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SUBJ: HR DESIGN NEWS CORNER: FEDERAL REGULATORY PROCESS AND
IMPLEMENTATION TIMELINE, DHS TODAY, MARCH 24, 2004.

1. THE PUBLIC COMMENT PERIOD ON THE PROPOSED HR SYSTEM OFFICIALLY
CLOSED AT MIDNIGHT, MARCH 22, 2004. THE EFFORT AND TIME THAT DHS
EMPLOYEES AND THE GENERAL PUBLIC EXPENDED IN PROVIDING COMMENTS AND
SHARING THEIR VIEWS IS GREATLY APPRECIATED. THE CURRENT TALLY OF
ELECTRONIC COMMENTS IS CLOSE TO 3,000 AND THIS NUMBER IS LIKELY TO
INCREASE AFTER ALL THE PAPER-BASED COMMENTS ARE COUNTED. DUE TO THE
TIME IT WILL TAKE TO PROCESS ALL OF THE COMMENTS, THE COMPLETE
ONLINE RECORD MAY NOT BE AVAILABLE UNTIL MID-APRIL.

2. WHAT HAPPENS NEXT?

THROUGHOUT THE COMING WEEKS, DHS WILL FOCUS ON REVIEWING ALL THE
COMMENTS THAT WERE RECEIVED ON THE PROPOSED RULE. DURING THIS SAME
TIME PERIOD, A 30-DAY MINIMUM RECONCILIATION PERIOD WITH EMPLOYEE
REPRESENTATIVES IS REQUIRED BY LAW. IN THE RECONCILIATION PERIOD,
DHS WILL ASK THE FEDERAL MEDIATION AND CONCILIATION SERVICE (FMCS)
TO MEDIATE ANY DISPUTES AND TO PROVIDE ASSISTANCE IN ARRIVING AT AN
AGREEMENT WITH EMPLOYEE REPRESENTATIVES.

3. DHS AND OPM WILL THEN PREPARE THE FINAL RULE, TAKING INTO
CONSIDERATION THE ANALYSIS OF THE COMMENTS MADE BY THE PUBLIC,
EMPLOYEES, EMPLOYEE REPRESENTATIVES, AND THE OUTCOME OF THE
RECONCILIATION PROCESS. THE COMMENTS WILL BE ADDRESSED BY ISSUE,
RATHER THAN INDIVIDUALLY, IN THE PREAMBLE OF THE FINAL RULE.

4. THE RULE WILL THEN BE SENT TO THE OFFICE OF MANAGEMENT AND
BUDGET'S (OMB) OFFICE OF INFORMATION AND REGULATORY AFFAIRS (OIRA)
FOR REVIEW. THE ROLE OF OIRA IS TO REVIEW THE RULE FROM MULTIPLE
PERSPECTIVES BEFORE CLEARING IT. ONCE CLEARED BY OMB, DHS MUST
NOTIFY CONGRESS. SECRETARY RIDGE AND OPM DIRECTOR KAY COLES JAMES
MUST SIGN THE FINAL RULE, WHICH IS THEN SUBMITTED TO THE FEDERAL
REGISTER FOR PUBLICATION.

5. WHEN WILL THE NEW HR SYSTEM GO INTO EFFECT?

DUE TO THE UNIQUENESS OF EACH PROPOSED RULE AND THE DIFFERENT
TIME FRAMES FOR THE REVIEW PROCESSES, IT IS DIFFICULT TO DETERMINE
THE EXACT DATE THAT THE FINAL RULE WILL BE PUBLISHED. HOWEVER, DHS
IS AIMING FOR PUBLICATION IN LATE SUMMER 2004. ONCE THE RULE
BECOMES FINAL, DHS PROPOSES THAT LABOR RELATIONS, ADVERSE ACTIONS,
AND APPEAL SYSTEMS GO INTO EFFECT NO SOONER THAN 30 DAYS LATER.
PERFORMANCE MANAGEMENT AND PAY CONVERSIONS WILL BE PHASED IN BY
COMPONENT WITH DHS HEADQUARTERS, IAIP, S&T, AND US COAST GUARD
SLATED TO MOVE TO THE NEW HR SYSTEM BEGINNING IN LATE 2004. ALL
OTHERS WILL BEGIN THE TRANSITION TO THE NEW HR SYSTEM IN FALL 2005.

6. THANK YOU AGAIN FOR YOUR COMMENTS. DHS WILL CONTINUE TO PROVIDE
UPDATES ON THE REGULATORY PROCESS AND THE PROPOSED RULE UNTIL IT
BECOMES FINAL.

7. THE FOLLOWING Q&A FROM DHS IS TAKEN DIRECTLY FROM THE MARCH 24,
2004 ISSUE OF DHS TODAY.

Q: I SUBMITTED A COMMENT CONCERNING "6C" RETIREMENT AND LAW
ENFORCEMENT COVERAGE. ARE THE REGULATIONS GOING TO ADDRESS THESE
ISSUES?

A: NO. THE HOMELAND SECURITY ACT GAVE US THE ABILITY TO CHANGE
PERSONNEL RULES IN SIX AREAS: PAY, PERFORMANCE MANAGEMENT,
CLASSIFICATION, DISCIPLINARY MATTERS, LABOR-MANAGEMENT RELATIONS,
AND APPEALS. IT DID NOT ALLOW US TO CHANGE RETIREMENT BENEFITS, OR
EXTEND THOSE BENEFITS BEYOND WHAT IS CURRENTLY IN THE LAW.

THEREFORE, THE PROPOSED REGULATIONS DO NOT CHANGE THE CURRENT RULES

AND POLICIES REGARDING RETIREMENT, HEALTH OR LIFE INSURANCE BENEFITS, OR LEAVE ENTITLEMENTS.

8. SEND DHS YOUR FEEDBACK.

DHS WILL CONTINUE TO WELCOME YOUR FEEDBACK ON THE PROPOSED SYSTEM VIA THE HR MAILBOX AT HRDESIGN@DHS.GOV. PLEASE NOTE THAT THIS ADDRESS IS FOR INFORMAL COMMENTS ONLY AND SUBMISSIONS WILL NOT BE CONSIDERED A PART OF PUBLIC RECORD.

9. INTERNET RELEASE AUTHORIZED.

10. RELEASED BY RONALD R. KOGUT, CHIEF, OFFICE OF CIVILIAN PERSONNEL.

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