

112TH CONGRESS  
1ST SESSION

# H. R. 1492

To provide for mandatory training for Federal Government supervisors and the assessment of management competencies.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2011

Mr. MORAN (for himself, Mr. WOLF, and Mr. CONNOLLY of Virginia) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To provide for mandatory training for Federal Government supervisors and the assessment of management competencies.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Supervisor  
5 Training Act of 2011”.

6 **SEC. 2. MANDATORY TRAINING PROGRAMS FOR SUPER-**  
7 **VISORS.**

8 (a) IN GENERAL.—Section 4121 of title 5, United  
9 States Code, is amended—

1           (1) by inserting before “In consultation with”  
2 the following:

3           “(a) In this section, the term ‘supervisor’ means—

4               “(1) a supervisor as defined under section  
5 7103(a)(10);

6               “(2) a management official as defined under  
7 section 7103(a)(11); and

8               “(3) any other employee as the Director of the  
9 Office of Personnel Management may by regulation  
10 prescribe.”;

11           (2) by striking “In consultation with” and in-  
12 sserting “(b) Under operating competencies pre-  
13 scribed by, and in consultation with,”; and

14           (3) by striking paragraph (2) (of the matter re-  
15 designating as subsection (b) as a result of the  
16 amendment under paragraph (2) of this subsection)  
17 and inserting the following:

18               “(2)(A) a program to provide training to super-  
19 visors on actions, options, and strategies a super-  
20 visor may use in—

21                   “(i) developing and discussing relevant  
22 goals and objectives together with the employee,  
23 communicating and discussing progress relative  
24 to performance goals and objectives and con-  
25 ducting performance appraisals;

1           “(ii) mentoring and motivating employees  
2           and improving employee performance and pro-  
3           ductivity;

4           “(iii) fostering a work environment charac-  
5           terized by fairness, respect, equal opportunity,  
6           and attention paid to the merit of the work of  
7           employees;

8           “(iv) effectively managing employees with  
9           unacceptable performance;

10          “(v) addressing reports of a hostile work  
11          environment, reprisal, or harassment of, or by,  
12          another supervisor or employee;

13          “(vi) meeting supervisor competencies es-  
14          tablished by the Office of Personnel Manage-  
15          ment or the employing agency of the supervisor;  
16          and

17          “(vii) otherwise carrying out the duties or  
18          responsibilities of a supervisor;

19          “(B) a program to provide training to super-  
20          visors on the prohibited personnel practices under  
21          section 2302 (particularly with respect to such prac-  
22          tices described under subsection (b) (1) and (8) of  
23          that section), employee collective bargaining and  
24          union participation rights, and the procedures and  
25          processes used to enforce employee rights; and

1           “(C) a program under which experienced super-  
2           visors mentor new supervisors by—

3                   “(i) transferring knowledge and advice in  
4                   areas such as communication, critical thinking,  
5                   responsibility, flexibility, motivating employees,  
6                   teamwork, leadership, and professional develop-  
7                   ment; and

8                   “(ii) pointing out strengths and areas for  
9                   development.

10          “(c) Training in programs established under sub-  
11          section (b)(2) (A) and (B) shall be—

12                   “(1) interactive training which may include  
13                   computer-based training; and

14                   “(2) to the extent practicable as determined by  
15                   the head of the agency, training that is instructor-  
16                   based.

17          “(d)(1)(A) Not later than 1 year after the date on  
18          which an individual is appointed to the position of super-  
19          visor, that individual shall be required to have completed  
20          each program established under subsection (b)(2).

21          “(B) The Director of the Office of Personnel Manage-  
22          ment may establish and administer procedures under  
23          which the head of an agency may extend the 1-year period  
24          described under subparagraph (A) with respect to an indi-  
25          vidual.

1           “(2) After completion of a program under subsection  
2 (b)(2) (A) and (B), each supervisor shall be required to  
3 complete a program under subsection (b)(2) (A) and (B)  
4 at least once every 3 years.

5           “(3) Each program established under subsection  
6 (b)(2) shall include provisions under which credit shall be  
7 given for periods of similar training previously completed.

8           “(4) Each agency shall measure the effectiveness of  
9 training programs established under subsection (b)(2).

10          “(e) Notwithstanding section 4118(c), the Director of  
11 the Office of Personnel Management shall prescribe regu-  
12 lations to carry out this section, including the monitoring  
13 of agency compliance with this section. Regulations pre-  
14 scribed under this subsection shall include measures by  
15 which to assess the effectiveness of agency supervisor  
16 training programs.”.

