AGONM Technician Personnel
Regulation Number 430
Change 2

7 June 2002

TECHNICIAN PERFORMANCE MANAGEMENT
PERFORMANCE APPRAISAL PLAN

1. AGONM TPR 430, 1 April 1998, is changed as follows:

Paragraph l. (1) does not apply to the 150th Fighter Wing. Instead, 150 FW technician appraisals will be in accordance with command direction provided on 150 FW Form 4.

2. Questions regarding this matter may be directed to the NMNG HRO Employee Relations Specialist or the 150th Fighter Wing Executive Officer.

EUGENE J. DELGADO, Colonel, NMANG
Human Resources Officer

AGONM Technician Personnel
Regulation Number 430

1 April 1998

Technician Performance Management

Performance Appraisal Plan

Summary of Changes. This regulation establishes the Performance Appraisal Plan for all New Mexico Army and Air National Guard technicians. It implements the references listed in the following paragraph. This regulation supersedes Technician Personnel Regulation Number 430 dated 1 October 1981.

Applicability. This regulation applies to all military and competitive National Guard Technicians employed under the provisions of 32 U.S.C. 709 except for technicians occupying temporary positions for which employment is not reasonably expected to exceed the minimum performance requirement in a consecutive 12 month period.

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1. **Purpose**
This regulation establishes the Performance Appraisal Plan for New Mexico National Guard technicians. It is consistent with NGB TPR 430. Parts 1 through 7 of this regulation contain requirements. The appendices contain guidance to assist supervisors in managing performance and appraising employees.

2. **Objective**. The objective of the New Mexico National Guard Performance Appraisal Plan is to provide a meaningful and efficient method for the evaluation of individual, team (where elected), and organizational performance. Supervisors and managers will assure that technicians understand clearly what their performance standards are and that performance is appraised in a timely manner. In order to achieve this objective, supervisors and managers shall:

a. Integrate performance appraisal plan into organizational or mission goals and objectives and management processes.

b. Use performance plans as tools for executing management and supervisory responsibilities; communicating and clarifying organizational goals and objectives to employees; involving technicians in improving organizational effectiveness and in accomplishing organizational missions and goals; and assessing individual, team (where team management concepts apply), and organizational effectiveness and performance.

c. Identify accountability for the accomplishment of organizational and (where applicable) team goals and objectives.

d. Provide for planning, monitoring, developing, and evaluating performance; use appropriate measures of performance to recognize and reward employees; and use the results of performance appraisal as a basis for appropriate personnel actions.

e. Support and be consistent with State Merit Promotion Plan.

f. Involve technicians in the development of their performance plans.

g. Encourage technicians to take responsibility to continuously improve, support team endeavors, develop professionally, and perform at their full potential.

3. **Responsibilities**

a. The Adjutant General is responsible for:

(1) Establishing a Performance Appraisal Plan within his or her state, and for holding managers and supervisors accountable for proper operation and administration of this program.

(2) Communicating with supervisors and technicians (e.g., through formal training) about relevant parts of the state's Performance Appraisal Plan.

(3) Establishing a state review and appeal process to review and resolve complaints about assigned ratings.

(4) Ensuring that managers and supervisors are appraised on performance in furthering goals and objectives in the areas of Equal Opportunity, Safety, and Performance Management (See Appendix D).

b. The Human Resources Officer (HRO) is responsible to the Adjutant General (TAG) for:

(1) Assisting managers in setting up a Performance Appraisal Plan for the state that provides a meaningful, efficient method for the evaluation of individual, team (where elected), and organizational performance in partnership with technicians and their union representatives in accordance with law.

(2) Administering the State Performance Appraisal Plan. Providing timely advice and assistance to managers, supervisors, and technicians.

(3) Ensuring that written performance standards are established for each technician, including those serving in a trial/probationary period.

(4) Developing and conducting training necessary to ensure that all technicians (and non-technicians involved in the appraisal process) are adequately trained in the state's performance appraisal program, including responsibilities of all the parties.

(5) Notifying supervisors and managers of due dates for technician performance ratings and following up when they are not received in a timely manner.

(6) Reviewing completed ratings for timeliness, completeness, and conformity with the regulatory requirements of the state's Performance Appraisal Program.

(7) Keeping necessary records, evaluating effectiveness of the state's Performance Appraisal Plan, and bringing to the attention of the Adjutant General those areas needing refinement or improvement.

(8) Ensuring that necessary personnel actions or decisions based on the performance appraisal are carried out.

(9) Establishing and administering the state's review and appeal process.

c. Managers, supervisors, and technicians are collectively responsible for:

(1) Individual, team, and organizational performance and creating a work culture and environment that promotes a high-performance, high-involvement organization.

