



Frequently Asked Questions Policy Changes for Employee Performance Management

Status

Question: When will the new DR be effective?

Answer: The updated DR 4040-430 [Employee Performance Management](#), will be effective with the upcoming performance year, which starts October 1, 2018.

Implementing the Executive Order

Question: Why are we changing our policies now, instead of waiting for Congress to change the law to match the Executive Order, and for OPM to write new regulations?

Answer: The performance management provisions in Executive Order 13839, [Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles](#) (EO), are already consistent with 5 U.S.C. 43 [Performance Appraisal](#), 5 CFR 430 [Performance Management](#), and 5 CFR 432 [Performance Based Reduction in Grade and Removal Actions](#). The EO changes only the practices Federal agencies have adopted over the years, rather than the original legislation and regulations.

Establishing Performance Expectations

Question: Why are we being required to establish performance standards at the *Exceeds Fully Successful* level?

Answer: It's important for employees to know exactly what needs to be done for each performance element to be rated at the *Exceeds Fully Successful* level. This allows them to decide whether to pursue the higher expectations to attain the higher rating.

Employees are encouraged to propose substantive projects that could support the *Exceeds* level, e.g., initiatives they are willing to undertake to improve the customer experience, or other program innovations. Supervisors will make the final determination as to what will be defined at the *Exceeds* level, but this is an opportunity for employees to suggest projects that will enhance the program areas for which they're responsible.

Ongoing Feedback

Question: Why will we be required to have quarterly reviews?

Answer: Managing employees' performance is one of a supervisor's most important responsibilities, and providing ongoing feedback is crucial to doing that well. These conversations should not only provide feedback on how an employee is doing, they should cover any new projects, changes in work priorities, and difficulties the employee is encountering that may impact the original performance expectations.

A quarterly conversation is also an opportunity to discuss leave plans, and whether they might impact the employee's ability to meet upcoming deadlines.

Accomplishment Reports

Question: Why am I going to have to submit an accomplishment report? Isn't it my supervisor's job to know what I do?

Answer: Performance management is a shared partnership between supervisors and employees, and most employees work with enough independence that their supervisors don't know everything they do on a daily basis (the amount of hands-on supervision an employee receives is also a significant factor in determining the grade of their position). An accomplishment report is an employee's opportunity to document that they met the expectations in their performance plan before their final rating is decided, so it's to the employee's advantage to submit the report.

Performance Ratings

Question: I've always gotten a *Superior* or *Outstanding* rating, and now I'm being told I can only be rated *Fully Successful*. Why is this?

Answer: Looking across the Department, certain organizations have historically taken a generous approach to ratings, while others have been more conservative. And in many instances, there appears to be a mistaken perception that the default rating is *Outstanding*, and supervisors need to justify giving a rating below that.

Employees unquestionably remain eligible for the higher-level ratings, we're simply defining a common understanding of the expected results that will support those ratings. If an employee does everything described in their performance plan at the *Fully Successful* level, it means they are successfully accomplishing what they were hired to do, and that supports a summary rating of *Fully Successful*.

Question: What would I need to do to get a higher rating?

Answer: This is where the *Exceeds Fully Successful* performance standards come in.

A rating of *Superior* means the employee did something significantly more than what's required of their position – that they met the expectations at the *Exceeds* level in the majority of their elements. Being rated *Exceeds* on an element is not an easy accomplishment, and it can't be granted simply because someone did everything at the *Fully Successful* level, and did it well; it means they did something demonstrably above the normal expectations for their position.

The *Outstanding* rating is reserved for performance that substantially and tangibly exceeded the normal expectations of the job in every aspect. Even the best employees can rarely sustain this level of effort year after year – it's an extremely high bar.

Dealing with Performance Problems

Question: What happened to the 60-day PIP?

Answer: For decades, the term “PIP,” or *performance improvement period*, represented the idea that when an employee is performing below what’s expected of their position, they are given at least 60 days to improve their performance.

The actual requirement in 5 CFR 432 is that employees be given a reasonable opportunity to *demonstrate acceptable performance*, and so we are changing our terminology to *Demonstration Opportunity*, or “DO.” The underlying principle is that employees already have the capacity to do the jobs they were hired to do, and when their performance slips we will give them an opportunity to show that they can still do the job at that *Fully Successful* level.

The CFR does not define “reasonable opportunity,” but consistent with decisions from the Merit Systems Protection Board and with the Executive Order, we anticipate that in most cases, a 30 day DO will be sufficient.

The new requirements for quarterly reviews will greatly benefit employees in this context – supervisors won’t be letting long periods of time slide by before letting employees know there are concerns with their performance.

Question: What happens if I accept a promotion, or a new role? Can my supervisor decide right away that I’m not performing at the Fully Successful level and put me on a DO?

Answer: If an employee accepts a new position or is assigned to a new role, they must be given an opportunity to learn the job – in fact, their performance standards should reflect the expectations for what they need to do to learn the new position.

Union Contracts

Question: What if I am in a bargaining unit? Is the language in the existing contract still valid, or will the new requirements be implemented right away?

Answer: Whether the new performance management directive will take precedence over language in the existing contract will depend on a number of factors, including how the parties to the labor agreement have interpreted the particular contract provision in the past. Because every labor agreement is unique, we advise bargaining unit employees to consult directly with their designated union representative regarding this matter.
