

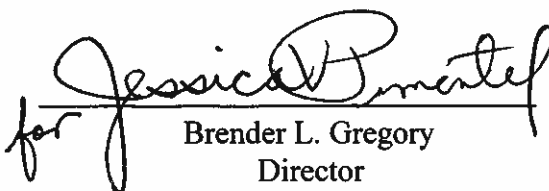
**ELECTRONIC-DISTRICT PERSONNEL MANUAL
TRANSMITTAL SHEET
NUMBER 196**

The attached pages replace the rules for Chapter 38 of the D.C. personnel regulations, Management Supervisory Service. These rules are being replaced because of final rulemaking published in the *D.C. Register (DCR)* on June 25, 2010 (57 DCR 005455). The rules amended section 3809 of the chapter, on *placement by reassignment or demotion*, to clarify the language in subsections 3809.1 through 3809.3, and add a new subsection 3809.8 to provide that a Management Supervisory Service employee may be reassigned or demoted non-competitively from one subordinate agency to another subordinate agency, in addition to a reassignment or demotion within the employing agency and provide the criteria for such reassignments and demotions. In addition, section 3807 of the chapter, on *competitive and non-competitive placement*, was amended; non-substantive changes were made to subsections 3800.1, 3800.2, 3801.1, 3804.1, 3808.3, 3810.1, 3812.1, 3813.3; and section 1199, *Definitions*, was amended to add the definition of the term “*demotion*,” make a non-substantive change to the definition of the terms “*personnel authority*” and “*reassignment*,” and add the definition of the term “*transfer*.” For the convenience of *Electronic-District Personnel Manual* readers, the entire chapter is being provided in this transmittal.

**MAKE THE FOLLOWING CHANGES TO THE REGULATIONS FOR
CHAPTER 38, MANAGEMENT SUPERVISORY SERVICE, CONTAINED
IN THE *ELECTRONIC-DISTRICT PERSONNEL MANUAL (E-DPM)***

E-DPM Transmittal	
This E-DPM Transmittal contains pages 38-I-i, and 38-I-1 through 38-I-14	The pages attached replace Transmittal No. 185 , dated April 17, 2009 (pages 38-I-i, and 38-I-1 through 14-I-13)

June 30, 2010
Date


for _____
Brender L. Gregory
Director

Attachment

D.C. PERSONNEL REGULATIONS
CHAPTER 38
MANAGEMENT SUPERVISORY SERVICE

CONTENTS

Section	Page
3800 POLICY	1
3801 APPLICABILITY	1
3802 COMPENSATION SYSTEM, SALARY AND RATE SCHEDULES, AND PAY-FOR-PERFORMANCE SYSTEM FOR MANAGEMENT SUPERVISORY SERVICE EMPLOYEES	2
3803 INCUMBENT CLASSIFICATION SYSTEM	3
3804 METHOD OF MAKING MANAGEMENT SUPERVISORY SERVICE APPOINTMENTS	3
3805 PROHIBITED PERSONNEL PRACTICES	4
3806 QUALIFICATION STANDARDS AND GENERAL REQUIREMENTS FOR SELECTION.....	4
3807 COMPETITIVE AND NON-COMPETITIVE PLACEMENT	5
3808 COMPETITIVE SELECTION	7
3809 PLACEMENT BY REASSIGNMENT OR DEMOTION	7
3810 MANAGEMENT SUPERVISORY SERVICE SKILLS MAINTENANCE AND ENHANCEMENT	8
3811 PERFORMANCE EVALUATION SYSTEM FOR MANAGEMENT SUPERVISORY SERVICE EMPLOYEES	9
3812 RESIDENCY PREFERENCE FOR MANAGEMENT SUPERVISORY SERVICE	9
3813 EMPLOYEE RIGHTS UPON TERMINATION	9
3899 DEFINITIONS.....	10
ADDENDUM –D.C. REGISTER UPDATES FOR CHAPTER 38 OF THE D.C. PERSONNEL REGULATIONS, MANAGEMENT SUPERVISORY SERVICE.....	12

D. C. PERSONNEL REGULATIONS

3800 POLICY

- 3800.1 Pursuant to section 951 of 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 § 1-609.51), the Management Supervisory Service is established within the District government to ensure that each agency has the highest quality of managers and supervisors who are responsive to the needs of the government.
- 3800.2 This chapter applies to all appointments to the Management Supervisory Service under the authority of sections 951 through 958 of the CMPA (D.C. Official Code § 1-609.51 *et seq.*).
- 3800.3 In accordance with section 954 of the CMPA (D.C. Official Code § 1-609.54), an appointment to the Management Supervisory Service is an at-will appointment.
- 3800.4 For the purposes of this chapter, the term “appointment” means all initial appointments to the Management Supervisory Service, and all subsequent position changes, including reassignments and promotions, within the Management Supervisory Service.