17          (b) REPORT ON EXTENSIONS FOR TRAINING RE-  
18 QUIREMENTS.—

19               (1) APPROPRIATE CONGRESSIONAL COMMIT-  
20 TEES.—In this subsection, the term “appropriate  
21 congressional committees” means—

22                       (A) the Committee on Homeland Security  
23                       and Governmental Affairs of the Senate; and

1           (B) the Committee on Oversight and Gov-  
2           ernment Reform of the House of Representa-  
3           tives.

4           (2) REPORT.—Not later than 2 years after the  
5           date of enactment of this Act and annually there-  
6           after, the Director of the Office of Personnel Man-  
7           agement shall submit a report with respect to the  
8           preceding fiscal year to the appropriate congress-  
9           sional committees on—

10           (A) the number of extensions granted  
11           under section 4121(d)(1)(B) of title 5, United  
12           States Code, as added by subsection (a) of this  
13           section; and

14           (B) the number of individuals completing  
15           the requirements of section 4121(d)(1)(A) of  
16           title 5, United States Code, as added by sub-  
17           section (a) of this section.

18           (c) REGULATIONS.—Not later than 1 year after the  
19           date of enactment of this Act, the Director of the Office  
20           of Personnel Management shall prescribe regulations  
21           under section 4121(e) of title 5, United States Code, as  
22           added by subsection (a) of this section.

23           (d) EFFECTIVE DATE AND APPLICATION.—

1           (1) IN GENERAL.—The amendments made by  
2 this section shall take effect 1 year after the date of  
3 enactment of this Act and apply to—

4           (A) each individual appointed to the posi-  
5 tion of a supervisor, as defined under section  
6 4121(a) of title 5, United States Code (as  
7 added by subsection (a) of this section), on or  
8 after that effective date; and

9           (B) each individual who is employed in the  
10 position of a supervisor on that effective date as  
11 provided under paragraph (2).

12           (2) SUPERVISORS ON EFFECTIVE DATE.—Each  
13 individual who is employed in the position of a su-  
14 pervisor on the effective date of this section and is  
15 not subject to an extension under section  
16 4121(d)(1)(B) of title 5, United States Code (as  
17 added by subsection (a) of this section) shall be re-  
18 quired to—

19           (A) complete each program established  
20 under section 4121(b)(2) of title 5, United  
21 States Code (as added by subsection (a) of this  
22 section), not later than 3 years after the effec-  
23 tive date of this section; and

24           (B) complete programs every 3 years  
25 thereafter in accordance with section 4121(d)

1 (2) and (3) of that title (as added by subsection  
2 (a) of this section).

3 **SEC. 3. MANAGEMENT COMPETENCIES.**

4 (a) IN GENERAL.—Chapter 43 of title 5, United  
5 States Code, is amended—

6 (1) by redesignating section 4305 as section  
7 4306; and

8 (2) inserting after section 4304 the following:

9 **“§ 4305. Management competencies**

10 “(a) In this section, the term ‘supervisor’ means—

11 “(1) a supervisor as defined under section  
12 7103(a)(10);

13 “(2) a management official as defined under  
14 section 7103(a)(11); and

15 “(3) any other employee as the Director of the  
16 Office of Personnel Management may by regulation  
17 prescribe.

18 “(b) The Director of the Office of Personnel Manage-  
19 ment shall issue guidance to agencies on competencies su-  
20 pervisors are expected to meet in order to effectively man-  
21 age, and be accountable for managing, the performance  
22 of employees.

23 “(c) Based on guidance issued under subsection (b)  
24 and on any additional competencies developed by an agen-  
25 cy, each agency shall assess the performance of the super-

1 visors and the overall capacity of the supervisors in that  
2 agency.

3 “(d) Every year, or on any basis requested by the  
4 Director of the Office of Personnel Management, each  
5 agency shall submit a report to the Office of Personnel  
6 Management on the progress of the agency in imple-  
7 menting this section, including measures used to assess  
8 program effectiveness.”.

9 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

10 (1) TABLE OF SECTIONS.—The table of sections  
11 for chapter 43 of title 5, United States Code, is  
12 amended by striking the item relating to section  
13 4305 and inserting the following:

“4305. Management competencies.

“4306. Regulations.”.

14 (2) REFERENCE.—Section 4304(b)(3) of title 5,  
15 United States Code, is amended by striking “section  
16 4305” and inserting “section 4306”.

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