

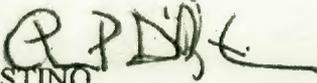


Under Secretary for Nuclear Security

Washington, DC 20585

February 22, 2012

MEMORANDUM FOR DISTRIBUTION

FROM: THOMAS P. D'AGOSTINO 

SUBJECT: Delegation of Workforce Restructuring Approval

On May 5, 2011, Secretary Chu issued a memorandum to the Under Secretaries titled, "Authorize Changes to Workforce Restructuring Policies." The memorandum revised and consolidated Department policy on contractor workforce restructuring in an effort to streamline the restructuring process. The memorandum charges each Under Secretary with the responsibility to approve workforce restructuring actions by the contractors, and it also allows approval authority to be delegated as determined by each Under Secretary. After consulting with the Senior Advisor for Environmental Management (EM), I have agreed to delegate authority for approval of contractor workforce restructuring actions within EM. The attached documents lay out the specifics of that delegated authority. Site Managers must ensure that each contracting officer at their site receives a copy of the delegation to contracting officers.

This is an important responsibility and I have specific expectations regarding the notification process used for all future contractor workforce restructuring actions. We depend heavily on our contractor workforce to execute the EM mission on a daily basis. As we continue progress toward completing that mission, especially in difficult budget times, we need to remain focused on the management of our workforce and recognize the sensitivities of our actions. In proceeding with any contractor workforce restructuring action, I expect to be notified 30 days in advance of an announcement of a contractor workforce restructuring action. This notification should include the number of workers to be impacted, specific reasons for the action, and highlight any sensitivities. In addition, 14 days before the planned announcement of a contractor workforce restructuring action, I expect a final communication plan that can be used to inform DOE leadership, the Office of Congressional and Intergovernmental Affairs, and the Office of Public Affairs of the upcoming action. Please work through the EM Office of Communications to provide these notifications.

Please pay close attention to the use of "pay in lieu of notice" required under the Worker Adjustment and Retraining Notice Act for involuntarily separating employees and payment of severance above that provided to involuntarily separated employees. Each must be approved by either the Senior Advisor for Environmental Management or the Deputy Assistant Secretary for Acquisition and Contract Management.

I want to thank you for your continued commitment to complete the EM mission, and I look forward to working with you in the execution of these delegated responsibilities.

Attachment



Distribution:

David Huizenga, Senior Advisor for Environmental Management
Jack Surash, Deputy Assistant Secretary for Acquisition and Project Management
Matthew S. McCormick, Manager, Richland Operations Office (RL)
Scott L. Samuelson, Manager, Office of River Protection (ORP)
David C. Moody, Manager, Savannah River Operations Office (SR)
Jose Franco, Manager, Carlsbad Field Office (CBFO)
William E. Murphie, Manager, Portsmouth/Paducah Project Office (PPPO)
Jack R. Craig, Director, Consolidated Business Center Ohio (CBC)
Susan M. Cange, Acting Assistant Manager for Environmental Management, Oak Ridge Office
(OR)

cc: T. Mustin, EM-2
A. Williams, EM-2.1
S. Davenport, EM-3
M. Gilbertson, EM-10
K. Picha, EM-20 (Acting)
F. Marcinowski, EM-30
M. Moury, EM-40
R. James, EM-52
T. Tyborowski, EM-60 (Acting)
T. Harms, EM-63
S. Waisley, EM-70

DEPARTMENT OF ENERGY
OFFICE OF ENVIRONMENTAL MANAGEMENT
DELEGATION OF WORKFORCE RESTRUCTURING AUTHORITY
TO THE ASSISTANT SECRETARY FOR ENVIRONMENTAL MANAGEMENT

1. DELEGATION. In accordance with the authority delegated to me in the May 5, 2011, Secretarial memorandum titled "Authorize Changes to Workforce Restructuring Policy," you are hereby authorized to approve:
 - 1.1. Contractors' specific workforce restructuring plans;
 - 1.2. Involuntary, voluntary, or self-select separation programs and mixed involuntary, self-select or voluntary separation programs where there is an approved contractor workforce restructuring plan in place for the specific program involved; and
 - 1.3. In extraordinary circumstances where you deem it appropriate, payment of severance above that provided to involuntarily separated employees and/or use of pay in lieu of notice required under the Worker Adjustment and Retraining Notice (WARN) Act for involuntarily separating employees in separation programs where there is an approved contractor workforce restructuring plan in place for the specific program involved.
2. The authority contained in this Delegation may not be redelegated.
3. LIMITATION.
 - 2.1. In exercising the authority delegated herein, a delegate is governed by the applicable rules and regulations of the Department of Energy and the policies and procedures of the Secretary.
 - 2.2. Nothing in this delegation precludes the Secretary from disapproving any Administration-specific policy or exercising any of the authority delegated by this delegation whenever in the Secretary's judgment the exercise of that authority is necessary or appropriate to administer the functions vested in the Secretary.
 - 2.3. The authorities delegated herein shall only be exercised with regard to Office of Environmental Management employees, contractors, or activities.
 - 2.4. Any amendments to this delegation shall be in consultation with DOE General Counsel.