[Back to Top](#)

3801 APPLICABILITY

- 3801.1 The Management Supervisory Service consists of all employees who meet the definition of “management employee” in section 1411(5) of the CMPA (D.C. Official Code § 1-614.11(5)), that is, employees whose functions include responsibility for project management and supervision of staff and the achievement of the project’s overall goals and objectives.
- 3801.2 The following employees are excluded from the Management Supervisory Service:
- (a) Employees occupying positions included in recognized collective bargaining units; and
 - (b) Employees with acting supervisory or managerial responsibilities only in the absence of the regular supervisor or manager.
- 3801.3 Positions that have some supervisory duties and responsibilities but less than those described in the appropriate classification standards guide shall be excluded from the Management Supervisory Service.

- 3801.4 Persons appointed to the Management Supervisory Service are not in the Career, Educational, Legal, Excepted, or Executive Services.
- 3801.5 An employee holding a position in the Career or Educational Services may be detailed, temporarily promoted, temporarily transferred, or temporarily reassigned, without a break in service, to a position that would otherwise be in the Management Supervisory Service, without losing his or her existing status in the Career or Educational Services.

[Back to Top](#)

3802 COMPENSATION SYSTEM, SALARY AND RATE SCHEDULES, AND PAY-FOR-PERFORMANCE SYSTEM FOR MANAGEMENT SUPERVISORY SERVICE EMPLOYEES

- 3802.1 The compensation provisions of Chapter 11 of these regulations are applicable to all positions in the Management Supervisory Service.
- 3801.2 As applicable, individuals appointed to the Management Supervisory Service shall be paid from either:
- (a) The Management Supervisory Rate Schedule, the symbol for which is MW, which is the hourly rate schedule applicable to Management Supervisory Service employees who are paid under the Wage Service Rate System established in Chapter 11 of these regulations; or
 - (b) The Management Supervisory Service Pay Schedule (“MS Schedule”), the symbol for which is MS, which is the annual rate schedule applicable to Management Supervisory Service employees who are paid under the District Service Salary System established in Chapter 11 of these regulations.
- 3802.3 The MS Schedule is divided into grade levels 11 through 16 and consists of an open range with no steps, only a “minimum”, “midpoint,” and “maximum” as reference points of the range for each grade level.
- 3802.4 The MS Schedule provides a varying, pay-for-performance system for Management Supervisory Service employees paid from it. Some of the features of a merit-based pay plan such as the new MS Schedule are:
- (a) Merit pay or pay-for-performance systems provide the flexibility to:
 - (1) Combine merit or performance-based increases with what is commonly known as a “cost-of-living adjustments” or “market adjustments;” or
 - (2) Base the total salary increase the employee receives solely on merit (performance).
 - (b) Base-pay increases vary in direct relationship to each employee’s performance level;

- (c) The system differentiates between the various levels of performance and rewards employees accordingly through additional compensation;
 - (d) The success of the system depends on accurate and realistic performance evaluations by supervisors; and
 - (e) The system provides flexibility for varying budget constraints and revenues.
- 3802.5 Each personnel authority, in consultation with the Office of the Chief Financial Officer, shall:
- (a) Determine the percentage of the performance-based or merit pay increase, if any, for agency Management Supervisory Service employees who are paid under the MS Schedule and have received a Performance Plan for the year, and whose level of competence and job performance is determined to be acceptable or better as evidenced by a performance rating of “*Meets Expectations*” or higher;
 - (b) Determine the total percentage of the annual salary increases for these employees, if any; and
 - (c) Communicate the plan to agency heads every year.
- 3802.6 Any performance base or merit pay increase for Management Supervisory Service employees shall be approved by the Mayor (or designee) or independent personnel authority.
- 3802.7 An eligible Management Supervisory Service employee whose salary is at the top of the range for the grade level of the position he or she occupies and who meets the requirements in section 3802.5 (a) of this section, shall receive a one-time (1-time) lump sum payment for the calendar year in question, the amount of which shall not exceed the percentage afforded to other eligible agency employees with the same performance rating.
- 3802.8 The rates of pay on the Management Supervisory Service Pay Schedules shall not be used to set pay upon subsequent appointment to a position in the Career Service.

