Step 3:** Meet with your employee, be sure to state the purpose of the meeting in clear and direct terms.
- **Step 4:** During the meeting use appropriate examples of behavior to ensure the employee understands what you are trying to communicate to her/him.
- **Step 5:** After the meeting write a summary of the discussion in ePerformance.
- \*The Mid-year Progress Discussion is a dialogue between the supervisor and the employee. Ratings should not be assigned to the performance expectations during the Mid-year Progress Discussion.

#### **EMPLOYEE**

- **Step 1:** Gather information on your accomplishments and any obstacles preventing you from meeting performance expectations.
- **Step 2:** Compare actual performance to the performance expectations.
- **Step 3:** Meet with your supervisor to discuss your performance. Be sure to ask your supervisor for performance-related feedback.



#### Office of the Chief Medical Examiner - 401 E Street, S.W., Washington DC 20024

**The ePerformance System** will only open for exceptions (e.g. propose re-open dates the 15th and 30th of each month to capture all new hires, transfers, rehires, etc.).

# **Evaluating Performance Phase III**

The Evaluating Performance Phase of the performance management cycle consists of 6 steps. They are:

- 1. Employee creates and submits a self-evaluation to her/his supervisor.
- 2. Supervisor creates and submits the official evaluation to the reviewer.
- 3. Reviewer approves and submits the official evaluation to the Agency Director.
- 4. Agency Director approves the agency's rating distribution and submits the evaluations to the City Administrator.
- 5. City Administrator approves the agency's rating distribution and ePerf Admin sends the official evaluation to the supervisor.
- 6. Supervisor makes the evaluation available to the employee and holds the year-end discussion with the employee. The supervisor and employee acknowledge that the year-end discussion was held, and then the supervisor completes the evaluation.

#### I. Self-Evaluation

Self-evaluation is the process in which the employee provides a self-assessment of his/her performance

based on the performance expectations established in the performance planning phase.

#### The purpose of a self-evaluation is to:

- Allow the employee an opportunity to document his/her accomplishments during the review period;
- Serve as a reminder to the supervisor of his/her employee's accomplishments during the review period; and
- Provide the supervisor with a sense of how the employee view's his/her performance prior to the year-end discussion.

#### **II. Year-end Discussion**

The year-end discussion enables the supervisor and employee to discuss the official evaluation.

### How to Prepare for the Year-end Discussion

#### **SUPERVISOR**

- a) Ask the employee to do a self-evaluation. (Optional)
- b) Review the employee's self-evaluation (if applicable).
- c) Gather your observations of the employee's performance documented during the performance management period.
- d) Compare the employee's actual performance to the performance expectations.



#### Office of the Chief Medical Examiner - 401 E Street, S.W., Washington DC 20024

- e) Review the rating category definitions and assign a rating to each performance expectations, and write a narrative justification.
- f) Write an overall summary of the employee's performance.
- g) Discuss the evaluation with the Reviewer.
- h) Await the approval of your Agency Director and the City Administrator.
- i) Schedule the year-end discussion with the employee.

The ePerformance System will be open for employees to create and finalize self-evaluations and for supervisors to finalize official evaluations. The evaluation period ends Dec 30.

## **Performance Rating Appeals**

The District Personnel Manual's (DPM) Chapter 14 "Performance Management" includes revisions to the performance rating appeal procedures. The committee responsible for review and disposition of performance rating appeals (Reconsideration and Resolution Committee) will be housed at the agency level. Independent agencies may establish a review process for their employees. The following forms and documents provide guidance in this area. For specific regulatory information, please refer to the DPM Chapter 14 "Performance Management," § 1415 "Employee Request for Review."



# **District of Columbia Policies on Discipline**

Per the District Personnel Manual (DPM)

DC Personnel Regulations, Chapter 16, Part I

# PART I D.C. PERSONNEL REGULATIONS CHAPTER 16 GENERAL DISCIPLINE AND GRIEVANCES CONTENTS

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1603	DEFINITION OF CAUSE: GENERAL DISCIPLINE	3
1604	CORRECTIVE ACTION: GENERAL DISCIPLINE	5
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1606	AGENCY RESPONSIBILITY: GENERAL DISCIPLINE	6
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#### D.C. PERSONNEL REGULATIONS

#### 1600 APPLICABILITY: GENERAL DISCIPLINE

- 1600.1 The rules for the adverse and corrective action system specified in sections 1601 through 1619 of this chapter are established in accordance with the provisions of sections 604 and 1651 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-606.04 and 1-616.51) (2006 Repl.).
- 1600.2 Sections 1601 through 1619 of this chapter shall apply to:
  - (a) A Career Service employee who has completed a probationary period; and
  - (b) An Educational Service employee in the Office of the State Superintendent of Education who has completed a probationary period.
- 1600.3 The following employees are excluded from coverage under sections 1601 through 1619 of this chapter:
  - (a) An employee serving under a Career Service appointment (Probational);
  - (b) An employee serving on a term appointment during the period in which he or she is completing the required probationary period;
  - (c) An employee given a temporary appointment in the Career Service;
  - (d) An employee of the Board of Trustees of the University of the District of Columbia;
  - (e) An employee in the Legal Service;
  - (f) An employee in the Excepted Service;
  - (g) An employee in the Management Supervisory Service; and
  - (h) Any 905 series attorney not in the Legal Service.

#### 1601 GENERAL: GENERAL DISCIPLINE

- 1601.1 An employee covered by section 1600.2 of this chapter may not be suspended, reduced in grade, removed, given an official reprimand, or placed on enforced leave except as provided in this chapter or in chapter 24 of these regulations.
- Any procedural system for the review of adverse actions negotiated between the District of Columbia and a labor organization shall take precedence over the provisions of this chapter for employees in a bargaining unit represented by a labor organization, to the extent that there is a difference. A contract, memorandum of understanding, or collective bargaining agreement cannot modify the standard for cause as defined in § 1603.

- 1601.3 If an employee is authorized to choose between the negotiated grievance process set forth in a collective bargaining agreement and the grievance or appellate process provided in these rules, the employee may elect, at his or her discretion, to do one (1) of the following:
  - (a) Grieve through the negotiated grievance procedure; or
  - (b) Appeal to the Office of Employee Appeals or file a disciplinary grievance, each as provided in these rules.
- 1601.4 An employee shall be deemed to have elected his or her remedy pursuant to § 1601.3 when he or she files a disciplinary grievance or an appeal under the provisions of this chapter or files a grievance in writing in accordance with the provisions of the negotiated grievance procedure applicable to the parties, whichever event occurs first. This section shall not be construed to toll any deadlines for filing.
- 1601.5 (a) Any procedures for handling corrective or adverse actions involving uniformed members of the Metropolitan Police Department, or of the Fire and Emergency Medical Services Department (FEMSD) at the rank of Captain or below provided for by law, or by regulations of the respective departments in effect on the effective date of these regulations, including but not limited to procedures involving trial boards, shall take precedence over the provisions of this chapter to the extent that there is a difference.
  - (b) The provisions of this chapter shall apply to uniformed members of the FEMSD at the rank of Battalion Fire Chief and above who are in the Career Service.
- 1601.6 Except as provided in § 1601.7, the final decision notice on a corrective or adverse action shall remain in the employee's Official Personnel Folder (OPF) for not more than three (3) years from the effective date of the action. The official personnel action document effecting the corrective or adverse action is a permanent record and shall remain in the employee's OPF.
- 1601.7 Documentation placed in an OPF pursuant to § 1601.6 may be withdrawn earlier than stipulated therein if so ordered by the official issuing the corrective or adverse action, that official's superiors or successor, the Office of Employee Appeals, a court of competent jurisdiction, an arbitrator of competent jurisdiction, the appropriate personnel authority, or the Office of Human Rights.
- 1601.8 A deciding official may not dismiss a proposed disciplinary action solely on the basis of error in the application of the agency's procedures which did not cause substantial harm or prejudice to the employee's rights.
- 1601.9 Notwithstanding any other provision of this chapter, and in accordance with the provisions of section 502 of Title V of the Omnibus Public Safety Agency Reform Amendment Act of 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031) (2005 Supp.), the following will apply to all corrective and adverse actions against any employee, uniformed and non-uniformed, of the Fire and Emergency Medical Services Department (FEMSD) or Metropolitan Police Department (MPD):
  - (a) No corrective or adverse action against any employee, uniformed and non-uniformed, of the FEMSD or MPD will be commenced more than ninety (90) days, not including Saturdays, Sundays, or legal holidays, after the date that the FEMSD or MPD knew or should have known of the act or occurrence allegedly constituting cause for the corrective or adverse action.
  - (b) If the act or occurrence allegedly constituting cause for the corrective or adverse action is the subject of a criminal investigation by the MPD, the Office of the United States Attorney for the District of Columbia, or the Office of the Attorney General for the District of Columbia, or an investigation by the Office of Police Complaints, the ninety-day (90-day) period for commencing a corrective or adverse action under section 1601.9 (a) of this section shall be tolled until the conclusion of the investigation.

