

	The people I work with cooperate to get the job done. My workload is reasonable. Considering everything, how satisfied are you with your job? I can disclose a suspected violation of any law, rule or regulation without fear of reprisal. Rewards and Recognition: In my work unit, differences in performance are recognized in a meaningful way. How satisfied are you with the recognition you receive for doing a good job?
(C) .....	Opportunities for professional development and growth: I am given a real opportunity to improve my skills in my organization. My talents are used well in the workplace.
(D) .....	Opportunity to contribute to achieving organizational mission: I know how my work relates to the agency's goals. I recommend my organization as a good place to work.

**§ 250.303 Availability of results.**

(a) Each agency will make the results of its annual survey available to the public and post the results on its Web site unless the agency head determines that doing so would jeopardize or negatively impact national security. The posted survey results will include the following:

- (1) The agency's evaluation of its survey results;
- (2) How the survey was conducted;
- (3) Description of the employee sample, unless all employees are surveyed;
- (4) The survey questions and response choices with the prescribed questions identified;
- (5) The number of employees surveyed and number of employees who completed the survey; and
- (6) The number of respondents for each survey question and each response choice.

(b) Data must be collected by December 31 of each calendar year. Each agency must post the beginning and ending dates of its employee survey and either the survey results described in paragraph (a) of this section, or a statement noting the decision not to post, no later than 120 days after the agency completes survey administration. OPM may extend this date under unusual circumstances.

**PART 251—AGENCY RELATIONSHIPS WITH ORGANIZATIONS REPRESENTING FEDERAL EMPLOYEES AND OTHER ORGANIZATIONS**

**Subpart A—General Provisions**

Sec.  
251.101 Introduction.  
251.102 Coverage.  
251.103 Definitions.

**Subpart B—Relationships With Organizations Representing Federal Employees and Other Organizations**

251.201 Associations of management officials and/or supervisors.  
251.202 Agency support to organizations representing Federal employees and other organizations.

**Subpart C—Dues Withholding**

251.301 Associations of management officials and/or supervisors.  
251.302 All other organizations.

AUTHORITY: 5 U.S.C. 1104; 5 U.S.C. Chap 7; 5 U.S.C. 7135; 5 U.S.C. 7301; and E.O. 11491.

SOURCE: 61 FR 32915, June 26, 1996, unless otherwise noted.

**Subpart A—General Provisions**

**§ 251.101 Introduction.**

(a) The regulations in this part apply to all Federal executive branch departments and agencies and their officers and employees.

(b) This part provides a framework for consulting and communicating with

## § 251.102

non-labor organizations representing Federal employees and with other organizations on matters related to agency operations and personnel management.

(c) The purposes of consultation and communication are: the improvement of agency operations, personnel management, and employee effectiveness; the exchange of information (e.g., ideas, opinions, and proposals); and the establishment of policies that best serve the public interest in accomplishing the mission of the agency.

(d) An agency's consultation and communication with organizations representing Federal employees and with other organizations under this part may not take on the character of negotiations or consultations regarding conditions of employment of bargaining unit employees, which is reserved exclusively to labor organizations as provided for in Chapter 71 of title 5 of the U.S. Code or comparable provisions of other laws. The regulations in this part do not authorize any actions inconsistent with Chapter 71 of the U.S. Code or comparable provisions of other laws.

(e) The head of a Federal agency may determine that it is in the interest of the agency to consult, from time to time, with organizations other than labor organizations and associations of management officials and/or supervisors to the extent permitted by law. Under section 7(d)(2) and (3) of Executive Order 11491, as amended, recognition of a labor organization does not preclude an agency from consulting or dealing with a veterans organization, or with a religious, social, fraternal, professional, or other lawful association, not qualified as a labor organization, with respect to matters or policies which involve individual members of the organization or association or are of particular applicability to it or its members.

