

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

This instruction may be accessed electronically at www.dchr.dc.gov, by clicking on the "District Personnel Manual" link; and the "Issuances" link for Chapter(s) 4

DPM Instruction No. 4-10

SUBJECT: Electronic District Personnel Manual (E-DPM)

Date: April 24, 2009

The purpose of this instruction is to inform management officials and employees in general, and the general public that, as part of its paperless initiatives, the D.C. Department of Human Resources (DCHR) has officially replaced the four-volume (4-volume) "*paper District Personnel Manual*" or "*DPM*" with the "*Electronic District Personnel Manual*" or "*E-DPM*;" and provide general information on the contents of the manual.

As was the case with the *District Personnel Manual*, the *E-DPM* is divided in three (3) parts:

- **Part I – Regulations**
- **Part II – Implementing Guidance and Procedures**
- **Part III – Instructions and Bulletins**

Regulations

Part I of the E-DPM, Regulations, contains the provisions of Title 6, Government Personnel, of the District of Columbia Municipal Regulations (DCMR).

In the District government the terms "*rule*" and "*regulation*" are used interchangeably. The term *rule* can be formally defined as an agency's statement designed to implement, interpret, or prescribe law or policy; or to describe the agency's organization, procedure, or practice requirements.

The authority of an agency to promulgate *rules* derives explicitly or implicitly from a statute (law). The authority to promulgate the District government's *personnel rules* derives from the District of Columbia Government Comprehensive Merit Personnel Act of 1978 ("*CMPA*"), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*). Generally, *rules* are deemed as having the effect of law. See Administrative Procedure Act (D.C. Official Code § 2-501 *et seq.*)

Often, rulemaking authority is vested by law to the Mayor, who thereafter delegates that authority by Mayor's order to an agency head. The Mayor's authority to promulgate the personnel management *rules* to implement the *CMPA* has been delegated to the DCHR Director. See Mayor's Order 2008-92, dated June 26, 2008

Rules are published in the *D.C. Register* as emergency, emergency/proposed, proposed, and final *rules*. When a *rule* adopted by the DCHR becomes final, the DCHR prepares a "***DPM Transmittal***" as the means to incorporate the contents of the final *rule* into the pertinent *E-DPM* chapter.

Note: DPM instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employee under their respective jurisdictions.

Inquiries: Policy and Planning Administration, DCHR (202) 442-9700

Distribution: Heads of Department and Agencies, HR Advisors, and DPM Subscribers

Retain Until Superseded

Implementing Guidance and Procedures

Part II of the E-DPM, Implementing Guidance and Procedures, is strictly procedural in nature, and has direct impact and applicability only to subordinate agencies.

A good example of implementing guidance materials in the *E-DPM* is the residency procedures in **Part II** of Chapter 3 of the *E-DPM*, Residency, which include the various residency forms/affidavits that individuals employed by subordinate agencies who are subject to a residency requirement must complete to comply with the legal residency requirements.

Independent personnel authorities (i.e., the University of the District of Columbia, D.C. Public Library, etc.) may choose to adopt any or all of the guidance materials contained in Part II of the DPM.

Instructions and Bulletins

Part III of the E-DPM, Instructions and Bulletins, is strictly procedural in nature, and has direct impact and applicability only to subordinate agencies.

Instructions contain continuing implementing guidance and procedures. They are “filed” in numerical order, and their numbering is based on the chapter to which the material in the instruction applies to (i.e., residency-related *Instructions* are numbered as “3-1,” “3-2;” Career Service-related instructions are numbered “8-1,” “8-2,” etc.). *Instructions* are retained until superseded or rescinded.

Bulletins are ephemeral (lasting or existing briefly), and for that reason, have an expiration date. Issuances providing guidance on closings, late arrival resulting from weather-related emergencies are the most common examples of a *Bulletin*.

As is the case for **Part II** materials, independent personnel authorities may choose to adopt any or all of the procedural guidance materials contained in the *Instructions* and *Bulletins* in **Part III** of the *E-DPM*.