#### 1602 ADMONITION: GENERAL DISCIPLINE

- 1602.1 An admonition shall not be a corrective or adverse action under this chapter, and shall not be made a part of the official personnel folder, but shall be retained by the agency for not more than three (3) years unless sooner ordered withdrawn by the official issuing the admonition, that official's superiors or successor, a court of competent jurisdiction, an arbitrator of competent jurisdiction, the appropriate personnel authority, or the Office of Human Rights.
- An admonition may be considered in determining the penalty for a corrective or adverse action when the admonition was issued not more than three (3) years prior to the date of the proposed corrective or adverse action, and has not been ordered withdrawn as provided in § 1602.1.
- 1602.3 The admonition shall inform the employee that he or she may respond in writing, within two (2) workdays of receipt of the admonition, to the person issuing the admonition to clarify, expand on, or take exception to the statements or conclusions it contains, and any response shall be filed and removed with the admonition.
- 1602.4 The employee against whom an admonition is issued shall be asked to acknowledge its receipt. If the employee refuses to acknowledge receipt, a brief descriptive written statement, signed by a witness, may be used as evidence of service.
- 1602.5 An admonition issued in accordance with this section may be grieved as provided in § 1631.

#### 1603 DEFINITION OF CAUSE: GENERAL DISCIPLINE

- 1603.1 There must be full accountability for managers and supervisors for all disciplinary actions taken under section s 1601 through 1619 of this chapter. Therefore, no corrective or adverse action may be initiated under those sections unless the action is first authorized by a manager or supervisor who the Mayor or an agency head may remove from his or her position at will.
- 1603.2 In accordance with section 1651 (1) of the CMPA (D.C. Official Code § 1-616.51 (1)) (2006 Repl.), disciplinary actions may only be taken for cause.
- 1603.3 For the purposes of this chapter, except as provided in section 1603.5 of this section, cause for disciplinary action for all employees covered under this chapter is defined as follows:
  - (a) Conviction of a felony;
  - Conviction of a misdemeanor based on conduct relevant to an employee's position, job duties, or job activities;
  - (c) Any knowing or negligent material misrepresentation on an employment application;
  - (d) Any knowing or negligent material misrepresentation on other document given to a government agency;
  - (e) Any on-duty or employment-related act or omission that an employee knew or should reasonably have known is a violation of law;
  - (f) Any on-duty or employment-related act or omission that interferes with the efficiency and integrity of government operations, to include:
    - (1) Unauthorized absence;

- (2) Absence without official leave;
- Neglect of duty;
- (4) Insubordination;
- (5) Incompetence;
- (6) Misfeasance;
- (7) Malfeasance;
- (8) Unreasonable failure to assist a fellow government employee in carrying out assigned duties; and
- (9) Unreasonable failure to give assistance to the public;
- (g) Any other on-duty or employment-related reason for corrective or adverse action that is not arbitrary or capricious;
- (h) Any act which constitutes a criminal offense whether or not the act results in a conviction; and
- Use of illegal drugs, unauthorized use or abuse of prescription drugs, use of alcohol while on duty, or a positive drug test result.
- 1603.4 The causes specified in section 1603.3 of this section shall include but not necessarily be limited to the infractions or offenses under each cause contained in the Table of Appropriate Penalties in section 1619 of this chapter.
- 1603.5 Cause for disciplinary action under this chapter shall also mean the following for the five (5) categories of employees described in subsection 1603.5 (b)(1) through (5) below, whether on or off duty:
  - (a) Any act or omission which constitutes a criminal offense, whether or not such act or omission results in a conviction; and
  - (b) Any credible evidence of use of an illegal drug, unauthorized use or abuse of prescription drugs including, without limitation, the results of any drug test:
    - (1) All employees of the MPD;
    - All employees of the Department of Corrections, including correctional officers;
    - (3) Any commissioned special police officer employed by the District government;
    - (4) Any employee of the Department of Youth Rehabilitation Services covered by the law enforcement retirement provisions of the Civil Service Retirement System or the detention officer provisions of the District government's retirement benefits program established in accordance with sections 2605 through 2614 of the CMPA (D.C. Official Code §§ 1-626.05 through 1-626.14) (2006 Repl); or

- (5) Any other District government employee authorized to carry a firearm while on duty, including employees of the Office of the Inspector General covered by this chapter.
- 1603.6 The authority to adopt corrective or adverse action penalty guidelines or requirements is held exclusively by the Mayor and independent personnel authorities covered under this chapter, except that with regard to the MPD, such authority is held by the Mayor and the Chief of Police.
- Notwithstanding the provisions in sections 1603.3, 1603.5, and 1603.6 of this section, the Director, D.C. Department of Human Resources (DCHR), or independent personnel authority may, on a case-by-case basis, approve the use of penalty guidelines or requirements developed by an agency head for employees of the agency covered under this chapter. The Director, DCHR, shall publish in the District Personnel Manual any such guidelines or requirements approved for a subordinate agency.
- 1603.8 Unless otherwise required by law, in selecting the appropriate penalty to be imposed in a disciplinary action, consideration will be given to any mitigating or aggravating circumstances that have been determined to exist, to such extent and with such weight as is deemed appropriate.
- 1603.9 In any disciplinary action, the District government will bear the burden of proving by a preponderance of the evidence that the action may be taken or, in the case of summary action, that the disciplinary action was taken for cause, as that term is defined in this section. A criminal conviction will estop the convicted party from denying the facts underlying the conviction.
- 1603.10 All notices issued in connection with an adverse or corrective action under this chapter shall conform to all requirements of the Fifth Amendment Due Process Clause of the United States Constitution.