(f) Federal employees, including management officials and supervisors, may communicate with any Federal agency, officer, or other Federal entity on the employee's own behalf. However, Federal employees should be aware that 18 U.S.C. 205, in pertinent part, restricts Federal employees from acting, other than in the proper dis-

## 5 CFR Ch. I (1-1-25 Edition)

charge of their official duties, as agents or attorneys for any person or organization other than a labor organization, before any Federal agency or other Federal entity in connection with any matter in which the United States is a party or has a direct and substantial interest. An exception to the prohibition found in 18 U.S.C. 205 permits Federal employees to represent certain nonprofit organizations before the Government except in connection with specified matters. Agency officials and employees are therefore advised to consult with their designated agency ethics officials for guidance regarding any conflicts of interest that may arise.

[61 FR 32915, June 26, 1996, as amended at 63 FR 2306, Jan. 15, 1998]

### § 251.102 Coverage.

To be covered by this part, an association or organization:

(a) Must be a lawful, nonprofit organization whose constitution and bylaws indicate that it subscribes to minimum standards of fiscal responsibility and employs democratic principles in the nomination and election of officers;

(b) Must not discriminate in terms of membership or treatment because of race, color, religion, sex, national origin, age, or handicapping condition;

(c) Must not assist or participate in a strike, work stoppage, or slowdown against the Government of the United States or any agency thereof or impose a duty or obligation to conduct, assist, or participate in such strike, work stoppage, or slowdown; and

(d) Must not advocate the overthrow of the constitutional form of Government of the United States.

### § 251.103 Definitions.

(a) *Organization representing Federal employees and other organizations* means an organization other than a labor organization that can provide information, views, and services which will contribute to improved agency operations, personnel management, and employee effectiveness. Such an organization may be an association of Federal management officials and/or supervisors, a group representing minorities, women or persons with disabilities in connection with the agencies' EEO

**Office of Personnel Management****§ 251.202**

programs and action plans, a professional association, a civic or consumer group, and organization concerned with special social interests, and the like.

(b) *Association of management officials and/or supervisors* means an association comprised primarily of Federal management officials and/or supervisors, which is not eligible for recognition under Chapter 71 of title 5 of the U.S. Code or comparable provisions of other laws, and which is not affiliated with a labor organization or federation of labor organizations.

(c) *Labor organization* means an organization as defined in 5 U.S.C. 7103(a)(4), which is in compliance with 5 U.S.C. 7120, or as defined in comparable provisions of other laws.

**Subpart B—Relationships With Organizations Representing Federal Employees and Other Organizations****§ 251.201 Associations of management officials and/or supervisors.**

(a) As part of agency management, supervisors and managers should be included in the decision-making process and notified of executive-level decisions on a timely basis. Each agency must establish and maintain a system for intra-management communication and consultation with its supervisors and managers. Agencies must also establish consultative relationships with associations whose membership is primarily composed of Federal supervisory and/or managerial personnel, provided that such associations are not affiliated with any labor organization and that they have sufficient agency membership to assure a worthwhile dialogue with executive management. Consultative relationships with other non-labor organizations representing Federal employees are discretionary.

(b) Consultations should have as their objectives the improvement of managerial effectiveness and the working conditions of supervisors and managers, as well as the identification and resolution of problems affecting agency operations and employees, including supervisors and managers.

(c) The system of communication and consultation should be designed so that individual supervisors and managers

are able to participate if they are not affiliated with an association of management officials and/or supervisors. At the same time, the voluntary joining together of supervisory and management personnel in groups of associations shall not be precluded or discouraged.

**§ 251.202 Agency support to organizations representing Federal employees and other organizations.**

(a) An agency may provide support services to an organization when the agency determines that such action would benefit the agency's programs or would be warranted as a service to employees who are members of the organization and complies with applicable statutes and regulations. Examples of such support services are as follows:

(1) Permitting employees, in appropriate cases, to use agency equipment or administrative support services for preparing papers to be presented at conferences or symposia or published in journals;

(2) Using the authority under 5 U.S.C. 4109 and 4110, as implemented by 5 CFR part 410, to pay expenses of employees to attend professional organization meetings when such attendance is for the purpose of employee development or directly concerned with agency functions or activities and the agency can derive benefits from employee attendance at such meetings; and

(3) Following a liberal policy in authorizing excused absence for other employees who are willing to pay their own expenses to attend a meeting of a professional association or other organization from which an agency could derive some benefits.

