

**Department of the Interior**  
**Bureau of Ocean Energy Management Manual**

**Effective Date:** FEB 09 2012

**Version No.:** 1

**Series:** Administrative

**Part 370:** Personnel

**Chapter 800:** Welfare and Recreation Organization

**Subchapter 1:** Employee Association

**Originating Office:** Management Support Division, Office of Administration

**1. Purpose.** This regulation establishes the Bureau of Ocean Energy Management's (BOEM) policy dealing with formally established welfare and recreation organizations. The BOEM Employee Association (EA) is combined with the Bureau of Safety and Environmental Enforcement (BSEE) EA.

**2. Scope.** This policy applies to all BOEM EA activities.

**3. Authority.**

A. 5 CFR 251.102, Agency Relationships with Organizations Representing Federal Employees and Other Organizations – Coverage.

B. 5 CFR 251.202, Agency Support to Organizations Representing Federal Employees and Other Organizations.

C. 5 CFR 950.102, Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations - Scope of the Combined Federal Campaign.

D. 5 CFR 2635, Subpart H, Standards of Ethical Conduct for Employees of the Executive Branch - Outside Activities.

E. 5 CFR 2635.808(c), Fundraising Activities - Fundraising in a Personal Capacity.

F. 43 CFR 20.504, Employees Responsibilities and Conduct - Selling or Soliciting.

**4. Definitions.**

A. BOEM/BSEE EA: The EA is established by this policy and comprises the current organization of BOEM and BSEE employees for the purpose of promoting their social, welfare, and recreation interests.

B. BOEM/BSEE EA Designated Official: The Director, BOEM, has authorized the BSEE Associate Director for Administration to serve as the EA Designated Official. The Designated Official oversees the EA and ensures compliance with BOEM policy.

C. Local BOEM/BSEE EA Chapters: All EA Chapters at various geographical locations will be comprised of BOEM and BSEE employees and will be approved by the Designated Official. Chapters must comply with the policy stated herein and will act in accordance with the Charter.

D. BOEM/BSEE EA Charter: The EA is governed by one Charter that defines the roles and responsibilities of the EA Chapter Executive Board (CEB) officers, membership, and financial obligations (see Appendix A).

E. Gifts-in-Kind: Charitable giving in which the goods and services themselves are provided as opposed to giving money or items equating to cash. Items equating to cash include universally recognized gift cards, e.g., MasterCard, Visa, etc., but do not include those for a specific store or restaurant.

F. Vendors: Vendors are sellers explicitly invited by the EA to sell items, products, and services, and include owners, sales persons, handlers, and attendants. Decisions concerning the selection of Vendors must be made objectively and without the appearance of bias or favoritism. EA members may not participate in the Vendor selection process when the application of a friend or family member is under consideration.

## 5. Policy.

A. Official Recognition: To be officially recognized, the EA must:

- (1) Be a nonprofit organization whose membership will be open to all current BOEM/BSEE employees;
- (2) Agree to abide by the current EA policy and Charter;
- (3) Adhere to relevant laws and regulations pertaining to use of Government property, ethics, and conduct;
- (4) Not discriminate in terms of membership or treatment of its members because of race, color, religion, sex, national origin, age, sexual orientation, disability, marital status, or familial status;
- (5) Nominate and elect officers; and
- (6) Adhere to restrictions imposed concerning the use of official time.

B. Procedures for Recognizing and Establishing Local EA Chapters:

- (1) To be recognized as an EA Chapter, a local representative must first complete the Declaration Statement for EA Chapters and obtain the authorization of their local senior manager and Deputy Director. The completed Declaration Statement for EA Chapters must be sent for approval to the Designated Official at Mail Stop 5438 (see Appendix B). Upon approval by the Designated Official, a copy will be provided to the local representative.