(2) Cooperating in establishment of written performance standards and critical job elements for each individual position.

(3) Maintain an ongoing dialogue that will keep technicians informed as to how their performance compares to established performance standards and provide a clear understanding of the level of performance required for a fully acceptable appraisal.

4. **Performance Appraisal Plan**

a. The New Mexico National Guard Performance Appraisal Plan consists of three appraisal levels: **Fully Successful**, **Marginal**, and **Unacceptable**. This plan does not have a numerical rating system. Technicians are given a summary rating in one of the three categories. All ratings require the signatures of the appraiser, the reviewer, and the technician.

Unacceptable (level 1) ratings require justification; documentation must be provided. See Part 6 for further instructions in the case of Unacceptable ratings.

Marginal (level 2) ratings require the supervisor to deny a within-grade or step increase. See Part 5 for further instructions in the case of Marginal ratings.

Fully Successful (level 3) ratings shall be filed in the supervisor's records. (See paragraph h below.) The supervisor shall send to HRO notification that an annual appraisal has been accomplished. If no action is taken at levels 1 or 2, Fully Successful (level 3) is assumed.

b. **Minimum period of performance**. The minimum period of performance on which a technician can be rated is 120 days.

c. **Trial/probationary ratings**. New technicians are to be carefully observed and appraised during the trial/probationary period to determine whether they have the qualities needed for permanent Government service. Supervisors will give a new employee a performance plan at the beginning of employment. During the trial/probationary period, supervisors shall provide specific training and assistance to improve the technician's work performance if needed. For retention beyond the trial/probationary period, the technician's work performance must minimally be at a fully successful level. If retention is not recommended, supporting documentation will be forwarded to the HRO, who will then advise supervisors and managers on taking appropriate action to remove the technician from the Federal service. Initiation of a removal action may be taken anytime during the trial/probationary period. A technician serving a trial/probationary period shall be given an official performance appraisal after completing the required 12 months of Federal service. After receiving this appraisal, he/she will be appraised in accordance with the established appraisal period. In most cases, there will be an interval between the end of the trial/probationary period and the beginning of the regular annual appraisal period. The supervisor and the technician can work out an agreement that seems reasonable to them to account for this period. They may agree on an appraisal period that is longer than 12 months. Or, if the end of the regular appraisal period would be less than 120 days from the day after completion of the trial period, an extension may be requested and an appraisal done when 120

days have passed. After that time, the individual shall be appraised on a regular annual cycle.

d. **Procedures for technicians on detail.** When a technician has been officially detailed to another position either with the same or with a different supervisor for a period covering 120 days or more, a written performance plan will be established for this position, and the technician's performance while on the detail will be appraised by the detail supervisor.

e. **Self-directed work teams.** If the work situation lends itself to a team structure for performance and appraisal, and the supervisor and the employees want to work in a team or teams rather than as individuals, self-directed work teams may be created. A self-directed work team will write the performance plans for team members and will appraise team members. See paragraph k below for criteria for team performance plans.

f. **Postponement of annual performance ratings of record.** Annual performance appraisals to determine a rating of record may be postponed (with documentation of circumstances) when the immediate supervisor has not had enough time to observe the technician's performance in his/her present assignment because: (1) the supervisor or the technician is newly assigned (less than 120 days); (2) the technician has not been performing the regularly assigned work because of extended details or absences; or (3) the technician has not worked under the performance plan for at least 120 days. The postponement should not be extended any longer than necessary to permit 120 days under the plan. The appraisal period can be extended by agreement between the technician and the supervisor, indicated by initialing the changed date on the performance plan. A rating of record shall be prepared as soon as practicable thereafter.

g. **Procedures, retention periods, and requirements for documentation** of the Performance Appraisal Plan and individual performance ratings. Official performance records are available for review by the technician and his/her representative. These include, but are not limited to, performance plans, ratings, certifications in connection with within-grade increases, incentive awards determinations, merit promotion material, trial/probationary period certification, and other related personnel management documents. Any document that is used in support of a performance appraisal will be placed in a separate envelope (which will be removed when the technician leaves the National Guard) and maintained by the supervisor in the supervisor's technician work folder. During the processing phases of performance ratings, only individuals directly in the technician's chain of command, those having the right under 5 U.S.C. Chapter 71 Section 7114 (b)(4), and those with an official need to know in the performance of their assigned duties will be permitted to review performance ratings. This applies even after the final action has been accomplished.

h. **Use of performance as a basis for personnel decisions and actions.** Performance is a consideration in many personnel actions, including the following:

- within grade increases/step increases
- incentive awards
- reassignments, reductions in grade or removals
- promotions
- reduction in force

i. **Savings provision.** Administrative actions (such as action for unacceptable performance) initiated prior to the effective date of this regulation shall continue to be processed consistent with the procedures and requirements of the regulation in effect when the action was initiated.

j. **Criteria for performance plans.** A performance plan is the written statement by which a supervisor communicates to a technician what areas of work he or she is responsible for and how his or her work will be appraised. A performance plan contains the following items: the appraisal period covered by the performance plan; performance elements, which indicate areas of responsibility that will be included in the appraisal; performance standards, which clarify the basis for appraisal on each element. Performance plans are based

on position descriptions, work assignments, and responsibilities.

