

HUMAN RESOURCES DELEGATIONS OF AUTHORITY

Title 42 Human Resources Authorities for the Senior Biomedical Research Service (SBRS)

DELEGATIONS OF AUTHORITY as of 5/27/2004	LEVELS OF DELEGATION AUTHORIZED				REDELEGATI ON AUTHORIZED NO; YES-TO WHOM	RESTRICTIONS/ COMMENTS	OHR DIVISION RESPONSIBLE
	OGC/OPM HHS OFFICIAL	OD NIH OFFICIAL	OHR OFFICIAL	IC OFFICIAL			
ADMINISTRATION OF THE Silvio O. Conte SENIOR BIOMEDICAL RESEARCH SERVICE (SBRS)							
1. To administer the SBRS in accordance with the law and applicable DHHS regulations		Dir, NIH			NO		CSD
2. To modify, as needed, the policies and operation of the SBRS at the NIH to meet evolving program and/or management needs		Dir, NIH			NO		CSD
3. To determine which provisions of Title 5 which shall apply except those specifically excluded by law or regulation		Dir, NIH			NO		CSD
4. To establish an NIH SBRS Policy Board to serve in an advisory capacity: --recommending the utilization of positions allocated to the NIH; --providing oversight of the policies, procedures, and operation of the SBRS at NIH; --serving as the credentialing body for nominees and ranking eligible nominees --reviewing vacancies as required --conducting peer review of IC member performance determinations as may be required; evaluating the effectiveness of the SBRS program at NIH; --recommending changes, as needed --advising on any other issue or policy referred to the Board for consideration by the Director, NIH;		Dir, NIH			NO		CSD
5. To select the NIH SBRS Policy Board Chair		Dir, NIH			NO	The Chair of the NIH SBRS Policy Board is the DDIR, NIH	CSD

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	OGC/OPM HHS OFFICIAL	OD NIH OFFICIAL	OHR OFFICIAL	IC OFFICIAL			
6. To select members of the NIH SBRS Policy Board		DDIR, NIH			NO		CSD
ALLOCATION OF SBRS POSITIONS							
1. To allocate the number of SBRS positions to the NIH	Secretary				NO		CSD
2. To authorize use of SBRS positions within NIH to include: --determining the number of positions that will be used for appointing current Federal employees; --determining the number of positions that will be used for recruiting scientists from outside of the Government --establishing a reserve as appropriate to meet unforeseen or special needs		Dir, NIH			NO	All positions are held centrally by the Director, NIH. When an SBRS member leaves, the position reverts back to the central pool.	CSD
APPOINTING AUTHORITY							
1. To effect (process):-appointments, promotions, and reassignments of personnel; - suspensions and involuntary separations of personnel; - pay changes and any other personnel actions authorized by law or regulation;-non-discretionary actions		Dir, NIH DDM, NIH	Dir, OHR; Dep Dir, OHR; Director , DESB,OHR		NO		CSD
APPOINTMENTS							
1. To approve SBRS appointments		Dir, NIH			NO	Appointments may be Indefinite or Time-limited	CSD
AWARDS (MONETARY) - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To grant cash awards based on special acts or services, inventions, and		Dir, NIH	Dir, OHR	Dep Dir, NIH	YES TO: Officials with	An award may not be authorized in an	WRD/CSD

adopted employee suggestions for individuals and groups NTE \$10,000		DDM, NIH		IC Dirs	sufficient knowledge to exercise this authority in accordance with law, regulation, and written policy PROVIDED the IC Director retains accountability	amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	
AWARDS (NON-MONETARY)							
1. To grant Departmental Honor Awards	Secretary				NO		WRD
2. To approve nominations for all presidential and non-HHS awards officially submitted by the Department on behalf of the NIH	Secretary				NO		WRD
3. To recommend to the Secretary individuals or groups for Presidential, Departmental, or non-HHS awards		Dir, NIH			NO		WRD
4. To recommend to the Director, NIH, individuals or groups for Presidential, Departmental, or non-HHS awards		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs	NO	ICs must submit recommendations to OHR, NIH for OD, NIH consideration through DERT, OHR	WRD
5. To establish and grant honor awards in accordance with HHS Instruction 451-1, that are in addition to those prescribed Department-wide		Dir, NIH			NO		WRD
6. To recommend to the Director, NIH, the establishment of additional honor awards in accordance with HHS Instruction 451-1		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs	NO	ICs must submit recommendations to OHR, NIH for OD, NIH consideration	WRD

