

Effective: January 1, 2012

HHS Instruction 412

**HHS PERSONNEL INSTRUCTION 412-1
TRAINING REQUIREMENTS FOR SUPERVISORS**

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412-00 Background

The Office of Personnel Management (“OPM”) recently amended 5 C.F.R. pts. 410 and 412 to implement certain training and development requirements contained in the Federal Workforce Flexibility Act of 2004 (Pub. L. 108-411). That amendment made several significant changes in the law governing the training and development of Federal supervisors. It now mandates that agencies establishes supervisory training programs for new supervisors relating to addressing unacceptable performance, mentoring employees, improving employee performance and productivity, and conducting employee performance appraisals.

412-10 Purpose

This Instruction articulates the Department’s requirements for successful completion of the Mandatory Supervisory Training for those HHS employees holding supervisory positions, including managers and Officers of the Commissioned Corps. Mandatory supervisory training is fundamental to the strategic development of all Agency supervisors. Accordingly, this policy promotes a training policy designed to target the knowledge, skills and abilities that are essential for supervisors to successfully perform their supervisory responsibilities within the Federal Government. The policy also facilitates the supervisor’s continuous professional development and his/her ability to

engender the improvement of employee and organizational performance.

412-20 Coverage

All HHS employees who are incumbents of or candidates for supervisory positions in the General Schedule, including those in the Commissioned Corps, or equivalent pay systems also covered by 5 C.F.R. pts. 410 and 412 are governed by this Instruction. Furthermore, this policy applies to employees newly appointed to the Senior Executive Service ("SES") who are New Supervisors to the Federal Government as well as to employees temporarily assigned or detailed to a supervisory position if that temporary assignment exceeds 90 days. Contract workers are not covered under this Instruction.

412-30 Authorities

- 5 U.S.C. § 7103
- 5 C.F.R. pts. 410 and 412
- 48 C.F.R. §§ 31.103-105, 31.107-108

412-40 Definitions

- A. *Supervisor* means an individual employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment, except that with respect to any unit which includes firefighters or nurses, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority.
- B. *Experienced Supervisor* means a Federal employee who has served a minimum of one year in a supervisory role within the Federal Government.
- C. *New Supervisor* a Federal employee who has served less than 12 months in a supervisory role within the Federal Government.

412-50 Overview of the Mandatory Supervisory Training

All HHS supervisors appointed in December 2009 and thereafter must receive formal training in the required supervisory training content areas. Initial training shall be completed during the first year (*i.e.*, the 12-month probationary period) of appointment to the supervisory position, and refresher training every three years afterwards for as long as the employee remains in a supervisory role.

Pursuant to OPM requirements, HHS' Mandatory Supervisory Training covers the use of appropriate actions, options, and strategies to: improve employee performance and

productivity; identify and assist poor performers; mentor employees; and conduct performance appraisals.

412-60 General Requirements of the Mandatory Supervisory Training

Below are the general requirements specific to each of the three categories of supervisors identifiable within the Agency. The designation “new supervisor” refers to an employee who has never served in a supervisory capacity.

A. New Supervisor

A new Supervisor shall complete training as defined in section 412-70 of this Instruction and in compliance to OPM requirements 5 C.F.R. pts. 410 and 412. The number of training hours and any non-HHS training shall be determined by each OpDiv/StaffDiv.

B. New Supervisor to the Federal Government

A new Supervisor to the Federal Government shall complete an appropriate selection of content areas as defined in 412-70 of this Instruction to acquire a general assimilation into the Federal Government as a Supervisor, including at the OpDiv/StaffDiv’s discretion content that covers Human Resources Management, Acquisition Management/Contracting, Financial Management (Budget Formulation, Execution, and Internal Controls), Grants Management, Congressional Operations, Information Technology Management, Travel Management, Personal Property Management (including Fleet Management), Real Property Management, Records Management, Project Management, Federal Culture, and Coaching. Each OpDiv/StaffDiv shall determine which courses cover and meet the required topic areas. The training must conform to the requirements of OPM and this Instruction.

C. Experienced Supervisor

An experienced Supervisor shall complete refresher supervisory training every three years. The training shall be a minimum of 16 hours or its equivalent based on training medium used. Each OpDiv/StaffDiv shall determine refresher training course requirements based on this Instruction, OPM requirements and HHS leadership competencies.

412-70 Required Training Topics for New Mandatory Supervisory Training

The Department's New Mandatory Supervisory Training aims to provide HHS' supervisors with critical information to help them effectively execute core supervisory duties and improve their performance as supervisors. The mandatory supervisory training shall, at a minimum, address objectives to improve supervisors’ knowledge, skills and abilities pertaining to human resource staffing, performance management and

appraisal plan, performance management, employee and labor relations, leave administration, HHS enterprise systems, work life quality and employee viewpoint input. A supervisor is required to successfully complete each topic unless a waiver or exemption has been granted by the appropriate official as designated by the OpDiv/StaffDiv.

The required supervisory training does not preclude supervisors from satisfying any other training requirements as mandated by the Department or necessary to achieve HHS' mission.

412-80 Waivers

Supervisors may seek a full or partial waiver of course(s) by submitting a request for exemption along with supporting documentation to the appropriate official as designated by the OpDiv/StaffDiv. All waiver approvals must be signed by the designee and appropriately documented. Waivers are to be granted only in rare circumstances. All supervisors are still required to successfully complete refresher training requirements at the appropriate time.

412-90 Granting Extensions

Supervisors may seek an extension for completing a mandatory supervisory course by submitting a request and supporting documentation to the appropriate official as designated by the OpDiv/StaffDiv. A new supervisor seeking an extension because of an unforeseen event, s/he must complete the courses for which additional time was granted within a 120 days of the extension. All extensions must be in writing and specify a deadline by which the training shall be completed.

412-100 Compliance

Each OPDIV is charged with ensuring that its supervisory employees are in compliance with this Instruction. Although the OpDiv/StaffDiv may establish its own internal control measures for compliance, the system that it implements shall include a method for assuring proper documentation of the courses that were successfully completed within the Department's Learning Management System. An employee who has not met the mandatory training requirements within the allowed time periods may be disciplined in a manner consistent with the policies of the OpDiv/StaffDiv.

**HHS OHR
REVIEW AND APPROVAL FORM**

**HHS PERSONNEL INSTRUCTION 412-1
NEW AND REFRESHER TRAINING REQUIREMENTS FOR SUPERVISORS**

Proposed Effective Date

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