

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

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To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 10.6, "Use of Consultants and Experts"

Purpose: Directive and Handbook 10.6 have been revised to reflect the correct reporting relationship of the Office of the Chief Information Officer.

Office and
Division of Origin: Office of Human Resources

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Volume: 10 Personnel Management

Part: 1 Employment and Staffing

Directive: 10.6 Use of Consultants and Experts

Availability: Rules and Directives Branch
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Use of Consultants and Experts

Directive
10.6

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U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

Part: 1 Employment and Staffing

HR

Use of Consultants and Experts

Directive 10.6

Policy

(10.6-01)

It is the policy of the U.S. Nuclear Regulatory Commission to appoint and utilize consultants and experts to assist in the accomplishment of NRC's mission and to appoint such individuals in accordance with applicable statutory and regulatory requirements. It is also the policy of the NRC to employ the services of individual consultants and experts by hiring them under the personnel appointment process, which establishes an employee-employer relationship with the NRC, whenever possible. Except as provided in Section (05), this directive sets forth the policies and procedures applicable to use of consultants and experts who are hired under that process. Under this directive, experts and consultants are appointed for a period not to exceed 1 year. When the services of consultants and experts must be employed by contract or interagency agreement, the policies and procedures specified in Management Directive (MD) 11.1, "NRC Acquisition of Supplies and Services," must be followed.

Objectives

(10.6-02)

- To employ the services and expertise of consultants and experts in an effective and efficient manner. (021)

Objectives

(10.6-02) (continued)

- To establish procedures for employing consultants and experts under the personnel appointment process. (022)

Organizational Responsibilities and Delegations of Authority

(10.6-03)

Chairman

(031)

Serves as the authorizing official for the appointments, including renewals, and rates of pay for his or her own consultants and experts.

Commissioners

(032)

Serve as the authorizing official for the appointments, including renewals, and rates of pay for their own consultants and experts.

General Counsel (GC)

(033)

Provides advice and makes determinations with respect to conflict-of-interest matters and financial holdings, and other legal requirements relating to employing services from outside sources.

Inspector General (IG)

(034)

- Serves as the authorizing and approving official for the appointments, including renewals, and rates of pay for

Organizational Responsibilities and
Delegations of Authority
(10.6-03) (continued)

Inspector General (IG)
(034) (continued)

consultants and experts appointed to positions in the Office of the Inspector General (OIG). (a)

- Approves or disapproves requests for consultants and experts in OIG to work more than 130 days in a service year. (b)

Executive Director for Operations (EDO)
(035)

- Approves policies and procedures for employment of consulting and expert services for the NRC. (a)
- Serves as the authorizing official for the appointments, including renewals, and rates of pay for his or her own consultants and experts. (b)
- Grants or designates the official to grant exceptions to the provisions of this directive where authorized by law and when determined necessary to efficiently utilize needed consultants and experts. Each exception will be made a matter of record. (c)

Deputy Executive Director for
Management Services (DEDM)
(036)

- Provides general guidance and direction to the Director of the Office of Human Resources (HR) on the employment of consultants and experts. (a)

Organizational Responsibilities and Delegations of Authority

(10.6-03) (continued)

Deputy Executive Director for
Management Services (DEDM)
(036) (continued)

- Provides advice and guidance to the EDO on areas of significance and major concern relating to the interpretation of policies and procedures related to the employment of consultants and experts. (b)

Office Directors, Regional Administrators,
and Executive Directors of Advisory
Committees*
(037)

- Approve the initial need and the continuing need for consultants and experts, including the work to be performed. (a)
- Keep track of the number of days consultants and experts work. (b)
- Consult with the Office of the General Counsel and obtain prior approval in writing from the Director of HR before permitting any consultant or expert to work in excess of 130 days in a service year. (c)

*When an advisory committee does not have an executive director, these responsibilities and delegations of authority are assigned to the cognizant office director or regional administrator.

Organizational Responsibilities and Delegations of Authority

(10.6-03) (continued)

Office Directors, Regional Administrators, and Executive Directors of Advisory Committees (037) (continued)

- Designate the individual who will serve as the point of contact for scheduling and receiving the services of the consultant or expert, and who will certify that the consultant or expert has provided the services he or she was appointed to provide. Ensure that HR is sent NRC Form 449, "Statement of Services of Consultant or Expert," certifying that the consultants or experts performed the services for which they were appointed. A statement should be submitted for each period of service for which the consultant or expert completes a voucher for payment. (d)
- Serve as the authorizing officials for the appointments, including renewals, and rates of pay for each consultant and expert under their purview. The authority may be redelegated to the deputy office director or the deputy regional administrator. For an advisory committee with an executive director, these authorities may be redelegated to a deputy executive director. (e)
- Engage in outreach activities to ensure that the sources of potential consultants and experts include minorities and women. (f)
- Ensure that full-time-equivalent (FTE) expenditures do not exceed allocations. (g)

Organizational Responsibilities and
Delegations of Authority
(10.6-03) (continued)

