

## FFY 2006 EMPG Application Package Instructions

Attached are the FFY 2006 grant application forms, which must be completed, in order to participate in the Emergency Management Performance Grant (EMPG) program.

**All final application materials must be submitted to the Regional Office no later than November 30, 2005.**

The EMPG Application (DMA Form 1035) should be transmitted to your Regional Director with the following attachments:

1. Plan of Work / Three Year Exercise Plan
2. EMPG Position Description(s)
3. EMPG Budget Information Worksheet
4. EMPG Staffing Pattern
5. County Emergency Management Budget

The EMPG Budget Information Worksheet (DMA Form 1036) should be completed for all anticipated EMPG positions. Per Information and Guidance Memo 07-01-01, EMPG funds are distributed based upon a set formula. Grant funds will be provided for the reimbursement of salary and fringe benefits for the County Emergency Management Director and those in direct support of the Plan of Work (POW) activities for the County Emergency Management (EM) program. A subsequent increase in funding allocations was outlined in Information and Guidance Memo 04-01-03, and should be considered as a base for funding in FFY06.

EMPG funding is limited to 50% of eligible salary and fringe benefits as well as related expenses or the formula amount, whichever is less. When the form is completed, transfer the salary and fringe benefit data to the Grant Application form. The travel and other expense figures, as well as salary and fringe benefits, will be used to determine the actual county EMPG costs for emergency management. This information will be utilized in any appeal to FEMA for increased funding for the local jurisdictions. When determining your "other" costs, do not include expenses funded under other federal programs.

FEMA Form 85-17, Staffing Pattern, will be used for the EMPG Annual Submission. Complete the Staffing Pattern for all positions for which EMPG funds will be used and that provide direct support to the POW and EM program. Identify all positions in your emergency management office, but include salary amounts for only those positions funded under the EMPG program. The figure for "Gross Annual Salary" listed in column 2 should be the total federal share of salary and fringe benefits for each position.

DMA Form 1140 is the required Merit System Certification. Attached to that certification form is Appendix B from CPG 1-3. This document outlines the Federal Office of Personnel Management's Standards for a Merit System of Personnel Administration. Please read this section of the Federal Register, and then complete DMA Form 1140.

In FFY 2005, FEMA's Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions is a required submission for every sub grantee (County) application for funding. To properly determine your response, please read the instructions provided by FEMA. Additional information may also be provided by your County purchasing office regarding debarment or suspension issues.

Several copies of the EMPG billing form (DMA Form 1037) have been provided. One of these forms must be completed and submitted to the Regional Office at the end of each six-month reporting period. The date of your paycheck will determine for which reporting period expenses should be reported. If the billing is longer than one page, insert the total of all pages in the designated blanks on page 1. The billings must be submitted with the original signature and include time and attendance records for the pay periods within that given reporting period.

If you have any questions or require additional information, please contact your Regional Office.

STATE OF WISCONSIN  
 WISCONSIN EMERGENCY MANAGEMENT  
 2400 WRIGHT STREET  
 P.O. BOX 7865  
 MADISON, WI 53707-7865  
 608-242-3232

<b>County Name</b>	<b>Director's Name</b>
<b>Street Address, P.O. Box</b>	<b>Phone Number</b> (    )
<b>City, Zip</b>	<b>Federal Program Title:</b>  Emergency Management Performance Grant

**EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION**

<b>Type of Application</b> <input type="checkbox"/> new <input type="checkbox"/> revised <input type="checkbox"/> increase dollars <input type="checkbox"/> decrease dollars <input type="checkbox"/> other	<b>Grant Period</b>  10/1/05 - 9/30/06
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For complete eligibility requirements, refer to 44 CFR 302.3.

**FUNDING REQUEST**

Salary	\$	_____
Fringe	\$	_____
Travel & Support	\$	_____
Total	\$	_____
Federal Share	\$	_____

Transfer figures from EMPG Budget Information Worksheet for all authorized and eligible positions and expenses.