[Back to Top](#)

3803 INCUMBENT CLASSIFICATION SYSTEM

- 3803.1 Until such time as the Mayor adopts a new classification system, the classification system that was in effect on December 31, 1979 is the system applicable to the classification of positions in the Management Supervisory Service.

[Back to Top](#)

3804 METHOD OF MAKING MANAGEMENT SUPERVISORY SERVICE APPOINTMENTS

- 3804.1 In accordance with section 953 of the CMPA (D.C. Official Code § 1-609.53), all appointments to the Management Supervisory Service, except as specifically limited

in this chapter, shall be by open competition on the basis of merit by selection from the highest qualified applicants, based on specific job requirements with appropriate regard for affirmative action goals as provided by law and as determined under this chapter.

3804.2 An appointment to the Management Supervisory Service may be made for an indefinite period, or as a time-limited appointment.

3804.3 Because an appointment to the Management Supervisory Service is an at-will appointment, a date specifying the duration of a time-limited appointment shall not prevent the termination of the employee occupying such a position prior to the date specified; provided that the termination is effected pursuant to section 3813 of this chapter.

[Back to Top](#)

3805 PROHIBITED PERSONNEL PRACTICES

3805.1 No person shall interfere in the competitive process by influencing another person to withdraw from competition for any position in the Management Supervisory Service for the purpose of either improving or injuring the prospects of any applicant for appointment or selection.

3805.2 In accordance with the D.C. Human Rights Act of 1977, as amended, the District government does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, and place of residence or business.

[Back to Top](#)

3806 QUALIFICATION STANDARDS AND GENERAL REQUIREMENTS FOR SELECTION

3806.1 A person selected to a position in the Management Supervisory Service shall meet the qualification standards for the position for which selected.

3806.2 Suitability requirements applicable to the Management Supervisory Service are specified in Chapter 4 of these regulations.

3806.3 Whenever the practice of certain occupations and professions is subject to licensure requirements (as established by District, state, or federal law), the possession of a license shall constitute a qualification requirement for the position.

3806.4 Selection procedures for the Management Supervisory Service shall be based on a job analysis designed to identify and evaluate the factors that are important in evaluating candidates, as well as the following:

- (a) The basic duties and responsibilities of the position; or
- (b) The tasks or the knowledge, skills, and abilities required to perform the duties and carry out the responsibilities of the position.

- 3806.5 The personnel authority may require an applicant to provide documentary evidence of his or her qualifications for an appointment in the Management Supervisory Service.

[Back to Top](#)

3807 COMPETITIVE AND NON-COMPETITIVE PLACEMENT

- 3807.1 Except as otherwise provided in this chapter, competitive procedures shall apply to all initial appointments to the Management Supervisory Service, and subsequent assignments and placements to positions within the Management Supervisory Service, as follows:

- (a) Promotions;
- (b) Temporary promotions exceeding one hundred twenty (120) days;
- (c) Selection for a detail for more than two hundred forty (240) days to a position at a higher grade or to a position at the same grade level with known promotion potential; and
- (d) Selection for a position, including by reassignment or demotion, with more promotion potential than the last grade held under a Management Supervisory Service competitive appointment.