						through DERT, OHR	
7. To approve and present the NIH Director's award		Dir, NIH			NO		WRD
8. To recommend to the Director, NIH, recipients of the NIH Director's award		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs	NO	ICs must submit recommendations to OHR, NIH for OD, NIH consideration through DERT, OHR	WRD
9. To approve and present the NIH Merit Award		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs	NO		WRD
10. To grant the 50-year length-of-service award	Secretary				NO		WRD
11. To grant length-of-service recognition for less than 50 years of service		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs	YES TO: Officials with sufficient knowledge and expertise to exercise the authority in accordance with law, regulation, and written policy		WRD
12. To sign retirement certificates		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO		WRD
COMPARABILITY INCREASES							
1. To approve across-the-board comparability increases		Dir, NIH			NO		CSD

CONVERSIONS FROM OTHER PERSONNEL SYSTEMS							
1. To approve conversions from other personnel systems		Dir, NIH			NO		CSD
DETAILS							
1. To approve and extend details to the Congress and to the Executive Office of the President on a reimbursable/non-reimbursable basis NOTE: Details to the following Executive Offices of the President may be non-reimbursable for only 180 days in a fiscal year. Thereafter, details must be reimbursable for the rest of the fiscal year: - The White House - The Executive Residence of the White House - The Office of the Vice-President - The Office of Policy Development - The Office of Administration	ASL, HHS				NO		CSD
2. To approve and extend details to or from interagency task forces, the Legislative Branch (including the General Accounting Office, the Library of Congress and the Government Printing Office) and Judicial Branches on a reimbursable/non-reimbursable basis	ASMB, HHS				NO		CSD
3. To approve details within NIH on a reimbursable/non-reimbursable basis		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	Generally, details must be reimbursable. Non-reimbursable details are permitted where the details pertain to a matter similar or related to those ordinarily handled by the loaning IC/OPDIV in accomplishing a	CSD

						purpose for which its appropriations are provided or when the fiscal impact is negligible. Details must be processed in 120 day increments pursuant to 5 USC 3341	
4. To approve all other details on a reimbursable/non-reimbursable basis		Dir, NIH			NO	Generally, details must be reimbursable. Non-reimbursable details are permitted where the details pertain to a matter similar or related to those ordinarily handled by the loaning IC/OPDIV in accomplishing a purpose for which its appropriations are provided or when the fiscal impact is negligible. Details must be processed in 120 day increments pursuant to 5 USC 3341	CSD
OATHS OF OFFICE							
1. To administer oaths of office to employees upon entry on duty		Dir, NIH DDM, NIH	Dir, OHR	Dep Dirs, NIH Assc Dirs, NIH IC Dirs Secretaries of National Advisory Councils, Panels, or	YES TO: IC EOs Foreign Program Assistants DHRO Staff		CSD

				Boards, and Committee Management Officers			
PAY - ALL HIRES							
1. To recommend to the Director, NIH salary for proposed SBRS appointees		Dir, NIH DDIR, NIH	Dir, OHR	IC Dirs	NO	ICs must submit requests for approval through SPT, OHR	CSD
PAY - INSIDE CONVERSIONS/HIRES (including CORPS)							
1. To set salary > EX-II when current federal compensation is < EX-II	Secretary				NO	ICs must submit requests for approval through SPT, OHR	CSD
2. To set salary > EX-II NTE EX-I when current federal compensation already is ≥ EX-II		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR	CSD
3. To set salary ≤ EX-II		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR	CSD
PAY - SALARY INCREASES BASED ON PERFORMANCE							
1. To approve a performance-based annual base pay increase of greater than three percent during the first year after appointment into the SBRS		Dir, NIH DDIR, NIH			NO	ICs must submit requests for approval through SPT, OHR A performance-based salary increase may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I. The performance-based salary increase may only	CSD

						be considered under exceptional circumstances, e.g. retention	
2. To approve a performance-based annual base pay increase of greater than ten percent after one year in the SBRS		Dir, NIH DDIR, NIH			NO		CSD
3. To deny the three percent performance-based annual base pay increase which will otherwise be granted automatically in the Spring of each year		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO		CSD
4. To grant an additional seven percent performance-based annual base pay increase to individual members in the Spring of each year, provided that the SBRS member has served at least one year in the SBRS, and that the total increase (including the three percent increase referenced in #1 above) does not exceed ten percent		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO		CSD
PAY - SALARY UPON INITIAL APPOINTMENT - OUTSIDE HIRES							
1. To set salary > EX-II but ≤ EX-I	Secretary				NO	ICs must submit requests for approval through SPT, OHR	CSD
2. To set salary ≤ EX-II		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR	CSD
PERFORMANCE BONUSSES							
1. To approve annual performance bonuses > 10% NTE 20% of base salary		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHRA performance bonus may not be authorized in an amount that would cause total SBRS compensation	CSD