4. DURATION AND EFFECTIVE DATE.

This delegation is effective immediately and is effective until revoked.

Dated this 27 day of February 2012



Thomas P. D'Agostino
Under Secretary for Nuclear Security

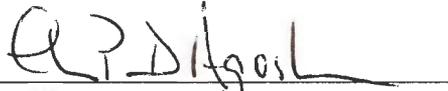
DEPARTMENT OF ENERGY
OFFICE OF ENVIRONMENTAL MANAGEMENT
DELEGATION OF WORKFORCE RESTRUCTURING AUTHORITY
TO THE DEPUTY ASSISTANT SECRETARY FOR ACQUISITION AND CONTRACT
MANAGEMENT/HEAD OF CONTRACTING ACTIVITY

1. DELEGATION. In accordance with the authority delegated to me in the May 5, 2011, Secretarial memorandum titled "Authorize Changes to Workforce Restructuring Policy," you are hereby authorized to approve:
 - 1.1. Contractors' specific workforce restructuring plans involving 100-499 contractor employees;
 - 1.2. Involuntary separation programs involving 100-499 contractor employees where there is an approved contractor workforce restructuring plan in place for the specific program involved;
 - 1.3. Self-select or voluntary separation programs, and mixed involuntary and voluntary or self-select separation programs that involve 100-499 contractor employees where there is an approved contractor workforce restructuring plan in place for the specific program involved; and
 - 1.4. In extraordinary circumstances where you deem it to be appropriate, payment of severance above that provided to involuntarily separated employees and/or use of pay in lieu of notice required under the Worker Adjustment and Retraining Notice (WARN) Act for involuntarily separating employees in separation programs involving 1-499 employees where there is an approved contractor workforce restructuring plan in place for the specific program involved.
2. The authority contained in this Delegation may not be redelegated.
3. LIMITATION.
 - 3.1. In exercising the authority delegated herein, a delegate is governed by the applicable rules and regulations of the Department of Energy and the policies and procedures of the Secretary.
 - 3.2. Nothing in this delegation precludes the Secretary from disapproving any Administration-specific policy or exercising any of the authority delegated by this delegation whenever in the Secretary's judgment the exercise of that authority is necessary or appropriate to administer the functions vested in the Secretary.
 - 3.3. The authorities delegated herein shall only be exercised with regard to Office of Environmental Management employees, contractors, or activities.
 - 3.4. Any amendments to this delegation shall be in consultation with DOE General Counsel.

4. DURATION AND EFFECTIVE DATE.

This delegation is effective immediately and is effective until revoked.

Dated this 22 day of February 2012



Thomas P. D'Agostino
Under Secretary for Nuclear Security

DEPARTMENT OF ENERGY
OFFICE OF ENVIRONMENTAL MANAGEMENT
DELEGATION OF WORKFORCE RESTRUCTURING AUTHORITY
TO THE CONTRACTING OFFICERS AT OFFICE OF ENVIRONMENTAL
MANAGEMENT FACILITIES

1. DELEGATION. In accordance with the authority delegated to me in the May 5, 2011, Secretarial memorandum titled "Authorize Changes to Workforce Restructuring Policy," you are hereby authorized to approve, with the concurrence of the site office manager:
 - 1.1. Contractors' involuntary separation programs impacting 50-99 contractor employees where there is an approved contractor workforce restructuring plan in place for the specific program involved;
 - 1.2. Self-select or voluntary separation programs, and mixed involuntary and self-select or voluntary programs impacting 50-99 contractor employees where there is an approved contractor workforce restructuring plan in place for the specific program involved.
2. All use of pay in lieu of notice required under the Worker Adjustment and Retraining Notice (WARN) Act for involuntarily separating employees and/or payment of severance above that provided to involuntarily separated employees must be approved by either the HCA (programs impacting 1-499 contractor employees) or the Assistant Secretary for Environmental Management (programs impacting 500 or more contractor employees).
3. The authority contained in this paragraph may not be redelegated.
4. LIMITATION.
 - 4.1. In exercising the authority delegated herein, a delegate is governed by the applicable rules and regulations of the Department of Energy and the policies and procedures of the Secretary.
 - 4.2. Nothing in this delegation precludes the Secretary from disapproving any Administration-specific policy or exercising any of the authority delegated by this delegation whenever in the Secretary's judgment the exercise of that authority is necessary or appropriate to administer the functions vested in the Secretary.
 - 4.3. The authorities delegated herein shall only be exercised with regard to Office of Environmental Management employees, contractors, or activities.
 - 4.4. Any amendments to this delegation shall be in consultation with DOE General Counsel.

5. DURATION AND EFFECTIVE DATE.

This delegation is effective immediately and is effective until revoked.

Dated this 22 day of February 2012



Thomas P. D'Agostino
Under Secretary for Nuclear Security