- Attachments:     Plan of Work  
                        EMPG Position Description(s)  
                        EMPG Budget Information Worksheet  
                        EMPG Staffing Pattern  
                        Emergency Management Budget (County Fiscal Year)

Authorization: To the best of my knowledge all data provided in this application is true and correct. This document has been duly authorized by the governing body of the county and the applicant will comply with the assurances as stated on the reverse of this application.

\_\_\_\_\_  
 Printed Name  
 Emergency Management Director/Coordinator

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

## STANDARD ASSURANCES

The Applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements, including Executive Order 12372 and OMB Circulars Nos. A-102 and A-87 as they relate to the application, acceptance, and use of Federal funds for all federally assisted projects to be carried out under the terms of this agreement. The Applicant also assures and certifies that:

- (1) It possess the legal authority to apply for the grant: that a resolution, motion or similar action has been duly adopted or passed as an official act by the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (2) It will give the sponsoring agency or the Comptroller General, through any authorized representatives, the access to and the right to examine all records, books, papers, or documents related to the grant.
- (3) It will comply with Title VI of the Civil Rights Act of 1964 (P. L. 88-352) and, in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the recipient receives Federal financial assistance, and shall immediately take any measures necessary to effectuate this agreement.
- (4) It will comply with Title VI of the Civil Rights Act of 1964 (42USC 2000d) prohibiting employment discrimination where (a) the primary purpose of an instrument is to provide employment or (b) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.
- (5) It will comply with the provisions of the Age Discrimination Act of 1975 and, in accordance with the Act, shall prohibit discrimination on the basis of age.
- (6) It will comply to the extent applicable, with Title IX of the Education Amendments of 1972, 20 USC 1681. Et.seq. which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the educational program of activity receiving Federal financial assistance.
- (7) It will comply with the Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794 PL.960112, and all requirements imposed by or pursuant to the regulations of the Department of Health and Family Services (45CFR Parts 80, 81 and 84) promulgated under the foregoing statute. It agrees that in accordance with the foregoing requirements, no otherwise qualified handicapped person, by reason of handicap, will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance and that it will take any measures necessary to effectuate this agreement.
- (8) It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
- (9) It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, P. L. 93-234.87 Stat. 975, approved December 13, 1978, which call for the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards. (The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance

loan or grant, or any other form of direct or indirect Federal assistance.)

- (10) It will comply with the provisions of Executive Order 11296 relating to evaluation of flood hazards, and Executive Order 11288, relating to the prevention, control, and abatement of water pollution.
- (11) 11296 relating to evaluation of flood hazards, and Executive Order 11288, relating to the prevention, control, and abatement of water pollution.
- (12) It will assist FEMA in its compliance with Executive Order 11988, Flood Plain Management, which requires avoidance to the extent possible of the long- and short-term impacts associated with the occupancy and modification of flood plains and to avoid the direct or indirect support of flood plain development whenever there is a practicable alternative.
- (13) It will ensure, pursuant to Executive Order 11783, that the facilities under its ownership, lease, or supervision which will be utilized in the accomplishment of the instrument are not listed on the Environmental Protection Agency (EPA) list of violating facilities and that it will notify FMEA of the receipt of a communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by EPA.
- (14) It will comply with the provisions of the National Environment Policy Act of 1969 (P. L. 91-1901) and Executive Order 11514 as amended by Executive Order 11991, which promote efforts to prevent or eliminate damage to the environment and biosphere and require an Environmental Impact Statement when plans and programs may affect the quality of the environment.
- (15) It will comply, to the extent applicable, with all the requirements of Section 114 of the Clean Air Act, as amended (42 USC 1857, et seq., as amended by P. L. 91-604) and Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1251 et. Seq., as amended by P. L. 92-500), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in Section 114 and Section 308 of the Air Act and the Water Act, respectively, and all regulations and guidelines issued thereunder.
- (16) It shall assist FEMA in its compliance with Section 108 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1968 (16 U.S.C. 489-1 et. Seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR P. L. 800-8) by the activity, and notifying FEMA of the Existence of any such properties, and by (b) complying with all requirements established by FEMA to avoid or mitigate adverse effects upon such properties.
- (17) It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 USC 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
- (18) It will comply with requirement of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P. L. 91-646, 42 USC 4601 et. Seq.) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.
- (19) It will comply with the provisions of the Hatch Act, which limits the political activity of employees.
- (20) It will comply with all requirements imposed by FEMA concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with A-102.

