

NAVAL INVESTIGATIVE SERVICE

FAIRMONT BUILDING

4420 NORTH FAIRFAX DRIVE
ARLINGTON, VIRGINIA 22203

IN REPLY REFER TO

NISNOTE 12340

Code 09

Ser 3992

2 June 1969

NAVINVSERV NOTE 12340

From: Director, Naval Investigative Service
To: Distribution List

Subj: Appointments of Special Agents to Schedule A Excepted Positions

Ref: (a) NAVINVSERV INST 12300.2; Civilian Special Agent Personnel Management System
(b) NAVINVSERV INST 12340.2; Overtime and Premium Pay
(c) NAVINVSERV NOTE 12300 Ser 2483 of 24 Apr 69, s/s

Encl: (1) Copy of OCMM ltr OCMM 07, w/o enclosure of 2 May 69
(2) Amendment to Personnel Staff Services Agreement

1. Purpose. To promulgate guidance and procedure for the Appointment of contract (Special Agent) employees to Civil Service Schedule A Excepted Positions (GS-1810-0).

2. Discussion.

a. Addressees have previously been advised that the civilian contract Special Agents, as the result of a Program Budget Decision, must be converted to Civil Service Schedule A positions on 1 July 1969. Since a change in the means of funding salaries (SH .1030 to SH .1530) will occur on 1 July, the conversion must be effective as of that date. It is thus essential that all required preparations and actions be accomplished as early as possible.

b. Enclosure (1) is a copy of a letter that was forwarded by OCMM to the various ROCMM's and by time of receipt of this Notice, each NISO should have been informally contacted by the ROCMM and the local Consolidated Civilian Personnel Office (CCPO) or other personnel servicing office which will provide personnel service and support. To assist each NISO Commanding Officer, the guidance below is provided.

3. Policy. All problems in interpretation and/or implementation of policy between the NISO and the CCPO that cannot be resolved locally will be referred to DIRNIS (Code 09). The matter will be reviewed and coordinated with OCMM. Response and guidance will be furnished the NISO and, if appropriate, by OCMM to the ROCMM-CCPO. The Federal Personnel Manual (FPM), Civilian Manpower Management Instruction (CMMI), effective

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portions of Navy Civilian Personnel Instructions (NCPI) and references (a), (b), and (c) are the applicable policy sources. For purposes of this conversion, ONI Instruction 3820.71 (Manual for Administration of Agents) is not applicable.

4. Management. Special Agent Personnel will be administered, controlled, and managed pursuant to the provisions of reference (a) and in compliance with the Excepted Civil Service system and Navy civilian personnel policy which is promulgated through the FPM/CMMI's/NCPI's.

5. Servicing Agreement. Each NISO and NISHQ will utilize a local Consolidated Civilian Personnel Office (CCPO) (formerly CIRO) or other servicing personnel office to obtain the required technical staffing services incident to the conversion and continuing required personnel functions. In keeping with the policy set forth in CMMI 250.2-5, 250-F.5, a Servicing Agreement will be executed between the Commanding Officer, NISO, and the Director of the servicing CCPO or appropriate servicing personnel office. Enclosure (2) is the NISHQ desired Amendment to any Servicing Agreement that will be executed by the NISO Commanding Officer. If more appropriate and convenient, a special Servicing Agreement encompassing the contents of enclosure (2) to meet local requirements may be drawn; but copies must be forwarded to DIRNIS (Code 09) and to OCMM for information. OCMM concurrence has been obtained on enclosure (2).

6. CCPO Support and Relationship.

a. Since a CCPO will be providing service and support to the NISO, it may become necessary to provide the CCPO a degree of logistic support. This support may be in the form of Civil Service ceiling points and accompanying funding. Logistic support to a CCPO is basically a matter of negotiation between the CO, NISO and the Director, CCPO or other personnel servicing office. However, since DIRNIS has overall responsibility for NIS manpower and dollar resources, any proposal for CCPO logistic support must be forwarded for DIRNIS review and approval before implementation.

b. The Director, CCPO, upon execution of the Servicing Agreement, is responsible for providing effective staff services and becomes a consultant to the Commanding Officer in civilian personnel matters. The Director, CCPO, when consulted on NISO matters, is acting for the CO, NISO and will be responsive to the CO, NISO. The Commanding Officer retains final responsibility for the quality and direction of his personnel program, including timely and accurate submission of all required reports (i.e., 12280 report).

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7. Position Descriptions. OCMM classified standard position descriptions covering all contract billets now occupied by Special Agents will be forwarded to each CO, NISO, under separate cover. The Position Descriptions may not be changed or amended without prior DIRNIS approval; the Position Descriptions do not require local classification review.

