



Approved for Release

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Date

DEPARTMENT OF COMMERCE  
CHIEF FINANCIAL OFFICER AND ASSISTANT SECRETARY FOR ADMINISTRATION  
OFFICE OF ADMINISTRATIVE SERVICES

PROPERTY BULLETIN # 004, FY11

**SUBJECT:** Revision to the Department of Commerce Personal Property Management Manual, Section 3.907, Recommendation of Liability for Employees

**EFFECTIVE DATE:** February 1, 2011

**EXPIRATION DATE:** Effective until canceled or superseded

**SUPERSEDES:** Not Applicable

**BACKGROUND:** Chapter 3.900 of the Department of Commerce (DOC) Personal Property Management Manual (PPMM), entitled *Property Board of Review System*, establishes the authorities and responsibilities for each Operating Unit's Property Management Officer regarding the circumstances surrounding loss, theft, damage, destruction, or other circumstances adversely affecting personal property. It authorizes the appointment of a Property Board of Review, which examines facts to determine and establish the extent of personal liability based upon findings.

**PURPOSE:** The purpose of this property bulletin is to formally address a revision to the DOC PPMM, Section 3.907, *Recommendation of Liability for Employees*.

**PROCEDURES/APPLICABILITY:** This guideline shall apply to all Department Property Officials and will serve as a revision to the DOC PPMM, dated October 2007. This manual, upon revision, will reflect two modifications. Listed below is the current policy documented in the DOC PPMM and the recommended modifications.

**Section 3.907, Recommendation of Liability for Employees, Part A**

**Current:** Part (a) of this paragraph currently reads, "Employees will not be determined to be liable for loss, damage or destruction attributable to inadequate supervision or instruction, negligence or inherent defects in the property".

**Modification:** This property bulletin will modify the paragraph to read, "Employees will not be determined to be liable for loss, damage or destruction attributable to inadequate supervision or instruction, or inherent defects in the property".

This modification removes the word "negligence" from DOC PPMM Section 3.907.

### **Section 3.907, Recommendation of Liability for Employees, Part B**

**Current:** Part (b) of this paragraph reads, “Under circumstances other than the above, a recommendation to hold an employee liable will be made when facts show:

- (1) That the property was missing, damaged or destroyed as a result of it being used for other than official purposes;
- (2) That the loss, damage or destruction was due to simple or ordinary neglect or negligence, which is an act or the failure of the employee to exercise the degree of precaution, attention and vigilance necessary to protect the interest of the Government; **and**
- (3) That the loss, damage or destruction was due to gross negligence, which is an act or omission of the employee’s willful negligence, or a wanton and reckless disregard for property.”

**Modification:** This property bulletin will modify the paragraph to read, “Under circumstances other than the above, a recommendation to hold an employee liable will be made when facts show:

- (1) That the property was missing, damaged or destroyed as a result of it being used for other than official purposes;
- (2) That the loss, damage or destruction was due to simple or ordinary neglect or negligence, which is an act or the failure of the employee to exercise the degree of precaution, attention and vigilance necessary to protect the interest of the Government; **or**
- (3) That the loss, damage or destruction was due to gross negligence, which is an act or omission of the employee’s willful negligence, or a wanton and reckless disregard for property.”

This modification updates the wording “and” to “or” under Section B.2 of the DOC PPMM 3.907.

**REFERENCES:** DOC PPMM, dated October 2007.

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