

PART 2063 - EMPLOYEE RELATIONS AND SERVICES

SUBPART A - Professional Liability Insurance

§ 2063.1 General.

(a) Purpose. This regulation describes Rural Development's policy on reimbursing employees for the cost of professional liability insurance. This type of insurance provides liability and legal defense insurance for Federal employees who are acting within the scope of their employment.

(b) Applicability. This instruction applies to all supervisors or management officials as defined in 5 U.S.C. 7103(a)(10) and (11).

(c) Effective date. This instruction is effective immediately.

§ 2063.2 References.

(a) Department Regulation Number 4060-1

(b) 5 U.S.C. 7103(a)(10) and (11)

(c) Section 636 of the Treasury, Postal Service and General Appropriations Act, 1996, contained in Public Law No. 104-208 and Public Law No. 106-58, Title IV, Section 642(a)

§ 2063.3 Definitions.

Supervisor. An individual employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment.

Management Official. An individual employed by an agency in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the agency.

§ 2063.4 Responsibilities.

(a) Human Resources Director shall provide the policy and procedures for administering the professional liability insurance program within Rural Development.

(b) State Directors shall ensure that State Human Resources offices have accurate supervisory designations for positions so proper eligibility determinations may be made.

(c) Employees shall ensure they are eligible for reimbursement prior to incurring the cost of professional liability insurance.

§ 2063.5 Policy.

(a) Overview. Rural Development shall offer reimbursement for professional liability insurance to all employees occupying positions which Rural Development identifies as supervisors or management officials. Eligible employees are reimbursed for 50 percent of the annual cost of professional liability insurance.

(b) Reimbursement. Employees must submit requests for reimbursement to their servicing Human Resources office as soon as possible after completing payment, but no later than the end of the calendar year, a cancelled check and a copy of the policy is sufficient documentation. Employees who elect to pay their premium through payroll deduction may not request reimbursement until the annual premium is paid in full.

(c) Change of Positions. Employees occupying eligible positions will lose their eligibility for subsequent reimbursement if they move to an ineligible position. Loss of eligibility will be effective the same date as the personnel action moving them from the eligible position. In this situation, no repayment of previously reimbursed amounts will be required. Employees moving into eligible positions will become eligible for reimbursement on the effective date of the personnel action.

(d) Appeals. An employee may appeal a denial of reimbursement through Rural Development's grievance procedures.

§§ 2063.6 - 2063.50 [Reserved]

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