



POLICY STATEMENT

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SENIOR EXECUTIVE SERVICE PERFORMANCE MANAGEMENT

I. COVERAGE

This Policy Statement specifies how the Agency's official Senior Executive Service (SES) Performance Management System Description is implemented in both the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) and the Pretrial Services Agency for the District of Columbia (PSA). In this document, CSOSA and PSA are collectively referred to as "Agency." This performance management policy applies to all career, non-career, limited term and limited emergency senior executives covered by subchapter II of chapter 43 of title 5, United States Code. The provisions in this policy apply to both CSOSA and PSA, except when otherwise specified, and adhere to the Agency's Official SES Performance Management System Description as approved by OPM (see Appendix A).

II. BACKGROUND

The Policy for SES members in the Agency is established according to relevant law and regulation and is based on the following principles:

- A. The Agency will create the conditions for the accomplishment of mission objectives. The SES Policy provides the leadership necessary to achieve CSOSA's and PSA's individual missions.
- B. The Agency's leaders and managers create a climate for excellence by communicating their vision, values, and expectations clearly and by:
 - 1) creating an environment in which every employee may excel, regardless of race, color, religion, sex, age, national origin, disability, sexual orientation, and which is free of sexual and other types of harassment;
 - 2) creating an environment for continual learning;

- 3) working in partnership with employees to ensure they reach their full potential;
- 4) recognizing and rewarding excellence with financial incentives and non-financial incentives;
- 5) taking timely action to reward or correct performance appropriately, and ensuring that excellence is the standard for all;
- 6) creating an organizational culture that emphasizes performance-based results and customer-focused service;
- 7) recognizing that leaders, managers, and employees have a mutual obligation to provide value and excellence and requiring all individuals to be continually challenged to perform their best; and
- 8) taking action to improve the performance of each individual, which is imperative to achieving CSOSA's and PSA's missions.

C. The Agency Policy implements assessment processes that:

- 1) focus on results-oriented measures;
- 2) incorporate organizational performance results into decisions about individual performance ratings and recognition;
- 3) use performance data as a basis to adjust pay, reward, reassign, develop, or remove senior executives;
- 4) make meaningful distinctions in individual performance by setting distinct, specific percentages for each rating level for pay adjustments;
- 5) include strong oversight to ensure that performance ratings are fair and credible;
- 6) require annual performance appraisals and progress reviews; and
- 7) ensure ratings are not given arbitrarily or on a rotational basis.

D. Individual performance plans under the Agency Policy:

- 1) are developed collaboratively between the rating official and the SES member;
- 2) align performance requirements with CSOSA or PSA mission objectives;
- 3) include demonstrable, measurable, results-oriented performance requirements;

- 4) contain balanced measures that include employee and customer perspectives and feedback, as follows:
 - a) **Employee Perspective:** The executive must formally seek and consider feedback from employees on issues relating to performance of the work and work processes. Employee perspective focuses on internal dynamics that establish the working environment and drive key organizational human capital programs, including employee development and retention. Meaningful dialogue must take place between the supervisor and employee regarding performance goals. This will improve employee understanding of the Agency's goals and positively affect employee engagement and overall performance; and
 - b) **Customer Perspective:** The executive must formally gather and consider customer feedback on organizational outputs and work processes. Customer perspective considers the organization's performance through the eyes of its customers, so that the organization retains a careful focus on the customer needs and satisfaction. Senior executives must determine who their customers are and what these customers expect from them in the context of the Agency's mission and goals.

III. POLICY

- A. The Agency Policy is established to hold senior executives accountable for their individual and organizational performance to drive organizational excellence and results, including improving the overall efficiency of the agency. The Agency recognizes the importance of linking its strategic planning, budget and performance integration, performance appraisal, pay, and other award programs to the management of its human resources to promote efficient and effective attainment of the missions, program objectives, and strategic goals and initiatives of both PSA and CSOSA. The Agency's Policy for SES members provides a documented record of management expectations and an individual's achievement of, or contribution to, those expectations.
- B. CSOSA and PSA expect to achieve excellence in senior executive performance by:
 - 1) linking performance management with the results-oriented goals of the Government Performance and Results Act of 1993 (GPRA), the GPRA Modernization Act of 2010 and other strategic planning initiatives;
 - 2) setting and communicating individual and organizational goals and expectations;
 - 3) systematically appraising senior executive performance by balancing organizational results with customer, employee, or other perspectives;
 - 4) using performance results as a basis for pay, awards, development, retention, removal, and other personnel decisions;
 - 5) enforcing individual accountability for accomplishing CSOSA or PSA goals and objectives; and

- 6) providing an annual assessment of Agency performance overall and for each of its major program and functional areas.

C. To ensure maximum effectiveness of its SES Policy implementation, the Agency will:

- 1) provide appropriate information and training on performance management;
- 2) periodically evaluate the effectiveness of their systems;
- 3) maintain all performance related records in accordance with relevant law and regulation;
- 4) submit proposed systems to the Office of Personnel Management (OPM) for approval as required; and
- 5) conform to requirements and comply with direction for corrective action from OPM resulting from reviews of the Agency's performance management.

IV. AUTHORITIES, SUPERSEDURES, REFERENCES AND ATTACHMENTS

A. Authorities

5 U.S.C. §§ 4311-4314 Subchapter II (SES Performance Appraisals);
5 U.S.C. § 5382 (SES Pay);
D.C. Code § 23-1206
5 CFR Part 430, Subpart C and D (Managing SES Performance);
5 CFR § 430.405 (certification);
5 CFR Part 359 (Removal from SES);
5 CFR Part 451 (Awards);
5 CFR Part 534, Subpart D (Pay and Performance Awards under SES); and
5 CFR Part 293

B. Policy Supersedures

This Policy Statement supersedes the current CSOSA/PSA Policy Statement, "Senior Executive Service Performance Management System" dated April 4, 2008.

C. Procedural References

None

D. Attachments

Appendix A - OPM approved Agency SES Performance Management System Description (2012)
Appendix B - Definitions
Appendix C - Responsibilities
Appendix D - General Procedures
Appendix E - Performance Review Boards
Appendix F - SES Performance Management System - Executive Performance Agreement
Template

APPENDIX A
SENIOR EXECUTIVE PERFORMANCE MANAGEMENT SYSTEM DESCRIPTION
Court Services and Offender Supervision Agency
Pretrial Services Agency

1. System Coverage

The Court Services and Offender Supervision Agency (CSOSA) and the Pretrial Services Agency (PSA) (hereafter referred to collectively as the Agency) Senior Executive Service (SES) performance management system applies to all career, noncareer, limited term and limited emergency CSOSA and PSA senior executives covered by subchapter II of chapter 43 of title 5, United States Code.

2. Definitions

- *Appointing authority* means the agency head or designee with authority to make appointments in the Senior Executive Service.
- *Appraisal period* means the established period of time for which a senior executive's performance will be appraised and rated.
- *Balanced measures* means an approach to performance measurement that balances organizational results with the perspectives of distinct groups, including customers and employees.
- *Critical element* means a key component of an executive's work that contributes to organizational goals and results and is so important that unsatisfactory performance of the element would make the executive's overall job performance unsatisfactory.
- *Performance* means the accomplishment of the work described in the senior executive's performance plan.
- *Performance appraisal* means the review and evaluation of a senior executive's performance against performance elements and requirements.
- *Performance management system* means the framework of policies and practices that an agency establishes under subchapter II of chapter 43 of title 5, United States Code, for planning, monitoring, developing, evaluating, and rewarding both individual and organizational performance and for using resulting performance information in making personnel decisions.
- *Performance requirement* means a statement of the performance expected for a critical element.
- *Progress review* means a review of the senior executive's progress in meeting the performance requirements. A progress review is not a performance rating.
- *Ratings:*
 - *Initial summary rating* means an overall rating level the supervisor derives from appraising the senior executive's performance during the appraisal period and forwards to the Performance Review Board.
 - *Annual summary rating* means the overall rating level that an appointing authority assigns at the end of the appraisal period after considering a Performance Review Board's recommendations. This is the official rating.

