

PART 2063 - EMPLOYMENT RELATIONS AND SERVICES

SUBPART G - LEGAL ASSISTANCE TO EMPLOYEES

§ 2063.301 General.

The Office of General Counsel (OGC) may advise USDA, including Rural Development, when an employee is involved in an accident or other incident related to their official duties.

§ 2063.302 Action required.

A report must be made to the employee's supervisor when an employee is involved in an accident involving property damage or injury to persons, and such accident occurred on account of an act or omission arising within the scope of the employee's duties.

(a) Automobile and other accidents.

(1) In the event of an automobile or other type of accident involving personal injury or damage to the property of a third person, occurring within the scope of employment of a Rural Development employee, a full report should be directed without delay to the employee's superior. Rural Development will in turn notify the appropriate OGC office so that the interests of the United States, if appropriate, can be protected.

(2) Notification of an accident must include the names of the persons involved, the amount and nature of any property damage or injuries, the location, time and cause of the accident, and any other relevant information.

(b) Notification procedure.

(1) Field employees must report to the head of their field organization (for example, in the states it would be the State Director), who will in turn report to the appropriate OGC office and the Director, Support Services Division (SSD), National Office.

(2) National Office employees must report through official supervisory channels to the Director, SSD, who will in turn report information to OGC.

RD Instruction 2063-G
§ 2063.302 (b) (con.)

(3) See RD Instruction 2018-G for accidents involving Government-owned vehicles, RD Instruction 2042-B on tort claims and accidents involving third parties, and RD Instruction 2069-B on matters involving employee injuries.

§ 2063.303 Definitions. [Reserved]

§ 2063.304 Inventions by employees of the Department.

Generally, the Government is entitled to rights in any invention of a Government employee which is directly related to the official duties of that employee, was made with a Government contribution, or was made during working hours. For more information on reporting requirements, the respective rights of the Government and the employee, and the determination of those rights, refer to Title 37 of the Code of Federal Regulations, Part 501, "Uniform Patent Policy for Rights in Inventions made by Government Employees."

§2063.305 Assault of Rural Development employees.

Any assault, intimidation or threat of Rural Development employees in their official capacities should be reported to local law enforcement authorities and the Office of Inspector General.

(a) Actions by employees. Any Rural Development employee who is threatened with bodily harm or assaulted during the performance of official duties may have the personal right to pursue both criminal and civil action, but must report such incidents through proper channels within Rural Development.

(b) Injury compensation claims.

(1) An employee who is injured while performing official duties may receive compensation for medical expenses and loss of wages under the Federal Employees Compensation Act (FECA), administered by the Office of Worker Compensation Programs (OWCP), Employee Standards Administration, U.S. Department of Labor.

(2) The injured employee may contact his or her personal attorney regarding any right that employee may have against a third party.

§ 2063.306 Limitations on legal advice.

Legal assistance provided to employees by OGC attorneys and by attorneys employed by the Department of Justice is limited to that advice and those actions necessary and appropriate to protect the interests of the United States, and does not include personal legal advice to such employees.

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