



FACT SHEET

PERSONNEL

This fact sheet provides a general overview of administrative matters related to personnel issues. Members set their own office policies, job descriptions, hours of operation, leave schedules, etc. Such policies and procedures must be in compliance with applicable law, in particular the Congressional Accountability Act, (see below) the Rules of the House of Representatives, and the regulations of the Committee on House Administration.

- Each Member may appoint up to 22 employees —18 permanent and 4 additional employees to staff their Capitol Hill and district offices (the additional slots are generally for part-time employees and paid interns).
- Members may appoint staff beginning on January 3, 2007 when the Member's Representational Allowance (MRA) becomes available.
- The maximum allowable salary for an employee on a Member's staff is currently \$159,828.
- Except for paid interns, each employee must be paid at least minimum wage (currently \$5.15/hour). Employees may not be paid at less than the minimum gross annual rate of pay, i.e., \$1,200 (\$100 per month).
- The appointment of each employee is made on a Payroll Authorization Form. This form must be signed by the Member and received in the Finance Office, accompanied by the required employee information forms, e.g., oath of office, employment eligibility (I-9), tax withholding, etc., for processing **on or before** the effective date of the employee's appointment.

Capitol Hill Office

The number of employees working in offices on Capitol Hill varies from office to office. Staff duties and rates of compensation are determined by the Member. Typically, the staff in a Member's Congressional office will include a Chief of Staff/Administrative Assistant, Office/Administrative Manager, Executive Assistant/Scheduler, Legislative Director, Legislative Assistants, Press Secretary, Systems Administrator, and Staff Assistants/Interns.

District Office(s)

The number of employees working in district offices also varies from office to office and staff duties and rates of compensation are, likewise, determined by the Member. Typically, a district staff will include a District Director, Scheduler, Field Representatives, Caseworkers, and Staff Assistants/Interns.

Note: For additional information, please refer to the *Members' Congressional Handbook*, which is available electronically at <http://www.house.gov/cha/handbook/>

Personnel Policies

Members-Elect should act expeditiously to establish an employment and personnel policy for their congressional offices. This policy should apply equally and consistently to all employees. Such policy should include:

- Accurate job descriptions for employees.
- Job classification worksheets to be used as the basis for determining whether an employee is exempt from minimum wage and overtime requirements (set in the Fair Labor Standards Act).
- Time sheets and overtime pay requirements for all employees who are not exempt from the Fair Labor Standards Act.
- A Family and Medical Leave Act leave policy and any other leave policies (annual/vacation, sick, administrative, bereavement, etc.) as established by the Member.
- Clearly defined procedures for requesting and recording leave.
- A smoking/non smoking policy.
- A Drug-Free Workplace policy.

For more information on establishing employment and personnel policies and sample overtime exemption worksheets and job descriptions, please refer to the *Model Employee Handbook*, which can be downloaded at <http://www.house.gov/cha>.

Congressional Accountability Act

Under the Congressional Accountability Act (CAA), various employee and workplace statutes are applicable to Members as employers. For information on these laws, each office is encouraged to maintain and refer to *A Guide to the Congressional Accountability Act of 1995*, available from the Office of Compliance at (202) 724-9250. Under the CAA, Members are required to comply with the following laws:

- Fair Labor Standards Act of 1938
- Title VII of the Civil Rights Act of 1964 (Equal Employment Opportunities)
- The Americans with Disabilities Act of 1990
- The Age Discrimination in Employment Act of 1967 (for employees over 40 years of age)
- The Family and Medical Leave Act of 1993
- The Employee Polygraph Protection Act of 1988
- Worker Adjustment and Retraining Notification Act (Notice of mass layoffs)
- The Rehabilitation Act of 1973
- Veterans' Reemployment Rights
- Federal Labor-Management Relations
- The Occupational Safety and Health Act of 1970

Office of House Employment Counsel — An Employer Resource

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In order to provide House employers with advice and guidance relating to their employment and policies and practices, the Committee on House Administration established the Office of House Employment Counsel (OHEC). OHEC is administered by the Clerk, under the bipartisan direction of the Chairman and Ranking Minority Member of the Committee on House Administration.

OHEC operates on a strictly nonpartisan basis, and contacts with the OHEC are confidential. The duties of the Office include answering specific questions on the laws and regulations made applicable to the House by the CAA, reviewing and providing guidance on employment and personnel policies and practices, and representing House employers in litigation arising under the CAA.

Office of Compliance — An Employee Resource

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The Office of Compliance is an independent non-partisan agency established to administer and enforce the CAA. The Office of Compliance administers the dispute resolution system established to resolve disputes that arise under the CAA; carries out an education and training program for the House employees on the rights and responsibilities of the CAA; and advises Congress on needed changes and amendments to the CAA. In addition, the General Counsel of the Office of Compliance has independent investigatory and enforcement authority for certain violations of the CAA.