

## **5 CFR AND DODI 1400.25 V431 EXCERPTS**

### **(Lesson 5 – Monitoring Performance)**

#### **5 CFR § 430.207.**

##### **Monitoring Performance**

(a) *Minimum period.* An appraisal program shall establish a minimum period of performance that must be completed before a performance rating may be prepared.

(b) *Ongoing appraisal.* An appraisal program shall include methods for appraising each critical and non-critical element during the appraisal period. Performance on each critical and noncritical element shall be appraised against its performance standard(s). Ongoing appraisal methods shall include, but not be limited to, conducting one or more performance discussions during each appraisal period.

(c) *Marginal performance.* Appraisal programs should provide assistance whenever performance is determined to be below “Fully Successful” or equivalent but above “Unacceptable.”

(d) *Unacceptable performance.* An appraisal program shall provide for

(1) Assisting employees in improving unacceptable performance at any time during the appraisal period that performance is determined to be unacceptable in one or more critical elements; and

(2) Taking action based on unacceptable performance.

##### **Monitoring Performance**

*Unacceptable performance.* An appraisal program shall provide for

(1) Assisting employees in improving unacceptable performance at any time during the appraisal period that performance is determined to be unacceptable in one or more critical elements; and

(2) Taking action based on unacceptable performance.

#### **5 CFR § 432.104.**

##### **Addressing unacceptable performance.**

At any time during the performance appraisal cycle that an employee’s performance is determined to be unacceptable in one or more critical elements, the agency shall notify the employee of the critical element(s) for which performance is unacceptable and inform the employee of the performance requirement(s) or standard(s) that must be attained in order to demonstrate acceptable performance in

his or her position. The agency should also inform the employee that unless his or her performance in the critical element(s) improves to and is sustained at an acceptable level, the employee may be reduced in grade or removed. For each critical element in which the employee's performance is unacceptable, the agency shall afford the employee a reasonable opportunity to demonstrate acceptable performance, commensurate with the duties and responsibilities of the employee's position. As part of the employee's opportunity to demonstrate acceptable performance, the agency shall offer assistance to the employee in improving unacceptable performance.

## **DODI 1400.25 V431 EXCERPT – MONITORING PERFORMANCE**

The DoD Performance Management and Appraisal Program:

- (1) Provides a framework for supervisors and managers to communicate expectations and job performance.
- (2) Links individual employee performance and organizational goals.
- (3) Facilitates a fair and meaningful appraisal of employee performance.
- (4) Establishes a systematic process for planning, monitoring, evaluating, and recognizing and rewarding employee performance that contributes to mission success.
- (5) Nurtures a high-performance culture that promotes meaningful and ongoing dialogue between employees and supervisors and holds both accountable for performance.
- (6) Supports and is consistent with merit system principles in section 2301 of title 5, U.S.C.

**3.4. Monitoring Performance.** Monitoring performance consists of ongoing appraisal of performance compared to the stated expectations and ongoing feedback to employees on their progress toward reaching their goals.

- a. **Continuous Monitoring of Performance.** By monitoring performance throughout the appraisal cycle, supervisors can provide timely feedback on meeting expectations and identify performance deficiencies during the appraisal cycle in order to provide assistance to improve performance, rather than waiting until the end of the cycle when a rating of record is assigned. Additionally, while monitoring performance, supervisors may identify an employee's need for training or developmental opportunities in order to enhance the knowledge, skills, or abilities related to the employee's job performance in his or her current position.
- b. **Performance Discussions.** The supervisor and employee will discuss the employee's work performance and its link to organizational effectiveness. The discussions may consist of verbal feedback sessions, regular one-on-one meetings, or impromptu recognition or acknowledgement of performance. Supervisors or employees may initiate performance discussions at any time during the appraisal cycle to foster ongoing engagement and understanding. Performance discussions help ensure that the performance plans accurately reflect the work being evaluated. Effective communications include ongoing, meaningful feedback to contribute to overall employee and organizational success.

**c. Progress discussions.** Progress discussions may only be initiated by supervisors. They are performance discussions that must be documented in the MyPerformance appraisal tool. While employees must have at least one documented progress discussion, providing additional progress discussions throughout the appraisal cycle is encouraged. Employees are not given a performance narrative or performance element ratings on performance discussions. The supervisor and employee should engage in meaningful communications throughout the appraisal cycle to convey:

- (1) Organizational goals and priorities.
- (2) Performance elements and standards, including ensuring the performance plan accurately reflects the work being evaluated.
- (3) Supervisor's expectations.
- (4) Employee's accomplishments and contributions.
- (5) Employee's level of performance, including any areas that need improvement.
- (6) Barriers to success.
- (7) Employee's developmental needs and career goals.

**3.9. Identifying and Improving Unacceptable Performance.** Supervisors who communicate their expectations and provide constructive, timely, and meaningful feedback to their employees on a regular basis about performance may more readily identify and reduce instances of performance deficiencies and prevent issues from becoming serious performance problems.

**a. Addressing Performance Issues Early.** At any point during the appraisal cycle, when a supervisor detects a decline in performance, early intervention is imperative. Assistance should be provided to the employees early on, whenever there is a need for improvement or any time there is a decline in performance. The supervisor should take the following actions, as appropriate:

- (1) Clearly communicate to the employee that current performance fails to meet the performance standards described in the performance plan; provide clear guidance as to what is needed in order for the employee to improve; and provide specific examples of what and how work has not met expectations, as well as examples of work that would meet expectations.
- (2) Offer appropriate assistance.
- (3) Provide ideas of where the employee may go to obtain additional assistance or training, if applicable.
- (4) Provide closer supervision and feedback. This might include more frequent reporting, special assignments, or on-the-job training.
- (5) If performance issues persist, use a more formal approach to help employees improve and seek assistance from the human resources office.

**b. Addressing Unacceptable Performance.** If the employee's performance declines to less than "Fully Successful" in one or more performance elements, the supervisor, in consultation with the servicing human resources office to determine whether action is more appropriate under section 432.105 or part

752 of title 5, CFR, and must provide notice of the performance deficiencies. The supervisor must also provide assistance designed to help the employee improve his or her performance during an opportunity period to demonstrate acceptable performance. The procedures contained in sections 432.104 and 432.105 of title 5, CFR must be followed if action is being taken under section 432.105 of title 5, CFR. The procedures are:

(1) The supervisor must identify in writing (e.g., in a PIP):

- (a) Element(s) in which performance is “Unacceptable” and a description of the unacceptable performance.
- (b) What standards the employee must attain in order to demonstrate “Fully Successful” performance.
- (c) The time allowed for the opportunity to improve. The time allowed must be reasonable, commensurate with the duties and responsibilities of the position, typically 30-90 calendar days.
- (d) Statement of the possible consequences of failure to raise performance to the “Fully Successful” level during the opportunity period

(2) If the employee fails to demonstrate performance at the “Fully Successful” level despite the PIP, the employee may be reduced in grade or removed from federal service pursuant to section 432.105 of title 5, CFR. The employee may also be subject to reassignment at the DoD Component’s discretion.