#### 1604 CORRECTIVE ACTION: GENERAL DISCIPLINE

- 1604.1 A corrective action shall be an official reprimand, or a suspension of less than ten (10) days.
- 1604.2 Except as provided in section 1604.3 of this section, a corrective action may be contested as a disciplinary grievance pursuant to section 1617 of this chapter.
- 1604.3 (a) Notwithstanding the provisions of section 1604.1 of this section or any other provision of this chapter, a proposing official may attempt to resolve a proposed corrective action of a suspension of less than ten (10) days by conducting a Resolution Conference with the employee subject to the proposed suspension and his or her union representative (unless representation is voluntarily waived by the employee), if applicable. The following conditions shall apply:
  - Resolution Conferences shall be limited to proposed suspensions of less than ten (10) days proposed under this chapter;
  - Any Resolution Conference shall be conducted immediately after the issuance of the advance written notice;
  - (3) A successful Resolution Conference shall result in a written agreement between the proposing official and affected employee to a suspension less than originally contemplated, or an official reprimand in lieu of a period of suspension without pay;
  - (4) A lesser suspension or official reprimand penalty shall not be instituted unless the proposing official and affected employee reach mutual agreement in writing and the employee voluntarily waives his or her right to file an administrative grievance under section 1617 of this chapter or to appeal under a negotiated grievance procedure, as applicable;

- (5) If an agreement is not reached, normal procedures to effect the suspension action originally proposed shall be followed; and
- (6) Statements concerning an agreement resulting from a Resolution Conference shall not be used by either party as evidence or precedent in another disciplinary action, except that the outcome of a Resolution Conference may be considered in the future for purposes of progressive discipline.
- (b) The personnel authority shall set forth procedures for Resolution Conferences under this section.

#### 1605 ADVERSE ACTION: GENERAL DISCIPLINE

- 1605.1 An adverse action shall be a suspension of ten (10) days or more, a reduction in grade, or a removal.
- An adverse action may be appealed to the Office of Employee Appeals pursuant to § 1618. In lieu of appealing to the Office of Employee Appeals, an employee may elect to contest an adverse action as a disciplinary grievance pursuant to § 1617.
- 1605.3 An employee electing to contest an adverse action as a disciplinary grievance as provided in § 1605.2 shall sign a statement acknowledging that this election constitutes a waiver of his or her right to appeal to the Office of Employee Appeals.
- 1606 AGENCY RESPONSIBILITY: GENERAL DISCIPLINEError! Bookmark not defined.
- 1606.1 In taking disciplinary actions under this chapter, each agency head shall ensure the following:
  - (a) That actions covered by this chapter are taken in accordance with the provisions herein;
  - (b) That each employee covered by this chapter is afforded fair and equitable treatment, as well as the rights and protections provided herein; and
  - (c) That the employee, the employee's representative, and witnesses, have freedom from restraint, coercion, interference, or reprisal by any official of the agency.
- 1606.2 In determining the penalty for a disciplinary action under this chapter, documentation appropriately placed in the OPF regarding prior corrective or adverse actions, other than a record of the personnel action, may be considered for not longer than three (3) years from the effective date of the action, unless sooner ordered withdrawn in accordance with section 1601.7 of this chapter.
- 1606.3 When a disciplinary action is proposed for cause as provided in section 1603.3 (b) of this chapter, the agency shall present evidence to demonstrate that the employee engaged in the alleged conduct during duty hours or off-duty hours, when such evidence is relevant to assessing a penalty.
- 1606.4 In showing that an employee's conduct would affect or has affected adversely the ability of the employee or the employing agency to perform effectively, the agency must demonstrate nexus, which may include but is not limited to one (1) or more of the following:
  - (a) That the agency is less able to carry out its assigned functions;
  - (b) That the employee is unable or unsuitable to perform his or her assigned duties;

- (c) That other employees refuse to work with the employee who engaged in the misconduct;
- (d) That the conduct has been publicized or has gained notoriety which has a deleterious effect on the operation of the agency; or
- (e) That there is otherwise an adverse effect on the operation of the agency.
- 1606.5 Federal case law, arbitration decisions, or other relevant authorities may be relied upon by the agency in taking any action for cause or in demonstrating nexus.
- 1606.6 Except as provided by sections 1601.2 and 1601.5 of this chapter, no provision in this chapter shall be interpreted to permit a modification of the corrective action procedures and standards in this chapter by contract, memorandum of understanding, informal agreement, past practices, or agency order. Any modification of these corrective action procedures and standards shall be done explicitly by the adoption and issuance of additional regulations.
- 1606.7 In appropriate discipline-related cases, agency heads may utilize the counseling program for troubled employees as provided under section 2007 of the CMPA (D.C. Official Code § 1-620.07) (2006 Repl).

#### 1607 DUTIES AND RESPONSIBILITIES OF PROPOSING OFFICIAL: GENERAL DISCIPLINE

- 1607.1 The proposing official shall issue the advance written notice proposing corrective or adverse action against an employee, as provided for in §§ 1608.1 and 1608.2.
- 1607.2 At any time prior to the deciding official rendering the final decision, the proposing official may withdraw a proposed corrective or adverse action with or without prejudice and, if withdrawn, shall so notify the employee and the deciding official.
- 1607.3 The proposing official shall not be the deciding official, except the proposing official may be the deciding official when the proposing official is the head of an agency.

#### 1608 ADVANCE WRITTEN NOTICE: GENERAL DISCIPLINE

- 1608.1 Except in the case of a summary suspension action pursuant to § 1615 or a summary removal action pursuant to § 1616, an employee against whom corrective or adverse action is proposed shall have the right to an advance written notice, as follows:
  - (a) In the case of a proposed adverse action, an advance written notice of fifteen (15) days; or
  - (b) In the case of a proposed corrective action, an advance written notice of ten (10) days.
- 1608.2 The advance written notice shall inform the employee of the following:
  - (a) The action that is proposed and the cause for the action;
  - (b) The specific reasons for the proposed action;
  - (c) The right to prepare a written response, including affidavits and other documentation, within six (6) days of receipt of the advance written notice;
  - (d) The person to whom the written response or any request is to be presented;

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- (e) The right to review any material upon which the proposed action is based;
- (f) In the case of a proposed adverse action only, the right to be represented by an attorney or other representative;
- (g) The right to an administrative review by a hearing officer appointed by the agency head, as provided in § 1612.1, when the proposed action is a removal; and
- (h) The right to a written decision.
- 1608.3 The material upon which the notice is based, and which is relied upon to support the reasons given in the notice, shall be assembled and made available to the employee for his or her review, upon request. A copy of the material will be provided to the employee upon request.
- 1608.4 Material that cannot be disclosed to the employee, or to his or her representative, shall not be used to support the reasons given in the notice. This rule does not prohibit the redaction of documents so long as the redacted information is not used to support the reasons given in the notice.
- 1608.5 The first day of the notice period shall be the day following the date on which service is made to the employee, either in person, by courier, or by certified or registered mail, or the date on which service was attempted and refused.
- 1608.6 For notices delivered in person, the employee to whom the advance notice is issued shall be asked to acknowledge its receipt. If the employee refuses to acknowledge receipt, a brief descriptive written statement, signed by a witness, may be used as evidence of service.
- 1608.7 If the employee is not in a duty status, i.e., at work, the notice of proposed action shall be sent to the employee's last known address by courier, or by certified or registered mail, return receipt requested.
- 1608.8 An employee against whom a corrective or adverse action is proposed may be placed on administrative leave at the discretion of the agency head.
- 1608.9 An employee against whom a corrective or adverse action is proposed shall be entitled to be retained in an active duty status during the notice period, except when the employee has been placed on administrative leave as provided in sections 1608.8 or 1620.1 of this chapter.

