

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY ALASKA
Fort Richardson, Alaska 99505

United States Army Alaska Regulation 690-1

31 May 1996

Civilian Personnel

Recording and Reporting Use of Official Time for Representational Functions

Summary. This regulation concerning the recording and reporting of official time uses for representational functions has been revised. This regulation covers United States Army Alaska (USARAK) policies and procedures to record and report official time used for representational functions. This regulation has been revised to update the references and reflect the change to USARAK.

Applicability. This regulation applies to all major activities assigned to USARAK and tenant activities serviced by the USARAK Civilian Personnel Office.

Impact on New Manning System. This regulation does not contain information that effects the New Manning System.

Supplementation. Supplementation of this regulation is prohibited without prior approval from the Civilian Personnel Office, APVR-RCP.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by the director of information management. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested improvements. The proponent agency of this regulation is the Civilian Personnel Office. Users are invited to send comments and suggested improvements on Department of the Army (DA) Form 2028 (Recommended Changes to Publications and Blank Forms) directly to APVR-RCP.

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*This regulation supersedes 6th Infantry Division (Light) Regulation 690-1, dated 25 July 1990.

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**Chapter 1
General**

1. Purpose

This regulation prescribes administrative policies and procedures for recording and reporting the use of official time for representational functions.

2. References

a. Related publications. (A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.)

- (1) Department of Defense (DOD) Regulation 1400.25-M.
- (2) Title 5, United States Code, Chapter 71 (Labor-Management Relations).
- (3) Local negotiated agreements.

b. Referenced forms.

(1) DA Form 2028 (Recommended Changes to Publications and Blank Forms). Cited in the suggested improvements statement.

(2) USARAK Form 69 (Official Time and Cost Record). Cited in paragraph 3-2 and figure 3-1.

3. Explanation of abbreviations and special terms

a. Abbreviations.

- (1) DA..... Department of the Army
- (2) DOD Department of Defense
- (3) USARAK..... United States Army Alaska

b. Special terms.

(1) Representational functions. Those authorized activities undertaken by employees on behalf of other employees pursuant to such employee's right to representation under statute, regulation, executive order, or the terms of a collective bargaining agreement. It includes activities undertaken by specific individual designation (such as the designation of a representative in a grievance action or an equal employment opportunity complaint) as well as those activities authorized by a general, collective designation (such as the designation of a labor organization recognized as exclusively representative under Title 5, United States Code, Chapter 71).

(a) Representational functions include activities undertaken by specific individual designation. Individuals performing this type of activity are normally referred to as personal representatives (such as the designation of a representative in a discrimination complaint, appeal of an adverse action, or a classification complaint appeal).

(b) Additionally, representation functions include those activities authorized by a general, collective designation (as opposed to a specific individual). The primary example is the designation of a labor organization recognized as exclusive representative under Title 5, United States Code, Chapter 71. This

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type of representational function may be commonly performed by the designated steward who represents specific areas or activities of the installation or others as provided in the negotiated agreement.

(2) Official time. All time granted an employee by the agency to perform representation functions, as defined above, when the employee would otherwise be in a duty status without charge to leave or loss of pay, and shall be considered hours of work. This includes time spent by an employee performing such functions during regular working hours (including regularly scheduled overtime hours, or during a period of irregular, unscheduled overtime hours), provided an event arises incident to representational functions that must be dealt with during the irregular, unscheduled overtime period.

4. Responsibilities

a. The civilian personnel officer is responsible for reporting and evaluating the use of official time in terms of its impact on agency operations and effective employee representation.

b. Supervisors and other management officials are responsible for the recording and submission of all official time used for representational functions.

**Chapter 2
Policy**

2-1. Authority

There are numerous instances where employees are absent from their normal productive assignment to perform acts or services officially sanctioned by activity commanders. In performing these acts or services, employees remain under management control or jurisdiction and are thus considered in a duty status. Supervisors are authorized to make individual determinations that the act or service is job-related and not chargeable to leave and to place reasonable limits on the length of such absences from normal assignments.

