

EXECUTIVE BOARD

MEMBER HANDBOOK



EXECUTIVE BOARD

This handbook is a compilation of information pertaining to the responsibilities of the Executive Board. It is intended as a reference for Board Members and members of their staffs who review Board decisions. Any material not included that would add to this handbook should be brought to my attention.

A handwritten signature in black ink, appearing to be 'N. Weaver', with a long horizontal line extending to the right.

Neil R. Weaver
Secretary of the Executive Board

AUTHORITY

The Constitution of Pennsylvania vests the supreme executive power in the Governor. The Legislature created the Executive Board to share, with the Governor, in the exercise of internal management power within the Executive Branch. While department heads exercise the powers and perform the duties vested in and imposed upon their respective departments by law, many of the internal management prerogatives have been delegated by statute to the Executive Board.

The Executive Board consists of the Governor, as Chairman, and six other heads of departments. Each member is designated by the Governor as an individual, not because of the department he or she heads.

According to a 1966 opinion of the Attorney General's Office: "The power and authority of the Executive Board in the administrative and executive functions directed to be performed under provisions of *The Administrative Code of 1929* extends to all departments, boards, bureaus, and commissions of the Commonwealth's government, except where its participation is expressly excluded."

Section 506 gives the Executive Board the same powers as an administrative department to regulate the internal processes of the Board in carrying out the functions assigned by *The Administrative Code of 1929*.

ADMINISTRATION

By regulation, the Executive Board has designated the Secretary of Administration as Secretary of the Executive Board (*4 Pa. Code § 39.31*). The Secretary is to provide the necessary staff support to review, analyze, recommend actions, and coordinate the origination, processing, and control of Executive Board matters.

Because of the number of actions brought before the Board and the degree of consideration required by members in making decisions, it is not the practice to hold regular meetings. When meetings are held, four members are needed for a quorum. The Governor's participation is not necessary; a simple majority of the quorum can decide an action.

With written approval of the Governor, members may authorize named deputies to serve in their stead and vote at Board meetings. The *Sunshine Law* does not require that meetings be convened, but only that when such meetings are held, they must be open to the public.

Any regulation must go through the review processes required by the *Regulatory Review Act*, the *Commonwealth Attorneys Act*, and the *Commonwealth Documents Law*. Non-regulatory actions of the Board are accomplished by simple resolutions and once signed, require no further reviews. Most resolutions are initiated by the Office of Administration and the Department of General Services; others are initiated by agencies and reviewed by the Office of Administration.

All resolutions are prepared and transmitted electronically for signatures. When a resolution has been approved by the Secretary, each Board Member receives an electronic copy simultaneously. Members' signatures will be affixed by hitting the approve button. When all members' signatures are obtained, the resolution will be transmitted to the Governor's Chief Counsel for review and approval. Upon approval by the Chief Counsel, the resolution will be transmitted to the Governor for signature.

Any additional information needed on any resolution may be obtained from the Office of Continuity and Records Information Management at telephone number 717-783-5055 or email OA, EB-DMS@pa.gov.

TYPES OF ACTIONS

About 100 resolutions are presented to Board members each year for approval. Regulatory actions are published in both the *Pennsylvania Bulletin* and the *Pennsylvania Code*. This includes all resolutions pertaining to Collective Bargaining and organizational changes. The collective bargaining (CB) resolutions are codified by number only with a brief summary and are published in the *Pennsylvania Bulletin*. The organizational charts are published in the *Pennsylvania Bulletin* and *Pennsylvania Code* (4 PA Code, Chapter 9).

All other actions are distributed directly to affected agencies or implemented through the Directives Management System.

The citation after each entry below is to the applicable section of *The Administrative Code of 1929 (AC)*, the *Fiscal Code*, or *Civil Service Act*. The letters before each category are identifiers used on the resolutions.

AG & TSY Allocation of Costs (*The Fiscal Code, §§ 308 and 408*). Used to reimburse the General Fund for costs incurred by the Treasury Department in making reimbursements out of special operating funds and to reimburse the Department of Auditor General for costs incurred in auditing requisitions for disbursements and, periodically, the affairs of General Fund agencies. Invoices are forwarded from the two departments, reviewed by the Office of the Budget, and forwarded to members with a formal resolution for approval.

A 1976 opinion of the Attorney General's office states "that the Executive Board may not exonerate an agency or department for auditing costs." The same opinion states that "expressly granting the Executive Board the power to approve or deny costs implies the ability to review the data upon which the costs are determined, in order that the Board may assess the reasonableness of the auditing costs."

