

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. ~~00-040.02~~ HC1ERB-DEL-HC2-2016
TO THE DEPUTY CHIEF HUMAN CAPITAL OFFICER

1. **DELEGATION.** Pursuant to the authorities delegated to me under Delegation Order 00-040.00 and Redelelegation Order 00-040.01 and consistent with the Executive Resources Board (ERB) Charter section II(C), I hereby delegate to the Deputy Chief Human Capital Officer the authority to take the following actions:

In my capacity as Chair of the ERB, I hereby delegate to the Deputy Chief Human Capital Officer the authority to take the following actions:

1.1 **Alternate Chair of the ERB:**

A. Serve as the alternate chair of the ERB; and

B. Exercise appointing authority, as that term is used in 5 USC § 3393, for ERB decisions consistent with the ERB Charter.

In my capacity as Chief Human Capital Officer, I hereby delegate to the Deputy Chief Human Capital Officer the authority to take the following actions:

- 1.2 **Approve any dual compensation waiver requests for SES, SL, ST, EJ, EK and EWQ employee.**

1.3 **Details and Temporary Assignments functions Department-wide:**

A. Approve details of non-DOE career employees to SES, SL, ST, EJ, and EK positions;

B. Approve temporary assignments of SES, SL, ST, EJ and EK employees outside of DOE;

C. Ensure IPA requests of up to \$350,000 are for sound public purpose and further the goals and objectives of DOE. Review and approve all Intergovernmental Personnel Act Assignments up to \$350,000 are consistent with DOE Manual 321.1-1, Intergovernmental Personnel Actions; and

D. Approve requests for assignments to the White House, Executive Office of the President, and Congress for employees at the GS-15 level and below.

Also in my capacity as Chief Human Capital Officer, I hereby delegate to the Deputy Chief Human Capital Officer the authority to take the following actions:

1.4 Merit Staffing functions:

- A. Approve appointment selections and ensure that the individuals meet the qualifications standards for EJ and EK positions announced competitively;
- B. Approve reassignments without pay increases for Senior Executive Service (SES), Senior Level (SL) and Scientific or Professional (ST) positions;
- C. Approve reassignments and promotions actions with up to a six percent pay increase for EJ and EK positions;
- D. Approve details of up to 240 days, in increments of 120 days, for DOE employees into SES, SL, ST, EJ and EK positions;
- E. Approve transfers without pay increases from other agencies into SES, SL and ST positions if the employees are currently SES, SL, or ST employees, respectively;
- F. Approve details of SES, SL, ST, EJ and EK employees into unclassified duties within Departmental Element; and
- G. Approve SES, SL, ST, EJ, EK and Exceptionally Well Qualified (EWQ) recruitment, relocation and retention incentives.

1.5 Position/Allocation Management functions:

- A. Consistent with section II(C)(ii) of the ERB Charter, Position/Allocation Management, and its general executive level position management and allocation authority, approve abolishment of unencumbered SES, SL, ST, EJ, EK and EWQ positions; and
- B. Consistent with section II(C)(ii) of the ERB Charter, Position/Allocation Management, and its general executive level position management and allocation authority, approve backfill requests for SES, SL, ST, EJ, and EK positions vacant 365 days or less.

- 1.6 Performance Management functions:
 - A. Approve performance-based pay increases and awards for EJ, EK and EWQ employees; and
 - B. Approve proposals to grant non-performance based incentive awards of up to \$7,500 for SES, SL, ST, EJ, EK and EWQ positions within HC.
- 1.7 Details and Temporary Assignments
 - A. Approve details of non-DOE career employees to SES, SL, ST, EJ, and EK positions; and
 - B. Approve temporary assignments of SES, SL, ST, EJ and EK employees outside of DOE.
2. RESCISSION. None.
3. LIMITATION.
 - 3.1 Any personnel action listed above requires concurrence from the Office of Corporate Executive Management (OCEM) in the Office of the Chief Human Capital Officer prior to effectuating the action.
 - 3.2 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Under Secretary for Nuclear Security and National Nuclear Security Administration Administrator by law or by delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.
 - 3.3 The exercise of these authorities shall be governed by applicable rules and regulations and Departmental policies and procedures, including approvals or concurrences as may be required by such entities as ERB, the Deputy Secretary and the U.S. Office of Personnel Management.
 - 3.4 Nothing in this delegation precludes the Secretary, the Deputy Secretary, the Chief Human Capital Officer, or the ERB from exercising any of the authority delegated by this memorandum.

3.5 Any amendments to this Delegation Order shall be made after consultation with the Department of Energy General Counsel.


4. AUTHORITY TO REDELEGATE

4.1 You may not further redelegate these authorities.

5. EFFECTIVE DATE.

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective MAY 19 2016


Robert C. Gibbs
Chair, Executive Resources Board and
Chief Human Capital Officer