- 3807.2 Competitive procedures shall not apply to the following actions within the Management Supervisory Service:

- (a) The following types of Management Supervisory Service promotions:
 - (1) A promotion resulting from the upgrading of a position without significant change in the duties and responsibilities due to issuance of a new classification standard or the correction of an initial classification error;
 - (2) A promotion resulting from an employee's position being reclassified at a higher grade because of accretion of additional duties and responsibilities without planned management action;
 - (3) A career ladder promotion if the original competition for the position clearly established the career ladder; or
 - (4) A temporary promotion under this chapter for a period of one hundred twenty (120) days or less.
- (b) An indefinite reassignment or transfer to a position of the same grade with no known promotion potential or with no greater promotion potential than the position previously held;

- (c) A temporary reassignment for a period of one hundred twenty (120) days or less;
 - (d) A reassignment or demotion pursuant to section 3809 of this chapter;
 - (e) Consideration of a candidate not given proper consideration in a competitive promotion action; or promotion of an employee who was denied promotion as a result of other error, on order of the D.C. Department of Human Resources or independent personnel authority;
 - (f) A detail of two hundred forty (240) days or less to a position at a higher grade or to a position with known promotion potential; and
 - (g) Temporary Appointments Pending the Establishment of Registers (TAPER).
- 3807.3 While this chapter does not include time-in-grade requirements or restrictions for promotion to or within the Management Supervisory Service (MSS) that would prevent a MSS employee from advancing to a higher grade position before serving at the lower grade for at least one (1) year, agencies must exercise discretion concerning any such promotions, and consider establishing internal controls and procedures to handle such promotions, with regard to equity and reasonableness.
- 3807.4 The following criteria shall be followed when considering promoting an employee to or within the Management Supervisory Service when the employee meets the qualifications requirements for the higher grade position but has served at the lower grade level for less than one (1) year. Under such circumstances, consideration shall be given to the following:
- (a) The employee's total work history;
 - (b) The employee's education, superior academic credentials, or superior academic achievements;
 - (c) Any work performed by the employee that is related to the higher grade position and at a level at least commensurate (equivalent) to the higher grade position;
 - (d) Any negative impact that an action to advance an employee who has not served at the lower grade level for at least one (1) year may have on other agency Management Supervisory Service employees;
 - (e) The impact that an action to advance an employee who has not served at the lower grade level for at least one (1) year may have on the agency's salary structure; or
 - (f) Hardship, inequity, or especially meritorious cases.
- 3807.5 An employee's salary history (i.e., previous higher salary) shall not automatically be considered as the determining factor in the employee's promotion under the

- circumstances and criteria described in section 3807.4 of this section; however, it may be considered along with the criteria listed in that section.
- 3807.6 An employee promoted under the circumstances described in section 3807.4 of this section may be advanced more than two (2) grade levels at a time.

[Back to Top](#)

3808 COMPETITIVE SELECTION

- 3808.1 Competitive selection procedures shall consist of assembled examinations, which may include written, oral, or performance examinations, or a combination thereof; or unassembled examinations, which may include but shall not be limited to the establishment of crediting plans (for ranking), selection panels, or interview panels, or a combination of more than one (1) of these recruitment and selection methods.
- 3808.2 Each competitive selection shall result from appropriate recruitment activities and a vacancy announcement made available to applicants.
- 3808.3 The following employees shall be referred to selecting officials in subordinate agencies along with other qualified candidates, for interview by management and special consideration for placement and advancement for Management Supervisory Service positions they apply for; provided that no person referred for such special consideration shall be selected ahead of a candidate claiming the residency preference pursuant to section 957 of the CMPA (D.C. Official Code § 1-609.57), if any:
- (a) Graduates of the District government's Certified Public Manager Program; and
 - (b) Persons appointed as Capital City Fellows.
- 3808.4 The Director, D.C. Department of Human Resources (DCHR), may issue procedures for the implementation of section 3808.3 of this section.

[Back to Top](#)

3809 PLACEMENT BY REASSIGNMENT OR DEMOTION

- 3809.1 A personnel authority may fill a vacancy within the Management Supervisory Service by reassignment of a Management Supervisory Service employee to another position of the same grade and salary, either competitively or non-competitively, as provided in this section.
- 3809.2 When, as a result of attrition, reductions in force, reorganizations, or approved realignments within an agency, a Management Supervisory Service employee ceases to perform managerial or supervisory functions or duties, the employing agency may reassign or demote the employee to a vacant Management Supervisory Service position within the agency for which he or she qualifies; provided that there is no reduction in the benefits of the employee, and the position has no greater promotion potential than the position previously held.

