

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 97-22

April 1, 1997

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: Richard A. Siegel, Acting Associate General Counsel

SUBJECT: Critical and Noncritical Elements—Compliance Officer Position

Pursuant to OM Memorandum 97-9, "Implementation of New Field Professional and Support Staff Collective-Bargaining Agreements with the NLRBU," issued on February 13, 1997, Regions were supplied with copies of the new critical and noncritical elements for attorney/law clerk and field examiner positions. As part of negotiations, we also agreed to the same change in the critical and noncritical elements for the compliance officer position. A copy of the revised critical and noncritical elements for the compliance officer position is attached to this memorandum. Please distribute a copy of this document to employees serving in the compliance officer position.

If there are any questions, please contact your Assistant General Counsel.

R.A.S.

cc: NLRBU

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CRITICAL AND NONCRITICAL ELEMENTS COMPLIANCE OFFICER POSITIONS¹

THE FOLLOWING CRITICAL AND NONCRITICAL ELEMENTS APPLY TO ALL ASSIGNMENTS, INCLUDING, BUT NOT LIMITED TO, REPRESENTATION CASES, UNFAIR LABOR PRACTICE CASES, PREFILING ASSISTANCE, TRAINING, ACTING SUPERVISION, AND SPECIAL PROJECTS.

CRITICAL ELEMENTS

1. Complete assignments in accordance with substantive and procedural requirements (quality).
 - a) Demonstrate knowledge and appropriate application of substantive unfair labor practice and representation law under the Act, as well as other law required for completion of assignments.
 - b) Demonstrate knowledge and appropriate application of rules and regulations, manuals, GC memos, practices and procedures.
 - c) Process unfair labor practice and representation cases in accordance with requirements, including but not limited to:
 - Recording relevant information;
 - Identifying and pursuing potential sources of necessary information, including uncooperative parties;
 - Organizing and preparing files that are self-contained;
 - Conducting elections;
 - Negotiating settlements and election agreements; and
 - Conducting representation case and/or 10(k) hearings.
 - d) Identify and analyze facts, issues, problems, and unusual situations.
 - e) Demonstrate capacity to make decisions as needed.

2. Organize and complete assignments in carrying out Agency mission (effectiveness and efficiency).
 - a) Plan and prioritize work to handle multiple tasks effectively.
 - b) Complete variety of assignments in a timely manner consistent with appropriate priorities and good judgment.
 - c) Demonstrate productive work habits conducive to quality service to the public.

¹ The critical elements and noncritical elements incorporate Agency and Regional Office practices, procedures, time goals, objectives and requirements. In appraising the performance of the incumbent in each of the critical and noncritical elements, consideration shall be given to relevant extenuating circumstances, including, but not limited to, large volume of work, staffing problems, unusual casehandling mix, and travel problems.

- d) Demonstrate initiative and exert effort in achieving results.
- 3. Establish and maintain effective working relationships.
 - a) Meet and deal effectively with the public and representatives of other agencies.
 - b) Cooperate and deal effectively with staff at all levels.
- 4. Demonstrate proficiency in oral and written communication necessary to the performance of assignments.
 - a) Compose, draft and complete cases related written communication and special projects, including, but not limited to, internal memoranda, correspondence, formal documents, and reports.
 - b) Orally communicate with Agency personnel, parties and members of the public, including, but not limited to, initiating communications, responding to questions, presenting facts and participating in meetings.

NONCRITICAL ELEMENTS

- 1. Demonstrate team and leadership skills
 - a) Direct and/or coordinate the work of other employees.
 - b) Train, assist, develop and evaluate other employees.
 - c) Delegate authority.
 - d) Act cooperatively with others to carry out team objectives.
- 2. Perform as an Acting Supervisor, as assigned.
 - a) Complete assignments in accordance with substantive and procedural requirements (quality).
 - b) Organize and complete assignments in carrying out Agency mission (effectiveness and efficiency).
 - c) Establish and maintain effective working relationships.
 - d) Demonstrate proficiency in oral and written communication necessary to the performance of assignments.