- *Senior executive performance plan* means the written summary of work the senior executive is expected to accomplish during the appraisal period and the requirements against which performance will be evaluated. The plan addresses all critical elements established for the senior executive.
- *Strategic planning initiatives* means agency strategic plans, annual performance plans, organizational work plans, and other related initiatives.

3. Appraisal Period

- **Appraisal Period.** Executives must be appraised at least annually on their performance and an annual summary rating must be assigned for the relevant period of performance of each year which is from October 1 to September 30.
- **Minimum Period.** The minimum period of performance that must be completed before a performance rating can be given is 90 days.
- **Adjusting Appraisal Period.** The agency may end an appraisal period at any time after the minimum appraisal period is completed, if there is an adequate basis on which to appraise and rate the senior executive(s).
- **Transition Period.** The agency may not appraise and rate any career executive within 120 days after the beginning of a new Presidential administration.

4. Summary Performance Levels

- The system includes five summary performance levels:
 - Level 5 (Outstanding = O)
 - Level 4 (Exceeds Fully Successful = EFS)
 - Level 3 (Fully Successful = FS)
 - Level 2 (Minimally Satisfactory = MS)
 - Level 1 (Unsatisfactory = US)

5. Planning Performance: Critical Elements

- Supervisors must establish performance plans for senior executives in consultation with the senior executives and communicate the plans to them on or before the beginning of the rating period.

Each senior executive performance plan shall include, as a minimum, the following critical elements and performance requirements:

- **Leading Change**

Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.

- **Leading People**

Designs and implements strategies that maximize employee potential, connect the organization horizontally and vertically, and foster high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.

○ **Business Acumen**

Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.

○ **Building Coalitions**

Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.

○ **Results Driven**

This critical element includes specific performance results expected from the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.

The Results-Driven critical element must also identify clear, transparent alignment to relevant agency or organizational goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or

other organizational planning document in the designated section for each performance result specified.

- Executive performance plans must include the Governmentwide SES performance requirements as written and may include additional agency-specific performance requirements written as competencies or specific results/commitments associated with the element.
- Senior executive performance plans must include additional, specific performance requirements for each objective listed under the Results-Driven element. Performance requirements for the Results Driven element must include measures, targets, and timelines.
- The performance requirements in the executive performance plan describe performance at the fully successful level, as established in the Fully Successful performance standard contained in section 6 of this document.
- Each critical element must be assigned a weight value, with the total weights adding to 100 percent.
 - The minimum weight that can be assigned to the Results Driven critical element is 20 percent.
 - The minimum weight that can be assigned to the other four critical elements is 5 percent.
 - No single performance element can be assigned a greater weight than the Results Driven element.
 - Weights will be established annually, and can vary from executive to executive depending on their position descriptions.
- The gaining organization must set performance goals and requirements for any detail or temporary assignment of 120 days or longer and appraise the performance in writing. The executive's rating official will factor this appraisal into the initial summary rating.

6. *Planning Performance: Performance Standards for Critical Elements*

The performance standard for each critical element is specified below.

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or government-wide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way. Performance may be demonstrated in such ways as the following examples:

- Overcomes unanticipated barriers or intractable problems by developing creative solutions that address program concerns that could adversely affect the organization, agency, or Government.
 - Through leadership by example, creates a work environment that fosters creative thinking and innovation; fosters core process re-engineering; and accomplishment of established organizational performance targets.
 - Takes the initiative to identify new opportunities for program and policy development and implementation or seeks more opportunities to contribute to optimizing results; takes calculated risks to accomplish organizational objectives.
 - Accomplishes objectives even under demands and time pressure beyond those typically found in the executive environment.
 - Achieves results of significant value to the organization, agency, or Government.
 - Achieves significant efficiencies or cost-savings in program delivery or in daily operational costs of the organization.
- **Level 4:** The executive demonstrates a very high level of performance beyond that required for successful performance in the executive's position and scope of responsibilities. The executive is a proven, highly effective leader who builds trust and instills confidence in agency leadership, peers, and employees. The executive consistently exceeds established performance expectations, timelines, or targets, as applicable. Performance may be demonstrated in such ways as the following:
- Advances progress significantly toward achieving one or more strategic goals.
 - Demonstrates unusual resourcefulness in dealing with program operations or policy challenges.
 - Achieves unexpected results that advance the goals and objectives of the organization, agency, or Government.
- **Level 3:** The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and often exceeds challenging performance expectations established for the position. Performance may be demonstrated in such ways as the following:
- Seizes opportunities to address issues and effects change when needed.
 - Finds solutions to serious problems and champions their adoption.
 - Designs strategies leading to improvements.
- **Level 2:** The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.

- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

7. *Monitoring Performance*

- **Monitor and Provide Feedback.** A supervisor must monitor senior executive performance in accomplishing elements and requirements and provide feedback, including advice and assistance on improving performance, when needed, and encouragement and positive reinforcement, as appropriate.
- **Progress Review.** Each senior executive must receive at least one progress review during the appraisal period. At a minimum the executive must be informed how well he or she is performing against performance requirements.

8. *Rating Critical Elements*

- Ratings for the following critical elements will be determined by assessing the executive’s accomplishments in Leading Change, Leading People, Business Acumen, and Building Coalitions. A score of 0 to 5 (5 being the highest) points will be assigned and marked for each critical element. The ratings of Outstanding, Exceeds Fully Successful, Fully Successful, Minimally Satisfactory, or Unsatisfactory will be marked in both Part 4 and 5 of the form.
- **The Results Driven critical element** will be determined by assessing the executive’s accomplishments in three to five results. The rating official will identify three to five Results, complete with measures, which demonstrate direct linkage with the agency's Strategic Plan for which the executive will be held accountable. The assessment of the Results Driven element is a two-step process:
 - 1) Assign and record individual ratings for each result performance requirements (e.g., Outstanding, Exceeds Fully Successful, Fully Successful, Minimally Satisfactory or Unsatisfactory)
 - 2) Determine the Element Rating for Results Driven by using the following criteria:

Summary Rating	Requirement
Outstanding	Rated O for all results performance requirements
Exceeds Fully Successful	Rated O or EFS for the majority of results performance requirements and no less than FS for the other results performance requirements
Fully Successful	Rated at least FS for all results performance requirements but does not meet the criteria for EFS
Minimally Satisfactory	Rated MS for one or more performance requirement (s)
Unsatisfactory	Rated US for one or more performance requirement (s)

The derived element rating will be recorded in Part 4 and 5, the section labeled Critical Element Summary Rating-Results.