2-2. Criteria

Generally, there must be legal or regulatory authority for an duty absence during the basic work week to be excused without charge to leave. Activity commanders and supervisory officials are responsible for seeing that all duty absences duty that may not be properly excused or that do not clearly serve the service's best interests, as compared to the employee's personal interests, are charged to appropriate leave type.

2-3. Propriety

Recordkeeping and report requirements of this regulation are not to be construed as a source of rights by an employee or labor organization to official time or travel or per diem. The propriety of granting official time, and payment of travel and per diem costs, is based solely on statute, rule, regulation, and negotiated agreement.

Chapter 3 Procedures

3-1. Representatives

The designation of stewards to represent specific installation activity areas is governed by local negotiated agreement revisions. A current steward and union official listing, together with designated responsibility areas is retained at the Civilian Personnel Office, Management-Employee Relations Division and is published periodically in the Civilian Personnel Bulletin. Representatives will provide their immediate supervisor with the information outlined in article IX, section 5 of the negotiated agreement.

3-2. United States Army Alaska Form 69

Supervisory officials will complete USARAK Form 69 (Official Time and Cost Record) for such authorization for official time or travel and per diem (see fig 3-1). The supervisory official will specify the appropriate category and time and costs amounts authorized. The originals of the completed forms will be forwarded to Civilian Personnel Office monthly, Attention: Management-Employee Relations Division. Any supporting documents will be attached to the form.

3-3. Representative categories

a. Category I-A—Basic, Renegotiations and Reopener Negotiations. Official time is to be granted to employees representing an exclusive representative of a collective bargaining agreement, when they would otherwise be in a duty status, with no limitation on time, except that the number of employees authorized such official time shall not exceed the number of designated management representatives and be in accordance with the negotiated agreement. Official time spent in negotiation or renegotiation of a collective bargaining agreement, or pursuant to a contract reopener clause, meets the definition of this category. Time spent with the Federal Mediation and Conciliation Service, the Federal Service Impasses Panel, negotiability disputes before the Federal Labor Relations Authority.

b. Category I-B—Midterm Negotiations. All negotiations, other than those in Category I-A, are included in this category. Midterm bargaining includes formal negotiations over proposed changes in activity personnel policy, practices, or other general conditions of employment. This type negotiation also includes impact and implementation bargaining.

c. Category II—On-Going Labor Management Relationship. This category includes all time spent in labor-management committees, consultation, Commercial Activity Program Briefings, Federal Labor Relations Authority Unfair Labor Practice and Representation proceedings, labor relations training for union representatives, formal and "Weingarten" (sec 7114(a)(E)SUSC) - type meetings, and any investigation or preparation time allowed by the negotiated agreement or a controlling regulation.

d. Category III-A—Grievance and Arbitration Under the Negotiated Agreement. This category includes the time spent in each step, including binding arbitration, under the negotiated grievance procedure. Overtime pay or compensatory time off in lieu of overtime pay is not authorized for grievance preparation or presentation.

e. Category III-B. All Other Grievances and Appeals. This category includes grievances under the Department of the Army grievance procedure, appeals to the Merit Systems Protection Board, equal employment opportunity complaints, Occupational Safety and Health Act complaints, personal representatives in fitness for duty, psychiatric evaluations, agency-filed disability retirement processes, and any other complaints or appellate processes.

f. Category IV-A—Labor-Management Relations Travel and Per Diem. This category includes agency costs for travel and per diem associated with functions reported under Categories I-A, I-B, II, and III-A.

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Note: Travel and per diem for these functions is allowable only under limited circumstances. Before authorizing travel and per diem for these functions, supervisory officials should contact the Civilian Personnel Office, Management-Employee Relations Division.

g. Category IV-B—Other Grievances and Appeals Travel and Per Diem. This category includes agency cost for travel and per diem associated with functions of Category III-B.

FOR THE COMMANDER:

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