

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
INDIAN HEALTH SERVICE**

Refer to: DHR

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**ALBUQUERQUE AREA INDIAN HEALTH SERVICE CIRCULAR NO. 2001-04**

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**UNIFORM AND UNIFORM ALLOWANCE**

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1. **PURPOSE:** To establish policies and procedures criteria for positions eligible for the wearing of uniforms in the performance of official duties; define the standard uniform allowance or cost of uniforms for each series; and establish procedures for initial requests, modification of costs and/or allowances and termination of costs and allowance. This circular is developed in compliance with the Director, Indian Health Service, (IHS) Memorandum to Area Directors dated May 24, 1991, SUBJECT: Uniform Allowance Increase (Exhibit I). This circular also prescribes Articles of Uniform as well as Procedures for Issuance of Uniform and the payment of allowances to employees required to purchase uniforms.
  
2. **BACKGROUND:** IHS Policy and Procedural Guidance on prescribing and wearing of uniforms comprise the basic part of the circular. The appendices are designed for quick reference to the work series of employees, who are eligible for issuance or allowance, and PHS Instruction 594-I, Subject: Uniform Allowances.  
  
Provisions of the Federal Employees Pay Comparability Act (FEPCA) of 1990 have provided guidance on the wearing of uniforms, the associated cost and the need for a policy order within the Albuquerque Area Indian Health Service. The Act also increased the annual uniform allowance maximum from \$125 to \$400.
  
3. **POLICY COVERAGE:** This policy applies to all employees serving in positions with pay plans that includes General Schedule and Wage Grade Systems administered by the U. S. Office of Personnel Management. This policy excludes members of the U.S. Public

Health Service Commissioned Corps. Exhibit I includes categories of positions, within IHS, determined by the Director of IHS, to be eligible for uniform costs and allowances

Uniforms shall only be prescribed for wearing when for purposes of efficiency in performing a specific function; employees are required to be readily identifiable to the public, employees, or other agencies. Subsequent to a determination and approval that a category of employees must wear uniforms, the prescribed uniform shall be furnished by the IHS through either an issuance or allowance method, but not both. Those categories of employees for whom uniforms are prescribed shall be required, as a condition of employment, to wear them while performing their IHS work assignments, except when a specific temporary waiver to the policy is made by the Area Director. Employees shall not wear the uniform when not performing IHS duties. (Except when employees change uniforms prior to and after their official Tour of Duty). Employees in positions, which require the wearing of uniforms, convey the image and appearance of IHS to the public. Therefore, uniformed IHS personnel shall, to the extent that is compatible with their nature of their work, maintain a neat, clean, business-like appearance during work hours.

4. **DEFINITIONS:**

- A. Allowance: Funds or monies provided to an employee through the payroll process to allow an employee to purchase their uniform apparel established by law.
- B. Full Uniform: Minimum of two articles of clothing. Occupational series requiring full uniform are eligible to receive the full uniform allowance.
- C. Issuance: Full or partial uniforms directly purchased by the agency and issued to an employee.
- D. Partial Uniform: Minimum of one article of clothing. Occupational series requiring partial uniform are eligible to receive one-half of the full uniform allowance.
- E. Protective Apparel: Articles of clothing to protect the body from injury, e.g., impervious gown, and steel-toed shoes.
- F. Protective Equipment: Equipment worn or used in order to protect the body from injury, e.g., face shield, goggles, masks, gloves, and safety glasses.
- G. Uniform: Articles of clothing worn by an employee for the purpose of performing a specific function and are which readily identifiable to the public, employees, or other agencies.

- H. Full Uniform Allowance: An allowance issued through the payroll system equal to the maximum allowable rate prescribed by law. The current rate on the date of signature is \$400.00 per annum or \$15.38 per pay period.
  - I. Partial Uniform Allowance: An allowance issued through the payroll system that equals to one-half of the maximum allowable rate prescribed by law. The current rate on the date of signature is \$200.00 per annum or \$7.69 per pay period.
5. **AUTHORITIES**: 5 U.S.C. §5901 and Provisions of the Federal Employees Pay Comparability Act (FEPCA) of 1990.

6. **RESPONSIBILITIES**:

Area Director

The Area Director is delegated the authority to approve requests for uniform costs and allowance for designated work series. This authority cannot be redelegated.

Area Personnel Officer

- a) Serves as the liaison/coordinator for the Area Director on all matters pertaining to uniforms for AAIHS employees.
- b) Assures a standard of consistency, efficiency, and cost effectiveness regarding employee uniforms. Establishes standards and provides guidance concerning implementation of policy regarding uniforms. Assures compliance with Department of Health and Human Services (DHHS), Public Health Service (PHS) and IHS policies on uniforms.
- c) Reviews requests and submits recommendations to the Area Director proposed additions to the categories of employees to be uniformed cited under Exhibit II.
- d) Processes requests from service units to start or stop payment of uniform allowances. Resolves claims for failure to start or stop uniform allowance withholdings.
- e) Conducts periodic surveys and evaluations to determine the effectiveness of the AAIHS uniform policy and for legal, regulatory, and procedural compliances and to recommend any required policy changes.
- f) Notifies and negotiates with Labor Unions in the prescription of uniforms in accordance with applicable collective bargaining agreements.
- g) Acts promptly on unusual or emergency situations relating to uniforms of Albuquerque Area-Wide Employees, and providing whatever special services or procedures are deemed necessary in accommodating such situations.

