

## **Determining Which Positions Should File A Confidential Financial Disclosure Report: A Worksheet**

This job aid is designed to assist supervisors in determining whether a career employee should file a Confidential Financial Disclosure Report (OGE Form 450). If you have questions about the criteria listed below, please contact the DoD SOCO Office at (703) 695-3422.

Employee's Name: \_\_\_\_\_

Date: \_\_\_\_\_ aaaaaaaa\_\_

Position Title: \_\_\_\_\_

CAC Email: \_\_\_\_\_

### **I. Pay**

1. ☐ Is the employee's position classified at or below the GS-15 level or, if military, below the rank of O-7?

**OR**

- ☐ If the employee is not paid on the GS scale, is the employee's rate of basic pay less than 120% of the minimum rate of basic pay for the GS-15 level?

Note: For purposes of financial disclosure, the term "**rate of basic pay**" means the lowest level of pay authorized for a position's pay grade/band (not the actual pay received). Basic pay does not include locality pay, bonuses, etc., and for reemployed annuitants, the rate of basic pay is calculated before any salary offset is applied. For **2020**, the threshold rate of basic pay is **\$131,239.20**.

☐ **Yes**

Go to Question 2.

☐ **No**



Your agency's Ethics Office will determine if this employee must file a public financial disclosure form.

### **II. Type of Work Done By the Employee**

2. Does the employee's work involve at least one of the following:

- ☐ contracting or procurement actions above the micro-purchase threshold (currently \$10,000) or with an annual total that is greater than the simplified acquisition threshold (currently \$250,000).

***Example:** A GS-9 Admin Assistant makes GPC purchases of office supplies for her work unit, but each purchase totals less than \$10,000 and she never spends more than \$80,000 annually. She would be excluded from filing. If her annual purchases totaled more than \$250,000, then she would file.*

- ☐ administering, awarding, monitoring, or making determinations regarding grants, subsidies, licenses, or other federal benefits;
- ☐ regulating, auditing, or inspecting non-federal entities\*; or
- ☐ performing other activities when those activities will have a direct and substantial effect on the financial interests of non-Federal entities.

\*Non-federal entities include, for example, businesses, non-profit organizations, and state and local governments.

☐ **Yes**

Go to Question 4.

☐ **No**

Go to Question 3.

3. Is the employee serving in any other position where there is a potential for conflict of interest, appearance of favoritism or loss of impartiality?

Examples include:

- ☐ reviewing or making recommendations concerning products/ services for potential future acquisition or use by the Government;
- ☐ representing the United States in litigation or other proceedings;
- ☐ scientific or social science research, when the research will have a direct and substantial effect on the financial interests of non-federal entities.


☐ **Yes**

Go to Question 4.




☐ **No**



If you said "no" to questions 2 and 3, the employee does NOT need to file.

<p>4. Does the employee:</p> <p><input type="checkbox"/> only provide factual information?</p> <p>Example: A GS-13 librarian for the Patent and Trademark Office (PTO) shows PTO staff members how to research the uniqueness of an invention and design complex search queries of the agency's electronic databases. The librarian does not make decisions on the patentability of the invention.</p> <p><b>OR</b></p> <p><input type="checkbox"/> only work on administrative or peripheral matters?</p> <p>Example: A draftsman prepares the drawings to be used by an agency in soliciting bids for construction work on a bridge based on specifications provided by others. He is not involved in determining the specs or the contracting process.</p> <p>Example: An agency has just hired a GS-5 Procurement Assistant who is responsible for typing and processing procurement documents, answering status inquiries from the public, performing office support duties such as filing and copying, and maintaining an online contract database. The Assistant has no contracting or procurement responsibilities.</p>	<p><input type="checkbox"/> <b>Yes</b></p> <p></p> <p>The employee does NOT need to file a confidential financial disclosure report.</p>	<p><input type="checkbox"/> <b>No</b></p> <p>Go to Question 5.</p>
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### III. Employee's Level of Responsibility

<p>5. Does the employee:</p> <p><input type="checkbox"/> engage in the work activity identified in Section II by exercising significant judgment in performing any of the following job functions?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> making decisions;</li> <li><input type="checkbox"/> approving or disapproving;</li> <li><input type="checkbox"/> making recommendations;</li> <li><input type="checkbox"/> conducting investigations;</li> <li><input type="checkbox"/> rendering advice or opinions.</li> </ul> <p><b>OR</b></p> <p><input type="checkbox"/> actively supervise a subordinate's performance of any of the above-listed job functions?</p>	<p><input type="checkbox"/> <b>Yes</b></p> <p>Go to Question 6.</p>	<p><input type="checkbox"/> <b>No</b></p> <p></p> <p>The employee does NOT need to file a confidential financial disclosure report.</p>
<p>6. Does the employee receive substantial supervisory review and oversight with very little independent judgment or authority?</p> <p><i>Example: A senior contract specialist develops requests for proposals with substantial independence of action and exercises significant judgment in doing so, even though he is ultimately supervised by the contracting officer. The specialist is participating personally and substantially in the acquisition process and should be required to file a confidential financial disclosure report. By contrast, the contracting intern who assists him in developing portions of the requests does so with significant oversight from the specialist and the contracting officer, and therefore, should not be required to file.</i></p>	<p><input type="checkbox"/> <b>Yes</b></p> <p></p> <p>The employee does NOT need to file a confidential financial disclosure report.</p>	<p><input type="checkbox"/> <b>No</b></p> <p></p> <p>The employee SHOULD file a confidential financial disclosure report.</p>

Printed Name and Signature of Supervisor: \_\_\_\_\_

Email and Phone Number: \_\_\_\_\_