I. PURPOSE AND SCOPE.

To establish the policies, authorities, responsibilities, and principles by which the Defense Logistics Agency (DLA) civilian personnel management program will be operated. This DLAR implements Part 230 and Part 250, Title 5, Code of Federal Regulations (CFR), and DoD Directive 1400.5, DoD Policy for Civilian Personnel, and will be carried out consistent with DLAR 1400.14, Civilian Personnel Servicing Agreement. It is applicable to HQ DLA, all DLA field activities, and Federal activities serviced by a DLA civilian personnel office according to the terms of applicable servicing support agreements, and is applicable to nonappropriated fund activities.

II. POLICY

A. DoD Directive 1400.5 establishes basic policy for management of civilian personnel throughout DoD. The administration of civilian employment in DLA will adhere to both the letter and spirit of the principles and considerations in this expression of departmental policy. In order that DLA management at all levels may be fully aware of the significant provisions of DoD Directive 1400.5, it has been made an integral part of this DLAR as enclosure 1.

B. It is the civilian personnel management policy of DLA to build and maintain a work force best suited to effectively and efficiently carry out the mission of DLA. Within this context, DLA manages its work force by principle, not by expediency. A high moral concern for the rights and dignity of the individual employee will be maintained. In turn,
each employee is expected to maintain the highest standards of responsible effort and conduct.

C. DLA will make maximum use of personnel management expertise in formulating and implementing personnel policies. Managers at all levels will consider the personnel management implication of management decisions and assure that the full impact of personnel management policies and practices are taken into account.

D. It is the intent of HQ DLA to allow Heads of PLFAs maximum latitude for the development of personnel programs tailored to mission needs and local requirements. Centralization or other consolidations outside of the command are appropriate when they meet the tests of improved mission accomplishment and resource management.

E. It is the policy of DLA to develop and operate a civilian personnel management program that applies the following principles:

1. Sound management of civilian employees as an integral part of the military-civilian team.

2. Design of personnel programs and systems which emphasize mission support and managerial flexibility.

3. Advancement of employees to essential positions for which they are among the best qualified in knowledge, skill, and ability.

4. Equal opportunities for all employees without regard to race, color, religion, sex, national origin, marital status, age, lawful political affiliation, labor organization membership, or nondisqualifying physical or mental handicap.

5. Effective and responsive career development, career management, and training.

6. Proper pay management and position evaluation and classification.

7. Objective evaluation of employee performance and performance ratings that accurately reflect demonstrated performance of duties and responsibilities.

8. Motivation of employees through recognition, incentives, and the application of responsible supervision.

9. Maintenance of essential employee services and a satisfactory and healthful work environment.

10. Continuous information to all personnel regarding their responsibilities, obligations, rights, and privileges as Federal employees.

11. Strict compliance with applicable laws, regulations, controlling decisions of courts and appellate bodies, and published policies and requirements prescribed by the President, Congress, Office of Personnel Management (OPM), Department of Defense (DoD), HQ DLA, and other lawfully constituted control agencies.
12. Consideration of the interests and concerns of employees and recognized labor organizations in the establishment of civilian personnel management regulations and policies.

13. Continuous appraisal of the operation of the civilian personnel management program and the initiation of needed program improvements.

14. Continuous improvement of employee utilization as a means of realizing optimum gains in personnel productivity.

III. DEFINITIONS

A. Appointing Officer Authority. The power derived from law or by lawful delegation of authority to make appointments to positions in the Federal civil service and to remove employees from this service.

B. Civilian Personnel Administration. The technical and administrative functions pertaining to the conduct of the civilian personnel management program, such as documenting personnel actions, maintaining personnel records, conducting reductions-in-force, operating the merit promotion program, and providing advice and assistance to managers and supervisors in the exercise of their personnel management authority.

C. Civilian Personnel Management. The supervisory and managerial decisions pertaining to personnel, such as approving leave, rating performance, selecting individuals for appointment or promotion, and recommending and deciding disciplinary actions and removals from the Federal service.

IV. BACKGROUND

A. DoD Directive 5105.22, Defense Logistics Agency, authorizes the Director, DLA, to exercise the powers vested in the Secretary of Defense pertaining to the employment, direction, and general administration of civilian personnel.

B. To assist and advise the Director, DLA, in carrying out civilian personnel management responsibilities, an Office of Civilian Personnel (DLA-K) has been established. Pursuant to Executive Order 9830, the Staff Director, DLA-K, has been designated to be in charge of and represent the Director, DLA, in civilian personnel matters. As the principal staff officer of DLA in the field of civilian personnel management, the Staff Director, DLA-K, formulates and exercises staff supervision over DLA civilian personnel management plans, programs, policies, and systems, and provides guidance and standards to DLA field activities.