8. Appointment Action.

a. The contract Special Agent personnel will be appointed to positions in the Excepted Service under authority of Schedule A - 213.3108(a)(1) which covers positions assigned exclusively to Naval Intelligence activities. (CMMI 213-C refers).

b. The Excepted Appointment action must be initiated by the NISO forwarding an SF 52 (Request for Personnel Action) and an SF 75 (Request for Preliminary Employment Data) to the servicing CCPO, for each position/employee involved. This is a mandatory first step action.

c. The following specific guidance and information is furnished:

(1) SF-171 - each employee will be required to prepare one for his 201 file which will be held by the servicing personnel office.

(2) SF-61 and SF 61B - each employee will be required to execute the declaration of appointment/affidavits. The declaration may be administered either by the CO or CCPO representative or other competent official as authorized by NCPI 310.7-6a.

(3) SF-144 - each employee will need to execute a statement of prior Federal and military service. The service computation date (SCD) for item 7 of SF-50, Notification of Personnel Action, will be based on creditable Federal service as described in FPM Supplement 296-31. All service as a contract Special Agent is creditable.

(4) SF-15 - Claim for veteran preference will be completed by applicable employees.

(5) Individual Retirement Record (SF-2806) will have to be prepared for each agent locally by the CCPO. Each NISO will post and balance its currently held SF-2806's and report to NIS-32 the amount of retirement deductions for CY 69 plus the cumulative total through 30 June 1969 in accordance with NAVINVSERV INST 07000.2A.

(6) Health Benefits - Each NISO will prepare one (1) SF-2810 with the notation "MASS TRANSFER OUT". The SF-2810 will be accompanied by a listing (original and three copies) of the employees involved in the transfer. The listing will contain the full name, date of birth, carrier's

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control number and enrollment code of each employee. The names should be listed in alphabetical order by codes. The original copy of the listing will be attached to the DUPLICATE copy of the SF-2810 and forwarded to NISHQ, Code 32. Two copies of the listing will be attached to the TRIPLICATE copy of the SF-2810 and forwarded to the acquiring paying activity. The QUADRUPLICATE copy will be retained with the last copy of the listing at the NISO for record purposes. The SF-2809's (employing office copy) on file at Headquarters will be mailed to the NISO's at a later date with specific instructions for disposition. USNAVINVSEURO Europe, an exception, will notify the individual carriers direct.

(7) Salary Payments - Salary payments for agents for the pay period beginning 29 June through 12 July will be prorated between Fiscal Year 1969 and 1970. The agents salaries for Monday, 30 June, will be paid separately and will be charged to SH .103A. Effective 1 July, salaries will be charged to SH .1530. Withholding of Civil Service Retirement contributions and applicable taxes will be the only deductions made when making salary payments for 30 June. Health Benefits and employees life insurance must not be deducted from this payment. They must be deducted from the payroll ending 13 July 1969.

(8) Withholding Statements - After final payment of salaries has been made, payroll cards will be balanced and individual tax withholding statements will be issued. For Calendar Year 1969, each agent will receive two withholding statements. He will receive a withholding statement for the period 1 January through 30 June from the office that is presently paying him from SH .103A and will receive a second withholding statement for the period 1 July through 31 December from the fiscal office processing his salary after the conversion. Final tax reports for withholdings made under SH .103A are to be submitted to the Internal Revenue Service as soon as possible after conversion procedures have been finalized.

(9) Non-Symbol Checking Accounts - Funds held by Agent Cashiers in non-symbol checking accounts will be reduced to the minimum required for operation. Funds held in non-symbol checking accounts should not exceed two weeks requirement. Replenishment from Disbursing Officers should be scheduled on a bi-weekly basis. A report of funds maintained in non-symbol checking accounts must be submitted, not later than 10 July, to NISHQ (Code 32) indicating the amount of funds retained in the non-symbol checking account.

(10) Physical Examination - new appointment physicals on SF-78 should not be necessary. Provide the CCPO or the servicing personnel office the last physical examination, if available, for maintenance in accordance with the instructions in FPM 293. Upon request, NIS-31 will forward any physical examination report not available in the NISO.

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(11) Leave Records - Audit and balance and furnish SF-1150 (Record of Leave Data Transferred) to the CCPO for proper individual crediting.

(12) Overtime Pay - Reference (b) refers.

