

### § 28.3

### 4 CFR Ch. I (1–1–01 Edition)

the Clerk of the Board within 20 days of receipt of the final decision of the negotiated grievance procedure. The Board will not review any final decisions of the negotiated grievance procedure other than those where prohibited discrimination was raised as an issue in the grievance.

#### § 28.3 General definitions.

In this part—

*Administrative judge* means any individual designated by the Board to preside over a hearing conducted on matters within its jurisdiction. An administrative judge may be a member of the Board, an employee of the Board, or any individual qualified by experience or training to conduct a hearing who is appointed to do so by the Board. When a panel of members or the full Board is hearing a case, the Chair shall designate one of the members to exercise the responsibilities of the administrative judge in the proceedings.

*Board* means the General Accounting Office Personnel Appeals Board as established by 31 U.S.C. 751 and explained in 4 CFR 27.1.

*Charge* means any request filed with the PAB General Counsel on any matters within the jurisdiction of the Board, under the provisions of Subchapter IV of Chapter 7 of Title 31, United States Code.

*Charging Party* means any person filing a charge with the General Counsel for investigation.

*Comptroller General* means the Comptroller General of the United States.

*Days* means calendar days.

*Exceptions to the Recommended Decision* means a request filed by a party with the Board that objects to the findings and/or conclusions of a recommended decision.

*GAO* means the General Accounting Office.

*General Counsel* means the General Counsel of the Board, as provided for under 31 U.S.C. 752.

*Initial Decision* means the adjudicatory statement of a case that is issued by an administrative judge who is a member of the Board.

*Person* means an employee, an applicant for employment, a former employee, a labor organization or the GAO.

*Petition for Review* means any request filed with the Board for action to be taken on matters within the jurisdiction of the Board, under the provisions of Subchapter IV of Chapter 7 of Title 31, United States Code.

*Petitioner* means any person filing a petition for review for Board consideration.

*Pleading* means a document that initiates a cause of action before the Board, responds to a cause of action, amends a cause of action, responds to an amended cause of action, requests reconsideration of a decision, responds to a request for reconsideration of a recommended decision or responds to such a request.

*Recommended Decision* means the adjudicatory statement of a case that is issued by an administrative judge who is not a member of the Board at the time of the decision.

*Request for Reconsideration* means a request, filed with the administrative judge who rendered the initial decision, to reconsider that decision in whole or part.

*Request for Review* means a request filed with the full Board for review of an initial decision.

*Solicitor* means the attorney appointed by the Board to provide advice and assistance to the Board in carrying out its adjudicatory functions and to otherwise provide assistance as directed by the Board.

[58 FR 61992, Nov. 23, 1993, as amended at 64 FR 15125, Mar. 30, 1999]

#### § 28.4 Computation of time.

(a) To compute the number of days for filing under these rules, the first day shall be the day after the event from which the time period begins to run and the last day for filing shall be included in the computation. When the last day falls on a Saturday, Sunday or federal government holiday, then the filing deadline will be the next regular federal government workday.

(b) Whenever a party has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon him or her and the notice or paper is served by mail, five (5) days shall be added to the prescribed period. Only two (2) days shall be added when a document is served by