V. SIGNIFICANT CHANGES.

While this DLAR has been substantially reorganized and brought up-to-date, no significant changes have been made to civilian personnel management program policies or authorities.

VI. RESPONSIBILITIES
A. HQ DLA

1. The Staff Director, Office of Civilian Personnel, DLA (DLA-K) will be responsible for the overall direction of the program throughout DLA, including the following:

   a. Providing staff advice and counsel to the Director, DLA, on all aspects of civilian personnel management in DLA.

   b. Formulating policy, procedures, regulations, and program requirements for civilian personnel management throughout DLA.

   c. Providing staff supervision and surveillance over personnel management programs in field activities, including program evaluation and the provision of technical advisory services.

   d. Representing DLA on civilian personnel matters to the Congress, OPM, Office of the Secretary of Defense (OSD), and other Federal agencies.

   e. Performing those functions of civilian personnel administration which are not feasible or permissible to delegate to field activities.

   f. Evaluating the operation of the program and instituting such program improvement actions as may be necessary to assure optimum mission support and directing those required for regulatory compliance.

   g. Reviewing and reevaluating periodically DLA Civilian Personnel Officer (CPO) positions.

B. Field Activities

1. The Heads of DLA PLFAs will develop and operate a civilian personnel management program that contributes to the effective and efficient accomplishment of assigned missions, is operated in consonance with the authorities in this DLAR, and fulfills the policies enumerated in paragraph II above.

2. The Commander, DLA Administrative Support Center (DASC-K) will implement this DLAR for HQ DLA.

VII. PROCEDURES

A. Authority

1. Heads of DLA PLFAs are delegated appointing officer authority from the Director, DLA, to appoint, promote, reassign, demote, separate, and compensate civilian employees in accordance with applicable laws, rules, and regulations of OPM, DoD, and DLA. This authority is to be exercised in accordance with accepted principles and practices of sound personnel management. This authority is subject to the limitations, restrictions, and requirements contained in this and other issuances governing the employment and utilization of civilians.
2. Heads of DLA PLFAs who act as administrative hosts to, and provide local administrative support for HQ DLA or OSD Management Support Activities (MSAs), whether or not collocated, are hereby delegated appointing officer authority for these offices. This constitutes a direct delegation of authority to carry out civilian personnel administration functions for these offices and obviates a need for a separate designation of the servicing CPO to act for these offices. Except as further defined in subparagraph 3 below, personnel actions taken by the servicing OCP with respect to employees of these MSAs are taken for, and under the authority of, the Head of the servicing PLFA. This is a special line of authority for administrative convenience and does not reduce the civilian personnel management authority of the HQ DLA principal staff element (PSE) or parent OSD office to exercise supervision over their MSAs and the personnel assigned.

3. The Heads of PLFAs which service a HQ DLA or OSD MSA are hereby delegated authority to make final decisions in grievances originating within serviced MSAs which directly focus on a technical question pertaining to the operation of the servicing PLFA's civilian personnel program, e.g., a grievance alleging an incorrect qualifications determination or one alleging improper rating and ranking of a promotion candidate. Otherwise, grievances which question a civilian personnel management action or inaction, taken by a MSA official, will be decided by the appropriate Head of the HQ DLA PSE or by an appropriate OSD official. Similarly, the appropriate Head of a HQ DLA PSE or OSD official will make final decisions on Equal Employment Opportunity complaints arising within their MSAs.

4. Heads of PLFAs will provide personnel management support for the secondary level field activities, or will obtain it by an interservicing support agreement in accordance with DLAR 1400.14.

5. Whenever a PLFA obtains civilian personnel administration support by an interservicing agreement, that support must meet the quality and policy requirements of this DLAR.

6. HQ DLA PSEs do not have "appointing officer" authority. That authority is delegated directly to the Commander, DASC, and is exercised for HQ PSEs by the DASC OCP.

7. Pursuant to 5 U.S. Code 302, the Staff Director, DLA-K, has been specifically delegated authority to make final Agency decisions on employee grievances under DLAR 1428.3, Complaints and Grievances, classification appeals under DLAR 1414.1, Position Classification Complaints and Appeals, and complaints of discrimination under DLAR 1446.1, Equal Employment Opportunity (EEO) Program.

