

Subpart J—Statement of Policy or Guidance

§ 28.155 Statement of policy or guidance.

Upon petition by any person, or on its own motion, the Board may issue statements of policy or guidance. In determining whether to issue such a statement, the criteria to be considered by the Board will include, but not be limited to, the following:

- (a) Whether the question presented can more appropriately be resolved by other means;
- (b) Where other means are available, whether a Board statement would prevent the proliferation of cases;
- (c) Whether the resolution of the question presented would have general applicability;
- (d) Whether the question currently confronts the parties as part of their employee-management relationship;
- (e) Whether the question is presented jointly by the parties involved; and
- (f) Whether the issuance by the Board of a statement of policy or guidance would promote the purposes of the General Accounting Office Personnel Act.

PART 29—GENERAL ACCOUNTING OFFICE PERSONNEL APPEALS BOARD; PROCEDURES APPLICABLE TO CLAIMS CONCERNING EMPLOYMENT PRACTICES AT THE ARCHITECT OF THE CAPITOL

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AUTHORITY: 31 U.S.C. 753.

SOURCE: 59 FR 59106, Nov. 16, 1994, unless otherwise noted.

§ 29.1 Purpose and scope.

(a) The purpose of this part is to implement the Board's authority under the Architect of the Capitol Human Resources Act, Public Law 103-283, sec. 312, 108 Stat. 1443 (July 22, 1994). That act authorizes the Board to adjudicate certain claims of discrimination and retaliation brought by employees of the Architect of the Capitol. The rules contained in this part establish the procedures to be followed by:

- (1) Employees of the Architect of the Capitol in pursuing discrimination and retaliation claims before the Board;
- (2) The Architect of the Capitol in its dealings with the Board; and
- (3) The Board in carrying out its responsibilities under the Architect of the Capitol Human Resources Act.

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

§ 29.2 Definitions.

In this part—

Board means the General Accounting Office Personnel Appeals Board as established by 31 U.S.C. 751.

Charge means an allegation, filed with the Board's General Counsel, of an unlawful discriminatory practice that is within the Board's jurisdiction under the Architect of the Capitol Human Resources Act, Public Law 103-283, sec. 312, 108 Stat. 1443 (July 22, 1994).

Charging party means an individual filing a charge with the Board's General Counsel.

Clerk of the Board means the individual appointed by the Board to receive papers filed with the Board, to maintain the Board's official files, and to advise parties and members of the public on the Board's procedures.

Days mean calendar days.

Employee of the Architect of the Capitol means any employee of or applicant for employment with the Architect of the Capitol, the Botanic Garden, or the Senate restaurants. It also includes, within 180 days after the termination of such employment, any individual who was formerly an employee of the