STATE OF WISCONSIN  
 WISCONSIN EMERGENCY MANAGEMENT  
 2400 WRIGHT STREET  
 P.O. BOX 7865  
 MADISON, WI 53707-7865  
 608-242-3232

**EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)  
 BUDGET INFORMATION WORKSHEET**

Date \_\_\_\_\_

Federal FY 2006

County Name: _____
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Complete the salary information for eligible positions authorized under the EMPG program. Do not include hours worked on non-emergency management activities or other grant programs for which you receive salary fringe benefit reimbursement. Fringe benefits may be calculated at the actual level if known, or at a percentage of salary. Figures for personnel costs should be the same as those on the Staffing Pattern FEMA Form 85-17. Use a budget continuation page if more than two EMPG positions are authorized.

<b>EMPG Positions</b>			
Director/Coordinator Name:		Full Time Part-Time _____%	
Number of Pay Periods/Year ____12    ____24    ____26		No. of Hours/Pay Period _____	
Salary:	Salary/Pay Period	\$ _____	
	No. Pay Periods/Year	X _____	Total Salary \$ _____
County's Share of Fringe Benefits	Salary	\$ _____	
		X _____%	Total Fringe Benefits \$ _____

<b>Other EMPG Administrative Position</b>			
Name and Classification:		Full Time Part-Time _____%	
Number of Pay Periods/Year ____12    ____24    ____26		No. of Hours/Pay Period _____	
Salary:	Salary/Pay Period	\$ _____	
	No. Pay Periods/Year	X _____	Total Salary \$ _____
County's Share of Fringe Benefits	Salary	\$ _____	
		X _____%	Total Fringe Benefits \$ _____

Travel Expenses:		Total Travel \$ _____
Other Expenses:	Telephone \$ _____	
	Supplies \$ _____	
	Postage \$ _____	
	Space Rent/Maintenance \$ _____	
	Other \$ _____	
	(Itemize) \$ _____	
	\$ _____	
		Total Other \$ _____
		Total EMPG Budget \$ _____

<b>Federal Emergency Management Agency</b>		Fiscal Year		OMB No. 3067-0090	
EMERGENCY MANAGEMENT PERFORMANCE GRANT STAFFING PATTERN		<b>2006</b>			
Name of Organization		State		Date	
		<b>WI</b>			
POSITION TITLE (1)	GROSS ANNUAL SALARY (Fed. Share) (2)	FEMA FUNDING PROGRAM (3)	WORK YEARS (4)	DATE HIRED OR VACANCY (Mo./Yr.) (5)	REMARKS (Name - Optional) (6)
	\$	EMPG			

## GENERAL INFORMATION

This form will be used in accordance with provisions of 44 CFR 302 and the annual Comprehensive Cooperative Agreement (CCA) Program Guidelines.

Separate Staffing Patterns will be submitted by each EMPG participating State emergency management agency and political subdivision. All paid positions in the emergency management agency will be reported, but those not FEMA-funded may omit salary amounts. If other State agencies have positions for which FEMA contributions for salaries are requested, they shall also be reported.

Emergency management agencies also will report all unpaid positions in which personnel perform regularly scheduled administrative or staff functions, as well as members of advisory boards, for whom travel expenses and personnel benefits charges are claimed for Federal contributions. A staff position held by an unpaid volunteer, who contributes services on a regular schedule, i.e., 2 hours per day, 1 day per week, etc., will be reported. However, reserves, such as auxiliary fire and rescue workers, engineers, etc., who only have emergency assignments, will NOT be reported. Auxiliary police will NOT be reported even though they perform regular patrol duty.

Additions or deletions of positions or incumbents that occur after the initial Staffing Pattern submission for each fiscal year need not be reported.

POLITICAL SUBDIVISIONS and OTHER STATE AGENCIES submit an original and three copies to the State emergency management agency.