9. Deriving the Summary Rating

- **Critical Element Point Values.** Once the rating for each critical element is determined, the following point values will be assigned to the element ratings:
 - Level 5 = 5 points (Outstanding)
 - Level 4 = 4 points (Exceeds Fully Successful)
 - Level 3 = 3 points (Fully Successful)
 - Level 2 = 2 points (Minimally Satisfactory)
 - Level 1 = 0 points (Unsatisfactory)

- **Derivation Formula.** The derivation formula is calculated as follows:
 - If any critical element is rated Level 1 (Unsatisfactory), the overall summary rating is Unsatisfactory. If no critical element is rated Level 1 (Unsatisfactory), continue to the next step.
 - For each critical element, multiply the point value of the element rating by the weight assigned to that element.
 - Add the results from the previous step for each of the five critical elements to come to a total score.
 - Assign the initial summary rating using the ranges below:
 - 475-500 = Level 5 = O
 - 400-474 = Level 4 = EFS
 - 300-399 = Level 3 = FS
 - 200-299 = Level 2 = MS
 - Any critical element rated Level 1 = Level 1 = US

 - **Example**, with the initial summary rating determined to be Level 4 (Exceeds Fully Successful):

Critical Element	Rating Level	Weight	Score	Summary Level Range
	Initial Element Score		Initial Point Score	
1. Leading Change	4	10	4 x 10 = 40	475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People	5	10	5 x 10 = 50	
3. Business Acumen	3	10	3 x 10 = 30	
4. Building Coalitions	4	10	4 x 10 = 40	
5. Results Driven	4	60	4 x 60 = 240	
Total		100%	400	

- **Initial Rating.** The rating official will develop an initial summary rating, in writing, and share the initial rating with the senior executive.

- **Opportunity for Written Response.** A senior executive may respond in writing to the initial appraisal.
- **Opportunity for Higher Level Review.** The senior executive is entitled upon request to have the initial rating reviewed by a higher level official before that rating is presented to the PRB. The higher level reviewer may not change the initial rating but may recommend a different rating to the PRB and the appointing authority.
- **Forced Distribution.** A forced distribution of rating levels is prohibited.
- **Job Changes or Transfers.** When a senior executive who has completed the minimum appraisal period changes jobs or transfers to another agency, the supervisor must appraise the executive's performance in writing before the executive leaves and the appraisal will be forwarded to the gaining agency.
- **Transferred Ratings.** When developing an initial summary rating for an executive who transfers from another agency, a supervisor must consider any applicable ratings and appraisals of the executive's performance received from the former agency.
- **Extending the Appraisal Period.** If the agency cannot prepare an executive's rating at the end of the rating period because the executive has not completed the minimum appraisal period or for other reasons, the agency must extend the executive's rating period and will then prepare the annual summary rating.
- **Authority for Rating.** The annual summary rating must be assigned by the appointing authority (and may not be delegated to an official who does not have authority to make SES appointments) only after considering the recommendations of the Performance Review Board.

10. Performance Review Boards (PRBs)

- **PRB.** The agency shall establish one or more PRBs to make written recommendations on annual summary ratings to the appointing authority on the performance of senior executives and has appointed members in accordance with 5 CFR 430.310.
- **Membership Number.** Each PRB must have 3 or more members selected by the Director or designee(s) in a manner that ensures consistency, stability, and objectivity in SES performance appraisal. PRB appointments must be published in the Federal Register before service begins.
- **Career Membership.** More than one-half of the PRB's members must be career appointees when considering a career appointee's appraisal or performance award. PRB members may not be involved in deliberations involving their own appraisals.
- **Review Ratings.** The PRB must review and evaluate the initial appraisal and summary rating, the senior executive's response and any recommendation by a higher-level reviewer, and conduct any additional review necessary to make written recommendations to the appointing authority on annual summary ratings, bonuses and (as applicable) pay adjustments for each senior executive.
- **Executive Response.** The PRB must not be provided a proposed initial summary rating to which the executive has not been given the opportunity to respond in writing.
- **Agency/Organizational Performance.** The PRB must be provided and take into account appropriate assessments of the agency/organization's performance when making recommendations.

11. Dealing with Poor Performance

- **Performance Actions.** The agency must : 1) reassign, transfer or remove from the Senior Executive Service a senior executive who has been assigned a Level 1 (Unsatisfactory) final rating; 2) remove from the Senior Executive Service an executive who has been assigned two final ratings at less than Level 3 (i.e., Level 2 or a combination of Levels 2 and 1) within a three year period; and 3) remove from the Senior Executive Service an executive who receives two Level 1 (Unsatisfactory) final ratings within five years. Non-probationary career appointees are removed under procedures in 5 CFR 359 subpart E. Probationary career appointees are removed under procedures in 5 CFR 359 subpart D. (Nothing here shall be interpreted to limit removal of probationary SES employees as permitted by current regulations.) Guaranteed placement in a non-SES position will be provided under 5 CFR 359 subpart G when applicable.
- **Appeal Rights.** Senior executive performance appraisals and ratings may not be appealed. The executive may file a complaint about any aspect of the rating process the executive believes to involve unlawful discrimination (EEOC) or a prohibited personnel practice (Office of Special Counsel). A career appointee being removed from the SES under 5 U.S.C. 3592(a)(2) shall, at least 15 days preceding the date of removal, be entitled, upon request, to an informal hearing before an official designated by the Merit Systems Protection Board.

12. Other System Requirements

- **Appraisal Results.** Results of performance appraisal will be used as a basis for adjusting pay, granting awards, determining training needs and making other personnel decisions.
- **Organizational Assessment and Guidelines.** The agency must assess organizational performance (overall and with respect to each of its particular missions, components, programs, policy areas, and support functions). The agency must also ensure its assessment results and evaluation guidelines based upon them are communicated by the Director (or another official designated by the Director) to senior employees, rating officials, higher level review officials and PRBs so that they may be considered in preparing performance appraisals, ratings and recommendations.
- **Oversight.** The agency head or the official designated by the agency head provides organizational assessments and evaluation guidelines and is responsible to oversee the system and to certify: 1) the appraisal process makes meaningful distinctions based on relative performance; 2) executive ratings take into account assessments of organizational performance; and 3) pay adjustments, awards and pay levels accurately reflect individual and organizational performance. The responsible official designated to provide evaluation guidelines and oversee the appraisal system must do so for the entire executive agency.
- **Performance Distinctions.** Rating officials and PRBs will make meaningful distinctions based on relative performance that take into account assessment of the agency performance against relevant program performance measures.
- **Differences in Pay Based on Performance.** Senior executives who have demonstrated the highest levels of performance will receive the highest annual summary ratings and the

largest corresponding pay adjustments, cash awards and levels of pay, and will be appropriately positioned in the pay range.

13. Training and Evaluation

- **Training.** The agency will provide information and training for executives on the requirements and operation of the agency's performance management and pay-for-performance system, including the results of the previous appraisal period.
- **Evaluation.** The agency will periodically evaluate the effectiveness of the performance management system(s) and implement improvements as needed.

APPENDIX B DEFINITIONS

Annual Summary Rating - the overall rating level that an Appointing Authority assigns at the end of the appraisal period after considering a Performance Review Board's (PRB's) recommendation; this is the official rating.

Appointing Authority - the agency head or designee with authority to make appointments in the Senior Executive Service; the Appointing Authority for CSOSA is the Director, CSOSA; the Appointing Authority for PSA is the Director, PSA.

Appointing Authority for PSA Director - the Chief Judge of the United States Court of Appeals for the District of Columbia Circuit and the Chief Judge of the United States District Court for the District of Columbia, in consultation with the other members of the PSA Executive Committee.

Appraisal Period – the established period of time for which a senior executive's performance is appraised and rated.

Balanced Measures - an approach to performance measurement that balances organizational results with the perspectives of other distinct groups, including customers and employees.

Base Salary or Basic Pay - the annual salary paid to a senior executive, fixed by law or administrative action and exclusive of additional pay.

Critical Element - a key component of an executive's work that contributes to organizational goals and results and is so important that unsatisfactory performance in the element would make the executive's overall job performance "Unsatisfactory."

