

S1-3. RESPONSIBILITIES

a. **Agency responsibilities.** (1) Executive positions, defined as any salaried positions in the Department which are evaluated at a rate above GS-15 whether filled by a civilian or military executive, excluding positions filled by appointment requiring consent by the Senate, are a resource of the Secretary. It is the Department's policy that all executive positions shall be established and executive assignments effected in the Department only after thorough consideration is given to the total executive needs of the Department. Executive personnel procedures shall have as their objective the maximum utilization of the resources available to the Department. Each proposal will be evaluated on its merit and its compliance with both the spirit and intent of equal employment opportunity.

Subchapter S2. Executive Resources Boards

S2-1. GENERAL

a. **Requirement for ERB.** (3) The provisions of this Subchapter, as supplemented by the Department, apply to salaried positions within the Department evaluated at a rate above the GS-15 and to all organizations in the Department, except the Office of the Inspector General.

b. **Role of the ERB.** (1) The Departmental ERB is responsible for Departmental overview for all aspects of executive resources management. The Executive Resources Review Committee (ERRC) acts on behalf of the ERB in considering and making decisions with regard to SES policy considerations and all personnel actions relating to SES positions, existing SES members and proposed candidates, unless otherwise delegated. The ERRC ensures that the Secretary's affirmative action program for the SES is implemented effectively.

(2) The Head of an Operating Administration (OA) may establish an ERB to carry out any of the responsibilities listed in S2-3.c., or other executive personnel management operations, as appropriate. Notification of the establishment of an organizational ERB, including a list of the members, must be sent to the Departmental ERB's Executive Secretary.

(3) The Director of Personnel, OST, shall serve as the ERB's Executive Secretary to provide staff support.

b. **Notification of OPM.** The Executive Personnel and Training Division, OST, is responsible for notifying OPM of ERB chairmanship, including names of the chairs of any OA ERBs.

c. ERRC Membership.

(1) The Deputy Secretary shall serve as Chair of the ERRC.

(2) The Assistant Secretary for Administration shall serve as Vice Chair of the ERRC.

(3) The Department's Director of Civil Rights and the Head of an OA(s)/Departmental Officer(s) shall serve as members on the ERRC. The Head of an OA/Departmental Officer shall serve at the call of the Chair for a 1-year term.

(4) Departmental Officers and Heads of OAs shall serve as ad hoc members of the ERRC at the discretion of the Chair whenever matters involving their respective organizations are to be presented.

(5) The Director of Personnel, OST, shall serve as the ERRC's Executive Secretary to provide staff support.

S2-2. MEMBERSHIP

a. **Appointment.** ERB membership is ex officio and consists of the following senior staff:

(1) The Deputy Secretary shall serve as Chair of the ERB.

(2) The Assistant Secretary for Administration shall serve as Vice Chair of the ERB; and the Heads of Operating Administrations, Assistant Secretaries, and the General Counsel shall serve as members of the ERB.

S2-3. RESPONSIBILITIES

a. Mandatory responsibilities.

(1) The ERRC is responsible for the conduct of the mandatory merit staffing process for all career SES appointments in the Department.

(2) DOT Order 3412.2A, Executive Development System, describes the ERB's role in executive development planning and management.

b. Additional responsibilities.

(2) In line with the delegations from the Secretary, and frequently acting through the ERRC, the ERB establishes policy concerning the following executive personnel functions:

(a) Executive position management.

- Executive personnel planning, including developing executive staffing plans and forecasting executive requirements.

(b) Executive staffing management.

- Staffing executive positions, including developing plans for making selections, promotions, reassignments and details.
- Executive reduction-in-force.
- Incorporating the Secretary's affirmative action policies into executive personnel plans and activities.

(c) Executive compensation management.

- Pay management issues, including establishing criteria for setting and changing pay and determining a control system to obtain an SES pay structure that provides meaningful pay distinctions.
- Criteria for making Presidential rank award nominations.

(d) Executive development management.

- Executive development, including determining program objectives, planning and conducting developmental programs for potential executives, and designing programs for the continuing development of executives.

(e) Executive performance management.

- Performance appraisals, including determining procedures for reviewing nominations of Performance Review Board members and developing mechanisms for the consideration of appraisals in staffing, pay, awards, and other decisions.
- Performance awards, including developing ways to enhance managerial effectiveness.
- Incentive awards to recognize executive accomplishments.

- Disciplinary and adverse action procedures based on performance and other criteria, including removal from the SES based on performance or during probation, and procedures for guaranteed placement in other personnel systems.

(f) Executive personnel program evaluation.

- Evaluation of executive personnel management within the Department.

c. Heads of Operating Administrations and Departmental Officers Responsibilities.

(1) In support of the Secretary, the ERB, and the ERRC, each Head of an Operating Administration and Departmental Officer shall:

(a) Assure that the utilization of executive positions and the appointment of personnel are in compliance with all Departmental directives and in particular, the spirit and intent of the Secretary's policies relating to equal employment opportunity.

(b) Recommend how executive positions will be filled and the selection criteria to be used in identifying eligible candidates for executive positions within their organizations.

(c) Recommend final selections for executive positions within their organizations subject to review by the ERRC (when required) and approval by the Secretary and, if appropriate, the Office of Personnel Management.

(d) Secure prior approval of the ERRC and the Secretary as required before effecting actions, including certain salary adjustments (see Subchapter 6) and details of career SES members to other SES positions in excess of 30 days.

(e) Inform the Assistant Secretary for Administration of adverse actions affecting personnel assigned to executive positions.

(f) Conduct a biennial review of executive needs in relation to anticipated type and extent of program activities and budget requests of the organization.

d. Delegations. The Secretary may selectively delegate any of the designated responsibilities and functions listed under Paragraph S2-3. of this Supplement.

Subchapter S15. Program Evaluation

S15-1. GENERAL

c. Agency responsibilities.

(2) In support of the Secretary and the ERB, the ERRC monitors key SES program elements on a continuing basis and reviews particular program elements as assigned by the Secretary, the ERB Chair, or as prompted by events.

(a) OST's Executive Personnel and Training Division, acting on behalf of the ERRC, may initiate program evaluations or special studies in furtherance of this responsibility.

(b) Heads of Operating Administrations and Departmental Officers shall support the ERRC's evaluation efforts by periodically monitoring and reviewing internal SES program elements to ensure compliance with all applicable laws, rules, regulations, and delegated authorities.