



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20350

IN REPLY REFER TO

OPNAVINST 12300.2A
Op-141F

JUL 06 1981

OPNAV INSTRUCTION 12300.2A

From: Chief of Naval Operations

Subj: Delegation of civilian personnel authorities

Ref: (a) Public Law 95-454, Civil Service Reform Act of 1978
(b) FPM BTN 300-48 of 19 Mar 79
(c) FPM BTN 300-52 of 2 May 79
(d) SECNAV Memorandum of 17 Sep 79 (NOTAL)
(e) SECNAV Memorandum of 6 Feb 81 (NOTAL)

(A)

Encl: (1) Delegation of Civilian Personnel Authorities to Heads of Activities and Headquarters Offices
(2) Delegation of Civilian Personnel Authorities to Heads of Major Commands for Subordinate Activity or Headquarters Office
(3) Delegation of Civilian Personnel Authority to Directors of Naval Civilian Personnel Command Field Divisions
(4) Delegation of Civilian Personnel Authorities to Special Assistant for Civilian Personnel/EEO

(R)

1. Purpose

a. To implement Secretary of the Navy policy on decentralization of civilian personnel authorities and delegate such authorities to specified management levels under the Chief of Naval Operations.

b. This revision: (1) allows specified management levels to designate officials to act on delegated civilian personnel authorities, (2) delegates to the Special Assistant for Civilian Personnel/Equal Employment Opportunity authority to act on civilian personnel authorities retained at the Secretarial level, (3) authorizes heads of activities and headquarters offices to waive reduction in military retirement pay for retired regular officers employed as Medical Officers at the GS-11 through 14 levels, and (4) authorizes the Director, Naval Civilian Personnel Command (NCPC) and the Directors of NCPC Field Divisions to approve conversion of employees to career/career-conditional appointment under specified conditions.

(A)

2. Cancellation. OPNAV Instruction 12300.2.

JUL 06 1981

3. Background

a. In early 1978, a study was undertaken to examine the feasibility/desirability of delegating many of the 112 provisions in Federal Personnel Regulations for exception to established requirements. These exceptions were authorized only with prior approval of the Office of Personnel Management (OPM). As a result of the study, a determination was made that some authorities could be delegated without regulatory change and some delegated only with legislative and/or regulatory change. Several authorities which did not require regulatory change were delegated in Federal Personnel Manual (FPM) Letter 300-24 of 15 May 1978, prior to passage of reference (a). This FPM letter has since been cancelled as the authorizations have now been included in regular FPM chapters.

b. Since the passage of reference (a), by references (b) and (c) the Director, OPM has delegated a number of civilian personnel authorities to heads of agencies in the executive branch and other agencies employing personnel in the competitive service. In reference (c) the Director, OPM has also authorized delegation of a number of additional civilian personnel authorities through delegation agreements. The Secretary of Defense has authority to negotiate such agreements with OPM. To date, the remaining provisions for exception to established requirements have not been delegated by the Director, OPM.

c. The Secretary of Defense has redelegated the majority of the aforementioned civilian personnel authorities to the Secretaries of the Military Departments. By reference (d), these authorities were redelegated to the Chief of Naval Operations with the exception of five retained at the component headquarters level. Modifications to reference (d) were made by reference (e).

4. Discussion

A) a. The findings and statement of purpose (Section 3 (5)) of reference (a) provide that the policy of the United States is to delegate authority to take appropriate civilian personnel actions to agencies in order to expedite processing. That section further provides that OPM is responsible for control and oversight to insure against use of the civilian personnel authorities for unsound management practices. The Director, OPM is authorized by Section 1104 of reference (a) to delegate any of his functions (with certain exceptions) to the heads of agencies in the executive branch and other agencies employing persons in the

JUL 06 1981

competitive service. The Director, OPM has delegated the authorities listed herein and encouraged heads of agencies to make further delegation of these authorities to line managers and operating personnel offices. Many of these authorities are being delegated to the activity level. The sound use of such authorities, consistent with the letter and intent of controlling regulations will be important in proving the concept that maximum delegation contributes to better management and that line managers will responsibly administer authorities delegated to them. Authorities not responsibly administered will be subject to withdrawal. Delegation agreements authorized by reference (c) must be negotiated between the Office of the Secretary of Defense and OPM and will be the subject, along with information on additional delegations from OPM, of later directives. Until such publication, requests for exceptions covered by agreements listed in reference (c) and for exceptions not delegated herein are to be submitted to the appropriate Regional OPM office for approval or, if central office approval required, to the Naval Civilian Personnel Command Headquarters.

b. The Secretary of Defense has retained authorities published in reference (b):

- (1) To authorize emergency, indefinite appointments under specified emergency conditions, and
- (2) To exclude Presidential appointees from annual and sick leave.

c. OPM plans to establish and maintain an oversight program to assess the use of these authorities during personnel management evaluations and to conduct special studies in a cross section of activities. The objective of the studies will be to:

- (1) Determine whether delegations of authority provided to agencies in 1979 are perceived as helping managers do their jobs better;
- (2) Determine whether delegation has reduced delays affecting agency personnel actions; and
- (3) Identify problems agencies are having in realizing the benefits of delegation or in applying newly delegated authorities.

JUL 06 1981

5. Delegation

a. Authorities listed in enclosure (1) are hereby delegated, through the chain of command, to heads of activities and headquarters offices. These officials may further delegate the personnel authorities listed in enclosure (1) to directors of servicing civilian personnel offices. Superiors in the chain of command may revoke and redelegate the listed authorities delegated to a subordinate, as long as the redelegation is to a level no lower than the original delegation.

R) b. Authorities listed in enclosure (2) are hereby delegated, through the chain of command, to heads of major commands for subordinate activities or their designees. For this purpose, heads of major commands are defined as follows: The Assistant Vice Chief of Naval Operations/Director of Naval Administration for those field activities that directly report to CNO; all echelon II commanders (major claimants) under CNO; and, under the Chief of Naval Material, the commanders of the systems commands. Such actions within the major command headquarters office require approval of the immediate superior in command.

R) c. Authorities listed in enclosure (3) are hereby delegated, through the chain of command, to the Director, Naval Civilian Personnel Command (NCPC) and the Directors of NCPC Field Divisions or their designees. Requests should be submitted to the cognizant NCPC office.

R) d. Authorities listed in enclosure (4) are retained at the Secretarial level. Requests for approval should be submitted to: Special Assistant for Civilian Personnel/Equal Employment Opportunity (SACP/EEO), Department of the Navy, Washington, D.C. 20350.

6. Action. Individuals holding delegated authorities and their superiors in the chain of command have the responsibility to insure that OPM and Navy regulations, guidelines, and instructions are properly applied to all actions taken under the delegated authorities. The following minimum records for each action taken under the delegated authorities specified in enclosures (1) through (4) must be maintained by the approving and requesting authorities. The following record must be available for audit for at least two years after the action:

a. Type of action