The STATE EMERGENCY MANAGEMENT AGENCY submits the original and two copies with all other required documents to the appropriate FEMA Regional Office.

Use additional copies of this form as a continuation sheet, if necessary.

## ITEM INSTRUCTIONS

- (1) Enter assigned position title as it appears on the associated position description. If markedly different, add functional title in parentheses. See 44 CFR 302 for instructions on reporting emergency program manager positions.
- (2) Enter salary amount budgeted for the fiscal year, including withholdings for personnel benefits (Social Security, group insurance, pension plans, etc.)
- (3) Enter acronym for funding program.
- (4) Enter decimal figures, i.e., 1.0 = full time; .25 = one quarter time, based on 40-hour workweek employee works in civil defense activities.
- (5) Enter date of employee's current appointment to the position or date the position became vacant.
- (6) Remarks column may be used by the submitting emergency management agency to enter the position, incumbent's name (optional), or other pertinent notes concerning the position.

## PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 33 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding this burden estimate or any aspect of this requirement, including suggestions for reducing this burden, to Information Collections Management, Federal Emergency Management Agency, 500 C Street, S.W., Washington, D.C. 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0090), Washington, D.C. 20503.

**Federal Emergency Management Agency**

Certification Regarding  
Debarment, Suspension, Ineligibility and Voluntary Exclusion  
Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 44 CFR Part 17. The regulations were published in the May 26, 1988 Federal Register. Copies of the regulations are available from the appropriate FEMA Regional Office.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Business Name \_\_\_\_\_

Date \_\_\_\_\_ By \_\_\_\_\_

Name and Title of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

## INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out above.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntary excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.





**EMERGENCY MANAGEMENT PERFORMANCE GRANT  
TIME AND ATTENDANCE RECORD**

County: \_\_\_\_\_

Enter the name of each employee authorized under the Emergency Management Performance Grant program. Enter the number of paid hours each worked on emergency management activities as stated in the county Plan of Work under the days of the month worked. The work days shown on the time sheet should correspond to the dates of the pay periods for which reimbursement has been requested. If desired, you may enter unpaid hours separately on the last line of the form. Leave Saturdays and Sundays blank unless you were paid for work on those days. Enter the total number of hours of sick leave, vacation, holiday, and compensatory time each employee has taken during the pay periods reported. If pay is received for holidays occurring on a Saturday or Sunday, enter the hours on the date of the holiday taken.

First 6 Month Reporting Period

EMPLOYEE NAME: \_\_\_\_\_

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

Sick Leave Hours: \_\_\_\_\_

Vacation Hours: \_\_\_\_\_

Holiday Hours: \_\_\_\_\_

Compensatory Time Taken (Hours): \_\_\_\_\_

STATE OF WISCONSIN  
WISCONSIN EMERGENCY MANAGEMENT  
2400 WRIGHT STREET  
P.O. BOX 7865  
MADISON, WI 53707-7865  
608-242-3232

**LOCAL GOVERNMENT EXPENDITURES/REQUEST FOR REIMBURSEMENT  
EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)**

Expenditures for the Second 6 Month Reporting Period

Federal FY 2006

For the Months of April, May, June, July, August, September

County Name: \_\_\_\_\_

Employee Name	Pay Period Dates (from-to)	Gross Salary/Wages	Fringe Benefits	Total	Check Numbers	Check Date
			Total Salary/Fringes			
			Supplies			
			Grand Total			
			Federal Share			

Attachment:   X   Employee Time Sheet(s)

I certify that the items of expense listed herein have been paid; are eligible for reimbursement under the EMPG program pursuant to CPG 1-3 and CPG 1-32; and have not been previously reimbursed.