#### 1609 OFFICIAL TIME: GENERAL DISCIPLINE

- 1609.1 If otherwise in a duty status, each employee against whom an adverse action has been proposed shall be entitled to a reasonable amount of official time to prepare his or her response, not to exceed ten (10) hours of administrative leave. Such preparation shall not take place at the employee's duty station or any non-public area of a government office, unless authorized by the agency head.
- All absence from duty in excess of the time approved in accordance with § 1609.1 shall be charged in accordance with Chapter 12 of these regulations.
- 1610 EMPLOYEE'S REPRESENTATIVE: GENERAL DISCIPLINEError! Bookmark not defined.
- An employee against whom an adverse action is proposed shall have the right to be accompanied, represented, or advised by an attorney or other representative of his or her choice, except as provided in § 1610.2.

- 1610.2 The agency head or his or her designee shall have the right to disallow a person chosen by the employee to represent him or her if:
  - (a) The person is another District government employee and representation by that person conflicts with a governmental priority; or
  - (b) Representation by that person creates a clear conflict of interest or conflict of official position, or the person is a material witness to the facts underlying the proposed adverse action.
- 1610.3 The decision to disallow an employee's choice of representative shall not be subject to any further administrative review.
- 1611 EMPLOYEE'S RESPONSE: GENERAL DISCIPLINE
- 1611.1 The employee's response shall be in writing and presented to the deciding official, except for a response to a proposed removal, which shall be presented in writing to the hearing officer.
- 1611.2 Extensions of time in which to respond may be granted for good cause by the deciding official or, in the case of a removal, the hearing officer.
- 1611.3 The right to respond shall include the right to present evidence that the employee believes might affect the final decision on the proposed action. Such evidence may include written statements of witnesses, affidavits, or documents or any other form or depiction of information.
- 1611.4 At the time of the response, an employee shall raise every defense, fact or matter in extenuation, exculpation, or mitigation of which the employee has knowledge or reasonably should have knowledge or which is relevant to the reasons for the proposed action, specifications, or proposed penalty.
- 1612 ADMINISTRATIVE REVIEW OF REMOVAL ACTIONS: GENERAL DISCIPLINE
- 1612.1 The personnel authority shall provide for an administrative review of a proposed removal action against an employee.
- 1612.2 The administrative review shall be conducted by a hearing officer, who shall meet the following criteria:
  - (a) Be appointed by the agency head;
  - (b) Be at grade levels DS-13 and above or equivalent;
  - (c) Not be in the supervisory chain of command between the proposing official and the deciding official, nor subordinate to the proposing official;
  - (d) Have no direct and personal knowledge (other than hearsay that does not affect impartiality) of the matters contained in the proposed removal action; and
  - (e) Be an attorney, if practicable, or if required pursuant to § 1612.7.
- 1612.3 The hearing officer shall be responsible for keeping the proposed removal action moving to a conclusion at the earliest practicable date.
- 1612.4 In conducting the administrative review, the hearing officer shall:
  - (a) Review the notice of proposed removal action;

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- (b) Review the employee's response, if there is one; and
- (c) Conduct an adversary hearing when required in accordance with § 1612.5.
- 1612.5 An adversary hearing, including the confrontation of witnesses, shall be conducted only when both of the following conditions are met:
  - (a) When the hearing officer determines that a decision based on a preponderance of the evidence cannot be made because the written record is inadequate for this purpose; and
  - (b) The personnel authority grants approval to the hearing officer to conduct a hearing.
- 1612.6 Failure by an employee to respond to a charge or specification raised in the advance written notice shall not constitute a reason to conduct an adversary hearing.
- 1612.7 The hearing officer conducting an adversary hearing pursuant to § 1612.5 shall be an attorney who meets the requirements of §1612.2(a) through (d).
- 1612.8 The procedures for conducting an adversary hearing pursuant to this section shall be as follows:
  - (a) For agencies subordinate to the Mayor's personnel authority, except for the Metropolitan Police Department, the Director of Personnel shall develop and publish appropriate procedures in the District Personnel Manual, and these procedures shall constitute the internal rules and regulations for those agencies as required by D.C. Official Code § 1-606.04(a); and
  - (b) Other personnel authorities and the Metropolitan Police Department shall either develop and publish appropriate procedures or adopt the procedures published in the District Personnel Manual.
- 1612.9 The rules of evidence shall not apply to an adversary hearing conducted pursuant to this section, except that the hearing officer may, at his or her discretion, be guided by and apply the District of Columbia rules of evidence to the extent that he or she believes their application would promote the presentation of reliable evidence.
- 1612.10 After conducting the administrative review, the hearing officer shall make a written report and recommendation to the deciding official, and shall provide a copy to the employee.
- 1612.11 For the purposes of §1612.2 and 1612.7 of this section only, an "attorney" is an individual authorized to practice law in any jurisdiction of the United States.
- 1613 DUTIES AND RESPONSIBILITIES OF DECIDING OFFICIAL: GENERAL DISCIPLINE
- 1613.1 The deciding official, after considering the employee's response and the report and recommendation of the hearing officer pursuant to § 1612, when applicable, shall issue a final decision.
- 1613.2 The deciding official shall either sustain the penalty proposed, reduce it, remand the action with instruction for further consideration, or dismiss the action with or without prejudice, but in no event shall he or she increase the penalty.
- 1614 FINAL DECISION NOTICE: GENERAL DISCIPLINE
- 1614.1 The employee shall be given a notice of final decision in writing, dated and signed by the deciding official, informing him or her of all of the following:

- (a) Which of the reasons in the notice of proposed corrective or adverse action have been sustained and which have not been sustained, or which of the reasons have been dismissed with or without prejudice;
- (b) Whether the penalty proposed in the notice is sustained, reduced, or dismissed with or without prejudice;
- (c) When the final decision results in a corrective action, the employee's right to grieve the decision as provided in § 1617;
- (d) When the final decision results in an adverse action, the right to appeal to the Office of Employee Appeals as provided in § 1618. The notice shall have attached to it a copy of the OEA appeal form; and
- (e) The effective date of the action.
- 1614.2 Except as provided in § 1614.3, the final decision shall be rendered at the earliest practicable date.
- 1614.3 The final decision in the case of a summary suspension or summary removal action taken pursuant to §§ 1615 or 1616, respectively, shall be rendered not later than forty-five (45) days from the date of delivery of the summary suspension or summary removal notice, as appropriate, except that the period may be extended as follows:
  - (a) When the employee requests and is granted an extension of time in which to respond under § 1611.2; or
  - (b) When the employee agrees to an extension of time requested by the agency.
- 1614.4 The notice of final decision shall be delivered to the employee, if in a duty status, i.e., at work, on or before the time the action is effective.
- 1614.5 The employee to whom the notice of final decision is delivered shall be asked to acknowledge its receipt. If the employee refuses to acknowledge receipt, a brief descriptive written statement, signed by a witness, may be used as evidence of service.
- 1614.6 If the employee is not in a duty status, i.e., at work, the notice of final decision shall be sent to the employee's last known address by courier, or by certified or registered mail, return receipt requested, before the time the action becomes effective.
- 1614.7 If the final decision is to impose an official reprimand, the official reprimand shall be included in the notice of final decision itself, since the notice will constitute the official reprimand that goes into the employee's Official Personnel Folder, and shall contain a statement to that effect.
- 1614.8 If the final decision is to dismiss the proposed action, the notice of final decision must state whether the proposed action is dismissed with or without prejudice.
- 1614.9 The decision made by the deciding official, in the case of a corrective action, shall be the final decision for the purpose of a disciplinary grievance pursuant to § 1617.
- 1614.10 The decision made by the deciding official in the case of an adverse action shall be the final agency decision for the purpose of an appeal to the Office of Employee Appeals pursuant to § 1618.
- 1615 SUMMARY SUSPENSION: GENERAL DISCIPLINE

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- 1615.1 An agency head may summarily suspend an employee when the employee's conduct:
  - (a) Threatens the integrity of government operations;
  - (b) Constitutes an immediate hazard to the agency, to other District employees, or to the employee; or
  - (c) Is detrimental to public health, safety, or welfare.
- An agency head may summarily suspend an employee under this section only if at the time the summary suspension action is taken, a good faith effort has been made to determine that at least one (1) of the conditions described in § 1615.1 is met; and only if the action is taken for cause pursuant to § 1603.