Executive Resources Board – a panel of Agency or interagency executives who oversee aspects of the SES and advise the Director, CSOSA and Director, PSA.

Executive Committee – for CSOSA, the Executive Committee is the Director's team of executives heading major program areas, providing continuing support to the Director to determine mission requirements, priorities, and optimum business operations, and reviewing organizational results for purposes of input into the executive performance appraisal process.

For PSA, pursuant to D.C Code § 23-1304, Executive committee; composition; appointment and qualifications of Director:

- (a) The Agency shall be advised by an executive committee of seven members, of which four members shall constitute a quorum. The Executive Committee shall be composed of the following persons or their designees: the Chief Judge of the United States Court of Appeals for the District of Columbia Circuit, the Chief Judge of the United States District Court for the District of Columbia, the Chief Judge of the District of Columbia Court of Appeals, the Chief Judge of the Superior Court of the District of Columbia, the United States Attorney

for the District of Columbia, the Director of the District of Columbia Public Defender Service, and the Director of the Court Services and Offender Supervision Agency for the District of Columbia.

(b) The Chief Judge of the United States Court of Appeals for the District of Columbia Circuit and the Chief Judge of the United States District Court for the District of Columbia, in consultation with the other members of the executive committee, shall appoint a Director of the Agency who shall be a member of the bar of the District of Columbia.

Under §23-1306, the PSA Director shall employ a chief assistant who shall be compensated as a member of the Senior Executive Service pursuant to 5382 of title 5, United States Code. The Director shall employ such agency personnel as may be necessary to properly conduct the business of the agency. All employees other than the chief assistant shall receive compensation that is comparable to levels of compensation established for Federal pretrial services agencies.

Initial Summary Rating - the overall rating level the supervisor derives from appraising the senior executive's performance during the appraisal period and forwards to the Performance Review Board (PRB).

Official Rating – the annual final summary rating provided by the Rating Official.

Pay Adjustment - a monetary adjustment to base pay that may be given to a senior executive with at least a “Fully Successful” annual final summary rating.

Performance – the accomplishment of work described in the senior executive's performance agreement.

Performance Agreement – the written summary of annual performance requirements against which the executive's performance will be evaluated.

Performance Appraisal - the review and evaluation of a senior executive's performance against performance elements and requirements.

Performance Award - optional lump sum payment, ranging from 5% to 20% of basic salary awarded to a career SES member who has at least a “Fully Successful” annual rating.

Performance Management System - the framework of policies and practices that the Agency establishes under subchapter II of Chapter 43 of Title 5, United States Code, for planning, monitoring, developing, evaluating, and rewarding both individual and organizational performance and for using resulting performance information in making personnel decisions.

Performance Requirement - a statement of the performance expected for a critical element.

Performance Review Board - a group of selected senior executives who make recommendations to an Appointing Authority on the performance of senior executives under the Appointing Authority's supervision.

Progress Review - a review of the senior executive's progress in meeting performance requirements; a progress review is not an official performance rating.

Presidential Rank Award - an award (labeled as "Distinguished" for sustained extraordinary accomplishment and "Meritorious" for sustained accomplishment) given to career SES members to recognize exceptional performance over a period of time.

Rating Official - the supervisor, official, or official body that evaluates the senior executive's performance and determines the initial summary rating.

Results - the outcome of performance expectations for senior executives that apply to his/her areas of responsibility; reflect expected Agency and/or organizational outcomes and/or outputs, performance targets or metrics, policy/program objectives, and/or milestones; and that are stated in terms of measurable, demonstrable, or observable performance.

Reviewing Official - a manager in the organization at a higher level than the Rating Official who reviews the self-assessments, summary narratives, and ratings assigned by the Rating Official.

Self-Assessment - a brief written summary that the SES member prepares describing his/her accomplishments during the appraisal year. The summary is based on a comparison of actual performance with the critical elements and performance requirements, including metrics, in his/her performance plan.

Senior Executive Performance Plan - also referred to as the performance agreement, the written summary of work the senior executive is expected to accomplish during the appraisal period and the requirements against which performance will be evaluated. The plan addresses all critical elements established for the senior executive.

Strategic Planning Initiatives – the Agency's strategic plans, annual performance plans, organizational work plans, and other related initiatives.

APPENDIX C RESPONSIBILITIES

- A. Director, CSOSA and Director, PSA. The Director, CSOSA, is the Appointing Authority for SES positions in CSOSA. The Director, PSA, is the Appointing Authority for SES positions in PSA. The Directors have the following responsibilities for CSOSA and PSA respectively, and work collaboratively in administering the SES program:
- 1) Providing organizational assessments and evaluation guidelines for SES performance appraisal;
 - 2) Overseeing the SES performance management system;
 - 3) Certifying that the appraisal process makes meaningful distinctions based on relative performance; executive ratings take into account assessments of organizational performance; and that pay adjustments, awards and pay levels accurately reflect individual and organizational performance;
 - 4) Approving official ratings at the end of the appraisal period, after recommendations are considered by the PRB;
 - 5) Making final decisions on base salary adjustments, monetary awards, and performance-based pay for SES members;
 - 6) Nominating executives for Presidential Rank Awards;
 - 7) Delegating responsibilities to program managers and executive committees for coordination and evaluation of program activities; and
 - 8) Designating the Chairperson of the Performance Review Boards (PRB) for their respective agency. Neither the Director, CSOSA, or the Director, PSA may Chair the PRB for his/her own agency.
- B. The Director, CSOSA, serves as the rater for the Deputy Director, CSOSA, and all other CSOSA executives. The Director, CSOSA, reserves the right to designate the Deputy Director, CSOSA, as the rater for some or all other CSOSA executives, and may rescind that designation at any time. The Director, CSOSA, is the reviewer for CSOSA executives rated by the Deputy Director, CSOSA.
- C. The Director, PSA, serves as the rater for the Deputy Director, PSA and is the reviewer for PSA SES members. The Director, PSA, reserves the right to designate the Deputy Director, PSA as the rater for some or all other PSA SES members and may rescind that designation at any time.

- D. The Chief Judge of the United States Court of Appeals for the District of Columbia Circuit and the Chief Judge of the United States District Court for the District of Columbia, in consultation with the PSA Executive Committee, are the raters for the Director, PSA.
- E. The Associate Director for the Office of Human Resources, CSOSA (Associate Director, OHR) in coordination with the Director of the Office of Human Capital Management, PSA (Director, OHCM), implements and oversees all aspects of the SES appraisal process. Responsibilities include:
- 1) Coordinating with key Agency officials who have responsibility for strategic and performance planning to ensure that the appraisal process links with strategic planning initiatives as required by law;
 - 2) Developing and implementing appropriate training on SES related issues;
 - 3) Issuing guidelines for the SES Policy;
 - 4) Establishing required PRBs, appointing members and chairpersons, and ensuring that PRB membership is published in the Federal Register;
 - 5) Providing support and oversight of the appraisal process and the PRB; and
 - 6) Collecting organizational assessments and distributing to PRB members and rating officials.
- F. Rating Officials (executives' supervisors) are responsible for:
- 1) Developing performance plans in consultation with senior executives and communicating performance elements and requirements to executives within 30 days of the beginning of the appraisal period;
 - 2) Ensuring that standards reflect the goals and objectives identified in the CSOSA/PSA strategic planning initiatives, and are supported by work plans at the agency level;
 - 3) Conducting at least one progress review with the executive during the rating cycle and other progress reviews as necessary; and
 - 4) Ensuring that the executive being rated is aware of procedures in this policy.
 - 5) Considering all available evidence that affects the employee's level of performance with respect to performance requirements or standards, including information about misconduct when it affects that performance.

