



Federal Register

**Monday,
April 28, 2008**

Part II

**Office of Personnel
Management**

5 CFR Part 250

**Human Resources Management in
Agencies; Final Rule**

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(a) In writing, the head of an agency may authorize an agency employee to accept a contribution or award (in cash or in kind) incident to training or to accept payment (in cash or in kind) of travel, subsistence, and other expenses incident to attendance at meetings if

(1) The conditions specified in section 4111 of title 5, United States Code, are met; and

(2) In the judgment of the agency head, the following two conditions are met:

(i) The contribution, award, or payment is not a reward for services to the organization prior to the training or meeting; and

(ii) Acceptance of the contribution, award, or payment:

(A) Would not reflect unfavorably on the employee's ability to carry out official duties in a fair and objective manner;

(B) Would not compromise the honesty and integrity of Government programs or of Government employees and their official actions or decisions;

(C) Would be compatible with the Ethics in Government Act of 1978, as amended; and

(D) Would otherwise be proper and ethical for the employee concerned given the circumstances of the particular case.

(b) Delegation of authority. An agency head may delegate authority to authorize the acceptance of contributions, awards, and payments under this section. The designated official must ensure that—

(1) The policies of the agency head are reflected in each decision; and

(2) The circumstances of each case are fully evaluated under conditions set forth in §410.502(a).

(c) Acceptance of contributions, awards, and payments. An employee may accept a contribution, award, or payment (whether made in cash or in kind) that falls within the scope of this section only when he or she has specific written authorization.

(d) When more than one non-Government organization participates in making a single contribution, award, or payment, the “organization” referred to in this subsection is the one that:

(1) Selects the recipient; and

(2) Administers the funds from which the contribution, award, or payment is made.

§ 410.503 Records.

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An agency shall maintain, in such form and manner as the agency head considers appropriate, the following records in connection with each contribution, awards, or payment made and accepted under authority of this section: The recipient's name; the organization's name; the amount and nature of the contribution, award, or payment and the purpose for which it is to be used; and a copy of the written authorization required by §410.502(a).

Subpart F—Evaluating Training

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§ 410.601 Responsibility of the head of an agency.

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Under provisions of chapter 41 of title 5, United States Code, and Executive Order 11348, the agency head shall evaluate training to determine how well it meets short and long-range program needs by occupations, organizations, or other appropriate groups. The agency head may conduct the evaluation in the manner and frequency he or she considers appropriate.

§ 410.602 Records.

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An agency head shall retain records of these evaluations in such form and manner as he or she considers appropriate.

Subpart G—Reporting

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§ 410.701 Reporting.

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(a) Each agency shall maintain records of training plans, expenditures, and activities in such form and manner as necessary to submit the recorded data to the Office of Personnel Management (OPM) through the OPM Governmentwide Electronic Data Collection System.

(b) Beginning December 31, 2006, each agency shall report the training data for its employees' training and development at such times and in such form as required for the OPM Governmentwide Electronic Data Collection System, which is explained in the *Guide to Personnel Recordkeeping* and the *Guide to Human Resources Reporting*.

(c) Agencies may request an extension for the timeframe in which they will begin reporting the data under paragraph (b) of this section. OPM may grant an extension based on an approved agency plan to meet the reporting requirements. No extension will be granted for a timeframe beyond December 31, 2007.

(d) Each agency shall establish a Schedule of Records for information required to be maintained by this chapter in accordance with regulations promulgated by the National Archives and Records Administration (NARA).

[71 FR 28547, May 17, 2006]

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	Integrity and Inspiring Employee Commitment
	Continuous Learning
	Knowledge Management

Results: Continuous Learning.	<p>When the key elements of the critical success factor Continuous Learning are effectively implemented, agencies will realize the following results:</p> <p>Effectiveness Results</p> <ul style="list-style-type: none"> • The agency has achieved a culture of continuous learning through investments in education, training, and other developmental opportunities that help employees build mission-critical competencies. • Training and development initiatives and strategies support mission-critical competencies, are linked to the agency mission, and have demonstrated a positive impact on agency mission performance. • The agency uses appropriate learning technology and innovative learning strategies to meet the training and development needs of the workforce. • The agency has developed and implemented a process to evaluate its training and development program impact in terms of learning, performance, work environment, and contribution to mission accomplishment. The results of the evaluation reflect a positive contribution to mission accomplishment. <p>Compliance Results</p> <ul style="list-style-type: none"> • As prescribed by the CHCO Act of 2002 (5 U.S.C. 1402), the agency CHCO has developed and advocates a culture of continuous learning to attract and retain employees with superior abilities and sets the workforce development strategy. • The agency's training programs comply with the provisions of 5 U.S.C. 4101 and 5 CFR 410 and 412. • As provided in the CHCO Act of 2002 (5 U.S.C. 1304), the agency: <ul style="list-style-type: none"> —Sustains a culture that cultivates and develops a high-performing workforce. —Develops and implements a knowledge management strategy supported by appropriate investment in training and technology. <p>The following pages provide key elements and suggested performance indicators for this critical success factor.</p>
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CONTINUOUS LEARNING

Key Elements	Suggested Performance Indicators
<p>The agency has a continuous learning system that:</p> <ul style="list-style-type: none"> • Is based on accurate information from IDPs and an annual organizational needs analysis. • Focuses on mission-critical occupations. <ul style="list-style-type: none"> • Uses a wide variety of methods including classroom training, distance learning, mentoring, and experiential learning. • Encourages attendance at conferences, workshops, and seminars. 	<p>Effectiveness Indicators</p> <ul style="list-style-type: none"> • A training needs assessment is conducted that is linked to strategic and mission-critical competencies. Based on assessment results, employees are trained in specific, job-related skills and knowledge. • Training programs are designed and implemented which build competencies that are important to strategic goals and objectives and the agency's performance plan execution. <ul style="list-style-type: none"> —Competency-based career development programs, including various development activities and learning opportunities, have been implemented and documented and are being used by employees. —Competency models have been established which document standards for competency levels (e.g., entry, journey, expert). • IDPs, or a similar process, are established for employees in mission-critical occupations. IDP completion is tracked and review indicates that IDPs are being completed in most cases. • Performance evaluations reflect consideration of employee developmental training and developmental needs. Review indicates that action is usually taken to follow through on meeting these needs. • Agency policy and practice reflect that responsibility for employee development is shared between employees and managers. <p>Compliance Indicators</p> <ul style="list-style-type: none"> • In accordance with 5 CFR 410, the agency assesses training needs annually. • The agency closes skill gaps in mission-critical occupations in accordance with the CHCO Act (5 U.S.C. 1304). <p>Effectiveness Indicators</p> <ul style="list-style-type: none"> • The agency conducts an analysis to select and implement the best array of learning strategies (e.g., rotational assignment, shadowing, mentoring) for the targeted audience(s) to provide them with mission-critical competencies. • Learning technology and other alternative learning strategies are reflected in the agency's strategic human capital planning documents and training plans. • Where appropriate, the agency has implemented e-learning activities such as eGov Online Learning Center. • The agency has invested in the infrastructure necessary to leverage learning opportunities that include the application of reasonable accommodation, where justified by return-on-investment analysis.