(b) Agencies may provide Government resources support to organizations (such as space in Government facilities for meeting purposes and the use of agency bulletin boards, internal agency mail distribution systems, electronic bulletin boards and other means of informing agency employees about meetings and activities) in accordance with appropriate General Services Administration regulations contained in title 41 of the Code of Federal Regulations. The mere provision of such support to any organization is not to be

## § 251.301

construed as Federal sponsorship, sanction, or endorsement of the organization or its activities.

### Subpart C—Dues Withholding

#### § 251.301 Associations of management officials and/or supervisors.

Dues withholding for associations of management officials and/or supervisors is covered in 5 CFR 550.331.

#### § 251.302 All other organizations.

Under 5 CFR 550.311(b), an agency may permit an employee to make an allotment for any legal purpose deemed appropriate by the head of the agency. Agencies may provide for the allotment of dues for organizations representing Federal employees under that section.

## PART 293—PERSONNEL RECORDS

### Subpart A—Basic Policies on Maintenance of Personnel Records

Sec.

- 293.101 Purpose and scope.
- 293.102 Definitions.
- 293.103 Recordkeeping standards.
- 293.104 Collection of information.
- 293.105 Restrictions on collection and use of information.
- 293.106 Safeguarding information about individuals.
- 293.107 Special safeguards for automated records.
- 293.108 Rules of conduct.

### Subpart B—Personnel Records Subject to the Privacy Act

- 293.201 Purpose.
- 293.202 Records subject to Office or agency Privacy Act regulations.
- 293.203 Review of Office or agency practices.

### Subpart C—Official Personnel Folder

- 293.301 Applicability of regulations.
- 293.302 Establishment of Official Personnel Folder.
- 293.303 The roles and responsibilities of the Office, agencies, and custodians.
- 293.304 Maintenance and content of folder.
- 293.305 Type of folder to be used.
- 293.306 Use of existing folders upon transfer or reemployment.
- 293.307 Disposition of folders of former Federal employees.
- 293.308 Removal of temporary records from OPFs.
- 293.309 Reconstruction of lost OPFs.

## 5 CFR Ch. I (1-1-25 Edition)

- 293.310 Response to requests for information.
- 293.311 Availability of information.

### Subpart D—Employee Performance File System Records

- 293.401 Applicability of regulations.
- 293.402 Establishment of separate employee performance record system.
- 293.403 Contents of employee performance files.
- 293.404 Retention schedule.
- 293.405 Disposition of records.
- 293.406 Disclosure of records.

### Subpart E—Employee Medical File System Records

- 293.501 Applicability of regulations.
- 293.502 Definitions.
- 293.503 Implementing instructions.
- 293.504 Composition of, and access to, the Employee Medical File System.
- 293.505 Establishment and protection of Employee Medical Folder.
- 293.506 Ownership of the Employee Medical Folder.
- 293.507 Maintenance and content of the Employee Medical Folder.
- 293.508 Type of folder to be used.
- 293.509 Use of existing Employee Medical Folders upon transfer or reemployment.
- 293.510 Disposition of Employee Medical Folders.
- 293.511 Retention schedule.

AUTHORITY: 5 U.S.C. 552 and 4315; E.O. 12107 (December 28, 1978), 3 CFR 1954-1958 Comp.; 5 U.S.C. 1103, 1104, and 1302; 5 CFR 7.2; E.O. 9830; 3 CFR 1943-1948 Comp.; 5 U.S.C. 2951(2) and 3301; and E.O. 12107.

SOURCE: 44 FR 65033, Nov. 9, 1979, unless otherwise noted.

### Subpart A—Basic Policies on Maintenance of Personnel Records

#### § 293.101 Purpose and scope.

(a) This subpart sets forth basic policies governing the creation, development, maintenance, processing, use, dissemination, and safeguarding of personnel records which the Office of Personnel Management requires agencies to maintain in the personnel management or personnel policy setting process.

(b) Agencies in the Executive Branch of the Federal Government are subject to specific Office of Personnel Management recordkeeping requirements to varying degrees, pursuant to statute,