

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁴⁷

Jonathan G. Katz,

Secretary.

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SOCIAL SECURITY ADMINISTRATION

Statement of Organization, Functions and Delegations of Authority

This statement amends part S of the Statement of the Organization, Functions and Delegations of Authority which covers the Social Security Administration (SSA). Chapter S7 covers the Deputy Commissioner for Human Resources. Notice is given that Chapter S7 is being amended throughout to reflect organizational and functional changes. Notice is further given to reflect that Subchapter S7C, the Office of Labor-Management Relations is being retitled as the Office of Labor-Management and Employee Relations (S7C). The changes are as follows:

Section S7.10 The Office of the Deputy Commissioner, Human Resources—(Organization)

Retitle:

E. The Office of Labor-Management Relations (S7C) to the Office of Labor-Management and Employee Relations (S7C).

Section S7.20 The Office of the Deputy Commissioner, Human Resources—(Functions):

Amend to read as follows:

A. The Deputy Commissioner, Human Resources (DCHR) (S7) is directly responsible to the Commissioner for carrying out the ODCHR mission and providing general supervision to major components of ODCHR as well as guidance, support and technical assistance to the SSA regional personnel administration operation and policy and direct service support to the Agency's executive personnel activities and other high level special categories.

C. The Immediate Office of the Deputy Commissioner, Human Resources (S7A).

Change to read as follows:

1. Provides the Deputy Commissioner and the Assistant Deputy Commissioner with staff assistance on the full range of their responsibilities.

2. Develops and implements all SSA policies and activities relating to the Agency's executive level personnel management program.

3. Recruits for and places individuals in positions in the Senior Executive Service (SES) in accordance with OPM regulations.

4. Provides staff support to the Executive Resources Board in administering a systematic program to manage SSA's executive and professional resources and ensuring the appropriate selection of candidates to participate in official executive development programs.

5. Provides staff support to the Performance Review Board in reviewing performance plans and subsequent appraisals of career and non-career executives in SES and employees in equivalent level positions.

D. The Office of Personnel (OPE) (S7B).

Delete from the fourth sentence "executive personnel services."

Retitle:

E. The Office of Labor-Management Relations (S7C) to the Office of Labor-Management and Employee Relations (S7C).

Retitle:

Existing Subchapter S7C, "The Office of Labor-Management Relations" (S7C) to "The Office of Labor-Management and Employee Relations" (S7C). Change all references to "The Office of Labor-Management Relations" to "The Office of Labor-Management and Employee Relations" and all references to "OLMR" to "OLMER".

Section S7B.00 The Office of Personnel—(Mission)

Delete from the first sentence "executive personnel services."

Section S7B.20 The Office of Personnel—(Functions)

D. The Project Management Staff (S7BH).

Amend as follows:

4. Develops and implements SSA-wide program of Personnel security. Directs personnel security activities having SSA-wide significance.

5. Designs national policies for the SSA Drug-Free Workplace Program. Manages the day-to-day operations of the Agency's drug program.

6. Directs the development and operation of SSA's Workers' Compensation services program. Provides assistance to employees regarding claims for loss of wages, settlement awards, notices of injury and required medical reports.

F. The Center for Personnel Operations (S7BK).

Delete the following from Item 1, sentence 1: "including policies and guidelines for SSA administration of the Senior Executive Service (SES)."

Change to read as follows:

2. Develops and implements SSA-wide programs of position classification and position management within SSA headquarters. Directs position classification and position management activities having SSA-wide significance.

Add a last sentence to Item 8:

Serves as the focal point for unemployment compensation activities. Delete Items 10 through 13.

Section S7C.00 The Office of Labor-Management and Employee Relations—(Mission)

Amend to read as follows:

The Office of Labor-Management and Employee Relations (OLMER) provides overall management of an SSA-wide program of labor-management and employee relations. The mission includes the development and evaluation of the programs and the formulation of SSA-wide labor-management relations policy. The office provides services to SSA components on labor relations issues and on employee relations issues relating to disciplinary and adverse actions and employee grievances.

Section S7C.20 The Office of Labor-Management and Employee Relations—(Functions):

Amend to read as follows:

C. The Immediate Office of the Director, Office of Labor-Management and Employee Relations (S7C) provides the Director and the Human Resources Manager with staff assistance on the full range of their responsibilities. The functions of the office include the following:

1. The formulation and promulgation of Agency policy, guidance and direction for exercising management's rights and discharging the Agency's obligations under labor and employee relations law, executive orders, regulation, and negotiated agreements. The research of policy questions in these areas for management at various levels of the organization. Coordinating with the Office of the General Counsel (OGC) on matters impacting on law or requiring legal opinions.

2. The negotiation, implementation and administration of master agreements nationwide, which involves pre-negotiated activities, team preparation, advisory services and problem resolution.

3. Negotiating agreements on behalf of the Agency with unions having exclusive recognition at the level of the Agency, advising and assisting management representatives in negotiating labor-management

⁴⁷ 17 CFR 200.30-3(a)(12).

agreements at other levels of the Agency.