- 3809.3 An agency may determine that it is necessary to reassign or demote a Management Supervisory Service employee to a vacant Management Supervisory Service position within the agency for which he or she qualifies, for reasons other than those listed in section 3809.2 of this section. In such cases the reassignment or demotion may be effected; provided that the position has no greater promotion potential than the position previously held.
- 3809.4 A time-limited reassignment may be made for a period not to exceed one (1) year.
- 3809.5 A time-limited reassignment exceeding one hundred twenty (120) days to a position with established promotion potential higher than the currently held position will be effected competitively.
- 3809.6 Any reassignment or demotion under the circumstances described in sections 3809.2 and 3809.3 of this section shall be effected non-competitively.
- 3809.7 An employee may voluntarily accept a reassignment or demotion pursuant to sections 3809.2 or 3809.3 of this section, or be terminated as specified in section 3813 of this chapter.
- 3809.8 In addition to a reassignment or demotion within the employing agency as specified in sections 3809.2 and 3809.3 of this section, a Management Supervisory Service employee may be reassigned or demoted non-competitively to a vacant Management Supervisory Service position from one subordinate agency to another subordinate agency; provided that all of the following criteria are met:
- (a) The two (2) subordinate agencies involved mutually agree with the reassignment or demotion action;
 - (b) There is no reduction in the benefits of the employee;
 - (c) The position being reassigned or demoted to has no greater promotion potential than the position previously held; and
 - (d) The Management Supervisory Service employee qualifies for the position being reassigned or demoted to.

[Back to Top](#)

3810 MANAGEMENT SUPERVISORY SERVICE SKILLS MAINTENANCE AND ENHANCEMENT

- 3810.1 In accordance with section 955 of the CMPA (D.C. Official Code § 1-609.55), each employee appointed to the Management Supervisory Service will be required to maintain and enhance his or her management and supervisory skills through mandatory training courses every year, as prescribed by the personnel authority.

- 3810.2 Failure of a Management Supervisory Service employee to complete the prescribed training within time frames specified by the personnel authority may result in administrative action against the employee.

[Back to Top](#)

3811 PERFORMANCE EVALUATION SYSTEM FOR MANAGEMENT SUPERVISORY SERVICE EMPLOYEES

- 3811.1 Except as provided in Chapter 14 of these regulations, the performance of employees in the Management Supervisory Service shall be evaluated utilizing the performance management system in that chapter.

[Back to Top](#)

3812 RESIDENCY PREFERENCE FOR MANAGEMENT SUPERVISORY SERVICE

- 3812.1 The residency preference provisions of section 801(e) (1), (2), (3), (5), (6), and (7) of the CMPA (D.C. Official Code § 1-608.01(e) (1), (2), (3), (5), (6), and (7)), as amended, and Chapter 3 of these regulations, shall apply to employment in the Management Supervisory Service.

[Back to Top](#)

3813 EMPLOYEE RIGHTS UPON TERMINATION

- 3813.1 An appointment to the Management Supervisory Service is an at-will appointment. A person appointed to a position in the Management Supervisory Service serves at the pleasure of the appointing authority, and may be terminated at any time. An employee in the Management Supervisory Service shall be provided a fifteen-day (15-day) notice prior to termination.
- 3813.2 No termination action shall be initiated under this chapter unless first authorized by the agency head (or designee) and the Director, D.C. Department of Human Resources (DCHR), or independent personnel authority, as applicable; except that a termination of a Management Supervisory Service employee in the DCHR shall be first authorized by the Director, DCHR (or designee), and the Chief of Staff for the Mayor.
- 3813.3 In accordance with section 954 of the CMPA (D.C. Official Code § 1-609.54 (b)), an employee in the Management Supervisory Service shall be entitled to severance pay upon termination for non-disciplinary reasons.
- 3813.4 Severance pay shall not be paid to any individual who has accepted an appointment to another position in the District government without a break in service.
- 3813.5 Upon termination for non-disciplinary reasons, and at the discretion of the personnel authority, a person with Career Service status or Excepted Service status due to appointment as an attorney in the Excepted Service may retreat, within three (3)

- months of the effective date of the termination, to a vacant position within the agency to which he or she was promoted and for which he or she qualifies.
- 3813.6 A retreat in accordance with section 3813.5 of this section shall be to a position in the service in which the person acquired status.
- 3813.7 Terminations from the Management Supervisory Service are not subject to administrative appeals.

