

respect to the establishment of rates of pay and other matters deemed appropriate by the Secretary in order to develop compatible or unified systems of basic pay and employment practices, see section 1-201 of Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36043, set out as a note under section 3601 of this title.

§ 3659. Repealed. Pub. L. 105-85, div. C, title XXXV, § 3523(a)(2), Nov. 18, 1997, 111 Stat. 2064

Section, Pub. L. 96-70, title I, §1219, Sept. 27, 1979, 93 Stat. 466, related to salary protection upon conversion of pay rate.

§ 3660. Review and adjustment of classifications, grades, and pay level

An employee may request at any time that the employee's agency—

- (1) review the classification of the employee's position or the grade or pay level for the employee's position, or both; and
- (2) revise or adjust that classification, grade or pay level, or both, as the case may be.

The request for review and revision or adjustment shall be submitted and adjudicated in accordance with the regularly established appeals procedures of the agency.

(Pub. L. 96-70, title I, §1220, Sept. 27, 1979, 93 Stat. 466.)

§ 3661. Panama Canal Board of Appeals; duties

(a) Subject to the provisions of this part, the Commission shall prescribe regulations establishing a Panama Canal Board of Appeals. The regulations shall provide for the number of members of the Board and their appointment, compensation, and terms of office, the selection of a Chairman of the Board, the appointment and compensation of the Board's employees, and other appropriate matters relating to the Board.

(b) The Board shall review and determine the appeals of employees in accordance with section 3662 of this title. The decisions of the Board shall conform to the provisions of this subpart.

(Pub. L. 96-70, title I, §1221, Sept. 27, 1979, 93 Stat. 466; Pub. L. 105-85, div. C, title XXXV, §3548, Nov. 18, 1997, 111 Stat. 2073.)

Editorial Notes

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85 substituted "Commission" for "President".

§ 3662. Appeals to Board; procedures

(a) Persons entitled to appeal; form; time

An employee may appeal to the Panama Canal Board of Appeals from an adverse determination made by an agency under section 3660 of this title. The appeal shall be made in writing within a reasonable time (as specified in regulations prescribed by, or under the authority of, the Commission) after the date of the transmittal by the agency to the employee of written notice of the adverse determination.

(b) Personal appearance

The Board may authorize, in connection with an appeal pursuant to subsection (a) of this sec-

tion, a personal appearance before the Board by the employee, or by a representative of the employee designated for that purpose.

(c) Consideration of evidence; decision

After investigation and consideration of the evidence submitted, the Board shall—

- (1) prepare a written decision on the appeal;
- (2) transmit its decision to the agency concerned; and
- (3) transmit copies of the decision to the employee concerned or to the designated representative.

(d) Finality of decision

The decision of the Board on any question or other matter relating to an appeal is final and conclusive. The agency concerned shall take action in accordance with the decision of the Board.

(Pub. L. 96-70, title I, §1222, Sept. 27, 1979, 93 Stat. 467; Pub. L. 105-85, div. C, title XXXV, §3548, Nov. 18, 1997, 111 Stat. 2073.)

Editorial Notes

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85 substituted "Commission" for "President".

§ 3663. Repealed. Pub. L. 105-261, div. C, title XXXV, § 3508(a), Oct. 17, 1998, 112 Stat. 2269

Section, Pub. L. 96-70, title I, §1223, Sept. 27, 1979, 93 Stat. 467; Pub. L. 104-201, div. C, title XXXV, §3535, Sept. 23, 1996, 110 Stat. 2863, related to the Central Examining Office.

§ 3664. Applicability of title 5

The following provisions of title 5 apply to the Panama Canal Commission:

- (1) Part I of title 5 (relating to agencies generally).
- (2) Chapter 21 (relating to employee definitions).
- (3) Section 2302(b)(8) (relating to whistleblower protection) and all provisions of title 5 relating to the administration or enforcement or any other aspect thereof, as identified in regulations prescribed by the Commission in consultation with the Office of Personnel Management.
- (4) All provisions relating to preference eligibles.
- (5) Section 5514 (relating to offset from salary).
- (6) Section 5520a (relating to garnishments).
- (7) Sections 5531-5535 (relating to dual pay and employment).
- (8) Subchapter VI of chapter 55 (relating to accumulated and accrued leave).
- (9) Subchapter IX of chapter 55 (relating to severance and back pay).
- (10) Chapter 59 (relating to allowances).
- (11) Repealed. Pub. L. 105-261, div. C, title XXXV, §3507(a), Oct. 17, 1998, 112 Stat. 2269.
- (12) Section 6323 (relating to military leave; Reserves and National Guardsmen).
- (13) Chapter 71 (relating to labor relations).
- (14) Subchapters II and III of chapter 73 (relating to employment limitations and political activities, respectively) and all provisions