Office Directors, Regional Administrators,
and Executive Directors of Advisory
Committees
(037) (continued)

- Certify availability of funds, or delegate authority to certify availability of funds, before authorization of miscellaneous expenses or official travel by consultants and experts. (h)
- Approve vouchers, or delegate authority to approve vouchers, submitted by consultants and experts. (i)
- Send the required security and conflict-of-interest forms to prospective consultants and experts. (j)

Director, Office of Human Resources (HR)
(038)

- Appoints consultants and renews, amends, or terminates their employment arrangements after ensuring that all requisite clearances and approvals have been received. (a)
- Ensures that FTE allocation ceilings are not exceeded. (b)
- Approves rates of pay for all consultants and experts not working for the Chairman, the Commissioners, the EDO, or the IG. (c)
- Provides written information to new or reappointed consultants and experts about pay, pay deductions, travel, leave, security requirements, standards of conduct, and other policy aspects of employment. (d)

Organizational Responsibilities and
Delegations of Authority
(10.6-03) (continued)

Director, Office of Human Resources (HR)
(038) (continued)

- Ensures that financial disclosure reports are received and appropriately considered with regard to the employment of consultants and experts serving other Federal agencies or NRC offices so that conflict-of-interest determinations may be made and limitations on use of consultants may be observed. (e)
- Reviews statements of services of consultants and experts for consistency with hours of service recorded and purpose of appointment. (f)
- Engages in outreach activities to ensure that the sources of potential consultants and experts include minorities and women. (g)
- Approves or disapproves requests for consultants and experts to work more than 130 days in a service year, except for OIG consultants. (h)
- Notifies the Division of Facilities and Security (DFS), Office of Administration (ADM), when an individual's consultant appointment has been made, renewed, or is terminated. (i)

Organizational Responsibilities and
Delegations of Authority
(10.6-03) (continued)

Director, Division of Facilities and
Security (DFS), Office of
Administration (ADM)
(039)

- Informs consultants and experts through personal contact or correspondence about NRC security requirements applicable to their duties before they are appointed. (a)
- Maintains a continuing security education program for NRC consultants and experts to inform them of their security responsibilities throughout their assignments. (b)
- Interviews or corresponds with consultants and experts upon termination of their duties to inform them of their continuing security responsibilities and of the necessity for completing NRC Form 136, "Security Termination Statement." (c)

Director, Division of Accounting
and Finance (DAF), Office of the
Chief Financial Officer (OCFO)
(0310)

- Examines and pays vouchers. Records and reports obligations, payments, and costs of consultants and experts employed under this directive. (a)
- Reports to HR the number of hours worked by consultants and experts. (b)

Organizational Responsibilities and Delegations of Authority (10.6-03) (continued)

Director, Division of Budget
and Analysis (DBA), OCFO
(0311)

Administers funds allotted from salaries and expenses appropriation for salaries and benefits of consultants and experts, including the certification of funds availability, except for OIG.

Applicability (10.6-04)

- This directive and handbook apply to NRC employees and all NRC consultants and experts who receive personnel appointments and who are not advisory committee members, including those appointed in support of an advisory committee. (041)
- This directive and handbook **do not apply** to the following individuals: (042)
 - Members of advisory committees covered by MD 10.12, "Use of Advisory Committee Members" (a)
 - Individuals whose services are acquired by contract or interagency agreement (b)

Handbook (10.6-05)

Handbook 10.6 provides guidance on employing and using consultants.

References

(10.6-06)

"Advisory Committees" (10 CFR Part 7).

Atomic Energy Act of 1954, as amended, Sections 161(d), 161(f), and 29 (42 U.S.C. 2011 et seq.).

Civil Service Retirement Act, as amended (5 U.S.C. 8331 et seq.).

Employees Compensation Act (5 U.S.C. 8101 et seq.).

"Employment of Experts and Consultants; Temporary or Intermittent" (5 U.S.C. 3109).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Federal Advisory Committee Act (5 U.S.C. App. I, Pub. L. 92-463).

Federal Employee Health Benefits Act of 1959 (5 U.S.C. 8901 et seq.).

Federal Employees Life Insurance Act of 1954 (5 U.S.C. 8701 et seq.).

Federal Employees Pay Comparability Act of 1990 (FEPCA) (5 U.S.C. 5301).

Federal Employees' Retirement System Act of 1986.

"Government Ethics" (5 CFR Chapter XVI, Subchapter B).

Inspector General Act of 1978, as amended (5 U.S.C. App. 3 et seq.).

References

(10.6-06) (continued)

NRC Management Directives—

4.1, "Accounting Policy and Practices."

4.2, "Administrative Control of Funds."

7.6, "Public and Confidential Financial Disclosure Reports."

7.10, "Political Activity."

10.42, "Hours of Work and Premium Pay."

12.3, "NRC Personnel Security Program."

14.1, "Official Temporary Duty Travel."

