



**DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
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Human Resources Regional Service Center

DoDEA Administrative Instruction 5251.9

July 3, 2008

**DEPARTMENT OF DEFENSE EDUCATION ACTIVITY
ADMINISTRATIVE INSTRUCTION**

SUBJECT: Intramanagement Communication and Consultation

References: (a) Department of Defense Education Activity Administrative Instruction 5251.9, "Intramanagement Communication and Consultation," August 28, 1997, as amended (hereby canceled)
(b) Parts 410 and 550 of title 5, Code of Federal Regulations
(c) Part 102 of title 41, Code of Federal Regulations
(d) DoD 1400.25-M, "Civilian Personnel Manual," December 3, 1996
(e) Sections 7101-7120 of title 5, United States Code, Labor-Management Relations

1. REISSUANCE AND PURPOSE

This Administrative Instruction reissues reference (a) to update policy and requirements for improving intramanagement communication and consultation within the Department of Defense Education Activity (DoDEA).

2. APPLICABILITY

This Administrative Instruction applies to the Office of the Director, Department of Defense Education Activity; the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam); and all DoDEA District Superintendents, School Principals, Teachers, and Support Staff.

3. DEFINITIONS. See enclosure 1.

4. POLICY

It is DoDEA policy that managers shall create and participate in organizations for

intramanagement communication and consultation that work best for their own management groups and shall distribute essential information within and across all levels of management. In this regard, the goals of the DoDEA Intramanagement Communication and Consultation Program shall:

4.1. Create a climate in which managers at all levels identify with management and participate actively in setting and attaining management goals, including the objectives of DoDEA's Community Strategic Plan.

4.2. Keep managers informed of developments affecting their work situations and provide them with the opportunity to participate in the resolution of management problems.

4.3. Encourage, as an integral part of daily work relationships, personal communication between managers that provides effective understanding of policies and interactions among organizational subunits.

4.4. Provide for consultative relationships with associations of managers to supplement other forms of intramanagement communication.

4.5. Permit managers, in appropriate cases, to use DoDEA's equipment or administrative support services for preparing papers to be presented at conferences or published in journals.

4.6. Permit under part 410 of title 5, Code of Federal Regulations (reference (b)), in appropriate cases, the payment of managers' expenses to attend professional organization meetings when such attendance is for the purpose of managerial development or directly concerned with DoDEA's functions or activities and DoDEA can derive benefits from their attendance at such meetings.

4.7. Permit, when appropriate, a liberal leave policy in authorizing excused absences for other managers who are willing to pay their own expenses to attend a meeting of a professional association or other organization from which DoDEA could derive some benefit.

4.8. Provide its facilities in accordance with appropriate General Services Administration regulations as contained in 41 CFR part 102 (reference (c)) and resources to support organizations (such as space for meeting purposes and DoDEA's bulletin boards, internal mail distribution systems, electronic mail bulletin boards about meetings and activities).

5. RESPONSIBILITIES

5.1. The Director, Department of Defense Education Activity, shall:

5.1.1. Establish consultative relationships at the national and area levels of DoDEA.

5.1.2. Notify an association in writing that it has been accorded official consultative status, set forth any privileges and responsibilities or rights deemed appropriate.

5.1.3. Revoke the official status an association has been accorded if at any time it is determined that the association functions in a manner contrary to the objectives of this Administrative Instruction.

5.2. The Director, Human Resources Regional Service Center (HHRSC), Department of Defense Education Activity, will:


5.2.1. Upon receipt of the information submitted in accordance with E3.3. below, review the request and make a recommendation to the Director, DoDEA, within 30 calendar days as to whether or not an official consultative relationship should be established based on the criteria stated in this Administrative Instruction.

5.2.2. Upon recommendation of the establishment of an official consultative relationship with an association, submit a plan for dealing with the association. As a minimum, the plan will set forth any privileges or rights deemed appropriate, frequency of meetings, use of official facilities, and use of official time for consultations.

6. PROCEDURES. See enclosure 3.

7. EFFECTIVE DATE

This Administrative Instruction is effective immediately.


Dr. Shirley A. Miles
Director

Enclosures – 3

- E1. Definitions
- E2. Dues-Withholding Agreement
- E3. Procedures

E1. ENCLOSURE 1

DEFINITIONS

E1.1. Association of Management Officials, Supervisors, and Administrators. An association whose membership consists of management officials, supervisors, or administrators (e.g., principals, assistant principals) which:

E1.1.1. Is a lawful, nonprofit organization whose constitution and bylaws indicate that it subscribes to minimum standards of fiscal responsibility and employs democratic principles in the nomination and election of officers.