  Otherwise, an employee shall be entitled to an advance written notice as specified in § 1608.
- An employee who is notified by written or oral directive of a summary suspension from his or her position pursuant to this section shall immediately leave his or her duty station or District government facility.
- 1615.4 Within three (3) days of the summary suspension, the agency head or his or her designee shall provide a written summary suspension notice to the employee that includes all of the following:
  - (a) The reason for the summary suspension action;
  - (b) The effective date of the summary suspension action and its duration;
  - (c) The right to review any material upon which the summary suspension action was based and to receive a copy, if requested;
  - (d) The right to prepare a written response, including affidavits and other documentation within six (6) days of receipt of the notice;
  - (e) The person to whom the written response is to be presented;
  - (f) In the case of a summary suspension of ten (10) days or more, the right to be represented by an attorney or other representative; and
  - (g) The right to a final decision as provided in § 1614.3.
- 1615.5 The deciding official shall issue a final decision sustaining, reducing, or dismissing the summary suspension action with or without prejudice.
- 1615.6 When the final decision is to sustain or reduce the summary suspension action, the final decision shall inform the employee of his or her right to file a disciplinary grievance when the summary suspension is for less than ten (10) days, or to appeal to the Office of Employee Appeals when the summary suspension is for ten (10) days or more, as applicable.
- 1615.7 When the final decision is to dismiss the summary suspension action or to reduce it to a lesser penalty, any pay lost as a result of the summary suspension action, to the extent that the pay loss exceeds the pay lost as a result of the final decision, shall be restored to the employee.
- 1616 SUMMARY REMOVAL: GENERAL DISCIPLINE

- 1616.1 An agency head may remove an employee summarily when the employee's conduct:
  - (a) Threatens the integrity of government operations;
  - (b) Constitutes an immediate hazard to the agency, to other District employees, or to the employee; or
  - (c) Is detrimental to public health, safety, or welfare of others.
- 1616.2 An agency head may summarily remove an employee under this section only if at the time the summary removal action is taken, a good faith effort has been made to determine that at least one (1) of the conditions described in § 1616.1 is met; and only if the action is taken for cause pursuant to § 1603. Otherwise, the employee shall be entitled to an advance written notice as specified in § 1608.
- 1616.3 An employee who is notified by written or oral directive of a summary removal from his or her position pursuant to this section shall immediately leave his or her duty station or District government facility.
- 1616.4 Within three (3) days of the summary removal, the agency head or his or her designee shall provide a written summary removal notice to the employee that includes all of the following:
  - (a) The reason for the summary removal action;
  - (b) The effective date of the summary removal action;
  - (c) The right to review any material upon which the summary removal action was based;
  - (d) The right to prepare a written response, including affidavits and other documentation within six (6) days of receipt of the notice;
  - (e) The person to whom the written response is to be presented;
  - (f) The right to be represented by an attorney or other representative;
  - (g) The right to an administrative review, as provided in § 1612; and
  - (h) The right to a final decision as provided in § 1614.3.
- 1616.5 An administrative review, as provided for in § 1612, shall be conducted prior to the issuance of a notice of final decision.
- 1616.6 The deciding official, after considering the report and recommendation of the hearing officer pursuant to § 1612, shall do one (1) of the following, as appropriate:
  - (a) Remand the summary removal action to the hearing officer;
  - (b) Designate a new hearing officer to conduct a review de novo; or
  - (c) Issue a final decision sustaining, reducing, or dismissing the summary removal action.
- 1616.7 When the final decision is to sustain the summary removal action, or to reduce it to a suspension of ten (10) days or more or to a reduction in grade, the final decision shall inform the employee of his or her right to appeal to the Office of Employee Appeals, in which case the decision shall have attached to it a copy of the OEA appeal form.

- 1616.8 When the final decision is to reduce the summary removal action to an official reprimand or a suspension of less than ten (10) days, the final decision shall inform the employee of his or her right to file a disciplinary grievance.
- 1616.9 When the final decision is to dismiss the summary removal action, the employee shall be restored to active duty status, and receive back pay and other entitlements, for the period during which the summary removal was in effect.
- 1616.10 Except as provided in § 1616.11, when the final decision is to reduce the summary removal action to a lesser penalty, the employee shall be restored to active duty status, and receive back pay and other entitlements, for the period during which the summary removal was in effect.
- 1616.11 When the final decision is to reduce the summary removal action to a suspension, the number of days during which the employee was separated from government service shall be applied to reduce the number of days of the suspension imposed by the deciding official, as applicable.
- 1616.12 For time and attendance purposes, a summary removal action taken pursuant to this section shall become effective at the end of the employee's scheduled tour of duty on the effective date of the action.
- 1617 DISCIPLINARY GRIEVANCES: GENERAL DISCIPLINE
- An employee against whom a corrective action has been taken shall be entitled to contest the final decision as a disciplinary grievance under the procedure set forth in § 1636.
- 1617.2 The filing of a disciplinary grievance shall not serve to stay or delay the effective date of the final decision.
- 1618 APPEALS TO THE OFFICE OF EMPLOYEE APPEALS
- 1618.1 Unless otherwise authorized or required as provided in §§ 1601.2 through 1601.5, an employee shall be entitled to appeal the following final agency actions to the Office of Employee Appeals (OEA):
  - (a) Any final decision regarding an adverse action; or
  - (b) Any final decision placing an employee on enforced leave that lasts ten (10) days or more.
- 1618.2 Any enforced leave lasting less than ten (10) days may be grieved as specified in § 1635.
- Any appeal of an action described in § 1618.1 shall be in accordance with the regulations issued by the OEA, and shall be filed within thirty (30) days of the effective date of the appealed agency action.
- 1618.4 The filing of an appeal to the OEA shall not serve to stay or delay the effective date of the final decision.
- 1618.5 When upon appeal, the action taken by an agency is reversed by the OEA, the remedial action directed by the OEA shall be taken within thirty (30) days of the final decision of the Office, unless the decision is reopened or reviewed in accordance with the regulations of the OEA.
- 1619 TABLE OF APPROPRIATE PENALTIES: GENERAL DISCIPLINE
- 1619.1 The Table of Appropriate Penalties, which begins on the next page, shall be used as specified in this chapter:

Table of Appropriate Penalties

#### 1620 ENFORCED LEAVE

- 1620.1 Notwithstanding any other provision of this chapter, a personnel authority may authorize placing an employee on enforced leave if:
  - (a) A determination has been made that the employee utilized fraud in securing his or his or her appointment or that he or she falsified official records;
  - (b) The employee has been indicted on, arrested for, or convicted of a felony charge (including conviction following a plea of nolo contendere); or
  - (c) The employee has been indicted on, arrested for, or convicted of any crime (including conviction following a plea of nolo contendere) that bears a relationship to his or her position; except that no such relationship need be established between the crime and the employee's position in the case of uniformed members of the Metropolitan Police Department or correctional officers in the D.C. Department of Corrections.
- 1620.2 Placement of an employee on enforced leave pursuant to this section is not a corrective or adverse action.
- 1620.3 A personnel authority may propose the placing of an employee on enforced leave in accordance with this section as follows:
  - (a) For actions based on any of the conditions described in section 1620.1 (a) or (c) of this section, only if the personnel authority has a good faith belief that any of the conditions described in section 1620.1 (a) or (c) of this section are met after reviewing and considering the information contained in affidavits, legal indictments, charges or complaints, arrest records, or other documents or other credible information; and
  - (b) For actions based on any of the conditions described in section 1620.1 (b) of this section, only after the personnel authority has obtained official documentation such as affidavits, legal indictments, charges or complaints, arrest records, or other documentation, to support the determination that any of the conditions described in section 1620.1 (b) of this section are met.
- 1620.4 If the personnel authority determines that the conditions described in section 1620.1 of this section are met, an employee shall initially be placed on administrative leave for a period of five (5) workdays.
- 1620.5 The first day of the administrative leave period shall be the first workday that immediately follows the day on which the employee was placed on administrative leave pursuant to section 1620.4 of this section.
- The proposing official shall issue a written notice to propose placement of an employee on enforced leave.

