

§ 28.1

4 CFR Ch. I (1–1–12 Edition)

- 28.111 Scope.
- 28.112 Who may file petitions.
- 28.113 Contents of representation petitions.
- 28.114 Pre-investigation proceedings.
- 28.115 Processing petitions.
- 28.116 Conduct of elections.

Subpart F—Special Procedures; Unfair Labor Practices

- 28.120 Authority of the Board.
- 28.121 Unfair labor practices; Board procedures.
- 28.122 Negotiability issues.
- 28.123 Standards of conduct for labor organizations.
- 28.124 Review of arbitration awards.

Subpart G—Corrective Action, Disciplinary and Stay Proceedings

- 28.130 General authority.
- 28.131 Corrective action proceedings.
- 28.132 Disciplinary proceedings.
- 28.133 Stay proceedings.

Subpart H—Appeals by Members of the Senior Executive Service

- 28.140 Personnel actions involving SES members.
- 28.141 Performance based actions.

Subpart I—Ex Parte Communications

- 28.145 Policy.
- 28.146 Explanation and definitions.
- 28.147 Prohibited communications.
- 28.148 Reporting of communications.
- 28.149 Sanctions.

Subpart J—Statements of Policy or Guidance

- 28.155 Statement of policy or guidance.

Subpart K—Access to Records

- 28.160 Request for records.
- 28.161 Denial of access to information—Appeals.

AUTHORITY: 31 U.S.C. 753.

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EDITORIAL NOTE: Nomenclature changes to part 28 appear at 76 FR 76873, Dec. 9, 2011.

Subpart A—Purpose, General Definitions, and Jurisdiction

§ 28.1 Purpose and scope.

(a) The regulations in this part implement the Board's authority with respect to employment practices within the Government Accountability Office

(GAO), pursuant to the General Accounting Office Personnel Act of 1980 (GAOPA), 31 U.S.C. 751–755.

(b) The purpose of the rules in this part is to establish the procedures to be followed by:

(1) The GAO, in its dealings with the Board;

(2) Employees of the GAO or applicants for employment with the GAO, or groups or organizations claiming to be affected adversely by the operations of the GAO personnel system;

(3) Employees or organizations petitioning for protection of rights or extension of benefits granted to them under subchapters III and IV of Chapter 7 of title 31, United States Code; and

(4) The Board, in carrying out its responsibilities under Subchapters III and IV of chapter 7 of title 31, United States Code.

(c) The scope of the Board's operations encompasses the investigation and adjudication of cases arising under 31 U.S.C. 753. In addition, the Board has authority for oversight of the equal employment opportunity program at GAO. This includes the review of policies and evaluation of operations as they relate to EEO objectives and, where necessary, the ordering of corrective action for violation of or inconsistencies with equal employment opportunity laws.

(d) In considering any procedural matter not specifically addressed in these rules, the Board will be guided, but not bound, by the Federal Rules of Civil Procedure.

[59 FR 59105, Nov. 16, 1994, as amended at 68 FR 69297, Dec. 12, 2003]

§ 28.2 Jurisdiction.

(a) The Board has jurisdiction to hear and decide the following:

(1) Proceedings in which the General Counsel seeks to stay a personnel action based upon an alleged prohibited personnel practice that has occurred or is about to occur;

(2) Proceedings in which the General Counsel seeks corrective action for an alleged prohibited personnel practice; and

(3) Proceedings in which the General Counsel seeks discipline for a GAO employee who has allegedly committed a