8. Redelegation of authority for civilian personnel management functions to the lowest practical levels of supervision is authorized and encouraged. Such a delegation involves the ordinary range of civilian personnel management responsibilities inherent in supervisory positions. However, it will not include a basic delegation of appointing authority. Supervisory civilian personnel management authority includes, but is not limited to, the discharge of the following responsibilities:

   a. Selection and proper utilization of personnel.
b. Assignment of duties and responsibilities and the establishment of job performance requirements.

c. Certification of position descriptions to permit the disbursement of salary payment.

d. Evaluation of performance and conduct and taking or initiating disciplinary actions or special recognition actions where warranted.

e. Identification of training needs and the conduct of on-the-job training.

f. Resolution of complaints and the maintenance of discipline.

g. Establishment and maintenance of a work climate conducive to employee motivation and productivity.

B. Applicable Regulations. DLA activities receiving personnel administration support under an interservicing agreement will be governed by the civilian personnel management regulations of the servicing activity in accordance with DLAR 1400.14.

C. Office of Civilian Personnel (OCP)

1. An OCP may be established only at PLFAs having a civilian employee strength of 1,000 or more. Where a PLFA or subordinate DLA organization is collocated with a DLA or DoD host activity capable of providing required personnel services, such support may be arranged with the approval of DLA-K.

2. PLFAs currently receiving civilian personnel administration support from a host activity may not establish an OCP without the prior approval of DLA-K.

3. OCPs will be staffed with professionally qualified civilian employees. The CPO will be considered a member of the Commander's staff of each serviced activity and will be afforded direct access to operating officials, supervisors, and employees at all levels.

4. OCPs will operate programs that include:

   a. Providing professional advice and assistance to the Heads of serviced activities and to all their employees to ensure the proper exercise of personnel management authorities and responsibilities.

   b. Analyzing the activity work force in light of mission requirements and planning and executing personnel programs to provide a staff the size and character of which is well-suited to mission requirements.

   c. Providing guidance and assistance to the administrators of nonappropriated fund activities when requested.
d. Evaluating the operation and effectiveness of the civilian personnel management program and instituting such improvements as are necessary and consistent with delegated authorities.

e. Administering a civilian personnel management program in accordance with the principles set forth in paragraph IIE above.

D. Authentication of Personnel Actions

1. The Heads of PLFAs delegated appointing officer authority to effect civilian personnel actions under paragraph VIA1 above will designate the CPO in writing to develop and administer a civilian personnel management program for the activity in keeping with the requirements of this DLAR and other applicable directives and policies. Heads of PLFAs who receive civilian personnel servicing will similarly designate the servicing CPO to act for them in this same regard.

2. Designation to exercise authority of the Head of the PLFA shall include a provision that the CPO and incumbents of other selected positions within the OCP may approve Standard Form 52, Request for Personnel Action, and sign Standard Form 50, Notification of Personnel Action, and other official documents and correspondence as deemed appropriate. Wherever it is administratively impractical for the Head of the PLFA to designate every position requiring authority to authenticate personnel actions and documents, or it is preferred that the CPO make these determinations, the letter of designation to act should designate the CPO with the provision that he/she may redesignate other staff positions in writing as necessary for the efficient conduct of the personnel program.

3. Designations made under subparagraphs 1 and 2 above will be to the position rather than the present occupant, thus eliminating the need to redesignate when incumbencies change. Designations to act will be maintained by the CPO as permanent authority documents. Designations to act permit officials of the OCP to exercise appointing officer authority. However, such designations do not constitute delegations of appointing office authority. That authority remains vested in the Heads of PLFAs and may not be redelegated.

E. Administering Oaths. Under authority of 5 U.S. Code 2903 and DoD Directive 5105.22, the following individuals are hereby designated to administer oaths of office required for employment in the Federal service:

1. The Staff Director and Deputy Staff Director, DLA-K.

2. The incumbents of all OCP positions whom the CPO designates in writing as required to perform this function.

3. The Heads of PLFAs and other officials designated to maintain liaison with the OCP where the activity is geographically remote from the servicing OCP. Such designations should not be used where a representative of the servicing OCP is available onsite to administer such oaths.
F. Civilian Personnel Publications

1. The Federal Personnel Manual (FPM) and appropriate DoD Directives and Instructions, along with other policy issuances, serve as the basis for the civilian personnel management program in DLA. The Staff Director, DLA-K, is authorized to publish such DLA regulations, policies, and operating instructions as are necessary for the competent conduct of the civilian personnel management program. Except where stated otherwise, the provisions of these published issuances are mandatory and will be used as controlling instructions in areas covered.