\_\_\_\_\_  
Director's Signature

\_\_\_\_\_  
Date Signed

## EMERGENCY MANAGEMENT PERFORMANCE GRANT TIME AND ATTENDANCE RECORD

County: \_\_\_\_\_

Enter the name of each employee authorized under the Emergency Management Performance Grant program. Enter the number of paid hours each worked on emergency management activities as stated in the county Plan of Work under the days of the month worked. The work days shown on the time sheet should correspond to the dates of the pay periods for which reimbursement has been requested. If desired, you may enter unpaid hours separately on the last line of the form. Leave Saturdays and Sundays blank unless you were paid for work on those days. Enter the total number of hours of sick leave, vacation, holiday, and compensatory time each employee has taken during the pay periods reported. If pay is received for holidays occurring on a Saturday or Sunday, enter the hours on the date of the holiday taken.

Second 6 Month Reporting Period

EMPLOYEE NAME: \_\_\_\_\_

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

Sick Leave Hours: \_\_\_\_\_

Vacation Hours: \_\_\_\_\_

Holiday Hours: \_\_\_\_\_

Compensatory Time Taken (Hours): \_\_\_\_\_

State of Wisconsin  
DEPARTMENT OF MILITARY AFFAIRS  
Wisconsin Emergency Management  
2400 Wright Street  
P.O. Box 7865  
Madison, WI 53708-7865

**MERIT SYSTEM CERTIFICATION**

I hereby certify agreement to maintain a system of personnel administration in conformance with the Office of Personnel Management (OPM) Standards for a Merit System of Personnel Administration.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Political Subdivision

\_\_\_\_\_  
Date

## Office of Personnel Management

### Subpart F – Standards for a Merit System of Personnel Administration

AUTHORITY: 42 U.S.C. 4728, 4763; E.O. 11589, 3 CFR part 557 (1971-1975 Compilation).

SOURCE: 48 FR 9210, Mar. 4, 1983, unless otherwise noted.

#### § 900.601 Purpose.

(a) The purpose of these regulations is to implement provisions of title II of the Intergovernmental Personnel Act of 1970, as amended, relating to Federally required merit personnel systems in State and local agencies, in a manner that recognizes fully the rights, powers, and responsibilities of State and local governments and encourages innovation and allows for diversity among State and local governments in the design, execution, and management of their systems of personnel administration, as provided by that Act.

(b) Certain Federal grant programs require, as a condition of eligibility, that State and local agencies that receive grants establish merit personnel systems for their personnel engaged in administration of the grant-aided program. These merit personnel systems are in some cases required by specific Federal grant statutes and in other cases are required by regulations of the Federal grantor agencies. Title II of the Act gives the U.S. Office of Personnel Management authority to prescribe standards for these Federally required merit personnel systems.

#### § 900.602 Applicability.

(a) Sections 900.603-604 apply to those State and local governments that are required to operate merit personnel systems as a condition of eligibility for Federal assistance or participation in an intergovernmental program. Merit personnel systems are required for State and local personnel engaged in the administration of assistance and other intergovernmental programs, irrespective of the source of funds for their salaries, where Federal laws or regulations require the establishment and maintenance of such systems. A reasonable number of positions, however, may be exempted from merit personnel system coverage.

(b) Section 900.605 applies to Federal agencies that operate Federal assistance or intergovernmental programs.

#### § 900.603 Standards for a merit system of personnel administration.

The quality of public service can be improved by the development of systems of personnel administration consistent with such merit principles as –

(a) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

(b) Providing equitable and adequate compensation.

(c) Training employees, as needed, to assure high quality performance.

(d) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected.

(e) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age or handicap and with proper regard for their privacy and constitutional rights as citizens. This “fair treatment” principle includes compliance with the Federal equal employment opportunity and nondiscrimination laws.

(f) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

#### § 900.604 Compliance.

(a) *Certification by Chief Executives.*

(1) Certification of agreement by a chief executive of a State or local jurisdiction to maintain a system of personnel administration in conformance with these Standards satisfies any applicable Federal merit personnel requirements of the Federal assistance or other programs to which personnel standards on a merit basis are applicable.

(2) Chief executives will maintain these certifications and make them available to the Office of Personnel Management.

(3) In the absence of certification by the chief executive, compliance with the Standards may be certified by the heads of those State and local agencies that are required to have merit personnel systems as a condition of Federal assistance or other intergovernmental programs.

