Template for Executive Branch Agency Policies on Performance Appraisal Changes for Senior Professional Employees

Template General Instructions

1. The purpose of this document is to provide federal agencies with a template that they may quickly adapt to align their internal federal employee policies on performance appraisals with OPM's final regulations on Managing Senior Professional Performance (5 CFR part 430, subpart E).
2. This template presents policy for an entire Executive agency, since the regulations affected by this rule define "agency" as an Executive agency in 5 U.S.C. 105 or any other entity for which OPM has approved establishment of scientific or professional positions under 5 U.S.C. 3104. Executive agencies may delegate authority consistent with law, regulations, and Administration policies in implementing these changes.
3. Agencies must submit their proposed senior professional performance appraisal system(s) to OPM for approval under 5 CFR 430.514 and should align their policies with OPM guidance.
4. In the template, brackets are used to show template instructions or notes that would not be part of the policy document issued by the agency. Those instructions and notes are intended to assist agencies as they use the template to create an agency policy document.

Template Policies on Performance Appraisals for Senior Professional Employees

[Instructions: This document sets forth changes to agency policies on performance appraisals for senior professional employees. The policy provisions contained in this template are required to ensure compliance with law, OPM's regulation establishing performance appraisal requirements for senior professional employees, and Administration policy. Agencies may adapt this template to meet their mission needs, provided the required provisions are retained.]

A. Applicability

This policy applies to all senior professional employees at [AGENCY NAME], that is, employees in senior-level (SL) positions classified above GS-15 pursuant to 5 U.S.C. 5108 and scientific or professional (ST) positions established under 5 U.S.C. 3104, who are paid under 5 U.S.C. 5376.

B. Authority

5 U.S.C. Chapter 43; 5 CFR part 430, subpart E.

C. Policy

Agencies are required to develop one or more performance appraisal systems to: provide for periodic appraisals of employees' job performance, encourage employee participation in establishing performance standards, and use the results of performance appraisals as a basis for training, rewarding, retaining, and removing employees (see 5 U.S.C. 4302). [AGENCY NAME] senior professional employees are evaluated against the critical elements and performance requirements in their performance plans by applying established performance standards. Rating officials develop each senior professional's performance plan in consultation with the senior professional and communicate the plan in writing on or before the beginning of the appraisal period or upon appointment to a new SL or ST position. [AGENCY NAME]'s senior professional performance appraisal system(s) also recognize and reward senior professionals based on performance, serve as a basis for adjusting pay, assist senior professionals in improving unacceptable performance, and are used to remove senior professionals who continue to have unacceptable performance after an opportunity to demonstrate acceptable performance.

D. Procedures

a. Standardized Distribution of Summary Rating Levels

Under 5 CFR 430.505(d), OPM may establish, and refine as needed, a standardized distribution of some or all rating levels for senior professionals, which agencies must apply when rating senior professionals, except that senior professionals appointed under Schedule C or G in the excepted service are excluded. [AGENCY

NAME] will apply any rating distribution requirements established in OPM's annual guidance.

b. Summary Performance Levels

[AGENCY NAME]'s senior professional performance appraisal system(s) will use the five summary performance levels established in 5 CFR 430.505(a)(6).

c. Performance Appraisal Process

i. Senior professional performance plans must contain the critical elements, performance standards, and performance requirements as established in the latest Governmentwide *Senior Professional Performance Appraisal System*.

ii. Rating officials must monitor each senior professional's performance throughout the appraisal period, hold progress reviews at least quarterly, inform senior professionals how well they are performing, and provide advice and assistance on how to improve performance.

iii. Appraisals of senior professional performance are based on both individual and organizational performance within the senior professional's area of responsibility and control, taking into account results achieved in accordance with agency mission and strategic planning initiatives, the overall quality of performance, performance appraisal guidelines provided by the oversight official, customer perspectives, and compliance with the merit system principles set forth in 5 U.S.C. 2301 (5 CFR 430.508(d)).

iv. The appraisal cycle is the fiscal year (October 1 through September 30), and the minimum appraisal period is 90 days. When a rating of record cannot be prepared at the time specified, the appraisal period must be extended and the rating prepared as soon as practicable. A rating of record may not be carried over to a subsequent appraisal period without an actual evaluation of the senior professional's performance during that period.

v. The rating of record is derived through the mathematical method prescribed in the Governmentwide *Senior Professional Performance Appraisal System*. If any critical element is rated Unacceptable (Level 1), the rating of record is Unacceptable.

vi. The rating official must develop an initial summary rating in writing and share it with the senior professional, who may respond in writing. Upon request, the senior professional must be provided an opportunity for higher-level review of the initial summary rating before the rating is given to the Performance Review Board (PRB). The reviewing official may not change the initial summary rating but may recommend a different rating to the PRB.

vii. [For agencies employing ten or more senior professionals:] [AGENCY NAME]'s agency-level PRB established under 5 CFR 430.511, or an

equivalent body if the agency is not subject to the Senior Executive Service, reviews the initial summary rating, any written response, and any higher-level review findings and makes written recommendations to the approving official on ratings of record, performance awards, and pay adjustments (see 5 CFR part 534, subpart E). A PRB performing centralized review for a career senior professional must have a majority of career appointees.

viii. The approving official assigns the rating of record after considering the PRB's recommendations and communicates it to the senior professional in writing (normally within 3 months after the end of the appraisal period). Senior professional performance appraisals and ratings are not appealable except as otherwise provided under applicable law or regulation (5 CFR 430.509(e)).

ix. For details or temporary reassignments of 120 days or longer, the gaining organization must set performance goals and requirements and provide a written appraisal for the rating official to consider in deriving the initial summary rating. A senior professional who is reassigned or transfers after completing the minimum appraisal period must receive a written appraisal before departure, and the most recent rating of record and any subsequent appraisals must be transferred to the gaining agency.

x. [Insert additional elements of the agency's performance management policy or closeout guidance detailing its specific timelines for initial summary ratings, higher-level reviews, PRB membership and meeting dates, and ratings of record.]

d. Addressing Unacceptable Performance

A senior professional may be suspended, demoted, or removed from the civil service for unacceptable performance, subject to 5 U.S.C. 4303, 7503, and 7513. If at any time during the appraisal period the rating official determines that a senior professional's performance is unacceptable in one or more critical elements, the rating official must provide the senior professional a Performance Improvement Plan (PIP) affording 30 days to demonstrate acceptable performance.

e. Training, Evaluation, and OPM Review

[AGENCY NAME] will provide appropriate information and training to agency leadership, rating officials, and senior professionals on performance management; will periodically evaluate the effectiveness of its senior professional performance appraisal system(s) and implement improvements as needed; will maintain all performance-related records for no fewer than 4 years from the date the rating of record is issued; and will submit its proposed system(s) to OPM for approval and take any corrective action directed by OPM (5 CFR 430.513 and 430.514).