Use of Consultants and Experts

Handbook

10.6

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Part I General

Introduction (A)

As a matter of agency policy, the services of consultants and experts should be employed through the personnel appointment process whenever possible. The policy of employing consultant or expert services through the personnel process is advantageous to the agency because the potential for inequities in compensating individuals is minimized, total costs are generally lower, and questions as to the propriety of the individual's conduct are more clearly resolved. Consultants and experts appointed under the personnel process are employees of the agency. (1)

Note: The provisions of this handbook do not apply to advisory committee members. (2)

If a consultant or an expert is appointed through the personnel process, the services of that individual may not be utilized **at the same time** elsewhere in the NRC under a contract or an interagency agreement. (3)

Consultants and experts may perform such functions as—(4)

- Providing advice on broad program aspects and projects essential to operations and activities (a)
- Providing advice on developments in industry, university, or foundation research (b)
- Providing professional or technical advice in specialized fields of knowledge (c)

Introduction (A) (continued)

- Providing technical assistance in accomplishing highly complex projects (d)
- Providing specialized opinions or professional or technical advice that is not available within the agency (e)
- Providing the opinions, special knowledge, or skills of noted experts whose national or international prestige can contribute to the success of important projects (f)
- Providing outside points of view to gain a broader perspective of critical issues (g)
- Providing an enhanced understanding and development of alternative solutions to complex issues (h)
- Performing specialized tasks, such as analyzing and recommending solutions to operating problems of a technical or an administrative nature (i)
- Assisting operating officials in devising new and specialized methods or techniques of operation (j)

Consultants and experts may not be employed to—(5)

- Bypass or undermine personnel ceilings, job evaluation or pay limitations, or competitive employment procedures (a)
- Perform full-time and permanent jobs (b)
- Perform work of a policy, decisionmaking, managerial, or supervisory nature that is the responsibility of agency officials (c)

Introduction (A) (continued)

- Acquire advice that is readily available within the agency or another Federal agency, or unnecessarily duplicate any previously performed work or services (d)

Basic Requirements (B)

Qualifications (1)

To qualify for employment as a consultant or an expert, an individual shall have demonstrated by his or her experience, training, or other evidence of mastery of his or her field, such as writings, inventions, or professional recognition, that he or she has specialized knowledge and skills needed by the NRC not ordinarily obtained through usual recruitment channels, or that he or she is otherwise eminently qualified for the specific assignment.

Conduct (2)

Consultants and experts shall consider information obtained under Government authority that has not become part of the body of public information as privileged and must not divulge such information to their private employers or clients, or otherwise make use of it for non-NRC purposes.

Conflict of Interest (3)

The laws and regulations on conflict of interest, including Executive Order (E.O.) 12674, as amended by E.O. 12731, the regulations of the Office of Government Ethics (5 CFR Parts 2634-2637), and Management Directive (MD) 7.6, "Public and Confidential Financial Disclosure Reports," apply to consultants and experts. As indicated in MD 7.6, the Office of the General Counsel (OGC) makes a conflict-of-interest determination before the individual is appointed, on

Basic Requirements (B) (continued)

Conflict of Interest (3) (continued)

the basis of information submitted on the Office of Government Ethics (OGE) Form 450, "Executive Branch Personnel Confidential Financial Disclosure Report," or Standard Form (SF) 278, "Executive Branch Personnel Public Financial Disclosure Report."

Political Activity (4)

Consultants are subject to political activity restrictions of the Hatch Act while they are on official duty (see MD 7.10, "Political Activity").

Security Clearance (5)

Consultants and experts whose services are employed through the appointment process are subject to the security clearance requirements applicable to all employees. See MD 12.3, "NRC Personnel Security Program."

Statutes and Regulations

Governing Appointments (C)

NRC derives its authority to appoint consultants and experts from Section 161d of the Atomic Energy Act of 1954, as amended, and 5 U.S.C. 3109.

Employment and Administrative

Procedures (D)

Advance Planning (1)

Advance planning and adequate lead time are highly important as appointees may not report for duty or receive pay or reimbursements

Employment and Administrative Procedures (D) (continued)

Advance Planning (1) (continued)

until the security clearance, the conflict-of-interest determination, and other appointment processes are completed.

Approval of Consultants and Experts (2)

Authorizing officials authorize appointments, including renewals, and pay for experts and consultants under their authority by submitting an SF 52, "Request for Personnel Action."

