

110TH CONGRESS
1ST SESSION

S. 967

To amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2007

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees.

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 2007”.

1 **SEC. 2. MANDATORY TRAINING PROGRAMS FOR SUPER-**
2 **VISORS.**

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

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

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

8 “(1) a supervisor as defined under section
9 7103(a)(10);

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

12 “(3) any other employee as the Office of Per-
13 sonnel Management may by regulation prescribe.”;

14 (2) by striking “In consultation with” and in-
15 sserting “(b) Under operating standards promulgated
16 by, and in consultation with,”; and

17 (3) by striking paragraph (2) (of the matter re-
18 designated as subsection (b) as a result of the
19 amendment under paragraph (2) of this subsection)
20 and inserting the following:

21 “(2)(A) a program to provide interactive in-
22 structor-based training to supervisors on actions, op-
23 tions, and strategies a supervisor may use in—

24 “(i) developing and discussing relevant
25 goals and objectives together with the employee,
26 communicating and discussing progress relative

1 to performance goals and objectives and con-
2 ducting performance appraisals;

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

6 “(iii) effectively managing employees with
7 unacceptable performance;

8 “(iv) addressing reports of a hostile work
9 environment, reprisal, or harassment of, or by,
10 another supervisor or employee; and

11 “(v) otherwise carrying out the duties or
12 responsibilities of a supervisor;

13 “(B) a program to provide interactive instruc-
14 tor-based training to supervisors on the prohibited
15 personnel practices under section 2302 (particularly
16 with respect to such practices described under sub-
17 section (b) (1) and (8) of that section) and the pro-
18 cedures and processes used to enforce employee
19 rights; and

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

22 “(i) transferring knowledge and advice in
23 areas such as communication, critical thinking,
24 responsibility, flexibility, motivating employees,
25 teamwork, and professional development; and

1 “(ii) pointing out strengths and areas for
2 development.

3 “(c)(1) Not later than 1 year after the date on which
4 an individual is appointed to the position of supervisor,
5 that individual shall be required to have completed each
6 program established under subsection (b)(2).

7 “(2) After completion of a program under subsection
8 (b)(2) (A) and (B), each supervisor shall be required to
9 complete a program under subsection (b)(2) (A) and (B)
10 at least once during each 3-year period.

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

14 “(d) Notwithstanding section 4118(c), the Office of
15 Personnel Management shall prescribe regulations to
16 carry out this section, including the monitoring of agency
17 compliance with this section.”.

18 (b) REGULATIONS.—Not later than 180 days after
19 the date of enactment of this Act, the Office of Personnel
20 Management shall prescribe regulations in accordance
21 with subsection (d) of section 4121 of title 5, United
22 States Code, as added by subsection (a) of this section.

23 (c) EFFECTIVE DATE AND APPLICATION.—

1 (1) IN GENERAL.—The amendments made by
2 this section shall take effect 180 days after the date
3 of 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 shall be
15 required to—

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

21 (B) complete programs every 3 years
22 thereafter in accordance with section 4121(c)
23 (2) and (3) of such title.

1 **SEC. 3. MANAGEMENT COMPETENCY STANDARDS.**

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

4 (1) by redesignating section 4305 as section
5 4306; and

6 (2) inserting after section 4304 the following:

7 **“§ 4305. Management competency standards**

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

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

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

13 “(3) any other employee as the Office of Per-
14 sonnel Management may by regulation prescribe.

15 “(b) The Office of Personnel Management shall issue
16 guidance to agencies on standards supervisors are ex-
17 pected to meet in order to effectively manage, and be ac-
18 countable for managing, the performance of employees.

19 “(c) Each agency shall—

20 “(1) develop standards to assess the perform-
21 ance of each supervisor and in developing such
22 standards shall consider the guidance developed by
23 the Office of Personnel Management under sub-
24 section (b) and any other qualifications or factors
25 determined by the agency;

1 “(2) assess the overall capacity of the super-
2 visors in the agency to meet the guidance developed
3 by the Office of Personnel Management issued under
4 subsection (b); and

5 “(3) develop and implement a supervisor train-
6 ing program to strengthen issues identified during
7 such assessment.

8 “(d) Every year, or on any basis requested by the
9 Director of the Office of Personnel Management, each
10 agency shall submit a report to the Office on the progress
11 of the agency in implementing this section.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) TABLE OF SECTIONS.—The table of sections
14 for chapter 43 of title 5, United States Code, is
15 amended by striking the item relating to section
16 4305 and inserting the following:

“4305. Management competency standards.
“4306. Regulations.”.

17 (2) REFERENCE.—Section 4304(b)(3) of title 5,
18 United States Code, is amended by striking “section
19 4305” and inserting “section 4306”.

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