						received in a calendar year to exceed EX-I	
2. To approve annual performance bonuses ≤ 10% of base salary		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: Officials with sufficient knowledge to exercise this authority in accordance with law, regulation, and written policy PROVIDED the IC Director retains authority	A performance bonus may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
PERFORMANCE MANAGEMENT - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To develop the performance plan or contract		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
2. To provide feedback on performance on a continuing basis during the appraisal year (progress reviews)		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
3. To act as rating official		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
4. To develop and provide a non-probationary employee with a written performance improvement plan		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
PROBATIONARY PERIODS - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND							

ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To establish probationary periods of one to two years, depending upon the duties and responsibilities of the position		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	Employees who convert to the SBRS from another NIH appointment are not subject to serving a probationary period if they have completed a probationary period under the previous appointment	CSD
2. To terminate the appointment of an employee serving a probationary period		Dir, NIH		Dep Dir, NIH IC Dirs	YES TO: 1 st line supervisors	Terminations must be done in writing.	WRD
REASSIGNMENTS							
1. To approve reassignments within the NIH		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	Actions must be accompanied by a memo of release from the original IC	CSD
RECRUITMENT BONUSES							
1. To approve requests for recruitment bonuses for individuals who report directly to the Director, NIH; the Deputy Director, NIH; or to IC Directors		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR A recruitment bonus may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
2. To authorize a recruitment bonus in advance without further review and approval, i.e., CFR 575 (104)(b)(2)		Dir, NIH			NO	A recruitment bonus may not be authorized in an amount that would cause total SBRS compensation	CSD

						received in a calendar year to exceed EX-I	
<p>3. To approve individual recruitment bonuses of up to 25 percent of base pay when necessary to:</p> <ul style="list-style-type: none"> - match current non-Federal salary; - match current non-Federal salary and fringe benefits; - match a recent, written, competing, non-Federal salary offer for a similar position; and; - compensate for cost of living disparity, as shown in a Runzheimer International Two-Location Comparison or comparable comparison, or a combination of cost of living and salary offer disparity 		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	A recruitment bonus may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
<p>4. To approve all requests for waivers of repayment of the prorata amount of recruitment bonuses for failure to complete service agreements, when waiver is required</p>		Dir, NIHDDM, NIH			NO	ICs must submit requests for approval through SPT, OHR	CSD
REDUCTIONS IN PAY - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
<p>1. To recommend a downward adjustment in pay of up to 20% of base salary or \$20,000, whichever is greater, when merited in lieu of removal</p>		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
<p>2. To issue a written final decision on a recommended downward adjustment in pay</p>		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: an official designated by IC Director		WRD
RELOCATION BONUSES							

1. To approve requests for relocation bonuses for individuals who report directly to the Director, NIH; the Deputy Director, NIH; or to IC Directors		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR A relocation bonus may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
2. To approve individual relocation bonuses of up to 25 percent base pay: - after considering the success of recent recruitment efforts for similar positions, recent turnover in similar positions, applicable labor market factors, and the special qualifications needed for the position; - when necessary to compensate for cost of living disparity, as shown in a Runzheimer International Two-Location Comparison or comparable comparison		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	A relocation bonus may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
3. To approve all requests for waivers of repayment of the prorata amount of relocation bonuses for failure to complete service agreements, when waiver is required		Dir, NIH DDM, NIH			NO	ICs must submit requests for approval through SPT, OHR	CSD
REMOVAL FROM THE SBRS							
1. To remove an employee from the SBRS		Dir, NIH			NO		CSD
RETENTION ALLOWANCES							
1. To approve requests for retention allowances for individuals who report directly to the Director, NIH; the Deputy Director, NIH; or to IC Directors		Dir, NIH			NO	ICs must submit requests for approval through SPT, OHR A retention allowance may not be authorized in an	CSD

						amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	
<p>2. To approve an initial retention allowance of up to 25 percent of base pay when necessary to match:</p> <p>(1) a salary level that reflects an employment opportunity; (2) a verified verbal salary offer; or, (3) a recent, written, competing, non-Federal salary offer for a similar position</p>		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO	A retention allowance may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD
<p>3. To approve renewals of retention allowances with no change in the rate</p> <p style="text-align: center;">AND</p> <p>when there were no restrictions on the original approval</p>		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: Officials with sufficient knowledge and expertise to exercise this authority in accordance with law, regulation, and written policy AND who are at a higher level than the official who made the initial recommendation PROVIDED	A retention allowance may not be authorized in an amount that would cause total SBRS compensation received in a calendar year to exceed EX-I	CSD

					the IC Director retains accountability		
SELECTIONS							
1. To approve selections based on recommendations from IC Directors, the NIH SBRS Policy Board, and on NIH-wide program priorities		Dir, NIH			NO		CSD
2. To recommend individual nominations to the SBRS Policy Board		Dir, NIH DDIR, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	NO		CSD
SUSPENSIONS - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To recommend a suspension		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: Officials with sufficient knowledge to exercise this authority in accordance with law, regulation, and written policy		WRD
2. To issue a written final decision on a recommended suspension		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: an official designated by IC Director		WRD
TENURE - SEE OIR SOURCEBOOK AND NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To tenure a Senior Investigator (outside hire)		Dir, NIH DDIR, NIH			NO	After review and recommendation by SBRS Policy Board. Current NIH employees approved for appointment into	CSD

						the SBRS must have been previously tenured by the NIH Central Tenure Committee or other equivalent NIH committee	
2. To de-tenure a senior Investigator		Dir, NIH DDIR, NIH			NO	De-tenuring is a rare event and only occurs after thorough review by the IC and the Central Tenure Committee	CSD
TERMINATION OF APPOINTMENTS FOR ADMINISTRATIVE REASONS - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To recommend a termination of appointment for administrative reasons, e.g., lack of funds, re-direction of program resources		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	YES TO: Officials with sufficient knowledge to exercise this authority in accordance with law, regulation, and written policy	Termination for administrative reasons may be made only for programmatic reasons, e.g., lack of funds, re-direction of program resources A tenured scientist may not be terminated for administrative reasons without going through the de-tenuring process	WRD
2. To issue a written final decision on a recommended termination of appointment for administrative reasons		Dir, NIH			NO		WRD
TERMINATION OF APPOINTMENTS FOR CAUSE - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To recommend a termination of appointment for cause, e.g., personal or		Dir, NIH	Dir, OHR	Dep Dir, NIH	YES TO: Officials with		WRD

scientific misconduct		DDM, NIH		IC Dirs	sufficient knowledge to exercise this authority in accordance with law, regulation, and written policy		
2. To issue a written final decision on a recommended termination of appointment for cause		Dir, NIH			NO		WRD
TERMINATION OF APPOINTMENTS FOR UNACCEPTABLE PERFORMANCE - SEE NIH POLICY ON PERFORMANCE MANAGEMENT, DISCIPLINARY ACTIONS AND ADMINISTRATIVE REMOVALS FOR TITLE 42 EMPLOYEES, dated 3/06/01							
1. To recommend a termination of appointment for unacceptable performance		Dir, NIH DDM, NIH	Dir, OHR	Dep Dir, NIH IC Dirs	1 st level supervisor		WRD
2. To issue a written final decision on a recommended termination of appointment		Dir, NIH			NO		WRD
TRAINING - REFER TO DELEGATIONS - TITLE 5 GS-15s AND BELOW							
TRAVEL - DELEGATIONS OF AUTHORITY ARE ON THE OFFICE OF MANAGEMENT ASSESSMENT (OMA) DELEGATIONS OF AUTHORITY WEB SITE http://www3.od.nih.gov/oma/manualchapters/delegations/travel/t03/ and http://www3.od.nih.gov/oma/manualchapters/delegations/travel/t06/							

PAY- RELATED DEFINITIONS

Salary is the annual rate of basic pay, and locality pay, if any, paid on a regular basis for the position to which the employee is appointed. It does not include additional cash benefits.

Discretionary Pays include Cash Awards and Performance Bonuses; Recruitment and Relocation Bonuses and Retention Allowances (3Rs) or Recruitment and Retention incentives (2Rs); Physicians Comparability Allowance (PCA); Physicians Special Pay (PSP); Salary Increases Based on Performance; SES Performance Awards; SES Rank Awards, Quality Step Increases

Total compensation means the employee's salary plus **APPLICABLE** discretionary increases - i.e., the employee's total annual rate of earnings from his/her current position.