Terms of Appointments (3)

October 1 through September 30 is the "service year" for consultants and experts. All consultant and expert appointments are temporary appointments that may not exceed 1 year. Regardless of when a consultant or an expert is appointed, his or her appointment must terminate no later than the next September 30 following his or her appointment. (a)

Although consultants and experts, like other employees, may be given full-time, part-time, or intermittent tours of duty (see Section 10.6-04 of the directive), in the NRC it is the general policy to appoint them to intermittent tours of duty. (b)

- Consultants and experts may not work more than 130 days during a service year (October 1 through September 30) without prior consultation with OGC and prior approval by the Director of the Office of Human Resources (HR) or the Inspector General for OIG consultants. (i)

Employment and Administrative
Procedures (D) (continued)

Terms of Appointments (3) (continued)

- If an authorizing official anticipates that a consultant or an expert will need to work more than 130 days in a service year, he or she should write a memorandum to the Director of HR (except for OIG consultants) requesting approval to have the employee work in excess of 130 days. The memorandum should describe the services being performed by the employee and the anticipated number of days needed to complete the services. (ii)

Initial Appointments (4)

The official proposing to employ the services of a consultant or an expert will communicate with prospective appointees to determine their qualifications and availability to serve. If the prospective consultant or expert is interested in serving, the office proposing to employ the individual will send the individual a letter, enclosing the following for completion—(a)

- An application for employment. (i)
- A security forms packet as required by MD 12.3. (ii)
- If the individual will be earning a rate of pay above that of a GG-15 and is expected to be employed for more than 60 days, the individual should be sent an SF 278 for completion. If the individual is expected to be employed less than 61 days or will be paid at the level of GG-15 or below, the individual should be sent an OGE Form 450, "Executive Branch Personnel Confidential Financial Disclosure Report," for completion. (iii)

Employment and Administrative Procedures (D) (continued)

Initial Appointments (4) (continued)

The letter also should inform the individual that his or her appointment is subject to completion of a conflict-of-interest review. (b)

After the prospective appointee completes the forms, he or she will return them to the office director, the regional administrator, or the executive director of the advisory committee proposing the hiring of the consultant. (c)

In addition, the authorizing official executes NRC Form 448, "Request for Appointment of a Consultant, Expert, or Member" (see the exhibit of this handbook). It is important that block A.8 of this document contain the name of the agency official designated as the individual who will serve as the point of contact for scheduling and receiving the services of the consultant or expert, and who will certify on NRC Form 449, "Statement of Services of Consultant or Expert," that consultants and experts have provided the services they were appointed to provide. It should also contain a full description of the services to be performed and an explanation of the need for the services. (Descriptions of anticipated services, such as hiring consultants so that they will be available should the need arise, are also appropriate.) The services must be described in sufficient detail to enable a reviewing official to determine the importance of the services in terms of program priorities and the availability of current, full-time staff to meet priorities. NRC Form 448 must be approved by the appropriate authorizing official. (d)

The organization proposing the hiring of the consultant or expert distributes the completed paperwork as follows: (e)

Employment and Administrative
Procedures (D) (continued)

Initial Appointments (4) (continued)

- To HR (i)
 - An SF 52, "Request for Personnel Action" (a)
 - An application for employment (b)
 - A security forms packet, including the memorandum designed to address the requirements of Section 145b of the Atomic Energy Act, with the subject line: "AUTHORITY TO APPROVE THE EMPLOYMENT OF AN INDIVIDUAL BEFORE COMPLETION OF THE REQUIRED INVESTIGATION AND REPORT WHEN ACCESS TO CLASSIFIED MATTER IS NOT INVOLVED" (see MD 12.3) (c)
 - An NRC Form 448 (the pending copy for HR) (d)
 - If applicable, the memorandum requesting approval of a term exceeding 130 days (e)
- To OGC (ii)
 - A copy of NRC Form 448 (see the exhibit) (a)
 - A completed OGE Form 450 or SF 278, as appropriate (b)
 - If applicable, a copy of the memorandum requesting approval of a term exceeding 130 days (c)

Employment and Administrative Procedures (D) (continued)

Initial Appointments (4) (continued)

After receipt of the paperwork, HR or OIG initiates pre-employment processing, such as security clearance procedures and verification that full-time-equivalent (FTE) ceilings are not exceeded, and implements the personnel action when all such requirements are completed. The personnel action is implemented by issuing an SF 50, "Notification of Personnel Action." (f)

HR must appoint the individual before he or she may perform work. (g)

Renewal of Appointments (5)

Consultants and experts must be given new appointments at the beginning of each service year (October 1 through September 30) if their continued service is necessary. These appointments must be effected in accordance with guidelines specified in this handbook. The appointments are initiated by submitting to HR a new SF 52 and a new NRC Form 448. A new SF 278 or OGE Form 450, as appropriate, filled out by the individual concerned should be forwarded directly to OGC by the employing office. These forms are forwarded for processing and execution of a new SF 50. None of the other supporting forms or clearances required for initial appointment need be processed for renewals. OIG will process its own renewal of consultant appointments.