[Back to Top](#)

3899 DEFINITIONS

For the purposes of this chapter, the following terms have the meaning ascribed:

Agency – any unit of the District of Columbia government, excluding the courts, required by law, by the Mayor of the District of Columbia, or by the Council of the District of Columbia to administer any law, rule, or any regulation adopted under authority of law. The term “agency” also includes any unit of the District of Columbia government created by the reorganization of one (1) or more of the units of an agency and any unit of the District of Columbia government created or organized by the Council of the District of Columbia as an agency.

Assembled examination – a computerized or multiple-choice written examination or test which may include a typing or data-entry skills test.

Break in service – a period of one (1) workday or more between separation and reemployment that may cause a loss of rights or privileges.

Demotion – the change of an employee to a lower grade, or to a position with a lower rate of pay, when both the old and new positions are under the same pay schedule or in different pay schedules.

Disciplinary reasons – includes but is not limited to behavior that negatively impacts the integrity of government operations or that is contrary to established standards, policies, or procedures; failure to meet specific requirements for the position the employee occupies, such as professional licensing or certification requirements; and failure to meet established performance goals, unsatisfactory or poor performance, incompetence, or any other performance-related deficiencies.

Manager – an employee vested with the authority to direct the work of an organization, held accountable for the success of specific line or staff functions; responsible for supervision of staff, monitoring and evaluating the progress of an organization toward meeting goals, and making adjustments in objectives, work plans, schedules and commitment of resources. A manager serves as head or assistant head of a major organization, or specialized project of marked difficulty, responsibility or community significance.

Personnel authority – an individual or entity with the authority to administer all or part of a personnel management program as provided in section 401 of the CMPA (D.C. Official Code § 1-604.01 *et seq.*).

Promotion – the change of an employee while continuously employed, from one grade to a higher grade under the Management Supervisory Service Schedule, or between pay systems.

Reassignment – the change of an employee from one position to another position with the same (exact) representative rate without promotion or demotion.

Supervisor – incumbent of a position that accomplishes work through the direction of other employees and meets at least the minimum requirements for coverage under the appropriate supervisory grade evaluation guide.

Temporary Appointment Pending the Establishment of Register (TAPER) – a time-limited initial appointment to a position in the Management Supervisory Service, pending the establishment of a register when there are insufficient candidates on a register appropriate for filling the position. Authority for the use of this type of appointment shall be granted by the personnel authority only when the public interest requires that a vacancy be filled before eligibles can be certified.

Transfer – a change, without a break in service of a full workday, of a Management Supervisory Service (MSS) employee to another MSS position without promotion or demotion, and under a different personnel authority.

Unassembled examination – an examination that does not require a written test.

[Back to Top](#)

D.C. Register Updates for Chapter 38 of the D.C. Personnel Regulations,
Management Supervisory Service

The following *D.C. Register* citations identify when a given section(s) of Chapter 38, Management Supervisory Service, of Title 6 of the District of Columbia Municipal Regulations, was amended. Following the publication in the *D.C. Register* of subsequent final rulemaking notices, this Addendum will be updated accordingly.

For the convenience of DPM subscribers, the Addendum identifies amendments on a section-by-section basis; identifies the page(s) in a DPM Transmittal impacted by the amendment(s); and provides brief comments on the amendment(s) accomplished.

<i>D.C. Register</i> Date	Section(s)	Change(s) Reflected on Page(s)	Comments
48 DCR 2812 (3/30/01)	Entire chapter	DPM Transmittal No. 71 Entire chapter	The rules added the new Chapter 38 to the D.C. personnel regulations.
	Entire chapter	DPM Transmittal No. 79 Entire chapter	This DPM transmittal replaced DPM Transmittal No. 71 to correct a typographical error (section 3801.3 appeared twice).
50 DCR 7747 (9/12/03)	Entire chapter	DPM Transmittal No. 104 Entire chapter	Modifications were made to the entire chapter.
51 DCR 9707 (10/15/04)	Section(s) 3810, 3811 through 3819	DPM Transmittal No. 119 Page(s) I, ii and 38-I-1 through 38-I-15	The rules amended the chapter to delete the suitability provisions in section 3810, and renumber sections 3811 through 3819 as sections 3810 through 3818.
52 DCR 1314 (2/11/05)	Section(s) 3816 and 3818	DPM Transmittal No. 128 Page(s) ii, and pages 38-I-11 through 38-I-15	The rules amended the chapter to rename section 3816 to " <i>Performance Evaluation System for Management Supervisory Service Employees</i> " and amend that section to specify more clearly that the performance of employees in the Management Supervisory Service (MSS) shall be evaluated utilizing the performance management system in Chapter 14 of the regulations. Section 3818 was also amended to provide that all MSS termination actions shall be authorized by the agency head (or his or her designee) and the Deputy Mayor for the agency, and make other modifications to that section of the chapter.