(2) After the EA Chapter is officially recognized, a democratic election will be held to fill the required positions of the Chairperson, Treasurer, and Secretary, as well as any optional positions, e.g., Vice-Chairperson. The newly elected Chairperson must complete the Official Election Statement for the EA Chapter (see Appendix C), which provides the names of the elected officers. The Statement must be certified by the local senior manager and submitted for approval to the Designated Official at Mail Stop 5438. This Statement must be submitted each time a Chapter holds an election.

(3) The EA Chapter will be established when the Declaration Statement for EA Chapters and the Official Election Statement for EA Chapters are approved by the Designated Official and all provisions in this policy and Charter (Appendix A) are met.

(4) Any Chapter failing to comply with the policy and Charter will receive a written notice from the Designated Official that its certification may be terminated within 30 days of the date of such notice. During this time period, if the Chapter demonstrates compliance with this policy and the Charter, the Designated Official may rescind the termination notice. The Chapter Chairperson can also submit a written request for an extension of the time period to the Designated Official. Any terminated Chapter may request a written recertification by the Designated Official at any time. The request must document adherence to this policy and the EA Charter.

(5) Establishment of a Chapter does not imply BOEM/BSEE sponsorship, sanction, or endorsement of the organization or its activities.

C. Use of Agency Facilities, Services, and Resources: Formally recognized Chapter members may be authorized to use only the following facilities, services, and resources subject to availability, work priorities, local security policy, building accessibility regulations, and other bona fide management considerations:

(1) Use of building space by the EA and incidental storage of organization supplies in BOEM/BSEE facilities may be authorized. The Chapter members may use conference rooms or common areas for meetings, events, or in support of a fund raising activity with prior approval by the local BSEE Support Services, General Services, or the lead BSEE office responsible for the reservations of such rooms and space. EA and vendors are subject to leased building management rules and liability regulations for use of a building's common area space.

(2) Use of BOEM/BSEE common area bulletin boards and other areas for display is authorized as consistent with building policy. EAs may use these areas to notify members about meetings and organization or group activities provided such display does not interfere with conducting official business. The EA must remove displays/advertisements immediately after all events. Use of easels for event displays in common areas must be approved by the local BSEE Support Services, General Services, or Facilities Manager.

(3) Use of office equipment must comply with the policy as stated in this Chapter, i.e., copy machines, computers, printers, and fax machines. The cost to the Government for the use of office equipment must be negligible. Use of e-mail also must not cause congestion, significant delay, or disruption of service to any Government system or equipment. Transmitting large pictures or large attachments is prohibited. E-mail notices announcing an upcoming event with a link to the Pipeline are permissible. A flyer may be posted on the Pipeline page with an

expiration date. Employees are prohibited from using Government office equipment at any time for any fund-raising activity that is not for the direct benefit of the EA membership and are also prohibited from endorsing any product or service.

D. Labor Organizations: Bureau managers must not bypass a labor organization with exclusive recognition rights detailed in Chapter 71, Title 5, USC or comparable provisions of other laws, to meet with or negotiate with an association or employee organization on matters affecting conditions of employment of bargaining unit employees.

E. Ethics and Conduct Rules: Ethics and conduct rules particularly pertinent to EAs are summarized in this section.

(1) Employees engaged in the activities of the EA must comply with all applicable statutes and/or regulations pertaining to ethics and conduct (e.g., 5 CFR 2635, Subpart H, Outside Activities; 5 CFR 950.102, Scope of the Combined Federal Campaign; 43 CFR 20.504, Selling or Soliciting; 5 CFR 251.102, Agency Relationships with Organizations Representing Federal Employees and Other Organizations—Coverage; 5 CFR 251.202, Agency Support to Organizations Representing Federal Employees and Other Organizations) while participating in organization-related activities.

(2) Use of Official Time and Administrative Leave. EAs are not Government entities. Therefore, to attend or participate in organization-sponsored events while on official time or administrative leave, employees must receive supervisory authorization based upon a determination that the subject event or activity will contribute to improved agency operations, personnel management, and/or employee effectiveness.

(3) Fundraising.