Termination of Appointments (6)

When a consultant or an expert resigns, or when an office decides to terminate or not extend the appointment of a consultant or an expert beyond the end of the service year, the cognizant office should submit

Employment and Administrative Procedures (D) (continued)

Termination of Appointments (6) (continued)

an SF 52 to HR to initiate the action. When preparing the termination SF 50, HR is required to document in the "Remarks" section the number of days the individual worked from the beginning date of the appointment to the ending date. (a)

HR will notify the Division of Facilities and Security (DFS), Office of Administration (ADM), when the consultant's appointment has been terminated or not renewed so that DFS can terminate the individual's security clearance and obtain from the employee a completed NRC Form 136, "Security Termination Statement." HR also will inform the Assistant General Counsel for Legal Counsel, Legislation, and Special Projects (OGC) and those who are subject to the SF 278 filing requirement that they must file another SF 278 within 30 days of leaving their position unless they are immediately reappointed to another position that also requires them to complete an SF 278. (b)

Accountability for Funds (7)

The Division of Budget and Analysis (DBA), Office of the Chief Financial Officer (OCFO), or the Office of the Inspector General for OIG consultants, is responsible for instituting appropriate systems and controls to ensure that salaries and benefit funds from the salaries and expenses appropriation are not obligated or paid in excess of available balances. To observe the FTE ceilings allocated by DBA, HR institutes systems and controls to ensure that personnel appointments do not exceed the approved limits.

Part II

Pay, Reimbursements, and Fringe Benefits

Hours of Duty (A)

Consultants and experts are usually appointed to serve intermittently (see the Glossary of this directive). In such cases, it is sufficient to notify the appointee when to report and the approximate period of expected service. However, in those extraordinary cases when it is known that regularly scheduled services will be needed during each administrative workweek for more than a month, a regularly scheduled tour of duty will be established for the individual, as provided in Management Directive (MD) 10.42, "Hours of Work and Premium Pay."

Pay Rates (B)

Rates of pay will be set to correspond with the level of duties to be performed as determined by agency benchmarks, the individual's qualifications, and the rates paid for similar services from other sources. Compensation will not exceed Level IV of the Executive Schedule. (1)

General salary increases for full-time career employees will not form the basis for increasing consultant or expert pay rates. Generally, increases should only be made when appointments are considered for renewal. However, under special circumstances, increases in the pay rates may be made at other times up to the maximum level specified above. To increase pay rates, authorizing officials must recommend, by memorandum to the Director of the Office of Human Resources (HR), that appointments be amended. Examples of special circumstances are—(2)

Pay Rates (B) (continued)

- A demonstration of exceptional competence in current NRC consulting assignments. (a)
- Those instances in which the individual can demonstrate that his or her services have been compensated at a higher rate in other consultant or expert capacities, or in full-time employment in private industry. (b)

Gratuitous Services (C)

The agency may accept the gratuitous services of a consultant or an expert who is given an appointment with the NRC and who agrees in advance to serve without compensation. (1)

A consultant or an expert may serve without compensation but still be reimbursed for travel and other necessary duty-related expenses. (2)

Payment for Services (D)

The following provisions identify periods of employment for which consultants and experts may claim payment for services. Services performed by consultants and experts will be documented, certified, and processed for payment under the procedures contained in Part III of this handbook.

- The consultant or expert may claim payment for the entire day for all days in which 6 or more hours of service are performed, including travel time, evenings, Saturdays, Sundays, and holidays. (Note, however, that when a consultant or an expert works any part of a day, that day is counted as a day worked for the purposes described in Part I, Section (D)(3).) No regular overtime, holiday pay, or premium compensation may be claimed for service in excess of 8 hours in any one day or for evening, Saturday, Sunday, or holiday services. (1)

Payment for Services (D) (continued)

- Only the actual hours of service, including travel time, should be claimed as time worked for less than 6 hours in any one day. In such cases, the individual will be paid a prorated amount of the daily rate. The time of service must be recorded to the nearest hour. (2)

Deductions From Pay (E)

The following deductions will be made from a consultant's pay:

- Income taxes will be withheld as required by Federal or other law. (1)
- Deductions will be made for FICA (Social Security) unless the person is an annuitant or is otherwise covered under the Civil Service Retirement System (CSRS). (2)
- Deductions will be made for Medicare Part A tax. (3)
- An appointee who is a civil service annuitant will have deducted an amount equal to the Federal annuity allocable to the period for which payment is made. (When a civil service annuitant is appointed in response to an emergency involving a direct threat to life or property, or other unusual circumstances, or when there is exceptional difficulty in recruiting or retaining a qualified employee, the requirement for this deduction **may** be waived by the Office of Personnel Management or the NRC under delegated authority.) (4)
- Because of the nature of their appointments (temporary), and their schedules (intermittent), consultants and experts are normally excluded from coverage under the Civil Service Retirement Act, as amended; the Federal Employees' Retirement System Act of 1986; the Federal Employee Health Benefits Act of 1959; and the

Deductions From Pay (E) (continued)

Federal Employees Life Insurance Act of 1954. However, individuals who previously had coverage under the Health Benefits and Life Insurance Acts, and who did not have a break in service before becoming a consultant or an expert, may be eligible to retain those benefits. (5)

- Reemployed annuitants who have intermittent schedules are not eligible for a supplemental or readjusted annuity. (6)
- Consultants and experts who sustain injuries during the performance of assigned duties are entitled to compensation under the Employees Compensation Act. In case of injury resulting in death, the estate is entitled to compensation. (7)
- Employees should be aware that the obligations, benefits, and privileges of all Governmentwide benefit programs are provided by statute and therefore are subject to change by legislation and by regulations of other Government agencies. All benefits determinations are made in accordance with applicable laws and regulations. (8)

Miscellaneous Expenses (F)

To the extent authorized or approved, consultants may be reimbursed for direct out-of-pocket expenses associated with their assignments. These expenses include items such as postage, long distance calls, telegrams and typing, and stenographic or reproduction services when Government facilities could not feasibly be used.