Access to the E-District Personnel Manual

The *E-DPM* may be accessed electronically at www.dchr.dc.gov, by clicking on the “District Personnel Manual” link. *Rules* may be accessed by clicking on the “Title” link for the particular chapter. **Part II** material may be accessed by clicking on the “Title” link (identified as *Part II*) for the particular chapter. **Part III** material may be accessed by clicking on the “Issuances” link for the particular chapter.


Brender L. Gregory
Director

Attachment:

Chapter-By-Chapter Summary of Contents – Title 6 of the DCMR, Government Personnel

TITLE 6 OF THE D.C. MUNICIPAL REGULATIONS (DCMR): GOVERNMENT PERSONNEL

CHAPTER NO./TITLE	SUMMARY OF CONTENTS – D.C. PERSONNEL REGULATIONS
2 Retention of Personnel Rights and Benefits	Provisions concerning guaranteed retention of personnel rights and benefits applicable to certain persons employed by the District government serving on the date Title II of the District of Columbia Government Comprehensive Merit Personnel Act (CMPA) (D.C. Official Code §§ 1-602.01 through 1-602.06) became effective
3 Residency	Rules on the residency preference system applicable to competitive appointments, including promotions, to positions in the Career, Excepted (attorney positions only), Management Supervisory, and Legal Services; residency requirement for appointees to the Senior Executive Attorney Service (SEAS); and domicile requirement for appointees to the Excepted and Executive Services
4 Organization for Personnel Management	Provisions on the granting of variations to the D.C. personnel regulations; appointment affidavit requirements, oath of office requirements; pre-employment inquiries; background checks/investigations; suitability; criminal background/traffic record check requirements for the protection of children and youth
5 Public Employee Relations Board	Unit determination and representation issues; election procedures; unfair labor practice complaints; review of arbitration appeals [Rulemaking authority for this chapter has been delegated to the Office of Employee Appeals (OEA).]
6 Office of Employee Appeals	Rules for the administrative appellate authority for employee appeals of certain final agency decisions [The OEA has rulemaking authority for this chapter.]
7 Equal Employment Opportunity and Veterans Preference	Affirmative action policy in employment; and preference in employment and reduction in force for veterans
8 Career Service	Rules on employment in the Career Service (“merit system rules”), including recruitment, examination, competitive and non-competitive selection, prohibited personnel practices, etc.
9 Excepted Service	Rules on employment for persons appointed to Excepted Service positions as part of the Mayor’s personal staff, Excepted Service policy positions, Excepted Service statutory positions, Excepted Service attorney positions, Excepted Service expert & consultants, and Excepted Service special appointments; separation pay; pre-employment expenses; etc.
10 Executive Service	Rules on employment in the Executive Service, including separation pay, pre-employment expenses; etc.
11 Classification and Compensation	Rules on the classification, grading of positions, and classification appeals; compensation rules, including within-grade-increases, open range salary schedules; exempt time off, severance pay, dual compensation, premium pay, back pay, etc.
12 Hours of Work; Legal Holidays; Leave	Rules on work schedules; legal holidays; various types of leave, including family and medical leave, annual leave bank; flexible work schedules; alternative work schedules; compressed work schedules; telecommuting; etc.
13 Employee Development	Rules on programs for the training and development of District government employees through planned courses, systems, or other instruction or education in fields which are related to the performance of official duties for the District government
14 Performance Management	Rules for the comprehensive performance management system established under D.C. Official Code §§ 1-613.51 through 1-613.53