(13) Transfers - Any transfer orders, unexecuted or not completed by 1 July 1969, may require amendment to show new Civil Service status. Furnish NIS-31 information on any individual situation, for guidance and instruction, in which problems are encountered. Beginning 1 July 1969, all PCS transfers must be coordinated with the servicing CCPO to insure that the employee's personnel records and pay are transferred. Notification to a CCPO of an employee PCS is normally done by an "SF-52" enclosing a copy of the transfer orders. NISO's, wherein there are agents currently holding PCS orders, must insure proper personnel actions are taken incident to the conversion.

(14) Background Investigation Files - Forward to NIS-34 for inclusion in the Special Control Files. Copies of ROI's should not be retained.

(15) Contract Employee Personnel Files - Destroy. NISHQ holds original which will be retained permanently.

(16) Contracts - Prepare and forward to NISHQ a terminating contract document, in letter form, signed by the agent and Commanding Officer, which states:

"Contract dated _____, executed between
(Agent Name) _____ and the Director, Naval
Investigative Service, is terminated at close of
business on 30 June 1969, by mutual agreement,
incident to (Agent Name) _____ Appointment to
Civil Service Schedule A Excepted Position."

Signature _____
(Agent's Name) _____ (Date) _____

(Name) _____ CO, NISO _____ (Date) _____
For the Director, NAVINVSERV

(17) SF-176 (Election, Declination or Waiver of Life Insurance Coverage).

SF-1152 - (Designation of Beneficiary, Unpaid Compensation of Deceased Employee)

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SF-2808 - (Designation of Beneficiary, CSC Retirement System)

SF-54 - (Designation of Beneficiary for FEGLI)

These forms, if held by NIS-31, will be forwarded to the applicable NISO's for forwarding to the CCPO or servicing personnel office for proper disposition and/or inclusion in the individual 201 (Personnel) file to avoid duplication of effort.

(18) CSC Allowance - The Civil Service allowance, or point ceiling allocated to each NISO, will be automatically increased by the number of contract employees on-board on 1 July 1969. Each CO will insure that the 12280 report to OCMM is accurately and promptly changed. Any questions regarding agent on-board vs agent allowance strength figures will be referred to NIS-09 for resolution.

(19) Longevity Dates - Dates for in-step pay increases and advancement qualification attained while in contract status remain effective upon conversion to Civil Service.

(20) New Hires - those agent personnel (1810 Series) employed subsequent to 1 July 1969 should ordinarily be brought on board on the Monday following the beginning of a pay period.

(21) PUD System - to avoid loss of investigative manhour data, pending computer reprogramming, all Special Agent/GS-1810 Series personnel will report themselves as "Contract" personnel. Those GS-1810 personnel who have heretofore reported under the "GS-7 and up" identification will now also report as "Contract".

(22) Form W-4 - (Employee's Withholding Exemption Certificate) will need to be prepared by each employee.

(23) Pay Office - establish contact with the local finance office which will provide the payroll servicing and apprise that activity of the date of conversion and annual premium pay authorization as discussed in reference (b). Of special interest to the paying office will be items enumerated in Paragraph 8.c.(6), (7), (8) and (9), above.

(24) Statements of Employment and Financial Interests (DD Form 1555) for positions of GS-13 and above are not required. The Director, NIS, has reviewed the duties and responsibilities of the Special Agents against the criteria set forth in Paragraph XV of DOD Directive 5500.7 of 8 August 1967 and has determined the Special Agents do not fall within the provisions. However, the Standards of Conduct for government employees set forth in this DOD Directive and SECNAV Instruction 5370.2E of 29 November 1967 are to be brought to the attention of all personnel.

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(25) E.O. 10450 Certification - The requirements for government employment under E.O. 10450 have been met by NAVINVSERV. An up-to-date National Agency Check and (full field) Background Investigation have been completed on all Special Agent personnel. The Civil Service Commission Investigations Division, Washington, D. C. has advised NISHQ that all that is required incident to the conversion is the preparation and submission of an SF-79 on each Special Agent; this action will be accomplished by NIS-21. The need to provide a certification to the CCPO or servicing CPO and the completion of SF's 86 and 87, as specified in FPM Chapter 736, are not required.

d. The CCPO will take the necessary action to effect the appointment with salary based on the highest previous rate earned as a Special Agent or during other Federal employment. Those completed forms and certifications discussed in Paragraph 8.c., above, will be provided the CCPO as necessary and required.

9. CCPO. Only one CCPO should be utilized, if possible, to provide service and support for each NISO-HQ and its associated NISRA's and NISSU's, as a means of facilitating control, uniformity, and continuity.