(a) On Federal Property or on Official Time. Under 5 CFR 950.102(d), BOEM may establish policies and procedures applicable to solicitations conducted by employee organizations for organizational support and/or for the benefit of welfare funds for their members. Such solicitations are not covered by the rules governing solicitation of employees on Government Property for charitable donations as part of the Combined Federal Campaign (5 CFR 950.102). Accordingly, the EA may solicit money on behalf of its organization or its members on Government property under the following conditions:

(i) Solicitations are for organizational support or for the benefit of welfare funds for their members (5 CFR 950.102(d));

(ii) Members may not directly solicit from employees whom they know to be their subordinates or from a prohibited source;

(iii) All messages and notices must be in compliance with guidelines concerning the acceptable use of Government equipment and solicitations.

(b) Solicitation Conducted Off Federal Property and on Personal Time. The rules which apply to the conduct of fundraising by Federal personnel under these circumstances are those set forth in 5 CFR 2635.808(c), Fundraising in a Personal Capacity. Accordingly, Federal employees

must comply with these guidelines when conducting fundraising activities outside of the work setting.

F. Gifts-in-Kind Collections. The EA may collect gifts-in-kind such as food, clothing, and toys on Government property as charitable donations offered on behalf of the organization for the benefit of organizations or individuals in need or to assist the victims of specific emergencies or disasters as defined in 5 CFR 950.102(b).

G. Gambling. The EA may not engage in gambling activities (e.g., lotteries, pools, or games of chance) while on federally owned or leased property.

H. Political Activity. The EA may not engage in lobbying efforts or solicit contributions on behalf of candidates for political office.

I. Litigation. The EA may not engage in litigation-related activities in which the United States or BOEM/BSEE is a party or has a direct and substantial interest.

J. Use of Agency Name. A recognized EA may use BOEM/BSEE in its name provided it is made clear that the organization is not an official organization of BOEM/BSEE.

## **6. Dues and Financial Accountability.**

A. BOEM assumes no responsibility for dues and other funds or in-kind gifts collected by the EA.

B. EA may require members to pay dues as a condition of membership.

C. For each of the EA Chapters, a fiscal year audit must be completed in compliance with fiscal responsibility standards of annual audits of budget and expenses. The audit must be conducted internally by a BOEM/BSEE employee who is not a member of the EA. Each Chapter Chairperson is responsible for ensuring that an annual audit is conducted and a report is submitted to the Designated Official at Mail Stop 5438 by December 1.

### **1. Dissolution of BOEM/BSEE EA Chapter.**

In the event that an established EA Chapter needs to be dissolved, all monetary or tangible assets, after fulfillment of financial obligations, shall be contributed to the undesignated fund of the Combined Federal Campaign and all nonmonetary assets must be distributed to a nonprofit organization, as agreed upon by a majority vote of the Chapter members.

**Bureau of Ocean Energy Management**  
**and**  
**Bureau of Safety and Environmental Enforcement**  
**Employee Association Charter**

**Article I**  
**Name**

The name of this association is the Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE) Employee Association (EA), hereinafter referred to as the BOEM/BSEE EA. Each EA Chapter will be identified by a different name based on location.

**Article II**  
**Purpose**

The EA is a nonprofit, nonpolitical organization established for the purpose of promoting morale and fellowship by maintaining the social, recreational, and general welfare of BOEM/BSEE employees. The EA will not interfere with negotiations concerning employee-employer relationships and will not, officially or unofficially, interfere in any manner with the authority of a supervisor over a subordinate employee or enter into administrative decisions or the development of official rules and regulations.

**Article III**  
**Statement of Compliance**

The EA will abide by all laws, regulations, and policies set forth in:

- (1) 5 CFR 251.102, Agency Relationships with Organizations Representing Federal Employees and Other Organizations – Coverage.
- (2) 5 CFR 251.202, Agency Support to Organizations Representing Federal Employees and Other Organizations.
- (3) 5 CFR 950.102, Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations - Scope of the Combined Federal Campaign.
- (4) 5 CFR 2635, Subpart H, Standards of Ethical Conduct for Employees of the Executive Branch - Outside Activities.
- (5) 5 CFR 2635.808(c), Fundraising Activities - Fundraising in a Personal Capacity.
- (6) 43 CFR 20.504, Employees Responsibilities and Conduct - Selling or Soliciting.
- (7) BOEM Manual, Part 370.800, Chapter 1.