  The notice shall inform the employee of the following:
  - (a) The reasons for the proposed enforced leave;
  - (b) The specific basis, including affidavits or other documentation, upon which the decision to propose placement of the employee on enforced leave was based and which establishes that the conditions described in section 1620.1 of this section have been met. The employee shall be provided with a copy of the notice;
  - (c) The beginning and ending dates of the five (5) workdays of administrative leave;

 $^{2}$   $^{2}$   $^{2}$ 

- (d) The beginning date of the proposed enforced leave;
- (e) The right to make a written or oral response, or both, to the notice, and to furnish written statements of witnesses or other documentation in support of the response, all within one (1) workday of receipt of the notice of proposal;
- (f) The person to whom the response is to be presented;
- (g) The right to be represented by an attorney or other representative; and
- (h) The right to a written final decision within the five (5) workdays of administrative leave.
- 1620.7 Prior to actual delivery of the notice under section 1620.8 of this section, initial delivery of the notice proposing placement of an employee on enforced leave may be acomplished by reading the notice to the employee over the telephone.
- During the five-day (5-day) period of administrative leave under section 1620.4 of this section, the agency shall deliver the notice proposing placement of an employee on enforced leave to the employee personally, or by leaving a copy at the employee's home with some person of suitable age and discretion who is present.
- 1620.9 The response period provided for in section 1620.6 (e) of this section shall begin the first workday that immediately follows the day on which initial delivery of the notice is made, regardless of the method by which delivery was acomplished.
- 1620.10 If a determination is made to place the employee on enforced leave, the written final decision shall inform the employee of the following:
  - (a) The placement on enforced leave as provided in section 1620.12 of this section;
  - (b) The date the enforced leave is to commence; and
  - (c) The right to grieve the action under the procedure set forth in section 1636 of this chapter, and that if the enforced leave lasts ten (10) days or more, the employee has the right to file an appeal with the Office of Employee Appeals within thirty (30) days of the final decision.
- 1620.11 The enforced leave period shall commence on the first workday that immediately follows the five (5) workdays of administrative leave, as provided in section 1620.4 of this section.
- 1620.12 During the period in which the employee is in the enforced leave status, each day of absence is to be charged against the employee in the following sequence:
  - (a) Accrued annual leave, if available, until exhausted;
  - Compensatory time which is authorized and recorded on time and attendance reports, if available, until exhausted; or
  - (c) Leave without pay when annual leave and compensatory time are exhausted or not available.
- 1620.13 If a determination is made not to place the employee on enforced leave, the written final decision shall so inform the employee.

- An employee shall remain on enforced leave until such time as disciplinary action, in accordance with this chapter and taken as a result of the event that caused the administrative action, is effected, or a determination is made that no disciplinary action will be taken.
- 1620.15 If the basis for placing an employee on enforced leave pursuant to this section does not result in disciplinary action pursuant to the provisions of this chapter, any annual leave, compensatory time, or pay lost as a result of the administrative action shall be restored retroactively.

#### 1621 - 1629 (RESERVED)

#### 1630 APPLICABILITY: GRIEVANCES

- 1630.1 Except for an employee excluded by subsection 1630.2 below, sections 1630 through 1637 of this chapter shall apply to any of the following:
  - (a) An employee in the Career or Excepted Services;
  - (b) An Educational Service employee in the Office of the State Superintendent of Education;
  - (c) An applicant for employment; or
  - (d) A former employee.
- 1630.2 The following employees are excluded from coverage under sections 1631 through 1637 of this chapter:
  - (a) An employee of the Board of Trustees of the University of the District of Columbia;
  - (b) An employee in the Legal Service;
  - (c) An employee in the Excepted Service appointed under the authority of sections 903 or 908 of the CMPA (D.C. Official Code § 1-609.03 (2006 Repl. & 2011 Supp.) or D.C. Official Code 1-609.08 (2006 Repl.));
  - (d) An employee in the Management Supervisory Service; or
  - (e) Any 905 series attorney not in the Legal Service.

#### 1631 MATTERS GRIEVABLE: GRIEVANCES

- 1631.1 Persons covered under § 1630 may grieve any matter except the following:
  - (a) Any action implemented to comply with a decision by the Office of Employee Appeals, the Merit Systems Protection Board, an arbitrator of competent jurisdiction, the Office of the Inspector General, the Executive Office of the Mayor, the Office of Human Rights, the Commission on Human Rights, a court of competent jurisdiction, or any other agency authorized by law to mandate a particular action;
  - (b) Any action terminating an employee's temporary promotion that returns the employee to the position from which the employee was temporarily promoted or to a different position that is not at a lower grade or level than the position from which the employee was temporarily promoted;
  - (c) Expiration of an appointment with a specified time limit;

- (d) Forfeiture of position due to failure to maintain bona fide District residency, or to meet the residency or domicile requirements, respectively, as provided in Chapter 3 of these regulations;
- (e) Termination or discipline of an employee serving a probationary period as provided in Chapter 8 of these regulations;
- (f) The return or assignment to the position from which promoted or to an equivalent position of an employee who does not successfully complete a supervisory probationary period pursuant to Chapter 8 of these regulations;
- (g) Termination or discipline prior to the expiration date of a temporary appointment;
- (h) Voluntary action initiated by, or at the request of, the employee;
- (i) Conversion of any position to the Management Supervisory Service or the Excepted Service;
- (j) Reduction of an employee's rate of pay from an erroneous rate;
- (k) Termination of pay retention, as that term is defined in Chapter 11 of these regulations, by action in accordance with reclassification procedures or reduction-in-force procedures pursuant to, respectively, Chapters 11 and 24 of these regulations;
- A decision declining to waive repayment of an erroneous payment under D.C. Official Code § 1-629 01.
- (m) Termination of a term promotion upon completion or termination of the assigned project, and the return of the employee to the position from which promoted or to a different position of equivalent grade and pay;
- (n) An action implemented to comply with any law, rules or regulations established under the District of Columbia Administrative Procedure Act;
- (o) Any other matter for which no District government agency has the power or authority to provide the remedy sought or an equivalent remedy;
- (p) Designation as a "management employee" or a discretionary decision to grant or not grant any retreat from the Management Supervisory Service to another service pursuant to D.C. Official Code § 1-609.54;
- (q) An allegation of unlawful discrimination, or any other matter within the jurisdiction of the Office of Human Rights;
- (r) An allegation of an unfair labor practice, or any other matter required to be decided by the Public Employee Relations Board;
- (s) A final agency decision which, pursuant to D.C. Official Code § 1-606.03(a), may be appealed to the Office of Employee Appeals;
- (t) A grievance required to be submitted through the grievance procedures contained in a collective bargaining agreement covering the employee as provided in §§ 1632.2 and 1632.3, or through a procedure pursuant to § 1632.5;

