

BPA Human Resources Directive 410-10

Professional Liability Insurance, Memberships, and Professional Credentials

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1. Purpose & Background

Communicates BPA-wide guidance for providing partial reimbursement for costs associated with professional liability insurance, and other related expenses related to individual and corporate memberships, and professional licenses and/or official certifications needed to practice a particular profession at BPA. BPA relies on a highly skilled and talented workforce to deliver successfully its mission and business.

2. Policy Owner

The Chief Administrative Officer, through Human Capital Management’s (HCM) Integrated Strategy (NHI-1), has overall responsibility for monitoring, reporting, executing, and maintaining this BPA HR Directive.

3. Applicability

- A. **BPA’s Professional Liability Insurance** directive applies to all eligible BPA management officials and supervisors as defined in 5 U.S.C. 7103(a).
- B. **BPA’s Employee Memberships** directive covers all BPA employees and certain fees associated with the purchase of corporate and individual memberships in societies, associations, and institutions, and for the payment of dues for such memberships. This BPA HR Directive does not address grants and sponsorships, Bonneville Financial Assistance Instructions, or acquisition of membership-related publications.
- C. **BPA’s Professional Credentials** directive covers all BPA federal employees, regardless of type or length of appointment. This BPA HR Directive covers fees for certifications except for those covered by negotiated agreements or membership dues and fees in a professional membership association covered by paragraph 21.03 of the BPA/PDL collective bargaining agreement. This BPA HR Directive does not apply to the Academic Degree Training Program or associated allowable training reimbursement.

4. Terms & Definitions

- A. **Certification:** For purposes of this BPA HR Directive, a certification shows an individual has demonstrated a pre-determined level of knowledge and skill to perform in his or her profession, occupation, or role. Certification is awarded by a third-party, standard-setting organization.
- B. **Credential:** A designation normally provided by State or publicly-recognized organizations and can include credentials such as a professional accreditations, licenses, or certifications that either is directly related to the employee’s current position or that are considered to further DOE interest.

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- C. **License:** A certification (typically government-issued) conveying legal permission to practice in a given field or endeavor. In some cases, a licensing entity may use the term “certification” rather than license.
- D. **Management Officials:** Defined in 5 U.S.C. 7103(a)(11), employees whose work requires or authorizes them to formulate, determine, or influence the policies.
- E. **Professional Liability Insurance:** Coverage for legal liability for damages associated with 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, eligible 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’s official duties as a qualified, eligible employee, and other legal costs and fees relating to any such administrative or judicial proceeding.
- F. **Supervisors:** Defined in 5 U.S.C. 7103(a)(10) as employees with authority to hire, direct, assign, promote, reward, transfer, furlough, lay off, 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.

5. Responsibilities

As stated in applicable HR Desk References and/or Standard Operating Procedures (see “Related HR Desk References” section).

6. Standards & Procedures

Overview of Professional Liability Insurance, Memberships, and Professional Credentials.

6.1. Professional Liability Insurance

1. Reimbursement is available for eligible employees other than for those on a Schedule C appointment. To qualify, an employee must be a law enforcement officer, supervisor, or management official when purchasing the insurance and when requesting reimbursement.
2. Eligible employees may receive reimbursement for premium costs up to 50 percent of the annual cost or \$150, whichever is less.
3. Eligible employees submit reimbursement requests via form BPA F 2230.06e to Accounts Payable.

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4. The BPA Human Resources Director, through his/her designees verifies employee eligibility.
5. Supervisors and managers approve reimbursement requests.

6.2. BPA Memberships in Professional Associations

- A. BPA pays for individual or corporate memberships in societies, associations, and institutions when such membership is job-related, cost-effective, and not redundant.
- B. If payment for a membership will result in a license or other professional credential, the request must be accompanied by a justification that addresses the criteria listed below for professional licensure at Paragraph 010.4.3 “Criteria,” below.
- C. The organization requesting and acquiring the membership is responsible for budgeting and funding the payment of the membership dues.
- D. When BPA has purchased a corporate membership, it does not normally purchase duplicate individual memberships.
- E. Supervisors and Managers approve BPA Membership Requests.
- F. Eligible employees submit the BPA Membership Request via BPA form 1130.01e to the Library.
- G. Vice Presidents of the Requesting Organization may make exceptions to the payment for an individual membership when BPA has already purchased a corporate membership.

6.3. Professional Credentials

- A. **Certification Qualification:** BPA may reimburse an employee’s expenses to obtain or renew certifications or licenses as described in 5 U.S.C. 5757(a). To qualify for reimbursement, a certification must be required for a particular position and/or considered to further the interest of DOE and must be on the approved certification list maintained by HCM.
- B. **Approved Certification List:** The BPA Human Resources Director, through his/her designees and in consultation with Disbursements, maintains a central list of approved licenses and certifications. BPA only reimburses employees for license or certification exam fees (initial or renewal) if they are listed on the [BPA Approved Certification/License List](#).
- C. **Budget Availability:** Fee reimbursement is subject to budget availability and there is no guarantee of payment of certification/license-related expenses.
- D. **Priority:** If there are multiple eligible employees and limited funds, supervisors and managers will reimburse license or certification fees based on the above criteria.
- E. **Reimbursement based on Successful Certification:** BPA will only reimburse employees upon successful completion of the exam or the license or certification process required

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to obtain or maintain a professional credential for a position, this does not apply to credential required to qualify for a position. If an employee takes a license or certification test and fails, then subsequently retakes the test and passes, BPA will pay only one fee, either the original or a retesting fee, whichever is higher.

7. Authorities & References

- A. Public Law 106-58, Section 642, Reimbursement for Professional Liability Insurance
- B. 5 U.S.C. 4109, Expenses of Training
- C. 5 U.S.C. 5757, Payment of Expenses to Obtain Professional Credentials
- D. 5 U.S.C. 5946, Membership Fees, Expenses of Attendance at Meetings, Limitations
- E. 5 U.S.C. 7103, Definitions, Application
- F. 16 U.S.C. 838(i)(b)(11), Federal Columbia River Transmission System Act (P. L. 93-454), October 18, 1974 (BPA memberships)
- G. OPM CHCOC Transmittal No. 1489, “Fact Sheet on Certification and Certificate Programs,” August 13, 2008
- H. DOE M 360.1-1B, Federal Employee Training, October 11, 2001
- I. DOE Policy Memorandum #12, Payment of Expenses for Professional Credentials, September 7, 2010

7.2. Additional Resources

- A. Standard Operating Procedure on Individual and Corporate Memberships
- B. Standard Operating Procedure on Professional Certifications

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8. Revision History

This chart contains a history of the revisions and reviews made to this document.

Version Number	Issue Date	Description of Change/Review
1.0	01/19/2016	Initial publication.
2.0	04/18/2016	Style, formatting, and grammatical changes; fixed broken web link to list of approved certifications; removed circular reference to this Directive in Section 7.

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