

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 00-010.01-01
TO THE DIRECTOR, OFFICE OF HUMAN CAPITAL MANAGEMENT

1. DELEGATION. Pursuant to the Chief Human Capital Officer Delegation provided to me under the Delegation Order No. 00-010.01, I delegate to the Director, Office of Human Capital Management authority to take the following actions:
 - 1.1 Under 5 U.S.C. 7114 (c) approve all Federal labor management agreements, including employee negotiated agreements, renegotiations, supplements, and other related agreements.
 - 1.2 Consult with and request determination of eligibility from the Office of Personnel Management for employment of any employee who has been removed from another agency under 5 U.S.C. 7312.
 - 1.3 Approve personnel actions involving positions at the GS-15 level and below or equivalent in the competitive and excepted service.
 - 1.4 Approve personnel actions involving positions above the GS-15 or equivalent level not requiring Executive Resources Board approval.
 - 1.5 Approve personnel actions relating to the appointment of experts and consultants pursuant to 5 U.S.C. 3109 (Schedule A Authority).
 - 1.6 Establish rates of basic pay and premium pay for Dispatchers of the Western Area Power Administration in accordance with the provisions of Title III of Public Law 99-141.
 - 1.7 Approve developmental or training assignments external to DOE of one year or less.
 - 1.8 Under 5 U.S.C. 2903, administer the oath of office and execute appointment affidavits for all appointments for DOE, including appointments in the National Nuclear Security Administration.
 - 1.9 Under Public Law 101-12 (5 U.S.C. 3352), exercise the functions granted regarding giving preferences to employees who have had a prohibited personnel action taken against them. This authority may not be delegated further.
 - 1.10 Under Public Law 107-107 (5 U.S.C. 5547(b)), waive the biweekly limitation on General Schedule premium pay for emergency situations or work that is critical to the mission of DOE. If provided for by statute, waive the limitation on total compensation of an employee for work while in an overseas location in direct support of or directly related to a military operation (including a contingency operation).

2. RESCISSION. None.

3. LIMITATION.

3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary of Energy or delegate(s).

3.2 Nothing in this Order precludes the Secretary of Energy, the Chief Human Capital Officer, or the Deputy Chief Human Capital Officer from exercising any of the authority delegated by this Order.

3.3 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Under Secretary for Nuclear Security by law or by delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.

3.4 Authorities in this Order are provided to the Director, Office of Human Capital Management on a nonexclusive basis for all Departmental elements except the National Nuclear Security Administration and the Federal Energy Regulatory Commission (unless specifically stated otherwise).

3.5 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.

4. AUTHORITY TO REDELEGATE.

4.1 Except as expressly prohibited by law, regulation, or this Order, the Director, Office of Human Capital Management may delegate this authority further, in whole or in part.

4.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management, which manages the Secretarial Delegations of Authority system.

5. DURATION AND EFFECTIVE DATE.

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective AUG 29 2008.



Rita R. Franklin
Deputy Chief Human Capital Officer