

DEPARTMENT OF THE INTERIOR
DEPARTMENTAL MANUAL

Personnel

370 DM Addition to FPM

Chapter 306 Selective Placement Programs

370 DM 306,1.1

Subchapter 1. Purpose, Policy and Authority.

1.1 Purpose. The purpose of this Chapter is to set forth policies and procedures of the Department with respect to selective placement programs for individuals who have a special problem in obtaining and retaining employment, including but not limited to, the physically disabled, the mentally retarded, the mentally restored, disabled veterans, prisoners of correctional and penal institutions who are approved to participate in work release programs and rehabilitated offenders. Additional guidance on the selective placement program is contained in FPM Chapter 339.

1.2. Policy.

A. General. It is the policy of the Department to provide full and continuing employment opportunities, advancement potential, reasonable accommodations to the special needs of and to the extent possible, an architecturally barrier-free working environment for physically and mentally disabled individuals, and to extend employment opportunities to other persons for whom the Office of Personnel Management has approved selective placement programs. Waivers from established physical standards for law enforcement and other occupations that require strenuous physical activities shall not be granted unless recommended by a Federal medical officer.

(1) Disabled persons will receive full consideration for positions for which they qualify regardless of their disabling condition. Exceptions can be made, on an individual basis, only when it can be determined that placing the disabled person in the position will jeopardize the basic function of the position or threaten the health and safety of employees or co-workers.

(2) This policy is to be implemented to the maximum extent practicable, consistent with: work force limitations; considerations for efficiency, economy, and effectiveness; career planning; the maintenance of sound standards of personal security, as applicable; and personnel suitability.

B. Premise. This policy is based upon Federal law and the Department's continuing view that it is in the best interest of the Department to demonstrate leadership as an employer:

(1) through contributing to full utilization of all qualified personnel resources available; and,

DEPARTMENT OF THE INTERIOR
DEPARTMENTAL MANUAL

Personnel

370 DM Addition to FPM

Chapter 306 Selective Placement Programs

370 DM 306,1.2B(2)

(2) through contributing to the upgrading of the qualifications and marketability of the services of disabled persons in obtaining and retaining employment. It is, therefore, expected the disabled will become independent, self-sustaining members of society, within the constraints specified in 370 DM 306, 1.2A(1).

1.3 Authority. The following updates and adds to the authorities listed in the FPM:

A. Section 7203 of Title 5, United States Code, prohibits discrimination because of physical handicap.

B. The Rehabilitation Act of 1973, amended by the Rehabilitation Act Amendments of 1974, Rehabilitation Act Extension of 1976, and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, authorizes programs to promote and expand employment opportunities for handicapped individuals and requires agencies in the Executive Branch to implement affirmative action plans for the hiring, placement and advancement of handicapped individuals. See P.L. 93-112, P.L. 93-516, (29 U.S.C. 701 et seq.), P.L. 95-602 (29 U.S.C. 701 et seq. (Supp. III, 1979); 42 U.S.C. 6000 et seq. (Supp. III, 1979)).

C. The Vietnam Era Veterans Readjustment Assistance Act of 1974 requires affirmative action plans for the employment of disabled veterans in the Federal Government. See P.L. 93-508 (38 U.S.C. 219 et seq.; 50 U.S.C. app. 459). Title 38, U.S.C., covers the Veterans Program, especially the 30 percent Disabled Veteran.

D. The Prisoner Rehabilitation Act of 1965 and the District of Columbia Work Release Act of 1966 authorize participation of Federal agencies in work release employment for minor offenders in special circumstances, e.g., shortage category occupations. See P.L. 89-176 (18 U.S.C. 4082) and P.L. 89-803 (D.C. Code 24-461 et seq.).

E. Public Law 96-523, (5 U.S.C. 3102) authorizes the Secretary to employ reading assistants for blind employees, interpreters for deaf employees, personal assistants for otherwise disabled employees, and payment of personal assistance services for disabled Federal advisory committee members.

DEPARTMENT OF THE INTERIOR
DEPARTMENTAL MANUAL

Personnel

370 DM Addition to FPM

Chapter 306 Selective Placement Programs

370 DM 306,2.1

Subchapter 2. Procedures and Responsibilities.

2.1 General. Instructions for developing, carrying out, and reporting on selective placement programs will be issued by the Office of Personnel (PPM) in accordance with requirements imposed by the Equal Employment Opportunity Commission (EEOC) and the Office of Personnel Management (OPM). Top management support and full consideration from the entire Department, including the first-line supervisor, must be present if this program is to be successful.

2.2 Selective Placement Program Coordination. While all managers, supervisors and personnelists are expected to be familiar with the general requirements and guidelines of the selective placement program, individuals specifically designated as Selective Placement Program Coordinators are the key to success or failure of the program.

2.3 Departmental Responsibilities. The Director of Personnel has the primary responsibility of designating a Departmental Coordinator. The Departmental Coordinator is responsible for staff and program matters (e.g., Departmentwide coordination) rather than day-to-day operational procedures, or contacts with management officials, supervisors, individual handicapped applicants, disabled veterans or employees.

2.4 Bureau Responsibilities. Each bureau must designate a Coordinator for all major organizational components down to and including field installations having appointing authority. The level of responsibility of the Coordinator for each bureau must assure full implementation of all facets of the program as required by EEOC, OPM and the Department. Bureau-level Coordinators are responsible for the day-to-day operations of the program. The functions of these Coordinators are outlined in the FPM.

2.5 Equal Employment Opportunity Commission Responsibilities. The Equal Employment Opportunity Commission (EEOC) is responsible for receiving and reviewing agency "Affirmative Action Program Plans for Handicapped Individuals Including Disabled Veterans". This function was transferred to EEOC pursuant to the Reorganization Plan No. 1 of 1978, and guidance and directions on report requirements are transmitted through EEOC's Management Directives.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 23 1986

Mr. Robert L. Martinez
Assistant Director for
Affirmative Employment Programs
Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20415

Dear Mr. Martinez:

This is in reference to FPM Letter 306-19 of May 30, 1986, which contains instructions concerning agency use of Schedule A, 213.3102(t) appointing authority for noncompetitively hiring mentally retarded individuals. The Department of the Interior wishes to update its existing agreement to reflect the information required by OPM.

- (a) The Department of the Interior is committed to the employment of mentally retarded individuals and supports the program. Arrangements will be worked out at the bureau level in conjunction with the appropriate State vocational rehabilitation agency concerning job categories in which the mentally retarded person can be placed.
- (b) Prior to employing a mentally retarded person, a certification will be obtained from the appropriate State vocational rehabilitation agency that the mentally retarded individual meets the necessary requirements for employment.
- (c) The advice and assistance of the State vocational rehabilitation agency will be fully utilized in the training, supervision, and postplacement counseling of the employee.
- (d) No mentally retarded person will be terminated from employment without prior notification of his/her State vocational rehabilitation counselor. Department of the Interior recognizes that appointments under this authority will be made on a continuing basis without time limitation, however, this does not preclude the possibility that temporary assignments will be worked out with an employee's counselor.
- (e) The Department of the Interior will provide the Office of Personnel Management with copies of internal Departmental or bureau instructions and related materials concerning its program for the employment of mentally retarded individuals.

Sincerely,

Morris A. Simms
Director of Personnel

Robert L. Martinez
Assistant Director
Affirmative Employment
Programs

APPROVED: July 29, 1986