10. NISO Record Keeping. The NISO need not and shall not keep a duplicate 201 personnel jacket on the individual employees. A temporary file is authorized for the convenience of the Commanding Officer, for retention of copies of AER's and other documents of interest. The file is to be destroyed upon the resignation or transfer of the individual, provided none of the documents are required for the official personnel folder maintained by the CCPO or CPO.

11. NIS Personnel Data Card (PMS). The PMS card will be the only comprehensive personnel data record the NISO will hold on the agent. It is imperative that any change (on all employees) be promptly and accurately submitted as required by existing instructions. The immediate submission of PMS entry data on new hires cannot be too strongly stressed. It is equally important that all pay actions (promotions and in-grades) and dates of reporting on board and transfer be reported; these latter are essential for required personnel and budget matters at the Washington, D. C. level. Regarding the resignation or transfer of an employee, see Section 4-0208-2.c. NIS-1, Page IV-2-22.

12. Cancellation. This Notice is cancelled on 31 December 1969.

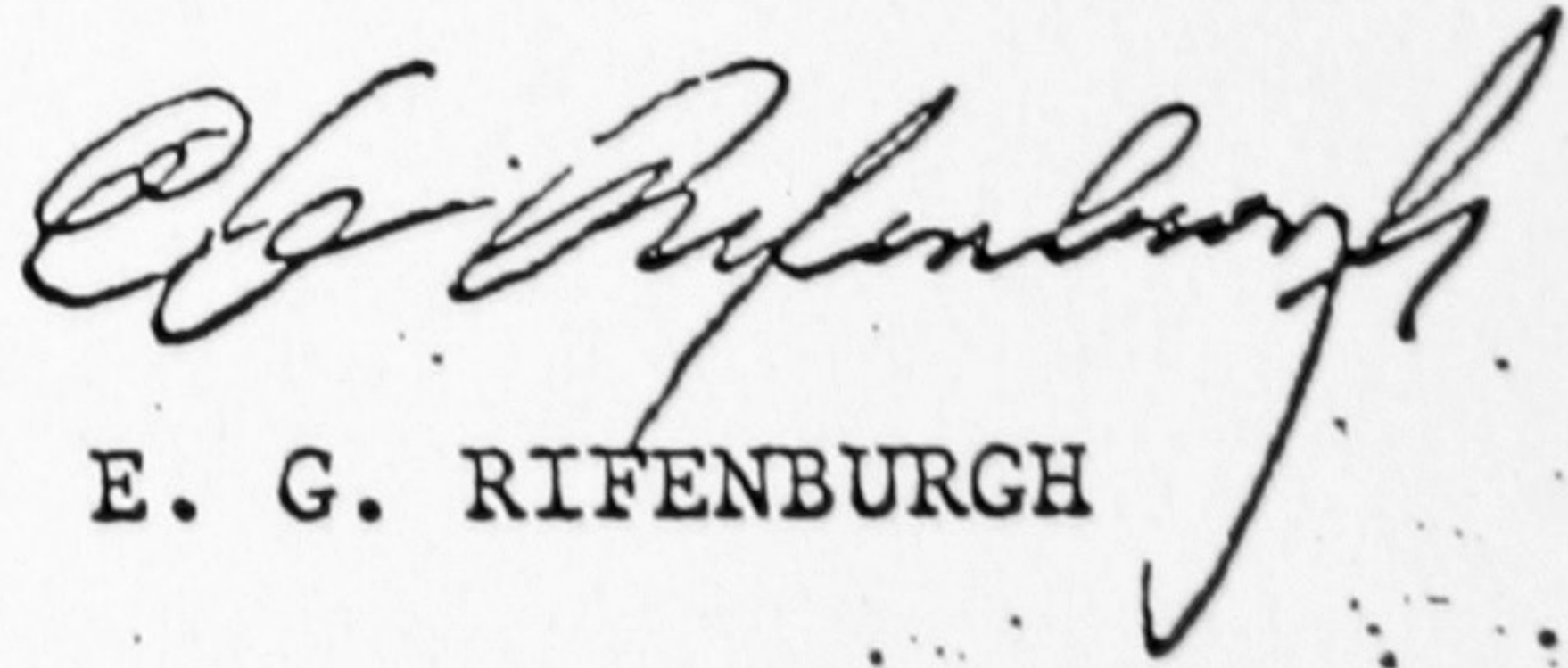
Distribution: (See NAVINVSERVINST 5605.1A)

Lists I, II, and III

Copy to:

OCCM (Code 07) - 50 cys

NAVINTCOM (NIC-1) - 3 cys


E. G. RIFENBURGH