

Proposed Rules

Federal Register

Vol. 60, No. 237

Monday, December 11, 1995

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 317 and 412

RIN 3206-AF96

Executive and Management Development

AGENCY: Office of Personnel Management.

ACTION: Proposed regulations.

SUMMARY: The Office of Personnel Management (OPM) is proposing to amend part 317 of its regulations governing initial career appointment to the Senior Executive Service (SES) and Qualifications Review Board certification. The proposed changes to part 317 would eliminate the 3-year limitation on the validity of Qualifications Review Board (QRB) certification for appointment to the Senior Executive Service and simplify the Executive Resources Board (ERB) certification of candidates. The Office is also proposing to amend part 412 of its regulations governing executive and management development. The coverage will be expanded to include supervisory development. The revised regulations present broad program criteria on the systematic development of executives, managers, supervisors, and candidates. They also establish minimum requirements for formal Senior Executive Service candidate development programs. The changes proposed promote training and development activities which foster a corporate perspective of Government.

DATES: Written comments will be considered if received no later than February 9, 1996.

ADDRESSES: Send or deliver written comments to the Ms. K. Joyce Edwards, Assistant Director, Office of Executive Resources, Office of Personnel Management, Room 6484, 1900 E Street NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Constance Maravell, 202-606-1832.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) issued proposed regulations on executive and management development on March 2, 1993 (58 FR 11988). We received comments from 23 agencies, 9 individuals and the Federal Executive Institute Alumni Association. Most comments expressed support for including the development of supervisors along with that of managers and executives. The proposed regulations were withdrawn on February 11, 1994 (59 FR 6593) to see which objectives of the regulations could be achieved through alternative means and so they could be reviewed in the context of the sunseting of the Federal Personnel Manual in December 1993.

General

In keeping with the spirit of Executive Order 12861 on "Elimination on One-Half of Executive Branch Internal Regulations," we re-examined the proposed regulations. This has resulted in the elimination of regulations on needs assessments for the management profession and for individuals and formal candidate development programs for supervisors and managers. Proposed requirements in these areas have been removed, not because we have found such activities to be ineffective, but because agencies should be free to engage in them without being required to do so. Well selected developmental experiences enhance the competence and broaden the perspective of the managerial workforce. We encourage agencies to undertake these activities on a systematic basis.

We are also deleting regulations that are covered by statute which require no further clarification such as OPM's responsibility for the review of agency programs. We would like to draw agency attention to two provisions of statute which will not be regulated further. The first is the use of sabbaticals in general, 5 U.S.C. 3396(c). The second is, 5 U.S.C. 3396(d), authorizing sabbaticals, training, or details or other temporary assignments in other agencies, State or local governments, or the private sector for the continuing training and development of incumbent career SES members.

The earlier proposed regulations also provided for the reactivation of expired QRB certifications for graduates of

formal SES candidate development programs (CDP). Reactivation was accomplished by a variation to the regulations in December 1993, which extended certifications until December 31, 1996. The current proposed regulations in part 317 would remove the present 3-year time limit on all QRB certifications. The removal would apply to certifications issued before the regulations as well as those issued afterwards.

In response to a recommendation from the Executive Resources Management Group work group on staffing, we propose to simplify procedural requirements for the ERB certification of SES candidates. Specifically, when there are less than 10 eligible candidates for an SES position, an ERB would be permitted to refer all candidates to the appointing authority without further ranking. The statutory requirement that ERB's make written recommendations must be observed regardless of the number of candidates.

What remains in the regulations is a clear set of criteria which promote a corporate perspective of governance through the systematic development of candidates for the SES and the continuing development of supervisors, managers, and executives. Public managers with a corporate perspective respect and embrace the dynamics of American democracy; they recognize their fundamental responsibility for balancing change and continuity. Their values encompass a respect for both diversity and merit. Their commitment to Government service transcends their agency mission and individual profession. Executives with a corporate perspective will play a critical role in the reinvention of Government.

These regulations recognize and give meaning to the findings of OPM's 1992 Leadership Effectiveness Study. The 10,000 managers who responded identified 22 generic competencies essential to successful performance as leaders in any government position. The study found that effective supervisors, managers and executives have a shared base of competencies. As individuals move from supervisors to managers and executives they must acquire additional enhanced competencies. For this reason, the preparation of supervisors and managers is considered integral to the development of candidates for the SES.