Travel Expenses (G)

Travel expenses are paid in accordance with MD 14.1, "Official Temporary Duty Travel."

Annual and Sick Leave (H)

Consultants and experts who are on an intermittent tour of duty do not earn annual or sick leave. (1)

Consultants and experts who have a regularly scheduled tour of duty, full time or part time, earn annual and sick leave. (2)

Part III

Instructions for Completing Vouchers

Approving Vouchers (A)

Authorizing officials (see Section (B)(3)(i) of this part) approve vouchers for consultants and experts in accordance with Management Directives (MDs) 4.1, "Accounting Policy and Practices," and 14.1, "Official Temporary Duty Travel." By signing the vouchers, they assert that the services provided by the consultant or expert were proper and were performed in accordance with the guidance contained in this directive and handbook and that payment is accurate and commensurate with services rendered.

Reimbursement for Personal Services (B)

Reimbursement for personal services (direct salary) is claimed by completing NRC Form 148, "Voucher for Professional Services," which may be accessed through the WordPerfect (WP) Informs icon. Note the instructions for each block, as explained below. (1)

Note: Vouchers should be submitted monthly and should normally be submitted within 5 days after the period of performance, or as soon thereafter as possible. If the duration of the project is less than 1 month, the voucher must be submitted upon completion of the project. In addition, NRC Form 449, "Statement of Services of Consultant or Expert," must be completed and signed by the individual designated by the authorizing official for each voucher submitted. The original of the completed and signed NRC Form 449 should be sent to the Office of Human Resources (HR). The authorizing official should keep a copy of the form for his or her records. (2)

Reimbursement for
Personal Services (B) (continued)

Instructions for NRC Form 148 follow. (3)

- **From.** Give full name, full address, and social security number of claimant. (a)
- **Attention.** Indicate the NRC division or office that serves as the primary contact for the consultant or expert. (b)
- **City, State, ZIP Code.** Indicate the full address of the division or office shown above. (c)
- **Contract.** This block is not applicable. (d)
- **Period Covered.** Indicate the dates of service covered by the voucher. (e)
- **Services Performed.** Describe the services performed in days, hours, or a combination of both; however, the total hours must agree with the total hours shown on the face of the form. Rates of pay per hour or per day may be given, as appropriate. (f)
- **Amount Claimed.** Indicate the amounts claimed on a daily or an hourly basis and the total amount being claimed. (g)
- **Certification.** The claimant must sign and date the form before submitting it to the approving official. (h)
- **Approval.** This block is to be signed and dated by the authorizing official. An official below the level of division chief for offices and regions, or the level of Chief of the Operations Support Branch, Advisory Committee on Reactor Safeguards/Advisory Committee on Nuclear Waste, may not be designated. The approving official must not sign the form before the claimant. (i)

Reimbursement for Personal Services (B) (continued)

- **Services Performed (second page).** This section must reflect the date, time, and total hours for each day worked during the period covered by the claim. (j)

An original signed by the consultant or expert and two copies of the signed original should be sent to the responsible NRC division or office shown in the "Attention" block. This office will obtain the required approval signature and forward the form to the Division of Accounting and Finance (DAF), Office of the Chief Financial Officer (OCFO). Claimants should not submit the form directly to the payroll office as this will delay processing. (4)

Reimbursement for Travel (C)

Travel must be authorized in advance on NRC Form 279, "Official Travel Authorization," in accordance with MD 14.1. Airline and rail tickets should be obtained through the official NRC travel agent in order to receive Government contract fares. (1)

Reimbursement of travel expenses, including per diem, transportation and related costs, is requested on NRC Forms 64 and 64A, "Travel Voucher." (2)

Reimbursement of local travel expenses is requested on Standard Form (SF) 1164, "Claim for Reimbursement for Expenditures on Official Business." (3)

Detailed instructions for completing these forms are contained in MD 14.1. Consultants and experts should contact the administrative officer of the cognizant NRC office for assistance in completing the travel voucher. (4)

Reimbursement for Travel (C) (continued)

These forms should be submitted to the NRC office having cognizance over the activities of the consultant or expert. After approval, the forms are forwarded to the DAF, OCFO, for payment. (5)

Reimbursement for Miscellaneous Expenses (D)

SF 1034, "Public Voucher for Purchases and Services Other Than Personal," is used to claim reimbursement for administrative expenses other than those associated with salary and travel, such as secretarial services, copying services, and office facilities. This form may be accessed through the WP Informs icon. Note the instructions for each block, as follows: (1)