- (u) Non-selection for any competitive or non-competitive appointment or promotion from a group of candidates who were properly qualified, ranked, or certified;
- (v) Performance evaluations conducted under the provisions of Chapter 14 of the D.C. personnel regulations, under which employees may seek review of the performance evaluation;
- (w) The application or coverage of the Fair Labor Standards Act;
- (x) A prior grievance dismissed with prejudice; or
- (y) The disallowance of an employee's representative pursuant to this chapter; or

#### 1632 GENERAL: GRIEVANCES

- 1632.1 The informal presentation by employees of concerns and grievances is encouraged and shall be reasonably accommodated by management. The provisions of this chapter do not control informal presentation by employees of concerns and grievances.
- 1632.2 Any grievance resolution process negotiated between the District of Columbia and a labor organization shall take precedence over the provisions of this chapter for employees in a bargaining unit represented by a labor organization, to the extent that there is a difference.
- 1632.3 If an employee is authorized to choose between the negotiated grievance process set forth in a collective bargaining agreement and the grievance process provided in these rules, the employee may, at his or her discretion, do either of the following:
  - (a) Grieve through the negotiated grievance procedure; or
  - (b) File a disciplinary grievance as provided in these rules.
- An employee shall be deemed to have elected his or her remedy pursuant to § 1632.3 when the employee files a grievance under the provisions of this chapter or files a grievance in writing in accordance with the provisions of the negotiated grievance procedure applicable to the parties, whichever event occurs first. This section shall not be construed to toll any deadlines for filing.
- 1632.5 Any system for grievance resolution involving uniformed members of the Metropolitan Police Department or the Fire and Emergency Medical Services Department provided for by law, or by regulations of the respective departments in effect on the effective date of these regulations, including but not limited to procedures involving trial boards, shall take precedence over the provisions of this chapter relating to grievances, to the extent that there is a difference.
- An employee, former employee, or applicant for employment may present a grievance to the agency with authority to provide the remedy. Employing agencies, or the Office of Personnel in the case of an applicant for employment in an agency subordinate to the Mayor, shall be responsible for referring the grievance to the appropriate agency.
- 1632.7 A grievance by an applicant for employment shall be limited to a request for non-monetary relief in matters involving the application of the merit staffing process.

#### 1633 AGENCY RESPONSIBILITY: GRIEVANCES

- 1633.1 Each agency head shall:
  - (a) Ensure prompt handling of grievances of employees, former employees, and applicants for employment pursuant to this chapter;

- (b) Reasonably make the grievance system known to all employees;
- (c) Provide for mediation or other non-binding alternative dispute resolution mechanism as part of the grievance system;
- (d) Ensure that copies of the grievance procedures and alternative dispute resolution procedures are made available upon request to an employee, former employee or applicant for employment; and
- (e) Ensure each grievant or witness freedom from restraint, coercion, interference, discrimination, or reprisal by any official of the agency for the act of filing or supporting a grievance.

#### 1634 OFFICIAL TIME: GRIEVANCES

- 1634.1 If otherwise in a duty status, each employee submitting a grievance under the provisions of this chapter may be granted a reasonable amount of official time for preparation or presentation of the grievance.
- 1634.2 Each absence from duty in excess of the time granted in accordance with § 1634.1 shall be charged in accordance with Chapter 12 of these regulations.

#### 1635 TIME LIMITS FOR FILING: GRIEVANCES

- 1635.1 Except as provided in § 1635.2, an employee, former employee or applicant for employment filing a grievance under this chapter shall present the grievance within forty-five (45) days, not including Saturdays, Sundays, and legal holidays, after the date that he or she knew or should have known of the act or occurrence that is the subject of the grievance.
- 1635.2 An employee may file a disciplinary grievance or a grievance of enforced leave that lasts less than ten (10) days, within ten (10) days of receipt of the final decision on the corrective action or the enforced leave.

#### 1636 PROCEDURE: GRIEVANCES

- 1636.1 A grievance shall be in writing, shall contain sufficient detail to identify and clarify the basis for the grievance, and shall specify the relief requested.
- 1636.2 Except as provided in § 1636.3, a grievance must be presented to an official (hereinafter referred to as the "grievance official" who has the authority to grant the relief sought.
- 1636.3 A grievance of enforced leave or a disciplinary grievance shall be presented to the grievance official, who shall be an official who is at a higher administrative level than the deciding official on such actions; however, when the deciding official was an agency head, the agency head shall designate an official from another agency as the grievance official.
- 1636.4 The grievance official shall attempt to resolve a grievance through the mediation or non-binding alternative dispute resolution mechanism, or any other similar procedure. If the grievance is resolved, the parties may agree to dismiss the action.
- 1636.5 In the case of a grievance of enforced leave or a disciplinary grievance, the grievance official shall either sustain, reduce, or dismiss the penalty imposed by the final decision, but in no event shall increase the penalty.
- 1636.6 The grievance official shall inform the grievant, in writing, of the decision on the grievance.
- 1636.7 If the relief requested has been denied in whole or in part, the grievant shall be advised of the basis for the denial.

- 1636.8 The decision of the grievance official to deny the grievance, in whole or in part, shall be the final administrative decision, and shall not be subject to further administrative appeal.
- 1636.9 The decision on the grievance shall be issued not more than thirty (30) workdays from the date the grievance was filed.
- 1637 DISMISSAL: GRIEVANCES
- 1637.1 An agency may dismiss a grievance with or without prejudice at the grievant's request.
- 1637.2 An agency shall dismiss a grievance with prejudice in any of the following instances:
  - (a) Upon termination of the employee's employment with the agency, unless the personal relief sought
    may be granted after termination of employment;
  - (b) Upon the death of the employee or former employee, unless the grievance involves a question of compensation; or
  - (c) For failure to pursue, if the grievant does not furnish required information or duly proceed with the advancement of his or her grievance.
- 1637.3 The procedures used to permit and process a grievance and the dismissal of a grievance of an employee or former employee under the provisions of § 1637.2(a), (b), or (c) shall be the final agency decision, and shall not be subject to further administrative review.
- 1699 DEFINITIONS: GENERAL DISCIPLINE AND GRIEVANCES
- 1699.1 When used in this chapter, the following terms shall have the meaning ascribed:

Administrative leave – an excused absence with full pay and benefits that is not charged to annual leave, sick leave, or leave without pay.

Admonition – any written communication from a supervisor or manager to an employee, up to but excluding an official reprimand, that advises or counsels the employee about conduct or performance deficiencies, and the possibility that future violations will result in corrective or adverse action.

Adverse action - a suspension of ten (10) days or more, a reduction in grade, or a removal.

Agency – any unit of the District of Columbia government, excluding the courts, required by law, by the Mayor of the District of Columbia, or by the Council of the District of Columbia to administer any law, rule, or any regulation adopted under authority of law. The term "agency" shall also include any unit of the District of Columbia government created by the reorganization of one (1) or more of the units of an agency and any unit of the District of Columbia government created or organized by the Council of the District of Columbia as an agency, and shall include boards and commissions as described in D.C. Official Code § 1-603.01(13).

Corrective action – an official reprimand or a suspension of less than ten (10) days.

Covered supervisor – a Career Service employee covered under the provisions of section 1600.2 of this chapter who occupies a supervisory position.

Days - calendar days, unless otherwise specified.

Deciding official – the individual who issues a final decision on a disciplinary action in accordance with section 1613 of this chapter, or enforced leave action, in accordance with section 1620 of this chapter.