(b) *Resolution of Compliance Issues.*

(1) Chief executives of State and local jurisdictions operating covered programs are responsible for supervising compliance by personnel systems in their jurisdictions with the Standards. They shall resolve all questions regarding compliance by personnel systems in their jurisdictions with the Standards. Findings and supporting documentation with regard to specific compliance issues shall be maintained by the chief executive, or a personal designee, and shall be forwarded, on request, to the Office of Personnel Management.

(2) The merit principles apply to systems of personnel administration. The Intergovernmental Personnel Act does not authorize OPM to exercise any authority, direction or control over the selection, assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee.

(3) If a chief executive is unable to resolve a compliance issue to the satisfaction of the Office of Personnel Management, the Office will assist the chief executive in resolving the issue. The Office of Personnel Management, as authorized by section 208 of the Intergovernmental Personnel Act, will determine whether personnel systems are in compliance with the Standards and will advise Federal agencies regarding application of the Standards and recommend actions to carry out the purpose of the Act. Questions regarding interpretation of the Standards will be referred to the Office of Personnel Management.

[48 FR 9210, Mar. 4, 1983; 48 FR 10801, Mar. 15, 1983]

#### § 900.605 Establishing a merit requirement.

Federal agencies may adopt regulations that require the establishment of a merit personnel system as a condition for receiving Federal assistance or otherwise participating in an intergovernmental program only with the prior approval of the Office of Personnel Management. All existing regulations will be submitted to the Office of Personnel Management for review.

#### § 900.606 Publication of procedures to implement merit requirements.

Procedures to implement these merit requirements will be specified in the Federal Personnel Manual System and other relevant publications of the Office of Personnel Management.

## Office of Personnel Management

### APPENDIX A TO SUBPART F – STANDARDS FOR A MERIT SYSTEM OF PERSONNEL ADMINISTRATION

Part I: The following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis.

#### *Program, Legislation, and Statutory Reference*

Food Stamp, Food Stamp Act of 1977, as amended; 7 U.S.C. 2020(e)(6)(B).

National Health Planning and Resources Development, Public Health Service Act (Title XV), as amended by the National Health Planning and Resources Development Act of 1974, section 1522, on January 2, 1975; 42 U.S.C. 300m-1(b)(4)(B).

Old-Age Assistance, Social Security Act (Title I), as amended by the Social Security Act Amendments of 1939, section 101, on August 10, 1939; 42 U.S.C. 302(a)(5)(A).

Employment Security (Unemployment Insurance and Employment Services), Social Security Act (Title III), as amended by the Social Security Act Amendments of 1939, section 301, on August 10, 1939, and the Wagner-Peyser Act, as amended by Pub. L. 81-775, section 2, on September 8, 1950; 42 U.S.C. 503(a)(1) and 29 U.S.C. 49d(b).

Aid to Families with Dependent Children, Social Security Act (Title IV-A), as amended by the Social Security Act Amendments of 1939, section 401, on August 10, 1939; 42 U.S.C. 602(a)(5).

Aid to the Blind, Social Security Act (Title X), as amended by the Social Security Act Amendments of 1939, section 701, on August 10, 1939; 42 U.S.C. 1202 (a)(5)(A).

Aid to the Permanently and Totally Disabled, Social Security Act (Title XIV), as amended by the Social Security Act Amendments of 1950 on August 28, 1950; 42 U.S.C. 1352(a)(5)(A)

Aid to the Aged, Blind or Disabled, Social Security Act (Title XVI), as amended by the Public Welfare Amendments of 1962, section 1602, on July 25, 1962; 42 U.S.C. 1382(a)(5)(A).

Medical Assistance, (Medicaid), Social Security Act (Title XIX), as amended by the Social Security Act Amendments of 1965, section 1902, on July 30, 1965; 42 U.S.C. 1396(a)(4)(A).

State and Community Programs on Aging (Older Americans), Older Americans Act of 1965 (Title III), as amended by the Comprehensive Older Americans Act Amendments of 1978, section 307 on October 18, 1978; 42 U.S.C. 3027(a)(4).

Adoption Assistance and Foster Care, Adoption Assistance and Child Welfare Act of 1980; 42 U.S.C. 671(a)(5).