AM Amendments to Compensation Plan (*Administrative Code, § 709(a)*). Used to establish standard qualifications for employment, classification titles, and pay ranges. Qualifications, titles, and pay not otherwise set or provided for by law are set by the Board.

BD Board Policy (*Administrative Code, § 506*). Matters affecting the operation of the Board.

CB Collective Bargaining (*Administrative Code, § 709*). Labor agreements are approved by the Board to establish qualifications for and conditions of employment.

CN Compensation (*Administrative Code, § 709(a)*). General pay increases, salary schedules, and special compensation actions.

CS Civil Service (*§ 3(d)(13) of Civil Service Act*). Assignment of merit system coverage to specific classifications to satisfy federal or state requirements.

- LE Sick Leave (*Administrative Code, § 709(e)*).** Special extensions of sick leave beyond entitlements for cases of severe hardship. See also *Management Directive 505.7, Personnel Rules*.
- MC Maintenance Charges (*Administrative Code, § 709(a)*).** Rental and subsistence charged to employees residing or eating in Commonwealth facilities. See also *Management Directive 315.14, Charges for State Employees Residing or Subsisting in Commonwealth Facilities*.
- OH Office Hours (*Administrative Code, §§ 221 and 709(d)*).** To determine office hours for administrative offices. See also *Management Directive 505.21, Office Hours*.
- OR Organizations, Branch Offices, and Deputy Department Heads (*Administrative Code, §§ 212, 213, 709(b), and 709(h)*).** Organizational elements at division level and above. Organization charts are published in the *Pa. Bulletin* and in *4 Pa. Code Chapter 9*. See also *Management Directive 260.1, Reorganization Requests*.
- PR Personnel Rules (*Administrative Code, §§ 215, 222, and 709*).** A compilation of rules relating to personnel management. Chapters and subchapters on entitlements to leaves with pay, holidays, classification, performance evaluation, and the Senior Management Service are actions of the Board; other parts of the rules are within the discretion of the Secretary of Administration. See also *Management Directive 505.7, Personnel Rules*.
- RE Records (*Administrative Code, §§ 524, 525, and 709(k)*).** The Board must approve the disposition of records and the microfilming of records. Since 1963, by decision of the Board, agencies have been allowed to establish retention and disposition schedules. These identify records by organizational location and specify their length of retention and method of disposition. Microfilming of records is also provided for on the schedules. Although the *Administrative Code* deals only with records dating back four years or more, agencies have been encouraged to include all records on retention and disposition schedules.
- SMS Senior Management Service (*Administrative Code, § 709(a)*).** Assignment of positions in the unclassified service that have broad policy participation and management responsibility.

The following code has been retired as the Secretary of DGS has delegated this action to occur solely within the confines of DGS.

- AU Purchase of Automobiles (*Administrative Code, §§ 709(j) and 2407*).** Automobiles purchased by the Department of General Services for all agencies require Executive Board approval of the number and type.

Executive Board Resolution System

Executive Board Resolutions are prepared and transmitted electronically to members for approval.

System Access

To access the Executive Board Resolution System:

1. Go to <https://oaebr.pa.gov> and select the "Enter" button on the homepage.
2. Enter your CWOPA username and password.
3. Select "Request Access".

An Executive Board Resolution system profile will be created for you that will include your electronic signature. Please send an image file of your handwritten signature to OA_EB-DMS@pa.gov.

View and Approve Resolutions

1. Upon receipt of an email notification of documents for your review and approval log into the website at: <https://oaebr.pa.gov>
2. Select "Status" under title "Executive Board Resolution." This will take you to the Executive Board listing. You should automatically be in the Pending column for the current year. This column displays all Executive Board Resolutions that are ready for your review and approval.
3. Under the Number column, select the document you wish to view. It will take you to the EB Resolution Form page.
4. Scroll down the form to the bottom to Supporting Documentation Listing Document Name and select the document(s) listed below. The documents will open in Adobe Acrobat. If required, you will then be able to view and print the document.
5. When finished viewing, close out the document and you will be back to the EB Resolution Form page.
6. Upon viewing the resolution and supporting documentation, you may now select the appropriate grey button located at the bottom of the EB Resolution Form page.

Back Button

Always use the back button located within the EBR System where available, instead of back button of your Web browser, to take you back to the listing of documents if you have more to retrieve.