4. Representing management in labor and employee relations cases that establish or impact on national level labor-management policy before arbitrators or such administrative bodies as the Merit Systems Protection Board, the Federal Labor Relations Authority and the Federal Service Impasses Panel. Administering and maintaining a panel of arbitrators, who can be assigned to rule on grievances under the negotiated agreements.

5. Providing Agency-head review of labor-management agreements for compliance with law, rule and regulation, coordinating with cognizant offices as appropriate and approving or disapproving those agreements pursuant to 5 U.S.C. 71 (the Federal Service Labor-Management Relations Statute).

6. Coordinating with components and organizations planning to design, develop, modify or implement plans, policies or operations that impact on employees and providing advice to ensure that labor-management implications and obligations are identified, incorporated and discharged.

7. The development, implementation and evaluation of SSA policies and programs involving disciplinary actions, performance-based actions, grievances, appeals and serious misconduct cases. Providing advice to SSA management on nonbargaining unit grievances.

8. Providing training, advice and direction to supervisors, managers and other management personnel in SSA components on the proper interpretation and application of negotiated agreements, 5 U.S.C. 71, and employee relations law and regulation.

9. Development and distribution of manuals, guides and written instructions or aids to assist management personnel in developing the knowledge and skills necessary to properly administer the Agency's labor and employee relations rights and obligations.

10. Working with managers, labor organizations and union officials to develop and maintain plans, programs and procedures necessary to institutionalize sound labor-management relations and more effective and efficient dealings between the parties. Providing support to SSA partnership activities.

11. Serving as the central depository/clearinghouse for all labor-management agreements (including partnership agreements), grievances, final grievance or arbitrator decisions and labor or employee relations cases and decisions before administrative bodies involving the Agency. Maintaining databases and

technical references, as necessary, to monitor emerging trends and to research and analyze agreements and case decisions in order to plan and prepare to represent the interest of the Agency in labor and employee relations.

12. Serving as a liaison with other Federal government agencies to identify emerging trends in labor and employee relations, representing the Agency on interagency committees, workgroups and panels on labor and employee relations matters and helping ensure that the interests of the Agency are fully considered in developing government-wide labor and employee relations policy.

Section S7E.20 The Office of Civil Rights and Equal Opportunity—(Functions)

Amend as follows:

1. Directs implementation and evaluation of the SSA Equal Employment Opportunity Discrimination Complaint Program for both Headquarters and the field. Provides advice, guidance and assistance to SSA officials concerning the discrimination complaint program area and related management matters.

2. Provides leadership, guidance and direction in implementing SSA policies, regulations and procedures pertaining to the timely, accurate, fair and impartial processing of discrimination complaints throughout the Headquarters and field organizations. Formulates SSA policies, regulations and procedures pertaining to the EEO discrimination process.

3. Provides overall direction regarding all aspects of SSA's complaint system in order to ensure uniformity in complaint handling, resolution and disposition. Directs the preparation of guidelines on all complaint matters.

4. Receives and conducts inquiries and attempts resolution of informal complaints of discrimination. Advises complainants of their rights regarding the discrimination complaints process and other related processes.

5. Receives and acknowledges formal complaints of discrimination and makes a determination whether to accept or dismiss the complaint/issue(s). Issues decisions on certification of class complaints. Conducts investigations and oversees the process.

6. Prepares final Agency decisions on complaints of discrimination against SSA. Ensures compliance with any corrective or remedial action directed by SSA, Equal Employment Opportunity Commission (EEOC) or any other agency having authority to so direct.

7. Develops litigation information and documentation for the Office of the General Counsel and the United States

Attorney's Office in employment discrimination court suits filed against SSA. Prepares the Agency's brief for complaints appealed to EEOC. Also, responds to interrogatories submitted in class complaints. Analyzes new and recent court decisions, public laws and Federal regulations for their impact on SSA complaint processing.

8. Directs special projects and studies of the various aspects of SSA's nationwide discrimination complaint process to evaluate the overall effectiveness of the equal opportunity program. Directs the analysis of trends observed during projects and studies and implements new procedures as required.

9. Provides the authoritative interpretations on legal, regulatory and technical discrimination complaint matters to SSA management nationwide.

10. Implements policies, regulations and affirmative action programs and develops and implements special needs placement programs related to the Disabled program.

11. Directs the development and monitoring of SSA's equal opportunity and civil rights programs.

12. Provides leadership, direction and guidance throughout the Headquarters and field organizations in the formulating and implementing of SSA policies, regulations and procedures pertaining to the development of sound affirmative civil rights and equal opportunity programs. Approves, on behalf of the Deputy Commissioner, affirmative employment program plans prepared by components and regions. Develops the overall SSA affirmative employment program plan.

13. Develops guidelines and procedures for effective affirmative employment program planning and monitoring throughout SSA. Develops recommendations on affirmative employment policy and operations for the Director, OCREO.

14. Reviews non-SSA equal opportunity and civil rights issuances, EEOC and court decisions for applicability to SSA policy statements. Develops instructions and guidelines to transmit or implement equal opportunity and civil rights policy decisions in SSA.

15. Conducts and coordinates studies or analyses of SSA's human resources and operating policies and procedures to assess their equal opportunity and civil rights impact.