- G. Senior executives are responsible for understanding and applying this policy and for participating in the Policy as required.
- H. The PRB is responsible for making recommendations to the Appointing Authority (Director, CSOSA or Director, PSA) on performance ratings and the amounts for the associated performance awards and pay adjustments for Agency executives. The PRB 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.
- I. The Chairperson(s) of the PRB is responsible for administering PRB operations in accordance with guidelines issued by the Directors of CSOSA and PSA or their designees.

APPENDIX D
GENERAL PROCEDURES

A. Appraisal Period

- 1) The Agency's performance appraisal period begins annually on October 1st and ends the following September 30th of the calendar year, unless advanced or delayed by the appropriate authority. Supervisors must establish performance agreements for senior executives in consultation with the senior executives and communicate the plans to them on or before the beginning of the rating period. In the case of an executive entering a new position, as soon as possible (but no later than 30 days) after entry into the position, a written performance agreement must be either developed or reviewed for continued appropriateness.
- 2) Final authority for establishing the elements and requirements rests with the rating official and the plan must be issued within 30 days of the beginning of the rating cycle or after the executive enters the position, even if the executive does not agree with the plan's contents.
- 3) Minimum Period. The minimum performance appraisal period is 90 days. Every senior executive who occupies a covered position must be under performance standards for a minimum of 90 days in order to receive an annual performance appraisal. When a senior executive transfers jobs within and/or outside the CSOSA/PSA after completing the minimum appraisal period, the supervisor must serve as the Rating Official and appraise the executive's performance, in writing, before the executive leaves.
- 4) Adjusting Appraisal Period. The Agency may end the appraisal period any time after the minimum appraisal period is completed, if there is an adequate basis on which to appraise and rate the senior executive's performance.
- 5) Transition Period. A career appointee's performance may not be appraised or rated within 120 days after the beginning of a new Presidential administration.
- 6) If a senior executive fails to complete the established minimum appraisal period because of reassignment, change in rating official, or other reasons, the issue should be discussed with the CSOSA OHR or PSA OHCM and PRB and evaluated on a on a case-by-case basis.
- 7) When a senior executive is detailed or temporarily assigned to another position for more than 120 days, the gaining organization must set performance goals and requirements, and appraise the executive's performance, in writing. The executive's rating official will factor this appraisal into the initial summary rating.
- 8) Details and Position Changes. When the senior executive changes positions during the appraisal cycle, an interim performance appraisal or narrative may be required. Position changes include:
 - a) Position Changes within CSOSA or PSA;

- b) Temporary Assignments within or outside the Agency; and
- c) Transfers to or from other agencies.

B. Strategic Planning Guidance. Before the beginning of the annual SES performance appraisal cycle, CSOSA and PSA each will issue guidance on the SES performance agreements and procedures to ensure that performance plans appropriately reflect strategic initiatives and related requirements.

C. Performance Agreements. The CSOSA/PSA performance management policy requires individual performance agreements that:

- 1) Are developed collaboratively between the rating official and the SES member;
- 2) Align performance requirements with the Agency's mission and objectives;
- 3) Include the Government-wide SES performance requirements as written and may include additional agency-specific performance requirements written as competencies or specific results/commitments associated with each critical element.
- 4) Include demonstrable, measurable, results-oriented performance requirements;
- 5) Contain balanced measures that include the employee perspective (including formally sought and considered feedback from employees on issues relating to performance of the work and work processes) and customer perspectives and feedback (may include formally gathered and considered customer feedback on organizational outputs and work processes); and
- 6) Describe performance at the Fully Successful level, as established in the Fully Successful performance standard contained in Sections E and G of this document.

D. Critical Elements. Performance agreements must at a minimum, include the following five critical elements and element descriptions:

- 1) **Leading Change:** Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.
- 2) **Leading People:** Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to reach their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the

organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct; seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.

- 3) **Business Acumen:** Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.
- 4) **Building Coalitions:** Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.
- 5) **Results Driven:** This critical element includes specific performance results expected from the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.

The Results-Driven critical element must also identify clear, transparent alignment to relevant agency or organizational goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance result specified. Senior executive performance plans must include additional, specific performance requirements for each objective listed under the Results Driven element. Performance requirements for the Results Driven element must include measures, targets, and timelines.

E. **Summary Performance Levels.** The Agency Policy includes five summary performance levels:

- 1) Level 5 (Outstanding)
- 2) Level 4 (Exceeds Fully Successful)
- 3) Level 3 (Fully Successful)
- 4) Level 2 (Minimally Satisfactory)
- 5) Level 1 (Unsatisfactory)

F. Element weights. Each critical element must be assigned a weight value, with the total weights adding to 100 points.

- 1) The minimum weight that can be assigned to the Results Driven critical element is 20 percent.
- 2) The minimum weight that can be assigned to the other four critical elements is 5 percent.
- 3) No single performance element can be assigned a greater weight than the Results Driven element

The Directors of CSOSA and PSA will establish weights for critical elements for senior executives in their respective agency. Weights will be established annually and can vary from executive to executive, depending on their position descriptions.

G. Performance Standards for Critical Elements. The performance standard for each critical element is specified below.

- 1) Level 5: The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or government-wide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way. Performance may be demonstrated in such ways as the following examples:
 - a) Overcomes unanticipated barriers or intractable problems by developing creative solutions that address program concerns that could adversely affect the organization, agency, or the Federal government.
 - b) Through leadership by example, creates a work environment that fosters creative thinking and innovation; fosters core process re-engineering; and accomplishment of established organizational performance targets.
 - c) Takes the initiative to identify new opportunities for program and policy development and implementation or seeks more opportunities to contribute to optimizing results; takes calculated risks to accomplish organizational objectives.
 - d) Accomplishes objectives even under demands and time pressure beyond those typically found in the executive environment.
 - e) Achieves results of significant value to the organization, agency, or the Federal government.
 - f) Achieves significant efficiencies or cost-savings in program delivery or in daily operational costs of the organization.
- 2) Level 4: The executive demonstrates a very high level of performance beyond that required for successful performance in the executive's position and scope of responsibilities. The executive

is a proven, highly effective leader who builds trust and instills confidence in Agency leadership, peers, and employees. The executive consistently exceeds established performance expectations, timelines, or targets, as applicable. Performance may be demonstrated in such ways as the following:

- a) Advances progress significantly toward achieving one or more strategic goals.
 - b) Demonstrates unusual resourcefulness in dealing with program operations or policy challenges.
 - c) Achieves unexpected results that advance the goals and objectives of the organization, agency, or the Federal government.
- 3) Level 3: The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and often exceeds challenging performance expectations established for the position. Performance may be demonstrated in such ways as the following:
- a) Seizes opportunities to address issues and effects change when needed.
 - b) Finds solutions to serious problems and champions their adoption.
 - c) Designs strategies leading to improvements.
- 4) Level 2: The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing a basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.
- 5) Level 1: In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

H. Monitoring Performance

- 1) Monitor and Provide Feedback. A supervisor must monitor senior executive performance in accomplishing elements and requirements and provide feedback, including advice and assistance on improving performance, when needed, and encouragement and positive reinforcement, as appropriate.

