



1.6 PROJECT PERSONNEL

POLICY:

Recipient and subrecipients must have approved personnel policies and procedures.

PROCEDURE:

Personnel Policies

Recipient and subrecipients are obligated to establish and maintain personnel policies that comply with applicable Federal and State requirements, including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title I and V of the Americans with Disabilities Act (ADA) of 1990, and the annual appropriations language.

Policies and procedures provide evidence of no discrimination in personnel administration at its organizations. These policies should include, but are not limited to, staff:

- Recruitment
- Selection
- Performance evaluation
- Promotion
- Termination
- Compensation
- Benefits
- Grievance procedures

Cultural Competency

To the maximum feasible extent, provide an opportunity for participation in the development, implementation, and evaluation of the project by persons broadly representative of all significant elements of the population to be served and by others in the community knowledgeable about the community's needs for family planning services. (42 CFR 59.5 (b)(10))

Documentation at services sites includes records of cultural competence training, in-services, client satisfaction surveys, or other documentation that supports culturally competent services.

Project Director

The recipient is required to notify the Grants Management Office in writing if the Principal Investigator/Project Director (PI/PD) or key personnel named explicitly in the Notice of Grant Award (NGA) will withdraw from the project entirely, be absent from the project during any continuous period of 3 months or more, or reduce time devoted to the project by 25 percent or more from the level that was approved at the time of award. The Operating Division (OPDIV) must approve any alternate arrangement proposed by the recipient, including any replacement of the PI/PD or key personnel named in the NGA.



The requirement to obtain OPDIV prior approval for a change in status pertains only to the PI/PD and those key personnel the OPDIV names in the NGA, regardless of whether the applicant organization designates others as key personnel for its own purposes. For more information, see HHS Grants Policy Statement, 2007 Section II-54.

Any change in subrecipient director, or other key personnel, must be submitted to the state office.

Clinical Leadership

Projects must provide that family planning medical services will be performed under the direction of a clinical services provider, with services offered within their scope of practice and allowable under state law, and with special training or experience in family planning. (42 CFR 59.5 (b)(6)).

- Recipient and subrecipients must involve their clinical services provider (medical director) in program operations
- Curriculum vitae of the clinical services provider or medical director indicates special training or experience in family planning
- the clinical services provider or medical director approves Clinic Protocols

Salary

Salary Limitation (Further Consolidated Appropriations Act, 2022, Div. H, Title II, sec. 202): Recipients ensure that “None of the funds appropriated in the HHS Appropriations Act shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.” The Salary Limitation is based upon the Executive Level II of the Federal Executive Pay Scale. Effective January 2022, the Executive Level II salary is \$203,700. For the purposes of the salary limitation, the direct salary is exclusive of fringe benefits and indirect costs. An individual’s direct salary is not constrained by the legislative provision for a limitation of salary. The rate limitation simply limits the amount that may be awarded and charged to the grant or cooperative agreement. A recipient may pay an individual’s salary amount in excess of the salary cap with non-federal funds. (Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. 49, 467 (2022))

RESOURCES:

Family Planning Statement of Understanding

<https://www.hhs.nd.gov/sites/www/files/documents/DHS%20Legacy/FAMILYPLANNINGSTATEMENTOFUNDERSTANDING.pdf>

[Current Title X Service Grantees | HHS Office of Population Affairs](#)

[Grants Policy Statement \(hhs.gov\)](#)

[Section 504, Rehabilitation Act of 1973 | U.S. Department of Labor \(dol.gov\)](#)

[Title VI, Civil Rights Act of 1964 | U.S. Department of Labor \(dol.gov\)](#)

Effective Date: September 2024

Last Reviewed: August 2024, July 2023

Next Scheduled Review: August 2025



Titles I and V of the Americans with Disabilities Act of 1990 (ADA) | U.S. Equal Employment Opportunity Commission (eeoc.gov)