**Article IV  
Statement of Nondiscrimination**

This organization shall not discriminate on the basis of age, color, ethnicity, gender, national origin, disability or handicap, race, religion, sexual orientation, marital status, or familial status. This policy will include, but is not limited to, recruiting, membership, organization activities, or opportunities to hold office.

**Article V  
Membership**

Each Chapter must abide by all laws, regulations, and policies outlined in Article III and:

- (1) Each Chapter must be open to all current BOEM/BSEE employees.
- (2) Specific membership dues, if applicable, are established by individual EA Chapters, but will not exceed \$20 per calendar year.
- (3) Chapter members will determine the length of term for each of the Chapter Executive Board (CEB) Officers.

**Article VI  
CEB Officers and Roles**

**Chairperson - Required**

- (1) Provide general leadership to the CEB.
- (2) Coordinate agenda and topics for the CEB meetings.
- (3) Preside over CEB meetings.
- (4) Approve expenditures of Chapter funds with concurrence of CEB.
- (5) Submit the fiscal year audit to the EA Designated Official pursuant to 6.C. of BOEMM 370.800.1.
- (6) At end of term, may volunteer to serve as a consultant for incoming CEB and provide advice and attend meetings when requested.

**Vice-Chairperson - Optional**

- (1) Perform the duties of the Chairperson during times of the Chairperson's absence.
- (2) Coordinate and provide answers to audits of EA Chapter's funds and accounting. (In the event that there is no Vice-Chairperson, this responsibility reverts to the Chairperson.)

(3) Ensure that fliers are created and posted prior to, and removed immediately following EA Chapter social functions and events. (In the event that there is no Vice-Chairperson, this responsibility reverts to the Secretary.)

(4) Maintain an inventory of the EA Chapter's owned equipment and supplies. (In the event that there is no Vice-Chairperson, this responsibility reverts to the Treasurer.)

### **Secretary - Required**

(1) Perform the duties of the Chairperson during times of the Chairperson's absence in the event there is no Vice-Chairperson.

(2) Coordinate the location of meetings.

(3) Keep accurate minutes of each EA Chapter meeting.

(4) Distribute final minutes of each meeting to other CEB members prior to the next scheduled meeting.

(5) Establish and maintain an electronic mailing list of EA Chapter members.

(6) Establish and maintain an electronic record of the businesses with which the EA Chapter interacts.

(7) Establish and maintain electronic files for meeting minutes, event information, forms, fliers, and other information of significance to CEB members.

### **Treasurer - Required**

(1) Maintain the general ledger, cash box, checking/savings accounts, and other fund disbursement materials necessary to account for all EA Chapter funds.

(2) Collect any dues and/or fees, as approved by the CEB.

(3) Ensure that all funds raised through the EA Chapter activities are expended for the benefit of all Chapter members.

(4) Honor all bills for the following purposes:

(a) The cost of approved social functions.

(b) The cost of supplies for operations of the EA Chapter and the cost of fund raising items.

(c) Expenditure of funds for purposes not specifically covered in the bylaws, but approved by the CEB, in compliance with BOEMM 370.800.1.

(d) Ensure that a fiscal year audit of the records is conducted annually pursuant to 6.C. of BOEMM 370.800.1 and that an audit report is submitted to the CEB by November 1.



(5) Maintain an inventory of the EA Chapter's owned equipment and supplies in the event that there is no Vice-Chairperson.

## **Article VII CEB Responsibilities**

(1) Coordinate and sponsor social functions and other activities that promote the purpose of the EA Chapter.

