



TOPSIDE



May 2006

The NDP Newsletter for NOAA Diving Supervisors and Divers

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TRAINING SCHEDULE

All individuals applying for any dive classes offered by the NDC must submit the following items; NOAA Diving Training Request and Authorization form, completed NOAA diving physical, swim test, dive resume, Standardized Equipment Measurement form, and current First-aid/CPR certificates. All forms are available online at: www.ndc.noaa.gov/forms.html. Completed forms can be mailed or faxed to the Diving Center.

Events scheduled through Jan. 2007:

July 10 - 21	Physicians Course	Seattle
Sept.11 - 29	Working Diver	Seattle
Sept.25 - 29	Divemaster	Seattle
Nov. 27 - Dec. 2	DMT	Seattle
Jan. 8 - 19	MPIC	Seattle
Jan. 8 - 26	Working Diver	Key West
Jan. 22 - 26	Divemaster	Key West

Please contact Laurie Barber at 206-526-6695 or via e-mail laurie.barber@noaa.gov with any questions.



AWARDS

On March 17th, 2006 NOAA Line Office Diving Officer Jules Craynock, and LTJG Hector Casanova received the NOAA Bronze Award in Washington, D.C. The citation on the award read as follows: " For implementing a unique oceanographic and meteorological monitoring network in coral reef areas, under the goals established by the U.S. Coral Reef Task Force and NOAA." More information about their project can be found at (<http://www.coral.noaa.gov/crews/index.shtml>).
 Congratulations gentlemen!



VADM Lautenbacher, LTJG Casanova, LODO Craynock, Dr. Spinrad NOAA/DOC

NOAA DIVING PROGRAM POLICY BULLETIN #06-01

NOAA has a number of contractors that serve as divemasters in various locations around the world. These contractors fall within three basic categories: 1) those hired by employment agencies, 2) those employed by joint institutes (e.g., JIMAR in Honolulu), and 3) those employed by other government agencies (e.g., state of Florida).

A recent review of this practice by DOC and NOAA General Counsels, indicated a problem with contract employees having control over dives that include "supervisory oversight" of divers. In cases where any of the divers are government employees (i.e., FTE), this kind of supervision amounts to an inherently governmental function and is not permitted under the guidelines outlined in OMB A-76. A-76 is largely a FAIR Act implementation policy, and therefore is mainly concerned with Position Descriptions and how contracts are let. This is only a problem when divemasters are contractors and any of the divers are federal employees. If all divers are contractors, then there isn't any issue and contract divemasters can oversee all aspects of the dives.

The duties and responsibilities of divemasters are varied and not all of them are truly supervisory in nature. An analysis of divemasters tasks by the NDC and NOAA OGC indicated that only a few had supervisory components. The tasks identified as supervisory are:

- 1) Assess a person's readiness to dive
- 2) Ensure all divers are familiar with the tasks to be performed and capable of performing the task safely and successfully
- 3) Ensure all divers are current with NDP requirements (dive physical, proficiency, training, etc.)
- 4) Develop a dive roster and assign positions to personnel
- 5) Give order to dive
- 6) Counsel divers on violations of NDP dive regulations, safety rules, and policies and issue verbal warning on the consequences of a repeat occurrence
- 7) Discipline (limit, restrict or suspend diving privileges) divers committing flagrant violations of the NDP dive regulations, safety rules, and policies - or repeat occurrence after verbal warnings.

Based on this, and effective immediately, contract employees are prohibited from performing any of the above tasks when the divers involved are federal (FTE) employees. In such cases, another federal employee will have to step-in to perform these tasks.

Certain contractors (e.g., state employees working with the federal government under the Intergovernmental Personnel Act (IPA)) may be able to perform these inherently governmental functions, depending on the relationship between the entities. For questions regarding the applicability of this policy to state employees serving as divemasters on NOAA dives, please contact NOAA GC (M.E. Rolle) at: MaryElliott.Rolle@noaa.gov.

To reiterate, contract employees can continue to serve as NOAA divemasters with the following caveats:

- 1) If the divers are federal employees, the divemaster cannot perform the 7 tasks identified above. He/she may perform all other normal divemaster duties and responsibilities.
- 2) If the divers are not federal employees, the divemaster can perform all duties and responsibilities, including the 7 tasks listed above.



DAN INFORMATION

The NOAA Diving Program has a business membership with Divers Alert Network (DAN) that allows our units to purchase merchandise, AEDs, oxygen kits, first aid kits, and anything else that DAN sells to the public at a reduced rate. Please contact LTJG Eric Johnson for information on purchasing DAN products.

