



SUBJECT: SIGIR Liability Insurance for Supervisors and Managers

DATE:

General Guidance and Scope.

1. This memorandum provides guidance on SIGIR's authorities, responsibilities, and procedures related to the reimbursement of professional liability insurance costs to qualified employees.
2. Section 642 of the Treasury and General Government Appropriations Act of 2000 (Public Law 106-58, September 29, 1999) amended section 636 of the Omnibus Consolidated Appropriations Act of 1997 (Public Law 104-208, September 30, 1996) by requiring Federal agencies to reimburse qualified supervisors, managers and law enforcement officials who elect to purchase private professional liability insurance. Such reimbursement is not to exceed one-half the costs incurred by an employee for professional liability insurance. This legislation became effective October 1, 1999.

Applicability. This policy applies to all SIGIR 3161 and GS employees who qualify as supervisors, managers, or law enforcement officials pursuant to 5 U.S.C. §7103.

Policy. SIGIR shall reimburse eligible employees up to 50%, or \$150.00 of a monthly premium, whichever is less, for the cost of professional liability insurance. Eligible employees are not required to carry professional liability insurance.

Definitions.

Professional liability insurance: legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortuous act, error, or omission of the covered individual (whether common law, statutory, or constitutional) while in the performance of such individual's official duties as a qualified employee; and the cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, and other legal costs and fees relating to any such administrative or judicial proceeding.

Law enforcement officer: an employee, the duties of whose position are primarily the investigation, apprehension, prosecution, detention, or supervision of individuals suspected or convicted of offenses against the criminal laws of the United States, including any law enforcement officer under Section 8331(20) or 8401(17) of such title 5.

Supervisor: an individual employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment, except that, with respect to any unit which includes nurses, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority.

Management official: an individual employed by an agency in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the agency.

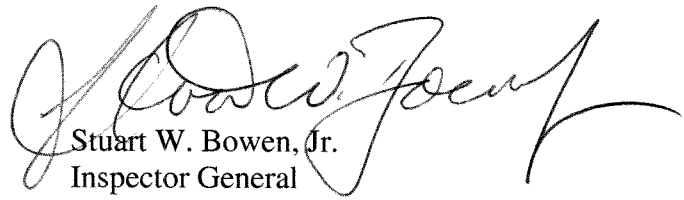
Eligibility.

1. Eligible employees are limited to U.S. Government (USG) supervisors, managers and law enforcement officers as defined by 5 USC 7103(a).
2. Under certain circumstances, the USG may supply an attorney to government officials in certain Federal court cases involving official acts, although generally not for employees in Office of the Inspector General or Office of Special Counsel investigations.
3. Each eligible employee must carefully assess his/her circumstances to determine if purchasing private liability insurance is beneficial.

How to apply for reimbursement.

1. To process claims for reimbursement, employees should first confirm with their supervisor that the position they encumber is, in fact, eligible for reimbursement.
2. Complete Standard Form (SF) 1164, Claim for Reimbursement for Expenditures on Official Business.
3. Add the following statement on the form: "This claim is submitted in accordance with Public Law 104-208, as amended, in the Treasury and General Government Appropriations Act of 2000 (Public Law 106-58, September 29, 1999)."
4. Attach receipt of paid insurance premium to the SF 1164.
5. Submit the completed SF 1164 to SIGIR Chief of Staff (Block 8 Approving Official), then to the Resource Management Officer (Block 9 Authorized Certifying Official) for reimbursement.
6. There are two sources of professional liability insurance targeted at federal employees: Wright and Company (<http://www.wrightandco.com> <<http://www.wrightandco.com/>>) offers PLI policies to federal employees, and AFSA offers a policy through Hirshorn (<http://www.afsa.org/mbr/insur.cfm#liability>).

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