- **Voucher Number.** Vouchers should be identified by fiscal year and numbered sequentially. For example, the first voucher for fiscal year 1998 would be 98-1. (a)
- **U.S. Department, etc.** Address the form to the U.S. Nuclear Regulatory Commission, Division of Accounting and Finance, Washington, DC 20555-0001. (b)
- **Date Voucher Prepared.** This block must be completed. (c)
- **Contract Number.** This block is not applicable. (d)
- **Payee's Name and Address.** Indicate the full name and address, including ZIP Code, of the claimant. (e)
- **Articles or Services.** Describe the items for which reimbursement is being claimed and give the unit cost amount and the total cost. (f)

Reimbursement for Miscellaneous Expenses (D) (continued)

Note: Receipts for all goods or services in excess of \$15 must be attached to the SF 1034.

This form should be submitted directly to the DAF, OCFO. DAF will send the form to the designated approving official for signature. (2)

Questions (E)

Questions relating to employment dates and conditions of employment should be directed to the Director of HR. Questions concerning preparation and submission of all vouchers should be directed to the Director of DAF, OCFO.

Glossary

Consultant. A consultant gives views or opinions on problems or questions presented by the agency but neither performs nor supervises performance of operating functions. The consultant's expertise should consist of a high order of broad administrative, professional, or technical experience indicating that the individual's ability and knowledge make his or her advice distinctively valuable to the agency.

Expert. The expert has excellent qualifications and a high degree of attainment in a professional, scientific, technical, or other field. The expert's knowledge and mastery of the principles, practices, problems, methods, and techniques of his or her field of activity, or of a specialized area in the field, are clearly superior to those usually possessed by ordinarily competent persons in that activity. The expert's attainment is such that he or she usually is regarded as an authority or as a practitioner of unusual competence and skill by other persons in the profession, occupation, or activity.

Regular Government Employee. Any employee, including a *consultant or an expert*, who is retained or employed with or without compensation by NRC and/or any other agency for more than 130 working days during any period of 365 consecutive days.

Service Year. The period of 365 consecutive days for which a **consultant or an expert** is appointed. For *consultants and experts*, the service year begins on October 1 and ends on September 30.

Special Government Employee. Any employee, including a *consultant or an expert*, who is retained or employed with or without compensation by NRC and/or any other agency for not more than 130 working days during any period of 365 consecutive days.

Glossary (continued)

Tour of Duty. For the purposes of this directive, there are three tours of duty (types of work schedules) that consultants and experts may work.

- **Full-Time Tour of Duty.** Generally, 80 hours of work per pay period are regularly scheduled on prescribed days and at prescribed times. Consultants and experts in the NRC are almost never assigned full-time tours of duty.
- **Part-Time Tour of Duty.** Generally, part-time employment of 16 to 32 hours a week is regularly scheduled on prescribed days and at prescribed times. Part-time tours of duty for consultants and experts in the NRC are rare.
- **Intermittent Tour of Duty.** Employment on an irregular or occasional basis, where work is not performed on prescribed days and at prescribed times. Almost all consultants and experts in the NRC have intermittent tours of duty.