2. DLA regulations are effective upon issuance unless otherwise specified. Supplementation of a DLA regulation, when required, is expected to be issued by PLFAs not later than 90 calendar days following receipt. Consultation or negotiation will be accomplished with local recognized labor organizations as appropriate. Two copies of PLFA regulations, including any local supporting forms, will be forwarded to HQ DLA, ATTN: DLA-KD.

3. DLA civilian personnel regulations, numbered letters, and manuals constitute the basic components of the civilian personnel publications system. The content and purpose of regulations, numbered letters, and manuals are described in DLAR 5025.1, Authorized DLA Publications and Authentication Procedures.

BY ORDER OF THE DIRECTOR

JAMES J. SINGSANK
Colonel, USA
Staff Director, Administration

1 Encl DoD Directive 1400.5

DISTRIBUTION

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COORDINATION: DLA-LR, DLA-LP, DLA-KE,
DLA-KM, DLA-KS

Encl 1
DLAR 1400.1

March 21, 1983
NUMBER 1400.5

SUBJECT: DoD Policy for Civilian Personnel
A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update the civilian personnel policy of the Department of Defense and to implement reference (b).

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, and the Defense Agencies (hereafter referred to as "DoD Components"), and to their nonappropriated fund activities. Policies for DoD civilian personnel employed in overseas areas are set forth in reference (c).

C. POLICY

1. It is the policy of the Department of Defense to use civilian employees in all positions that do not require military incumbents for reasons of law, training, security, discipline, rotation, or combat readiness, or that do not require a military background for successful performance of the duties involved.

2. In carrying out their responsibilities for civilian personnel management, DoD managers shall be guided by the policies in this Directive and reference (b) and the merit system principles in 5 U.S.C. 2301(b) (reference (d)), except as may be otherwise provided by 5 U.S.C. 2305. Managers shall also be familiar with the prohibited personnel practices in 5 U.S.C. 2302(b).

D. PROCEDURES

The DoD Components shall conduct their relationships with civilian employees in accordance with the following principles and procedures:

1. There shall be no discrimination because of race, sex, marital status, age, color, religion, national origin, lawful political affiliation, labor organization membership, or handicapping condition.

2. Employees shall be placed in jobs for which they are qualified and shall be given equal opportunities for advancement. Selections to fill positions shall be made impartially on the basis of merit and fitness.

3. Training and development required to improve present job performance and meet future skill needs shall be provided.
4. Employee work performance shall be evaluated fairly and objectively on a continuing basis, and the results of such evaluation shall be discussed with the employee.

5. Within whatever compensation schedule is applicable, employees shall receive similar pay treatment for work of substantially similar difficulty and responsibility.

6. Working conditions shall be made as safe and healthful as possible.

7. Recognizing that a well-informed work force is a productive work force, employees and their recognized labor organizations shall be informed, insofar as possible, of plans and policies affecting them and their employment.

8. Employees shall be encouraged to express themselves concerning improvement of work methods and working conditions.

9. Employees shall have the right, without interference, coercion, restraint, or reprisal, to join or refrain from joining any lawful labor organization or employee association. When employees are represented by a recognized labor organization, management officials and supervisors shall endeavor to build a relationship with that organization based upon mutual respect and trust.

10. Any employee having a grievance or complaint shall be accorded immediately a fair and prompt discussion with the supervisor concerned, and failing prompt and satisfactory adjustment, shall have the right to pursue the matter under an applicable grievance or complaint system. In presenting a grievance or complaint an employee shall be free from interference, restraint, or reprisal, and may be accompanied and assisted by a representative.

11. Employees shall have the right to discuss their problems with their supervisor, personnel office, equal employment opportunity officer or counselor, labor organization representative, a person designated to provide guidance on questions of conflict of interest, or a supervisory or management official of higher rank or level than the immediate supervisor.

12. Employees shall have the right to participate or not to participate, without compulsion, coercion, or reprisal, in voluntary fund-raising campaigns and the purchase of U.S. Savings Bonds.

13. Employees shall be treated with full regard for their dignity as individuals, and no distinctions as to trustworthiness of employees shall be made on the basis of their wage levels or grades.

14. Supervisors shall contribute to the formulation of official policy and shall represent management in the administration of policy and labor-management agreements. They shall provide progressive and constructive leadership and shall ensure that all employees understand what is expected of them, to whom they are responsible, and their work relationships with fellow workers.

D. RESPONSIBILITIES

Heads of DoD Components shall comply with the provisions of this Directive.
E. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.

PAUL THAYER

Deputy Secretary of Defense