

## **PART 100—ADMINISTRATIVE REGULATIONS**

### **Subpart A—Employee Responsibilities and Conduct**

Sec.

100.101 Cross—reference to financial disclosure requirements and other conduct rules.

### **Subpart B—Cooperation in Audits and Investigations**

100.201 Audits and investigations.

### **Subpart C—Employee Personal Property Loss Claims [Reserved]**

### **Subpart D—Claims Under the Federal Tort Claims Act**

100.401 Claims under the Federal Tort Claims Act for loss of or damage to property or for personal injury or death.

### **Subpart E—Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the National Labor Relations Board**

100.501 Purpose.

100.502 Application.

100.503 Definitions.

100.504–100.509 [Reserved]

100.510 Self-evaluation.

100.511 Notice.

100.512–100.529 [Reserved]

100.530 General prohibitions against discrimination.

100.531–100.539 [Reserved]

100.540 Employment.

100.541–100.548 [Reserved]

100.549 Program accessibility: Discrimination prohibited.

100.550 Program accessibility: Existing facilities.

100.551 Program accessibility: New construction and alterations.

100.552–100.559 [Reserved]

100.560 Communications.

100.561–100.569 [Reserved]

100.570 Compliance procedures.

100.571–100.599 [Reserved]

AUTHORITY: Sec. 6, National Labor Relations Act, as amended (29 U.S.C. 141, 156).

Subpart A is also issued under 5 U.S.C. 7301.

Subpart B is also issued under the Inspector General Act of 1978, as amended by the Inspector General Act Amendments of 1988, 5 U.S.C. app. 3; 42 U.S.C. 2000e-16(a).

Subpart D is also issued under 28 U.S.C. 2672; 28 CFR part 14.

Subpart E is also issued under 29 U.S.C. 794.

## **Subpart A—Employee Responsibilities and Conduct**

### **§ 100.101 Cross-reference to financial disclosure requirements and other conduct rules.**

Employees of the National Labor Relations Board (NLRB) should refer to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635; the NLRB's regulations at 5 CFR part 7101, which supplement the executive branch-wide standards; the employee responsibilities and conduct regulations at 5 CFR part 735; and the executive branch financial disclosure regulations at 5 CFR part 2634.

[62 FR 6448, Feb. 12, 1997]

## **Subpart B—Cooperation in Audits and Investigations**

### **§ 100.201 Audits and investigations.**

(a) Employees shall cooperate fully with any audit or investigation conducted by the Office of the Inspector General involving matters that fall within the jurisdiction and authority of the Inspector General, as defined in the Inspector General Act of 1978, as amended, or with any audit or investigation conducted by any Agency official or department, including, but not limited to, the Office of Equal Employment Opportunity, involving matters that relate to or have an effect on the official business of the Agency. Such cooperation shall include, among other things, responding to requests for information, providing statements under oath relating to such audits or investigations, and affording access to Agency records and/or any other Agency materials in an employee's possession.

(b) The obstruction of an audit or investigation, concealment of information, intentional furnishing of false or misleading information, refusal to provide information and/or answer questions, or refusal to provide a statement under oath, by an employee to an auditor or investigator pursuant to any audit or investigation as described in paragraph (a) of this section, may result in disciplinary action against an employee. However, nothing herein shall be construed to deny, abridge, or

**§ 100.401**

otherwise restrict the rights, privileges, or other entitlements or protections afforded to Agency employees.

[59 FR 37158, July 21, 1994]

**Subpart C—Employee Personal Property Loss Claims [Reserved]**

**Subpart D—Claims Under the Federal Tort Claims Act**

**§ 100.401 Claims under the Federal Tort Claims Act for loss of or damage to property or for personal injury or death.**

(a) *Filing of claims.* Pursuant to 28 U.S.C. 2672, any claim under the Federal Tort Claims Act for money damages for loss of or injury to property, or for personal injury or death, caused by the negligent or wrongful act or omission of any employee of the National Labor Relations Board while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such loss, injury or death in accordance with the law of the place where the act or omission occurred, may be presented to the Director of Administration, 1099 Fourteenth Street, NW., Washington, DC 20570, or to any regional office of the National Labor Relations Board, at any time within 2 years after such claim has accrued. Such a claim may be presented by a person specified in 28 CFR 14.3, in the manner set out in 28 CFR 14.2 and 14.3, and shall be accompanied by as much of the appropriate information specified in 28 CFR 14.4 as may reasonably be obtained.

(b) *Action on claims.* The Director, Division of Administration, shall have the power to consider, ascertain, adjust, determine, compromise, and settle any claim referred to in, and presented in accordance with paragraph (a) of this section. The Chief, Security Staff, can process and adjust claims under §100 in accordance with delegated authority from the Director. Legal review is required by the General Counsel or designee for all claims in the amount of \$5,000 or more, 28 CFR 14.5. Any exercise of such power shall

**29 CFR Ch. I (7–1–05 Edition)**

be in accordance with 28 U.S.C. 2672 and 28 CFR part 14.

(c) *Payment of awards.* Any award, compromise, or settlement in an amount of \$2,500 or less made pursuant to this action will be paid by the Director of Administration out of appropriations available to the National Labor Relations Board. Payment of any award, compromise, or settlement in an amount in excess of \$2,500 made pursuant to this section will be obtained in accordance with 28 CFR 14.10.

[59 FR 37159, July 21, 1994]

**Subpart E—Enforcement of Non-discrimination on the Basis of Handicap in Programs or Activities Conducted by the National Labor Relations Board**

SOURCE: 53 FR 25884, 25885, July 8, 1988, unless otherwise noted. Redesignated at 59 FR 37159, July 21, 1994.

**§ 100.501 Purpose.**

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

**§ 100.502 Application.**

This regulation (§§100.501–100.570) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

[53 FR 25884 and 25885, July 8, 1988. Redesignated at 59 FR 37159, July 21, 1994, and amended at 60 FR 32587, June 23, 1995]

**§ 100.503 Definitions.**

For purposes of this regulation, the term—

*Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.