Part II: The following programs have a regulatory requirement for the establishment and maintenance of personnel standards on a merit basis.

#### *Program, Legislation, and Regulatory Reference*

Occupational Safety and Health Standards, Williams-Steiger Occupational Safety and Health Act of 1970; Occupational Safety and Health State Plans for the Development and Enforcement of State Standards; Department of Labor, 29 CFR 1902.3(h).

Occupational Safety and Health Statistics, Williams-Steiger Occupational Safety and Health Act of 1970; BLS Grant Application Kit, May 1, 1973, Supplemental Assurance No. 15A

Child Welfare Services, Social Security Act (Title IV-B); 45 CFR 1392.49(c).

Development Disabilities Services and Facilities Construction, Developmental Disabilities Services and Facilities Construction Act, as amended by Pub. L. 95-602, on November 6, 1978; 45 CFR 1386.21.

Emergency Management Assistance, Civil Defense Act of 1950 (Title II), as amended; 44 CFR 302.5.

Comprehensive Employment and Training Act, Comprehensive Employment and Training Act of 1973; 29 CFR 98.14(a)

Part III: The following programs have personnel requirements which may be met by a merit system which conforms to the Standards for Merit Systems of Personnel Administration.

#### *Program, Legislation, and Reference*

Disability Determination Services, Social Security Act (Titles II and XVI), as amended; SSA Disability Insurance State Manual, Part IV, SS 425.1.

Health Insurance for the Aged (Medicare), Social Security Act (Title XVIII), especially as amended by the Health Insurance for the Aged Act, on July 30, 1965; SSA State Operations Manual, Part IV section 4510(a).

FEDERAL EMERGENCY MANAGEMENT AGENCY <b>LOCAL CIVIL RIGHTS COMPLIANCE CHECKLIST</b>		See Reverse Side for Paperwork Burden Notice	O.M.B. No. 3067-0177 Expires Aug. 31, 1993	
<b>1. POLITICAL SUBDIVISION</b>		<b>2. STATE</b> Wisconsin		
<b>3. LOCAL CONTACT OFFICIAL</b>		<b>4. TITLE</b>		<b>5. TELEPHONE</b>
Briefly explain all N/A answers on the reverse of this form.				
<b>GENERAL</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>
6. What method does the local recipient use to inform the public of its nondiscrimination policy in FEMA-assisted programs?				
7. How is the public informed about the right to file complaints alleging discrimination on the basis of race, color, national origin, sex and handicap? What is the procedure for handling complaints?				
8. Does the local emergency management agency use a means to obtain advice from citizens about civil rights compliance issues?				
9. If such a means of method exists, briefly describe below.				
<b>WARNING AND COMMUNICATIONS</b>				
10. Have reasonable steps been planned to provide that emergency warning and emergency public information and educational materials are issued in a language other than English, where a substantial portion of the population understands such a language or languages?				
11. Have plans and agreements with local television stations or cable systems addressed the need for using special techniques to reach hearing impaired persons?				
12. Have plans addressed the special information needs of persons with visual impairments?				
13. Have courses, meetings and conferences funded in whole or in part with FEMA financial assistance been publicized and managed so as not to discriminate on the grounds of race, color, national origin, sex or handicap, and have provisions for such events addressed special needs of disabled persons?				
<b>EVACUATION AND SHELTER</b>				
14. Have provisions been made to identify individuals who will require assistance from place of residence to the congregate care shelter; i.e. persons who are visually or mobility impaired or medically dependent? NOTE: Throughout this section, the word "shelter" means congregate care shelter.				
15. Have plans addressed the special accessibility requirements of disabled persons at shelters and during shelter stays?				
<b>DEFICIENCIES NOTED</b>				
17. Where deficiencies have been noted in response to any questions, please describe on the reverse of this form by question number together with proposed corrective action. Are deficiencies listed on the reverse?				
<b>18. ADDRESS WHERE REVIEW WAS CONDUCTED</b>		<b>19. DATE</b>		
<b>20. SIGNATURE OF STATE REVIEWER</b>				