Chief Executive Officer(s) or Requesting Official(s)

- a) Identify positions and employees in approved categories required to wear uniforms in accordance with DHHS, PHS and IHS uniform guidelines. Consult with the Area Division of Human Resources (DHR) Officer and Subject Matter Experts (discipline consultants) on appropriate uniforms for occupations.
- b) Assures that supervisors describe the composition of a proposed uniform. Determine the method (issuance or allowance) by which uniforms will be provided to employees. Work with the Area Consultants, e.g., nursing, dental, medical, laboratory, on agency-wide standards for the wearing of uniforms within a particular discipline or specialization. Assures that department supervisors comply with uniform allowance policy.
- c) Request approval of the Area Director through the Area DHR Officer requests for new Position Categories.
- d) Assures funding is available for the purpose of uniform purchase or payment of allowance. Establishing procedures for negotiating and arranging for the procurement of all uniforms and accessories that will be purchased with Government funds for issuance to employees.
- e) Assuring that proper records are maintained relative to the issuance of uniforms or payment of allowance to purchase and maintain uniforms in accordance with this order and agency regulations. Records at a minimum must be updated annually (September 30) and must reflect the following: Employee's name, title, organization unit, authority under which the uniform is authorized. Provide an annual (September 30) report of expenditures, efficiency, modifications, and status to the Area DHR.

Supervisor(s)

- a) Identify positions and employees in approved categories required to wear uniforms in accordance with DHHS, PHS and IHS uniform guidelines. Consulting with the Area DHR and Subject Matter Experts (discipline consultants) on appropriate uniforms for occupations.
- b) Describe the composition of a proposed uniform. Determine the method (issuance or allowance) by which uniforms will be provided to employees. Work with Area Consultants, e.g., nursing, dental, medical, laboratory, on agency-wide standards for the wearing of uniforms within a particular discipline or specialization.
- c) Assures funding is available for the purpose of uniform purchase or payment of allowance. Establishing procedures for negotiating and arranging for the procurement of all uniforms and accessories that will be purchased with Government funds for issuance to employees.

- d) Assures employee compliance with uniform requirements, including enforcement through appropriate conduct or performance action.
- e) When uniform allowance is to be provided to an employee, submits personnel action (SF-52) to initiate the process.

Employee(s)

- a) Complies with uniform policy and requirements to wear appropriate uniform.
- b) Immediately, notifies supervisor for any discrepancy in his/her uniform allowance or issuance.

7. **CONSIDERATIONS:**

- a) The uniform for any category of employees shall be identical, as far as possible, in style, color, and material for all such employees.
- b) Only the minimum uniform necessary to fulfill the function should be prescribed.
- c) Maximum rates are established by the federal law.
- d) Uniform allowances *or issuances* should be prescribed for all employees, e.g., intermittent, part-time, temporary, full-time.
- e) Uniform should not be authorized for supplying work clothing in the sense of a fringe benefit.

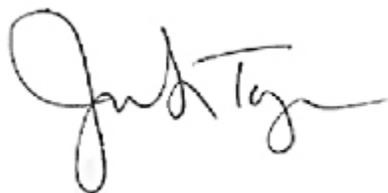
8. **PROCEDURE**

- a) Chief Executive Officer (CEO) or Requesting Official may determine whether to authorize a uniform allowance or to issue a uniform.
- b) Issuance of a Uniform: If a uniform will be issued, they shall be purchased or rented. If purchased, uniforms will be stocked and issued. If rented, an agreement with a local vendor may be executed with a local vendor in accordance with Federal procurement regulations. The initial issue or replacement costs shall not exceed the maximum uniform allowance rates set by Federal law.

The CEO or Requesting Official shall do the following:

1. Establish a schedule of initial issuance and replacement and furnish a copy to the Area DHR Officer annually by September 30.
2. Assure that issued uniforms and accessories are turned in and restocked when the need for them terminates.

3. Establish controls to assure employee responsibility and accountability for the issued items.
- C. Payment of Uniform Allowance: If a uniform allowance will be paid, the CEO or Responsible Official shall establish a uniform requirement and provide estimates to the Area Office on cost of initially required item and replacement needs. A definite allowance for initial purchase and annual replacement shall not exceed the maximum uniform allowance rates set by Federal law.
1. The initial allowance shall normally be paid in pay period increments except when a full-time employee is unable to purchase the uniform due to unusual circumstances, e.g., lack of personal funds. The full annual allowance may be advanced to the employee under this condition. In such cases, after the employee has completed one year's service, the allowance will be paid in bi-weekly installments.
  2. The Director, IHS, must approve the advancing of full initial payment. The request must be submitted, by the initiating organization, through the Area Director, who shall attach Area recommendations concerning the request, and forward to IHS Headquarters.
  3. When the Director, IHS, determines that the initial uniform allowance shall be made in one payment, the Area DHR Officer is responsible for ensuring that after completion of one years service, the allowance will be paid in bi-weekly installments.
- D. Status of Benefits as Compensation: Neither the value of articles of uniform furnished nor the amount of the uniform allowance shall be construed as pay salary, or compensation as defined in the Civil Service Reform Act as amended, or the Social Security Act, or the Internal Revenue Code.
8. EFFECTIVE DATE: This circular is effective upon date of signature and shall remain in effect until cancelled or superceded.



10/16/01

James L. Toya  
Director  
Albuquerque Area Indian Health Service