- 2) Progress Review. Each senior executive must receive at least one progress review during the appraisal period. At a minimum the executive must be informed how well he or she is performing against performance requirements. The optimum time for a progress review would be at the midpoint of the appraisal period or during the month of April. The progress review cannot be performed later than 90 days prior to the end of the appraisal period.
- 3) If either the rating official or the executive believes that modifications to previously established elements or performance requirements are warranted because of unforeseen shifts in workload or changes in priorities, he/she must be prepared to discuss possible alternatives. If the rating official believes that performance in one or more of the established elements is lacking, he/she should discuss possible corrective actions as well as the ramifications of unimproved performance. The progress review should not be viewed solely as a discussion of performance weaknesses or deficiencies, but should also serve as a forum for encouraging employees whose performance is “Fully Successful” to strive for even greater achievement.
- 4) If modifications in either elements or requirements are warranted, they must be discussed and recorded during the progress review. At the end of the review, the rating official and the executive should share a common understanding of where the employee stands in relationship to his/her Performance Agreement, what is expected of the senior executive through the remainder of the rating period, and what actions, if any, will be initiated as a result of performance to date. The executive and the rating official each sign and keep a copy of the Performance Agreement or progress reviews, acknowledging that the progress review was conducted.

I. Senior executives must be appraised annually. Rating officials assess each senior executive’s performance in each individual element against the performance requirements set at the beginning of the rating period in the Performance Agreement or as modified and documented in the Performance Agreement during a progress review. The only exception to the performance requirement for a rating on each element is a case where the executive has had insufficient opportunity to demonstrate performance on the element. If an SES member has served in his/her current position under written performance elements and requirements for the established minimum appraisal period (90 days) when the performance appraisal cycle ends (September 30th of each year), and there is adequate basis on which to rate the senior executive, the executive must be rated as soon as practical after the end of the appraisal period on the appropriate performance appraisal record.

J. CSOSA and PSA will assess organizational performance, overall and relative to each mission, component, program, policy area and support function. The Director, CSOSA and the Director, PSA, or their designee, will ensure that assessment results are communicated to their respective senior executives, rating officials, higher level review officials and PRB for their consideration in preparing performance appraisals, ratings and recommendations. Rating officials and PRBs will make meaningful distinctions based on relative performance; these distinctions will take into account assessment of the Agency’s performance against relevant performance measures.

K. Initial Summary Rating. The rating official must develop an initial summary rating of the senior executive’s performance, in writing, and share that rating with the senior executive. The rating official

must advise the senior executive of his or her right to respond in writing to any aspect of the rating. If the executive responds in writing, the response must be made to the rating official within 5 calendar days after the executive receives the initial rating. A rating official may change the initial rating after considering the response received from the executive.

L. Rating Critical Elements. Rating officials evaluate performance on each element and assign one of the following ratings to the element: Outstanding, Exceeds Fully Successful, Fully Successful, Minimally Satisfactory or Unsatisfactory. If there are multiple components within an element, the Critical Element Rating Criteria shown below will be used to derive the rating for the element. In addition, the Results Driven critical element will be determined by assessing the executive's accomplishments in at least three results. The rating official will identify at least three results, complete with measures, which demonstrate direct linkage with the agency's Strategic Plan for which the executive will be held accountable. The assessment of the Results Driven element is a two-step process:

a) Assign and record individual ratings for each result performance requirements (i.e., Outstanding, Exceeds Fully Successful, Fully Successful, Minimally Satisfactory, or Unsatisfactory)

b) Determine the Element Rating for Results Driven by using the criteria below.

- 1) **Outstanding:** rated Outstanding for all results performance requirements
- 2) **Exceeds Fully Successful:** rated Outstanding or Exceeds Fully Successful for the majority of results performance requirements and no less than Fully Successful for the other results performance requirements
- 3) **Fully Successful:** rated at least Fully Successful for all results performance requirements but does not meet the criteria for Exceeds Fully Successful
- 4) **Minimally Satisfactory:** rated Minimally Satisfactory for one or more performance requirement(s)
- 5) **Unsatisfactory:** rated Unsatisfactory for one or more performance requirement(s)

M. Assigning critical element point values. After the rating for each critical element is determined, the following point values will be assigned to the element ratings:

- 1) Level 5 (Outstanding) = 5 points
- 2) Level 4 (Exceeds Fully Successful) = 4 points
- 3) Level 3 (Fully Successful) = 3 points
- 4) Level 2 (Minimally Satisfactory) = 2 points
- 5) Level 1 (Unsatisfactory) = 0 points

N. Derivation Formula. The derivation formula is used to calculate the rating as follows:

- 1) If any critical element is rated Level 1 (Unsatisfactory), the overall summary rating is Unsatisfactory. If no critical element is rated Level 1 (Unsatisfactory), continue to the next step.
- 2) For each critical element, multiply the point value of the element rating by the weight assigned to that element.
- 3) Add the results from the previous step for each of the five critical elements to come to a total score.
- 4) Assign the initial summary rating using the ranges below:
 - a) 475-500 = Level 5
 - b) 400-474 = Level 4
 - c) 300-399 = Level 3
 - d) 200-299 = Level 2
 - e) Any critical element rated Level 1 = Level 1
- 5) Following is an example of application of the formula with the resulting initial summary rating of Level 4 (Exceeds Fully Successful):

Critical Element	Rating Level	Weight	Score	Summary Level Range
	Initial Element Score		Initial Point Score	
1. Leading Change	4	15	4 x 15 = 60	475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People	5	15	5 x 15 = 75	
3. Business Acumen	3	15	3 x 15 = 45	
4. Building Coalitions	4	15	4 x 15 = 60	
5. Results Driven	4	40	4 x 40 = 160	
Total		100%	400	

O. Extending the Appraisal Period. If the Agency cannot prepare an executive’s rating at the end of the rating period because the executive has not completed the minimum appraisal period or for other reasons, the Agency must extend the executive’s rating period and will then prepare the annual summary rating. Any such extension must be coordinated with the respective Human Resources/Human Capital Office before it is done.

P. Job Changes, Transfers or Transferred Ratings. When a senior executive who has completed the minimum appraisal period changes jobs or transfers to another agency, the supervisor should appraise the executive’s performance in writing before the executive leaves and the appraisal will be forwarded to the gaining agency. When developing an initial summary rating for an executive who transfers from

another agency, a supervisor must consider any applicable ratings and appraisals of the executive's performance received from the former agency

Q. Forced Distribution. A performance rating method that requires a set percentage or specific number of employees to be placed in certain performance categories. A forced distribution of rating levels is prohibited.

R. Required Documentation. The ratings on each element and a summary rating must be recorded on the appraisal form. Assigning a rating of "Fully Successful" requires no additional justification. The rating official must provide narrative justification for any element rated above or below "Fully Successful" and attach it to the appraisal form. The rating assessment must be based on the evidence of performance against the written performance requirements or standards, and must consider all relevant information. This includes 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.

S. A rating official recommending corrective action for any executive who is rated below "Fully Successful" must fully document the rationale for the recommendation.

T. Effect of the Rating. A summary rating of at least "Fully Successful" will provide the basis for an executive's retention in the SES and will establish the executive's eligibility for consideration for performance awards and base pay increases.

U. Requesting Higher Level Review. The senior executive may ask for a higher level official to review the initial summary rating before the initial rating is given to the PRB. If the senior executive reports to the Deputy Director, the higher level official is the Agency Director. If the senior executive reports to the Agency Director, the higher level official is the rating official for the Agency Director.

Any request for a higher level review must be made within 10 calendar days after receipt of the initial rating. The senior executive is entitled to one higher level review where possible. The senior executive may request this higher level review by contacting the respective Human Resources/Human Capital Office at any time after the rating has been received, but within the 10 day timeframe indicated above. The Human Resources/Human Capital Office will forward the request to the appropriate review official. The higher level review official will consider the initial rating and narrative assessment, if any, and the written response, if any, made by the senior executive. The higher level review official will not consider any written comments by the senior executive to the initial rating which were not provided to the rating official within 5 calendar days from receipt of the rating. The higher level review official cannot change the rating official's initial summary rating, but may recommend a different rating to the rating official, PRB, and the Appointing Authority. Copies of the higher level review official's findings and recommendations must be given to the senior executive at the same time it is given to the rating official and the PRB; if the reviewer proposes changes or provides comments to the PRB, the executive will be given the opportunity to review the comments and respond to the PRB.

