

Office of Personnel Management

Internal Process for SES, SL, and ST Performance and Misconduct

Rating Official Guidance

By law, each agency is required to develop a performance appraisal system or systems for its senior executives, senior level employees, and scientific or professional employees (SL or ST employees). By law, the agency rating official for a given senior executive is required to issue performance requirements for the position that individual is encumbering and to appraise the performance of the senior executive against those requirements. Similarly, the agency rating official for a given SL or ST employee must establish performance standards to permit the accurate evaluation of job performance against objective criteria. Rating officials must consider all available evidence that affects the employee's level of performance with respect to these requirements or standards, including information about misconduct when it affects that performance.

The annual guidance and call for performance narratives and initial summary ratings will include the following language:

If you supervise an SES, SL, or ST employee, you must assign an initial summary rating, and communicate it to each subordinate by the deadline. Your rating assessment must be based on the evidence of performance against the written performance requirements or standards issued for the position with respect to the relevant rating period. Within that framework, you must consider all relevant indicia of levels of performance, considering the performance elements applicable to the position and the relationship between organizational success and individual employee performance, as appropriate. If misconduct has affected performance, you must consider evidence of such misconduct in assessing performance against the applicable requirements or standards.

Performance Review Board Guidance

The Deputy Chief Human Capital Officer will provide the Performance Review Board with information regarding misconduct that has impacted the performance for any SES, SL or ST employee, as appropriate. The Performance Review Board must take into account the impact of any documented misconduct on the executive's performance, within the parameters of the applicable performance requirements or performance standards for the underlying position during the relevant appraisal period when making recommendations on appraisals and performance awards.

Inserted into the annual guidance to the members of the Performance Review Board:

Review performance documentation for each SES, SL, or ST.

- *Where applicable, consider the impact of documented misconduct on the individual's performance under the relevant performance requirements or performance standards.*

Training Materials

The Executive Performance Management System training materials have been updated to include specific references to rating official and Performance Review Board responsibilities related to the consideration of the impact of documented misconduct on performance, as described above.