

PART 2054 - EMPLOYMENT

Subpart M - Employment Authorities

§ 2054.601 General.

This subpart covers employment authorities for positions in the General Schedule (GS) and the Federal Wage System (FWS). This policy supplements Office of Personnel Management (OPM) employment regulations, rules, and policies, as well as the United States Department of Agriculture (USDA) employment policies. Employment authorities must be exercised within budget and staff year limitations, and in accordance with applicable laws, regulations, and collectively bargained agreements. At any given time, employment authorities may be subject to limitations imposed on an ad hoc basis by others within the mission area, USDA, other agencies (e.g., OPM), Congress, or the President.

§ 2054.602 Employment Authority.

(a) Assistant Administrator for Human Resources (AAHR). All employment authority delegated to the Under Secretary, Rural Development, is redelegated to the AAHR. The AAHR may redelegate employment authority to any other qualified employee within Human Resources (HR) not expressly designated in writing in this subpart. These additional redelegations shall be issued in writing.

(b) Human Resources, National Office (Washington D.C. and St. Louis). The AAHR redelegates employment authority for serviced positions GS-15 and below, and all in the FWS, to the Chief, Headquarters Personnel Services Branch, and the Chief, Field Services Branch (FSB), except for those specifically reserved to OPM or USDA by regulation. The AAHR also redelegates employment authority for field positions GS-13 and below, and any in the FWS, to the FSB Chief. The Branch Chiefs have the authority to redelegate employment authority to qualified specialists within their respective branches. Limited employment authority (i.e., no higher than the full performance grade level of the HR assistant) may be redelegated to qualified HR assistants within the respective branches.

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(c) Human Resources, State Office. HR Specialists and Administrative Officers are delegated employment authority for serviced program positions where the full performance level (FPL) is GS-13 and below, serviced administrative positions where the FPL is GS-12 and below (with the exception of the Administrative Officer and senior HR specialist), and any in the FWS. The Field Services Branch must handle the staffing process (e.g., announce, rate, issue selection certificate) to fill an Administrative Officer or senior HR Specialist position in a state; however, the authority to make selections for these positions remains in the state. Limited employment authority (i.e., no higher than the full performance grade level of the HR assistant) may be redelegated to qualified HR assistants in State Offices.

§ 2054.603 Higher Level of Approval.

(a) Prior Approval of the Field Services Branch. States need prior approval from FSB before taking the following actions:

- (1) Make appointments above the minimum rate based on superior qualifications.
- (2) Make appointments above the minimum rate based on special needs of the Government.
- (3) Authorize payment of travel and transportation expenses for interviews.
- (4) Authorize payment of travel and transportation expenses for initial appointments to the Government.

(b) Prior Approval of the National Office (Washington, D.C.). All organizations need prior approval from the Deputy Administrator for Operations and Management before taking the following actions:

- (1) Appoint experts and consultants.
- (2) Make reimbursable and nonreimbursable details outside the Department.
- (3) Place employees on temporary assignments to state or local governments, institutions of higher education, Indian tribal governments, and other eligible organizations under the Intergovernmental Personnel Act, as authorized by 5 CFR 334.101.
- (4) Appoint visiting professors from 1890 Land Grant colleges.

§ 2054.603(b) (con.)

(5) Waive time-in-grade restrictions for advancement to avoid hardship to an agency or inequity to an employee in an individual meritorious case, as defined in 5 CFR 300.602, and authorized by 5 CFR 300.603(b)(7).

(c) Prior Approval of USDA. USDA has endorsed a broad delegation of employment authorities to agencies. Although prior approval is not required for any specific actions, all organizations must use the USDA announcement process if making an appointment under the Federal Career Intern Program (FCIP), as authorized under 5 CFR 213.3202(o).

(d) Prior Approval of OPM. All organizations need prior approval from OPM for the following actions:

- (1) All personnel actions regarding Schedule C employees.
- (2) Waiver of time-in-grade restrictions for advancement to avoid hardship to an agency or inequity to an employee in individual meritorious situations not defined but consistent with definitions in 5 CFR 300.602, and authorized by 5 CFR 300.603(b)(8).
- (3) Extension of an internship, under the Federal Career Intern Program, for up to 1 additional year beyond the authorized 2 years for additional training and/or developmental activities.

§ 2054.604 Procedure for Prior Approval.

Use the Standard Form (SF) 52, "Request for Personnel Action," to request prior approval for all actions, except those listed under § 2054.603(a)(3) and (4). Attach appropriate documentation to support the request for prior approval, such as an applicant's resume or application for employment. For the actions under § 2054.603(a)(3) and (4), i.e., authorization for payment of travel and transportation expenses, submit a narrative justification to request prior approval. Every organization that submits a request for prior approval should retain a copy for follow-up purposes.

All State requests that require prior approval from an organizational level higher than FSB should be submitted through FSB. This includes State requests for USDA to announce vacancies under the FCIP. Only National Office can submit requests for prior approval to USDA. Only USDA can submit requests for prior approval to OPM.

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