16. Directs the development and maintenance of minority and disabled persons employment information system(s) for SSA employees and applicants for employment.

17. Develops and tracks SSA's major initiatives that relate to civil rights and equal opportunity and oversees their implementation.

18. Plans, directs and implements special programs for all minorities, women and employees with disabilities.

19. Develops, implements, monitors and evaluates special recruitment plans, programs and projects for targeted equal opportunity groups.

20. Develops, monitors and evaluates SSA compliance program(s) under civil rights statutes.

Section S7G.10 The Office of Training—(Organization)

Abolish:

C. The Administrative Staff (S7GC).

D. The Human Resources Planning Staff (S7GE).

E. The Center for Technology and Employee Development (S7GG).

F. The Center for Program Initiatives and Management Education (S7GH).

G. The Center for Educational Research and Evaluation (S7GJ).

Section S7G.20 The Office of Training—(Functions)

Abolish in their entirety:

C. The Administrative Staff (S7GC).

D. The Human Resources Planning Staff (S7GE).

E. The Center for Technology and Employee Development (S7GG).

F. The Center for Program Initiatives and Management Education (S7GH).

G. The Center for Educational Research and Evaluation (S7GJ).

Add:

B. The Immediate Office of the Director, Office of Training (OT) (S7G) provides the Director with staff assistance on the full range of his/her responsibilities.

1. The immediate office of the Director, OT, provides the Director with administrative and technical staff assistance on the full range of his/her responsibilities.

2. The Office of the Director's immediate administrative and technical staff plan direct, coordinate and administer the activities relative to developing and executing budget activities; represent OT on interagency human resource/training groups; interpret OPM training policies, purchase of training policies, and promulgate SSA training policy; maintain the Administration Instructions Manual System related to training policy; act as OT liaison with Personnel on such personnel matters as classification, position management, staffing and recruitment; plan, formulate and implement SSA training policies; and provide overall support and

coordination to the training function. Coordinate travel, training and conference attendance for office staff.

3. The Director's immediate staff is also responsible for the development and updating of SSA's Training Plan. This plan provides for the training of SSA employees and for providing the means for employee development beyond training.

4. Directs, designs, develops, implements, conducts and evaluates all SSA supervisory, managerial and executive-level training development activities.

5. Has Agencywide responsibility for common needs and general skills training, including related developmental activities for nonsupervisory personnel.

6. Directs, designs, develops and implements Agency-level career development programs from the highest executive levels (SES) to programs for nonmanagement employees.

7. Directs, designs, develops and implements training to support Agencywide computer software acquisitions, and administrative initiatives.

8. Conducts ongoing research to identify the best approaches to training in the areas of management, general and systems-support training and in the area of career development programs.

9. Conducts ongoing research to identify automated technologies (e.g., Interactive Video Teletraining, multimedia, computer-based training, internet and intranet, etc.) and instructional methodologies for application to training throughout SSA.

10. Directs, designs, develops and manages SSA's Interactive Video Teletraining System.

11. Monitors and evaluates Agency training and developmental activities to ensure desired results and effects through the SSA Training Evaluation System.

12. Manages SSA's National Training Center, Individualized Learning Center and the Training Information Center.

13. Provides office automation support and consultant services for all of OT.

14. Directs the design, development, implementation and evaluation of disability related programmatic/technical training to meet the needs of SSA direct-service employees and components Agencywide, as well as programmatic employees in the States' Disability Determination Services, including entry-level training. This includes support for all Agencywide disability reengineering initiatives.

15. Directs the design, development, implementation and evaluation of Title

II Retirement, Survivors and Auxiliary, and Medicare related programmatic/technical training to meet the needs of SSA direct-service employees and components Agencywide, including entry-level and advanced programs, programmatic systems training.

16. Directs the design, development, implementation and evaluation of Title XVI Supplemental Security Income related programmatic/technical training to meet the needs of SSA direct-service employees and components Agencywide, including entry-level and advanced programs, programmatic systems training.

17. Develops guidelines and procedures to determine technical/programmatic training needs in all areas of responsibility, and reviews technical training programs Agencywide.

18. Initiates independent studies and analyses to anticipate and identify new or changing programmatic or other training approaches in a dynamic organizational environment, and designs, develops and implements programs geared to new training delivery technologies and approaches.

Dated: October 20, 1997.

Paul D. Barnes,

Deputy Commissioner for Human Resources.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. RSAC-96-1, Notice No. 7]

Railroad Safety Advisory Committee ("RSAC"); Working Group Activity Update

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Announcement of Railroad Safety Advisory Committee (RSAC) working group activities and new tasks accepted.

SUMMARY: FRA is updating its announcement of RSAC's working group activities, last published in early August of this year, to reflect additional working group activities, and new tasks presented and accepted during the RSACs September 30th meeting.

FOR FURTHER INFORMATION CONTACT: Vicky McCully, FRA, 400 7th Street, S.W. Washington, D.C. 20590, (202) 632-3330, Grady Cothen, Deputy Associate Administrator for Safety Standards Program Development, FRA 400 7th Street, S.W., Washington, D.C. 20590, (202) 632-3309, or Lisa Levine,