V. PRB Review. The initial summary rating, the senior executive's response to the initial rating, if any, and the higher level review official's recommendations must be given to the PRB (see Appendix D).

The PRB must review the rating, the response, if any, from the senior executive and the higher level review official's recommendation, and make recommendations to the Appointing Authority. A PRB has the authority to make any inquiry it deems necessary. However, there is no right for the senior executive to make a presentation to the PRB or provide any written comments to the PRB not previously provided to the rating official and the higher level review official.

W. Final Annual Summary Rating. The Director, CSOSA and the Director, PSA, are the Appointing Authorities and/or heads of Agencies for senior executives within their respective Agencies. The Chief Judge of the United States Court of Appeals for the District of Columbia Circuit and the Chief Judge of the United States District Court for the District of Columbia, in consultation with other members of the PSA Executive Committee, serve as the Appointing Authority for the Director, PSA. The respective Appointing Authority makes the final decision, in writing, on the annual summary rating of the senior executive's performance after considering any PRB recommendations. This authority for rating decisions may not be re-delegated to an official who does not have authority to make SES appointments. Appointing Authority decisions on each executive's rating are final and are the official ratings. Copies of the approved rating form are retained by or distributed to the executive being rated and the rating official and are placed in the senior executive's Employee Performance Folder (EPF).

X. Appeals. Senior executive performance agreements and ratings are not appealable. See Section Z – Rights of Executives.

Y. Using Performance Results

- 1) Rating officials will use the results of performance appraisals and ratings as the basis for making recommendations for adjusting pay, granting awards, determining training needs and other personnel decisions; any increase in salary or bonus must be related to an executive's performance.
- 2) An annual summary rating for a career executive which is at least "Fully Successful" will provide the basis for an executive's retention in SES and will establish the executive's eligibility for consideration for performance awards and performance-based pay adjustments.
- 3) Senior executives who have demonstrated the highest levels of performance will receive the highest annual summary ratings and the largest corresponding pay adjustments, cash awards and levels of pay and will be appropriately positioned in the pay range.
- 4) An executive may be removed from the SES for performance reasons in accordance with the performance agreement, relevant laws and regulations.
 - a) An executive who receives an "Unsatisfactory" (Level 1) annual summary rating must be reassigned or transferred within the SES or removed from the SES. A career executive may be reassigned to another SES position only if the executive receives at least 15 days advance written notice for a reassignment within the commuting area and at least 60 days

advance written notice for a reassignment outside the commuting area. The executive may voluntarily waive the above notices; such waivers must be in writing.

- b) An executive who receives two “Unsatisfactory” (Level 1) annual summary ratings in any 5-year period must be removed from the SES.
 - c) An executive who receives less than a “Fully Successful” (Level 3) annual summary rating twice in any 3-year period must be removed from the SES.
- 5) Executives with a final rating of “Minimally Satisfactory” or “Unsatisfactory” may have their base salary decreased. Decisions concerning SES performance-related downward pay adjustments are limited to no more than 10 percent of base pay and will be made at the discretion of the Appointing Authority, with prior consultation with the Associate Director for OHR for CSOSA or Director, OHCM for PSA, and approval of the Executive Resources Board.
- 6) When performance fails to meet requirements for “Fully Successful”, the supervisor should discuss the performance with the executive to:
- a) Advise the employee of specific shortcomings between observed performance in the critical element(s) under scrutiny and the performance requirements associated with the particular element(s); and
 - b) Provide the employee with a full opportunity to explain the observed deficiencies. No further action may be necessary if the supervisor believes that the matter has been resolved during the course of the discussion. If the supervisor believes that further action is necessary, steps outlined in other sections of this policy must be followed.

Z. Rights of the Executive

- 1) By law, a senior executive may not appeal the final rating, and the rating is not covered under the grievance procedures. A career executive, however, may seek guidance from the servicing human resources office during the performance appraisal process regarding the procedures available for challenging the initial summary rating. A career executive may file a complaint about any aspect of the rating process the executive believes to involve unlawful discrimination with the Equal Employment Opportunity Commission or with the Office of the Special Counsel on any aspect of the rating process that the executive believes to involve a prohibited personnel practice.
- 2) A career executive who has completed the probationary period and whose removal from the SES due to a less than “Fully Successful” final rating is entitled to a 30-day advance written notice of such action (see 5 CFR § 359.502). In addition, upon request, the career executive may be granted an informal hearing before an official designated by the Merit Systems Protection Board (MSPB) at least 15 days before the effective date of the removal. The career executive may appear and present arguments. Such hearing shall not give the career executive the right to initiate an action under 5 U.S.C. § 7701 (formal appellate procedure) nor must the removal action be delayed as a result of the granting of such hearing.

- 3) A career executive who is removed from the SES for less than “Fully Successful” performance is entitled to be placed in a civil service position (other than an SES position) in accordance with the provisions of 5 U.S.C. § 3594.
- 4) The removal of an SES career executive for performance reasons is subject to a 120-day moratorium, except for a removal based on an “Unsatisfactory” or “Minimally Successful” rating given before the appointment of a new Agency head or non-career supervisor that initiated the action. This includes an optional removal based on one Unsatisfactory rating, a mandatory removal based on two Unsatisfactory ratings in five years, and a mandatory removal based on two less than fully successful ratings in three years.
- 5) SES non-career and limited term executives may be reassigned or removed from the SES at any time. Regulations require that non-career and limited term executives receive notice in writing before the effective date of a removal.

AA. Performance Management in the SES Probationary Period

- 1) New career SES executives must serve a one-year probationary period. Satisfactory completion of the probationary period is a prerequisite for retention in the SES. This probationary period begins on the effective date of the initial SES career appointment and ends 1 calendar year later. A career executive may be removed from the SES at any time prior to the completion of the probationary period required under 5 U.S.C. § 3393. The removal of a probationer for performance reasons is not appealable to the MSPB and does not entitle the senior executive to an informal hearing before the MSPB.
- 2) The rating official of the new career SES executive has the following responsibilities during the probationary period: ensure that the new member completes Agency initiated or OPM Qualifications Board recommended training; observe the senior executive’s performance and conduct; and hold at least one periodic rating prior to 90 days before the end of the rating period, documenting discussions of progress with the senior executive, clearly outlining the strengths and weaknesses of the senior executive in relation to the position’s performance requirements.
- 3) The respective Human Resource/Human Capital Office will issue a midpoint reminder to the senior executive’s Appointing Authority. At least 60 days prior to completion date of the probationary period, a form will be sent to the executive’s Appointing Authority, indicating when the senior executive will complete the SES probationary period. If the senior executive’s performance is less than Fully Successful, Appointing Authorities must seek assistance from their respective Human Resources/Human Capital Office.

BB. Training

- 1) CSOSA’s Office of Human Resources provides appropriate information and training to rating officials and senior executives on performance management, including planning and appraising performance, and the results of the previous appraisal period. Training will be designed to

ensure that the performance management process operates effectively. CSOSA's Office of Human Resources will offer training activities based on organizational needs. At a minimum, initial training will be provided to all SES members before the beginning of the first performance cycle and will be provided to all new SES members as soon as possible after their appointment. Periodic training updates will be provided to all members on a schedule to be developed by CSOSA in coordination with PSA.