TITLE 6 OF THE D.C. MUNICIPAL REGULATIONS (DCMR): GOVERNMENT PERSONNEL

CHAPTER NO./TITLE	SUMMARY OF CONTENTS – D.C. PERSONNEL REGULATIONS
15	Employee Rights & Responsibilities Reserved. [The pertinent statutory provisions (D.C. Official Code §§ 1-615.04 and 1-615.05 (public employees as fiduciaries for consumer protection; curbing fraud and conflicts of interest, respectively), and D.C. Official Code §§ 1-615.51 through 1-615.59 (whistleblower protection)) are deemed to be self-implementing.]
16	General Discipline and Grievances Rules on disciplinary actions applicable to certain Career Service employees, including a <i>Table of Penalties</i> for disciplinary actions; enforced leave; and grievances
17	Labor-Management Relations Reserved.
18	Employee Conduct Rules on standards of conduct; conflicts of interest; reporting of financial interests; outside employment; agency ethics counselors
19	Incentive Awards Rules for Monetary Awards, including <i>Exemplary Performance Awards</i> , <i>Instant Cash-In-Your Account Awards</i> , and <i>Retirement Awards</i> ; Non-Monetary Awards, including <i>Tangible Item Awards</i> , <i>Time-Off Awards</i> , and <i>Honorary Awards</i> ; and Group Awards.
20	Safety & Health (1) Occupational Safety & Health Program (rulemaking authority delegated to the Department of Employment Services); (2) Health – Section 2049: Pre-Employment and Other Physical Examinations and General Medical Qualifications Requirements; Section 2050: Employee Assistance Program
21	Health Benefits Provisions on health benefits for persons first hired by the District government prior to 10/01/87 and health benefits for persons first hired by the District government after 09/30/87.
22	Life Insurance Benefits Provisions on life insurance benefits for persons first hired by the District government prior to 10/01/87 and life insurance benefits for persons first hired by the District government after 09/30/87
23	Disability Compensation [No rules in Title 6 of the DCMR. Pursuant to Mayor's Order 2004-198, dated December 14, 2004, the Office of Risk Management adopted rules on the <i>Termination, Suspension or Reduction of Disability Compensation Benefits for District Employees</i> , which added a new Chapter 31 to 7 DCMR.]
24	Reductions in Force Rules on reductions in force; and the administration of the <i>Agency Reemployment Priority Program (ARPP)</i> and <i>Displaced Employee Program (DEP)</i> ; furloughs
25	Political Rights of Employees Permitted and prohibited political activities
26	Retirement Provisions on the retirement system applicable to persons first hired by the District government prior to 10/01/87; and the Defined Contribution Pension Plan applicable to persons first hired by the District government after 9/30/87
27	Temporary Assignment of Personnel Rules on <i>Personnel Exchange Agreements</i> between District government agencies, private sector institutions, institutions of higher education, or agencies of federal, and state, and local governments
29	Employee Debt Set-Offs Rules on employee indebtedness, including collection of erroneous payments and waivers of government claims of erroneous payment
31	Records Management and Privacy of Records Rules on the establishment, maintenance, disclosure, and disposition of personnel records
35	Voluntary Services Rules on the utilization of volunteers by District government agencies

TITLE 6 OF THE D.C. MUNICIPAL REGULATIONS (DCMR): GOVERNMENT PERSONNEL

CHAPTER NO./TITLE		SUMMARY OF CONTENTS – D.C. PERSONNEL REGULATIONS
36	Legal Service	<p>Rules on employment in the Legal Service</p> <p>[The Office of the Attorney General for the District of Columbia (OAG) has been delegated rulemaking authority to implement the provisions of this chapter, except for the provisions of section 3617 of the chapter, <i>Attorney Certificate of Good Standing Filing Requirement</i>, for which the DCHR is responsible.]</p>
37	Appointment, Reappointment, Discipline and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges	<p>Standards and procedures for the operation of the <i>Commission on the Selection and Tenure of Administrative Law Judges</i> pertaining to the appointment, reappointment, discipline, removal, and qualifications of Administrative Law Judges in the Office of Administrative Hearings</p> <p>[Rulemaking authority for this chapter was originally delegated to the Office of the Deputy Mayor for Public Safety and Justice (ODMPSJ) via Mayor’s Order 2003-53, dated May 2, 2003. Rulemaking authority for the chapter was subsequently delegated to the City Administrator via Mayor’s Order 2004-98, dated June 9, 2004 (the ODMPSJ no longer exists).]</p>
38	Management Supervisory Service	Rules on employment in the Management Supervisory Service
39	Testing for the Presence of Controlled Substances and Alcohol	Rules for drug and alcohol testing for individuals who are employed as or are candidates for employment as drivers of commercial motor vehicles; and rules on the mandatory drug and alcohol testing program for employees in safety-sensitive positions