**Volume 10, Part 1 - Employment and Staffing
Use of Consultants and Experts
Handbook 10.6 Exhibit**

**Exhibit
NRC Form 448, "Request for Appointment of a
Consultant, Expert, or Member"**

NRC FORM 448 (12-1989) NRCMD 10.6		U.S. NUCLEAR REGULATORY COMMISSION				
REQUEST FOR APPOINTMENT OF A CONSULTANT, EXPERT, OR MEMBER						
INSTRUCTIONS						
<p>A. INITIAL EMPLOYMENT. COMPLETE NRC FORM 448, ALL THE FORMS SPECIFIED IN FORM 254, "PRIVACY ACT STATEMENT AND INSTRUCTIONS FOR COMPLETION OF THE SECURITY FORMS PACKET," STANDARD FORM (SF) 52, "REQUEST FOR PERSONNEL ACTION," AND APPLICATION MATERIALS. IN ADDITION, IF THE APPOINTMENT IS EXPECTED TO EXCEED 90 DAYS IN A CALENDAR YEAR AND THE RATE OF PAY IS EQUAL TO OR HIGHER THAN 120% OF A GG-15/1 SALARY, COMPLETE ONE COPY OF SF 278, "PUBLIC FINANCIAL DISCLOSURE REPORT." FOR ALL OTHER APPOINTMENTS, COMPLETE ONE COPY OF OGE 450, "CONFIDENTIAL FINANCIAL DISCLOSURE REPORT."</p> <p>DISTRIBUTION OF FORMS. FORWARD THE "OFFICE OF HUMAN RESOURCES PENDING" COPY OF NRC FORM 448, ALONG WITH THE SF 52, AND THOSE FORMS SPECIFIED IN NRC FORM 254, TO THE OFFICE OF HUMAN RESOURCES. FORWARD THE REMAINDER OF THE SET, ALONG WITH FORM OGE 450 OR SF 278 TO THE OFFICE OF THE GENERAL COUNSEL. RETAIN THE "EMPLOYING OFFICE" COPY FOR YOUR RECORDS.</p> <p>B. EXTENSIONS, RENEWALS, OR MODIFICATIONS. COMPLETE NRC FORM 448 AND SF 52, "REQUEST FOR PERSONNEL ACTION." IN ADDITION, IF THE EMPLOYEE WORKED MORE THAN 90 DAYS IN THE PREVIOUS CALENDAR YEAR, AND WAS PAID AT A RATE OF PAY EQUAL TO OR HIGHER THAN 120% OF A GG-15/1 SALARY, COMPLETE SF 278, "PUBLIC FINANCIAL DISCLOSURE REPORT." FOR ALL OTHER REAPPOINTMENTS, COMPLETE OGE 450, "CONFIDENTIAL FINANCIAL DISCLOSURE REPORT."</p> <p>DISTRIBUTION OF FORMS. FORWARD THE "OFFICE OF HUMAN RESOURCES PENDING" COPY OF NRC FORM 448, ALONG WITH SF 52, TO THE OFFICE OF HUMAN RESOURCES. FORWARD THE REMAINDER OF THE SET, ALONG WITH OGE 450 OR SF 278, TO THE OFFICE OF THE GENERAL COUNSEL. RETAIN THE "EMPLOYING OFFICE" COPY FOR YOUR RECORDS.</p>						
A. REQUESTING OFFICE/DIVISION						
1. NAME OF PROPOSED APPOINTEE (<i>Last, first, middle initial</i>)			2. DATE OF BIRTH MONTH DAY YEAR		3. SOCIAL SECURITY NUMBER	
4. TYPE OF APPOINTMENT		5. PERIOD OF SERVICE		6. PROPOSED PAY		
NEW	EXPERT	FROM	TO	\$	PER DIEM	
RENEWAL	CONSULTANT				PER HOUR	ACTIVE Q OR L
MODIFICATION	MEMBER				WOC	FORMER Q OR L INITIAL Q OR L
8. DESCRIPTION OF SERVICES OR PROJECT TO BE COMPLETED (<i>Be specific</i>)						
9a. AGENCY OFFICIAL DESIGNATED FOR SCHEDULING AND RECEIVING SERVICES OF CONSULTANT, EXPERT, OR MEMBER (<i>Typed or printed name and title</i>)						
9. JUSTIFICATION FOR PROPOSED PAY (<i>Be specific</i>)				10. <input type="checkbox"/> EXPENSES TO BE REIMBURSED (<i>Check the box if none; otherwise specify</i>)		
11. CERTIFICATION. These services do not unnecessarily duplicate any previously performed work or services.						
REQUESTER (<i>Typed or printed name and title</i>)		SIGNATURE		DATE	ORGANIZATION (<i>Office, Division, Branch</i>)	
APPROVING OFFICIAL -- Office Director or Deputy Director -- Cannot be redelegated (<i>Typed or printed name and title</i>)		SIGNATURE		DATE	OFFICE	
B. FOR USE BY THE OFFICE OF THE GENERAL COUNSEL						
<p>INSTRUCTIONS COMPLETE THIS PORTION OF THIS FORM, RETAIN THE "OFFICE OF THE GENERAL COUNSEL" COPY, AND FORWARD THE REMAINDER OF THE SET TO THE OFFICE OF HUMAN RESOURCES.</p> <p>I have reviewed the OGE 450, "Confidential Financial Disclosure Report," or the SF 278, "Public Financial Disclosure Report," for the individual cited in A.1. above, and on the basis thereof, find there is no legal objection to his/her employment from a conflict-of-interest standpoint.</p>						
COUNSELOR OR DEPUTY COUNSELOR (<i>Typed or printed name</i>)			SIGNATURE		DATE	
C. FOR USE BY THE OFFICE OF HUMAN RESOURCES						
<p>INSTRUCTIONS FOR ALL REQUESTS, COMPLETE THIS PORTION OF THIS FORM, SECURE FUNDS APPROVAL IN ITEM 8. BELOW, FORWARD THE "ADMISS" COPY TO ADMISS, THE "PAYROLL" COPY, ALONG WITH SF 80, TO THE PAYROLL OFFICE, AND RETAIN THE "OFFICIAL PERSONNEL FOLDER" COPY.</p>						
1. POSITION NUMBER	2. SPECIAL GOVERNMENT EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO	3. SERIES	4. INITIALS OF CLASSIFICATION SPECIALIST	5. EMPLOYMENT NUMBER	6. EFFECTIVE DATE	
7. PERSONNEL SPECIALIST (<i>Typed or printed name</i>)			SIGNATURE		DATE	
8. FUNDS ARE AVAILABLE TO COVER COSTS. (<i>Typed or printed name and title</i>)			SIGNATURE		DATE	
NRC FORM 448 (12-1989)						