- 2) Information on changes in the operation of the SES Policy is conveyed to CSOSA and PSA management and affected senior executives through program operations guidance memoranda and other documents issued by CSOSA.

CC. Evaluation

- 1) CSOSA's Office of Human Resources in coordination with PSA's Office of Human Capital Management, is responsible for the ongoing review of the operation of the Policy, recommending changes to this Policy as appropriate, and implementing program improvements.
- 2) The CSOSA or PSA Director or his/her designee is responsible for evaluating data and feedback from PRB's and advising other key officials of any changes or corrective actions associated with the SES Policy. The CSOSA or PSA Director, or his/her designee, will conduct periodic assessments of the Agency systems to ensure that the performance appraisal process is an effective tool for the organization, and that the Agency's SES Policy meets all OPM regulatory requirements.

DD. Recordkeeping

- 1) EPFs must be established for each senior executive, retained as separate files, and maintained by the rating official and the respective Human Resources/Human Capital Office. EPFs must contain the following: The senior executive's performance plans; documentation of progress review(s); summary appraisals and ratings; written comments on ratings, if any; the higher level review official's written recommendations, if any; PRB recommendations; nominations for bonuses, pay adjustments, and rank awards; and decisions by the ERB.
- 2) All performance related records contained in the EPF must be retained for five years.
- 3) When a senior executive transfers to another federal agency, EPF records must be transferred with the senior executive.
- 4) Disclosure of information contained in EPFs may be made only as permitted by the Privacy Act.

APPENDIX E
PERFORMANCE REVIEW BOARDS

- A. The Agency shall establish one or more Performance Review Boards (PRBs) to make written recommendations to Appointing Authorities on the performance of senior executives.
- B. Membership. Each PRB must have three or more members who are appointed by the Appointing Authority or his/her designee acting on behalf of the Agency consistent with 5 CFR § 430.310. PRB members must be appointed in a way that assures consistency, stability and objectivity in SES performance appraisal. When appraising a career appointee's performance or recommending a career appointee for a performance award, more than one-half of the PRB's members must be SES career appointees.
- C. The CSOSA and PSA PRBs will be interagency boards composed of executives from CSOSA, PSA, and/or other agencies. CSOSA and PSA must publish notice of PRB appointments in the Federal Register before service begins.
- D. Functions. The PRB must review and evaluate the initial appraisal and summary rating, the senior executive's response, and the higher level review official's recommendations on the initial summary rating, if any, and conduct any further review needed to make its recommendations. The PRB must make a written recommendation to the Appointing Authority about each senior executive's annual summary rating and any bonus or pay adjustment.
- E. The PRB must not be provided a proposed initial summary rating to which the executive has not been given the opportunity to respond in writing
- F. The PRB must be provided and take into account appropriate assessments of the Agency's performance when making recommendations.
- G. A PRB member must not participate in a senior executive's performance review or discussions or recommendations on that review when: the review pertains to that PRB member; the PRB member is the rating official of the senior executive whose performance appraisal is being reviewed; the PRB member is the direct subordinate of the senior executive whose performance appraisal is being reviewed; or the PRB member was the designated higher level review official of the senior executive whose performance is being reviewed.
- H. There is no right to a hearing before the PRB for executives requesting a higher level review, nor may the executive provide any additional information not initially provided to the rating official.

**Court Services and Offender Supervision Agency
for the District of Columbia**

Pretrial Services Agency for the District of Columbia

APPENDIX F

**SES Performance Management System
Executive Performance Agreement Template**

Part 1. Consultation. <i>I have reviewed this plan and have been consulted on its development.</i>					
Executive's Name (Last, First, MI):			Rating Period -		
Executive's Signature:			Date:		
Title:			Organization:		
Rating Official's Name (Last, First, MI):			CA <input type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>		
Rating Official's Signature:			Date:		
Part 2. Progress Review					
Executive's Signature:			Date:		
Rating Official's Signature:			Date:		
Reviewing Official's Signature (Optional):			Date:		
Part 3. Summary Rating					
Initial Summary Rating	<input type="checkbox"/> Level 5 Outstanding	<input type="checkbox"/> Level 4 Exceeds Fully Successful	<input type="checkbox"/> Level 3 Fully Successful	<input type="checkbox"/> Level 2 Minimally Satisfactory	<input type="checkbox"/> Level 1 Unsatisfactory
Rating Official's Name (Last, First, MI):					
Rating Official's Signature:			Date:		
Executive's Signature:			Date:		
Reviewing Official's Signature (Optional):			Date:		
Higher Level Review (if applicable)					
<input type="checkbox"/> I request a higher level review.			Executive's Initials:		Date:
Higher Level Review Completed <input type="checkbox"/>					Date:
Higher Level Reviewer Signature:					
Performance Review Board Recommendation	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
PRB Signature:			Date:		
Annual Summary Rating	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Appointing Authority Signature:			Date:		

Part 4. Derivation Formula and Calculation of Annual Summary Rating						
Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change						475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People						
3. Business Acumen						
4. Building Coalitions						
5. Results Driven						
Total			100%			

Part 5. Critical Elements

Performance Standards for Critical Elements (The performance standard for each critical element is specified below; examples for the top three performance levels can be found in the system description)

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive’s organization, agency, department or government-wide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization’s mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way.
- **Level 4:** The executive demonstrates a very high level of performance beyond that required for successful performance in the executive’s position and scope of responsibilities. The executive is a proven, highly effective leader who builds trust and instills confidence in agency leadership, peers, and employees. The executive

consistently exceeds established performance expectations, timelines, or targets, as applicable.

- **Level 3:** The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and often exceeds challenging performance expectations established for the position.

- **Level 2:** The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.

- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

Level 5 = 5 points
Level 4 = 4 points
Level 3 = 3 points
Level 2 = 2 points
Level 1 = 0 points

**Critical Element 1. Leading Change
 (Minimum weight 5%)**

Weight

Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages

creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.					
CSOSA-Specific/PSA-Specific Performance Requirements:					
Rating Official Narrative: <i>(Optional)</i>					
<i>Critical Element Rating – Leading Change</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Critical Element 2. Leading People (Minimum weight 5%)					Weight
Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.					
CSOSA-Specific/PSA-Specific Performance Requirements:					
Rating Official Narrative: <i>(Optional)</i>					

<i>Critical Element Rating – Leading People</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1

Critical Element 3. Business Acumen (Minimum weight 5%)	Weight
Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.	
CSOSA-Specific/PSA-Specific Performance Requirements:	

Rating Official Narrative:

<i>Critical Element Rating – Business Acumen</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
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Critical Element 4. Building Coalitions (Minimum weight 5%)	Weight
Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.	
CSOSA-Specific/PSA-Specific Performance Requirements:	

Rating Official Narrative: <i>(Optional)</i>					
<i>Critical Element Rating – Building Coalitions</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Critical Element 5. Results Driven (Minimum Weight 20%)					Weight
Agency Goals/Objectives for FY					
<p>This critical element includes specific performance results expected from the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.</p> <p>Alignment--cite relevant goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance result specified.</p>					
Result 1:			Strategic Alignment:		
Result 2:			Strategic Alignment:		
Result 3:			Strategic Alignment:		
Result 4:			Strategic Alignment:		
Result 5:			Strategic Alignment:		

Rating Official Narrative: <i>(Optional)</i>					
<i>Critical Element Rating – Results Driven</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Part 6: Summary Rating Narrative (Mandatory)					
Part 7: Executive's Accomplishment Narrative					
Part 8: Agency Use					