CHAPTER 38—MANAGEMENT SUPERVISORY SERVICE

52 DCR 6840 (7/22/05)	Section(s) 3810	DPM Transmittal No. 136 Page(s) 8 through 10	The rules amended section 3811 of the chapter to delete the language on Performance Improvement Plans on the section and make other modifications to the section.
54 DCR 4186 (5/4/07)	Section(s) 3801, 3808, 3811, 3816, 3818	DPM Transmittal No. 152 Entire chapter	These rules amended section 3818.1 to change the requirement that the appropriate agency head and Deputy Mayor authorize each termination action of a MSS employee before the action is initiated, and instead require that the agency head and the personnel authority authorize each termination action. For termination actions of MSS employees in the D.C. Department of Human Resources, the agency head and the Chief of Staff for the Mayor shall authorize each termination action. The following sections were also amended: (1) sections 3801 and 3816, to add language on the new MSS open range pay schedule (“MS Schedule”); (2) section 3808 on <i>noncompetitive placement</i> ; and (3) section 3811 on <i>placement by reassignment or demotion</i> .
55 DCR 007974 (7/25/08)		DPM Transmittal No. 173 Entire chapter	These rules amended the chapter in its entirety, including a new section 3808.3 on special consideration for placement and advancement applicable to graduates of the District government’s <i>Certified Public Manager Program</i> and persons appointed as <i>Capital City Fellows (CCF)</i> , upon completion of the two-year (2-year) <i>CCF Program</i> .
56 DCR 002169 (3/13/09) Errata Notice	Section(s) 3807 and 3809	DPM Transmittal No. 182 Page(s) 7 and 9	This Errata Notice corrected the final rules published in the <i>D.C. Register</i> on July 25, 2008 (55 DCR 007974). Specifically, in section 3809.7 there was an incorrect reference to section 3814 (the correct reference is to section 3813); and section 3807.5 was incorrectly numbered “3707.5.”

D.C. PERSONNEL REGULATIONS

56 DCR 002724 (4/10/09)	Section(s) 3808.3	DPM Transmittal No. 185 Page 7	The rules amended subsections 3808.3 and 3808.4 of the chapter concerning the provisions for special consideration for advancement afforded to graduates of the District government's Certified Public Manager's Program and the Mayor's Capital City Fellows Program.
57 DCR 005455 (6/25/09)	Section(s) 3800, 3801, 3804, 3807, 3808, 3809, 3810, 3812, 3813, 3899	E-DPM Transmittal No. 196 Page(s) 1, and 4 through 11, and 14	The rules amended section 3809 of the chapter, on <i>placement by reassignment or demotion</i> , to clarify the language in subsections 3809.1 through 3809.3, and add a new subsection 3809.8 to provide that a Management Supervisory Service employee may be reassigned or demoted non-competitively from one subordinate agency to another subordinate agency, in addition to a reassignment or demotion within the employing agency and provide the criteria for such reassignments and demotions. In addition, section 3807 of the chapter, on <i>competitive and non-competitive placement</i> , was amended; non-substantive changes were made to sections 3800.1, 3800.2, 3801.1, 3804.1, 3808.3, 3810.1, 3812.1, 3813.3 of the chapter; and section 1199 of the chapter, <i>Definitions</i> , was amended to add the definition of the term " <i>demotion</i> ;" make a non-substantive change to the definition of the terms " <i>personnel authority</i> " and " <i>reassignment</i> ;" and add the definition of the term " <i>transfer</i> ."

[Back to Top](#)