E1.1.2. Does not discriminate in its membership because of race, color, religion, national origin, age, handicapping condition, marital status, or political affiliation.

E1.1.3. Must not assist or participate in a strike, work stoppage, or slowdown against the Government of the United States or any agency thereof or impose a duty or obligation to conduct, assist, or participate in such strike.

E1.1.4. Must not advocate the overthrow of the constitutional form of Government of the United States.

E1.1.5. Is not eligible to be an exclusive representative of employees in a bargaining unit established under DoD Manual 1400.25 (reference (d)).

E1.1.6. Does not represent employees who are eligible to be in a bargaining unit under reference (d).

E1.1.7. Is not affiliated with a labor organization or federation of labor organizations.

E1.2. Labor Organization. An organization as defined in section 7103(a)(4) of title 5, United States Code (reference (e)), which is in compliance with section 7120 of reference (e).

E1.3. Management Official. An individual employed by DoDEA in a position in which the duties and responsibilities require or authorize the individual to formulate, determine, or influence DoDEA policies according to section 7103(a)(11) of reference (e).

E1.4. Manager. A management official or supervisor as defined in E1.3. and E1.5.

E1.5. Supervisor. An individual employed by DoDEA having the authority to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees; to adjust grievances; or to effectively recommend such action if the exercise of authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment. The term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority according to section 7103(a)(10) of reference (e).

E2. ENCLOSURE 2

DUES-WITHHOLDING AGREEMENT

E2.1. An association which has established an official consultative relationship may enter into a written local agreement permitting voluntary allotments from pay for dues of supervisors and management officials who are association members. Dues withholding for an association of management officials, supervisors, and administrators is authorized pursuant to part 550 of reference (b).

E2.2. If an association desires a dues-withholding agreement, it makes a written request to the Director, HRRSC, DoDEA. The request must clearly indicate that the association's constitution and bylaws provide for at least minimum standards of fiscal responsibility and that democratic principles are employed in the nomination and election of officers. The Director, HRRSC, DoDEA, in coordination with the Chief, Fiscal Division, DoDEA, after determining the association meets the pertinent criteria, notifies the association and shall make arrangement for such withholdings with the appropriate authorities. If the Director, HRRSC, DoDEA, decides not to grant the request after determining that the association's constitution and bylaws do not meet the fiscal and officer-election criteria, the association is authorized, at its request, one further review by the Director, DoDEA.

E2.3. Dues-withholding arrangements shall be incorporated in a written agreement between the Director, HRRSC, DoDEA and the association.

E3. ENCLOSURE 3

PROCEDURES

E3.1. In developing techniques and procedures that best suit their individual situations, particular attention should be paid to:

E3.1.1. Provide managers with the tools, information, and assistance needed to represent management in relationships with employees and labor organizations.

E3.1.2. Obtain feedback about concerns and problems encountered in operating under existing policies or under the provisions of collective bargaining agreements with labor organizations.

E3.2. The voluntary joining together of managers in groups or associations may not be prevented or discouraged. Where they exist, such associations shall be brought into the intramanagement communication and consultation process. In doing this, the fundamental difference must be recognized between such associations and labor organizations representing non-managerial employees. In this instance, a non-managerial employee refers to a member of a certified bargaining unit, such as: the Federal Education Association, Overseas Federation of Teachers, American Federation of Government Employees, and National Federation of Federal Employees. Associations of managers can provide a means of supplementing the intramanagement communication process. However, it is not intended that such dealings replace the individual contacts and exchanges of information and views that are fundamental to managerial relationships.

E3.3. An association of DoDEA management officials, supervisors, and administrators that want to enter into an official consultative relationship shall submit a request in writing to the Director, DoDEA, through the Director, HRRSC, DoDEA. The request must be accompanied by:

E3.3.1. Documentation on which the association relies in believing an official consultation relationship should be established under the applicable criteria.

E3.3.2. A copy of the association's current constitution and bylaws.

E3.3.3. A list of the current officers of the association.

E3.3.4. A statement that the association will not engage in any of the prohibited acts or practices outlined in enclosure 2 of this Administrative Instruction.

E3.3.5. A statement indicating whether the association wants to enter into a dues-withholding agreement.