

## Office of Personnel Management

## § 591.104

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### Subpart A—Uniform Allowances

AUTHORITY: 5 U.S.C. 5903; E.O. 12748, 3 CFR 1991 Comp., p. 316.

SOURCE: 59 FR 43705, Aug. 25, 1994, unless otherwise noted.

#### § 591.101 Purpose.

This subpart prescribes the regulations authorized by section 5903 of title 5, United States Code, for the payment of uniform allowances.

#### § 591.102 Definitions.

*Agency* means an “Executive agency,” as defined in 5 U.S.C. 105.

*Employee* means an employee in or under an agency.

*Category of employees* means any group of employees designated by an agency that has the same basic uniform requirements.

*Head of agency* means the head of an agency or an official who has been delegated the authority to act for the head of the agency in the matter concerned.

*Uniform* means a specified article or articles of clothing that may include, but is not limited to, such items as shoes, boots, hats, shirts, slacks, skirts, or outerwear an employee is required by an agency to wear to provide a distinctive and easily identifiable appearance in performing his or her job. A “uniform” does not include protective equipment required for the em-

ployee’s safety under 5 U.S.C. 7903 or normal business or work attire purchased at the discretion of the employee.

*Year* means any period of 12 consecutive months designated by an agency as the basis for applying the maximum uniform allowance rates established under this part.

#### § 591.103 Governmentwide maximum uniform allowance rate.

Unless a higher initial maximum uniform allowance rate is payable under § 591.104 to an employee who is required by statute, regulation, or an agency’s written administrative procedures to wear a uniform, the head of each agency concerned, out of funds available, shall—

(a) Pay an allowance for a uniform not to exceed \$400 a year; or

(b) Furnish a uniform at a cost not to exceed \$400 a year.

#### § 591.104 Higher initial maximum uniform allowance rate.

(a) The head of an agency may establish one or more initial maximum uniform allowance rates greater than the Governmentwide maximum uniform allowance rate established under § 591.103.

(b) A higher initial maximum uniform allowance rate established under this section may not exceed the average total uniform cost for the minimum basic uniform for the affected employees and, except as provided in paragraph (c) of this section, applies only to the year in which the employee becomes subject to a requirement to wear the uniform.

(c) An agency that establishes one or more higher initial maximum uniform allowance rates under this section may divide the cost of the minimum basic uniform and continue a higher initial maximum uniform allowance for the year following the year the employee first becomes subject to the requirement to wear the uniform, provided the agency publishes a notice of its intention to continue such payments in the FEDERAL REGISTER for notice and comment.

(d) Before establishing a higher initial maximum uniform allowance rate under this section, an agency shall