DEPARTMENT OF COMMERCE ALTERNATIVE PERSONNEL SYSTEM (CAPS) BOARD

CHARTER

I. Establishment

Title V of the Civil Service Reform Act, now codified in Title 5, U.S.C. § 4702, authorizes the Office of Personnel Management (OPM) to conduct Demonstration Projects that experiment with new and different human resources management concepts to determine whether changes in human resources management policies and procedures result in improved management of human resources. The Department of Commerce (Department) received approval to conduct a Demonstration Project, as published in the *Federal Register* notice dated December 24, 1997. The Department received approval from OPM in Fiscal Year (FY) 2003, and again in FY06 to extend and expand the Demonstration Project in order to broaden the scope of this test to additional organizations with different missions. The composition of the Departmental Personnel Management Board (DPMB) was revised per the *Federal Register* notice dated September 17, 2003, to accommodate the FY03 expansion and to accommodate the FY06 expansion per the *Federal Register* notice dated August 28, 2006. The Demonstration Project became a permanent system on December 26, 2007, with the passage of the Consolidated Appropriations Act, Fiscal Year 2008 (Public Law 110-161) and was renamed the Commerce Alternative Personnel System (CAPS).

With CAPS becoming permanent on December 26, 2007, and many implementation issues being resolved, there was no longer a need for a full board membership. The DPMB membership was dissolved and the CAPS Board was established on October 6, 2008. The CAPS Board includes one representative from each of the following operating units: Office of the Secretary (OS), National Telecommunications and Information Administration (NTIA), and Bureau of Economic Analysis (BEA). The National Oceanic and Atmospheric Administration (NOAA) has two representatives serving on the CAPS Board due to the number of NOAA employees covered under CAPS. The Office of Human Resources Management (OHRM) has overall responsibility for the oversight and accountability of CAPS, with the Director for Human Resources Management and Deputy Chief Human Capital Officer serving as the Chair of the CAPS Board.

II. Purpose

The purpose of the CAPS Board is to manage and oversee CAPS.

III. Jurisdiction

The CAPS Board has jurisdiction over all Department Alternative Personnel Systems, and over personnel actions dealing with any demonstration project position.

IV. Functions

A. The Caps Board shall manage, evaluate, and set policy and procedures for the project systems.

B. The Caps Board shall direct and oversee any system changes that require OPM approval or publication in the *Federal Register*.

C. The Caps Board shall interpret and clarify CAPS policy.

D. The Caps Board shall establish, revise, and oversee all management and administrative structures for conducting and evaluating CAPS and for managing CAPS human resources systems in general.

E. The Caps Board shall determine and oversee the delegations of authorities to managers, supervisors, and management bodies, including the Operating Personnel Management Boards (OPMBs).

F. The Caps Board shall make exceptions to normal CAPS procedures on a case-by-case basis when it believes exceptions are warranted.

G. The Caps Board may establish itself as the approving body for any category of personnel actions under its jurisdictions.

H. The Caps Board shall exercise the above described authorities over all human resources functions under its jurisdiction, including:
    1. Position classification
    2. Position management
    3. Staffing and probation
    4. Recruitment and retention allowances
    5. Promotion
    6. Reduction-in-force
    7. Pay administration, including pay for performance
    8. Performance evaluation
    9. Awards
    10. Employee development
    11. Employee relation and adverse actions
    12. Project implementation
    13. Project evaluation
    14. Project budgeting
    15. Automation of human resources systems

V. Membership

A. The Director for Human Resources Management and Deputy Chief Human Capital Officer serves as chair of the CAPS Board.

B. Voting members of the CAPS Board will include the following:

- Director, Office of Human Resources Management, Office of the Secretary (OS)
- Director, Office of Civil Rights, Office of the Secretary (OS)
- Director, Institute for Telecommunication Sciences (ITS), National Telecommunications and Information Administration (ITS/NTIA)
- Management and Program Analyst, Bureau of Economic Analysis (BEA)
- Deputy Assistant Administrator, National Environmental Satellite, Data and Information Service (NESDIS/ NOAA)
- Director, Workforce Management (NOAA)

VI. Administrative Rules

A. A quorum shall consist of 4 voting members.

B. The Chair shall announce decisions after taking votes or after determining that there is general consent. The Chair may make emergency decisions to be submitted later for CAPS Board ratification.

C. The Department's Office of Human Resources Management (OHRM) shall provide executive secretarial support for the CAPS Board.