Disciplinary action – a corrective or adverse action taken against an employee.

Disciplinary grievance – a request for personal relief concerning the final decision on a corrective action, as provided in 8 1617.

Enforced leave – involuntary placement of an employee on annual leave, compensatory time authorized and recorded on the appropriate time and attendance reports, or leave without pay, as applicable, as provided in section 1620 of this chapter.

Grievance – any matter under the control of the District government which impairs or adversely affects the interest, concern, or welfare of employees, including but not limited to a request by an employee for relief concerning a final written decision that involuntarily placed him or her on enforced leave that lasts less than ten (10) days, as provided in section 1620.10 (c) of this chapter; or a request by an applicant for employment for non-monetary relief in matters involving the application of the merit staffing process; or a request by a former employee for relief in a matter of concern or dissatisfaction that is subject to the control of the District government, and that is related to an employment condition, as provided in section 1636 of this chapter. This definition does not include adverse actions resulting in removals, suspension of ten (10) days or more, reductions in grade, or enforced leave actions that last ten (10) days or more; reductions in force; or classification matters, nor is it intended to restrict matters that may be subject to a negotiated grievance and arbitration procedure in a collective bargaining agreement between the District and a labor organization representing employees.

Grievance official - the individual who issues a final decision on a grievance, in accordance with § 1636.

Hearing officer – the official, other than the proposing official, who has no direct and personal knowledge (other than hearsay that does not affect impartiality) of the matters contained in a proposed removal action or a summary removal notice, and is designated by the agency head who, pursuant to § 1612, reviews the proposed removal action or the summary removal notice, as applicable, and the employee's response, if there is one, conducts a hearing where appropriate, and makes recommendations regarding the proper course of action.

Nexus – a reasonable connection between the conduct of an employee and the ability of the employee to perform his or her job or the ability of the employing agency to perform effectively, determined in accordance with sections 1606.4 and 1606.5 of this chapter.

Official reprimand – a final decision letter that is placed in the employee=s Official Personnel Folder, and that censures an employee.

Personnel authority – an individual or entity with the authority to administer all or part of a personnel management program as provided in D.C. Official Code § 1-604.01 et seq.

Proposing official – an agency head or an official authorized by the agency head to issue a written notice of proposed corrective or adverse action or enforced leave.

Reduction in grade – an involuntary action that changes an employee, while continuously employed, to a grade level with a lower representative rate.

Relief – a specific remedy requested by and directly benefitting the grievant, but may not include a request for disciplinary action against another employee.

Removal - the involuntary separation of an employee from District government service.

Summary removal - an action taken to immediately separate an employee pursuant to § 1616.

Summary suspension - an action to immediately suspend an employee pursuant to § 1615.

Suspension – the temporary placing of an employee in a non-duty, non-pay status.

Temporary appointment – a Career Service appointment effected as provided in Chapter 8 of these regulations that has a specific time limitation of one (1) year or less.

Term appointment – a Career Service appointment effected as provided in Chapter 8 of these regulations that has a specific time limitation in excess of one (1) year, but not exceeding four (4) years, unless extended by the personnel authority.

With prejudice – the withdrawal or dismissal of a disciplinary action that prevents the alleged charge or charges from being re-filed; or in the case of a grievance, the dismissal of the grievance by the agency that prevents the employee from resubmitting the grievance.

Without prejudice – the withdrawal or dismissal of a disciplinary action that does not prevent the alleged charge or charges from being re-filed; or in the case of a grievance, the dismissal of the grievance by the agency at the request of the employee.

#### D.C. Register Updates for Chapter 16 of the D.C. Personnel Regulations, General Discipline and Grievances

The following D.C. Register citations identify when a given section(s) of Chapter 16, General Discipline and Grievances, of Title 6 of the District of Columbia Municipal Regulations, was amended. Following the publication in the D.C. Register of subsequent final rulemaking notices, this Addendum will be updated accordingly.

For the convenience of DPM subscribers, the Addendum identifies amendments on a section-by-section basis, as well as the page in this DPM Transmittal impacted by the amendment(s) occurred, and provides brief comments on the amendment(s) accomplished.

D.C. Register Date	Section(s)	Change(s) Reflected on Page(s)	Comments
34 DCR 1845 (3/20/87)	Sections 1601 through 1618; 1631 through 1641	Pages 1-37 (DPM Transmittal No. 1 (undated))	
37 DCR 8297 (12/21/90)	Sections 1601, 1603, 1618	Pages 3, 5, 6, 19, 22 (DPM Transmittal No. 22)	
46 DCR 7208 (9/10/99)	Section 1603	DPM Transmittal not issued	Section 1603, Definition of Cause, amended in chapter
47 DCR 7094 (9/1/00)	Sections 1600 through 1637; and 1699	Pages 1-19 Entire Chapter (DPM Transmittal No. 63)	These rules implemented the new general discipline and grievances provisions pursuant to D.C. Official Code § 1-616.51 et seq. Name of chapter changed from "Adverse Action and Grievances" to "General Discipline and Grievances;" Table of Appropriate Penalties removed from the chapter
49 DCR 11781 (12/27/02)	Sections 1601, 1603, 1606, 1612, 1614, 1615, 1616, 1617, 1630, 1631, 1699	Pages 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19 (DPM Transmittal No. 92)	Deleted provision stating that at-will employees may be subjected to any or all of the measures in the chapter, etc.; added a provision that the final decision in the case of summary suspension/summary removal actions shall be issued not later than 45 days from the date of delivery of the summary suspension/summary removal notice
50 DCR 3185 (4/25/03)	Section 1631	Page 15 (DPM Transmittal No. 97)	Clarifies that the non-adoption of a suggestion or the failure to receive an incentive award are not grievable matters
51 DCR 7951 (8/13/04)	Sections 1600, 1604, 1605, 1608, 1614, 1615, 1616, 1617, 1618, 1619, 1631, 1634, 1635, 1699	Pages 1, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 19, 20 (DPM Transmittal No. 114)	Among other changes, the rules informed covered employees of their right to file an appeal with the OEA for any enforced leave that lasts 10 or more days
53 DCR 3974 (5/12/06)	Section 1601	Pages 1, 2 (DPM Transmittal No. 144)	Amended section 1601.5 of the chapter to add the provisions of Title V of the

D.C. Register Updates for Chapter 16 continued			
D.C. Register			
Date	Section(s)	on Page(s)	Comments
55 DCR 1775	Sections 1600, 1601,	Pages 1, 3, 4, 5, 6, 8, 14-22,	Addition of a new section 1604.3 to
(2/22/08)	1603, 1604, 1606, 1608,	and 26-28	the chapter to provide that a proposing
	1619, 1620, 1699	(DPM Transmittal No. 161)	official may attempt to resolve a
			proposed corrective action of a
			suspension of less than 10 days by
			conducting a Resolution Conference;
			changes to section 1603.3 to modify
			the definition of the causes for which
			disciplinary action may be taken; and
			Table of Appropriate Penalties added
			to the chapter (section 1619)
59 DCR 008398	Sections 1600.2, 1630.1	Pages 1, and 22	The rules amended subsections 1600.2,
(7/13/12)	and 1630.2		1630.1 and 1630.2 to add the
			Educational Service employees in the
			Office of the State Superintendent of
			Education.

CHAPTER 16 — GENERAL DISCIPLINE AND GRIEVANCES			
			Omnibus Public Safety Agency Reform Amendment Act of 2004



# Office of the Chief Medical Examiner

401 E Street, S.W. – 6<sup>th</sup> Floor Washington, DC 20024 (202) 698-9000 - Main (202) 698-9101 - Fax