(a) Social functions – CEB shall be responsible for planning and coordinating social functions that promote employee interaction fellowship and diversity.

(b) Volunteering – CEB shall be responsible for planning and coordinating volunteer activities and collections of gifts-in-kind to maintain and advance the public regard and respect for the personnel of the BOEM/BSEE. All volunteer activities and collections will be conducted in compliance with 5 CFR 950.102, which addresses authorized solicitations of employees in the Federal workplace.

(c) Fundraisers – CEB shall be responsible for planning and coordinating fundraisers to provide funds to be used in support of the EA Chapter activities in compliance with 5 CFR 950.102(d). This regulation notes that solicitations may be conducted by organizations composed of civilian employees if the solicitations are done among their own members for organizational support or for the benefit of welfare funds for their members.

(d) Other activities – CEB may support other activities or functions which benefit all EA Chapter employees. These activities must be conducted in compliance with all authorities and regulations stated in BOEMM 370.800.1. Proposed activities must be cleared in advance, through appropriate channels, as stated in BOEMM 370.800.1.5C.

(2) The Board is responsible for communicating the EA Chapter organization, guidelines, procedures, and information concerning events, activities, and other items of general interest to the EA Chapter membership.

## **Article VIII Financial Obligations**

An annual audit of the EA Chapter books will be performed prior to the fiscal year annual meeting by an individual deemed qualified and selected by the CEB. The individual must not be a member of the CEB or the EA Chapter.

## **Article IX Dissolution**

In the event of dissolution, all monetary or tangible assets, after fulfillment of financial obligations, shall be contributed to the undesignated fund of the Combined Federal Campaign and all nonmonetary assets must be distributed to a nonprofit organization, as agreed upon by a majority vote of the EA Chapter members.

**DECLARATION STATEMENT FOR  
BOEM/BSEE EA CHAPTERS**

Location of EA Chapter: \_\_\_\_\_

This Declaration Statement is submitted by the local representative in accordance with BOEMM 370.800.1, in fulfillment of requirements to receive recognition by the Designated Official to establish an EA Chapter.

I declare the following statements to be true.

This EA Chapter:

- (1) Is a lawful and nonprofit organization whose membership is made up of current BOEM/BSEE employees;
- (2) Adheres to high standards of fiscal responsibility;
- (3) Employs democratic principles in the nomination and election of officers;
- (4) Abides by the BOEMM 370.800.1 and the EA Charter;
- (5) Adheres to relevant laws and regulations pertaining to the use of Government property, ethics, and conduct; and
- (6) Does not discriminate in terms of membership or treatment of its members because of race, color, religion, sex, national origin, age, sexual orientation, disability, marital status, or familial status.

\_\_\_\_\_  
EA Chapter Representative (Signature) Date

Name of Representative: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

\_\_\_\_\_  
Local Senior Manager (Name and Signature) Date

\_\_\_\_\_  
BOEM Deputy Director (Name and Signature) Date

\_\_\_\_\_  
Designated Official Date

The form must be signed by the local senior manager and the Deputy Director and submitted to the Designated Official at Mail Stop 5438.

**OFFICIAL ELECTION STATEMENT FOR  
BOEM/BSEE EA CHAPTERS**

Name of EA Chapter: \_\_\_\_\_

This Official Election Statement is submitted by the Chairperson in accordance with BOEMM 370.800.1, in fulfillment of requirements to hold an election of the required positions for the EA Chapter Executive Board Officers.

The EA Chapter held an election on \_\_\_\_\_, and the following individuals were voted to fill the following positions:

Chairperson (Required) Print Name	Date
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Secretary (Required) Print Name	Date
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Treasurer (Required) Print Name	Date
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Optional Officer / Title and Print Name	Date
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Optional Officer / Title and Print Name	Date
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Chairperson Signature	Date
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Chairperson Mailing Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Local Senior Manager Print Name and Signature	Date
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Designated Official Signature	Date
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This form must be signed by the local senior manager and submitted to the Designated Official at Mail Stop 5438.