(1) Each technician shall be provided with a written (or otherwise recorded) performance plan. The plans shall cover the official appraisal period. Written performance plans shall be signed by the technician and the supervisor at the beginning of the appraisal period. If plans are recorded on disk, the supervisor will maintain a record of performance counseling in which the technician was acquainted with the terms of the performance plan.

(2) Performance plans shall be provided to employees at the beginning of each appraisal period (normally within 30 days). Performance plans should be rewritten at the beginning of a new appraisal period to reflect changes in organizational goals and individual development. But whether or not the plans change, the plans must be signed again (or performance counseling annotated) at the beginning of a new appraisal period. This indicates that the technician has seen the plan on which he or she will be rated at the beginning of the appraisal period. The plan shall include all critical and, where used, non-critical elements and related performance standards. It may also include additional performance elements and related performance standards, if any. Supervisors may want to include performance elements reflecting group or team performance. Performance plans may contain any combination of critical, non-critical, and additional elements reasonably related to the job and related performance standards. However, each performance plan shall have at least one critical element that addresses individual performance.

(3) The performance plan shall clearly indicate the basis for a summary level on the appraisal. With a clear performance plan and periodic counseling, a technician should know what to expect as a summary level on the rating of record.

(4) The performance plan shall include a list of developmental goals that the technician will work toward during the upcoming appraisal period. These goals will be developed together by the supervisor and the technician and indicate to the technician what he or she can strive to achieve beyond the Fully Successful level.

(5) Performance plans for supervisors and managers shall include as a minimum elements on EEO, Safety, and Performance Management.

(6) In case of disagreement about appropriate work goals and priorities for a performance plan, it should be kept in mind that management retains the right to assign work. The final decision on work goals and priorities lies with the supervisor.

k. **Technician involvement**. Supervisors shall encourage employee participation in establishing a performance plan. Supervisors may want to encourage employees to write a first draft of their own plan for mutual discussion, or they may want to incorporate the employee's comments and suggestions into the plan. Employee input should be sought on appraisals also, with the understanding that the final decision on work goals and priorities lies with the supervisor.

l. **Appraisal periods.**

(1) The appraisal period for all technicians shall be based on each technician's birth month. The appraisal period shall begin on the first day of the birth month and end on the last day of the preceding month. For a technician born in January, for example, the appraisal period shall be from January 1 through December 31.

(2) An appraisal shall be given to each employee as soon as practicable after the end of the appraisal period. An appraisal that involves a summary rating and a report to HRO is considered a rating of record and may have an impact on personnel decisions. When a rating of record cannot be prepared at the time specified in the program, the appraisal period shall be extended until the conditions necessary to meet the minimum period of performance have been met. The appraisal period can be extended by agreement between the technician and the supervisor, indicated by initialing the changed date on the performance plan. A rating of record shall be prepared as soon as practicable thereafter.

m. **Minimum rating levels for each critical and non-critical element**. For critical elements,

summary levels shall include at a minimum the Fully Successful level and the Unacceptable level. A critical element is a responsibility so serious that an Unacceptable rating on that one element results in an Unacceptable summary rating on the appraisal.

n. **Criteria for performance standards.** The performance standard is the part of the performance plan that details the basis for appraising the technician on the performance element. Performance standards shall be established at the Fully Successful and Unsuccessful levels for all critical elements and also may be established at other levels at the discretion of the supervisor. See Appendix D for a sample of one way of writing a performance plan.

o. **Communicating performance plans.** Ongoing counseling of technicians by supervisors is encouraged, particularly when the employee is at risk of not meeting expectations. One mid-year full review of the performance plan is the minimal requirement of law; quarterly counseling is recommended. To the maximum extent possible, progress reviews shall be informative and developmental in nature and shall focus on how to improve future performance.

p. **Assignment of summary level.** A summary level is an overall rating that summarizes all the elements. A summary level may be Unacceptable (level 1), Marginal (level 2), or Fully Successful (level 3). When a performance rating is prepared as part of a rating of record, assigning a summary level is required. Assigning a summary level at other times is optional.

q. **Distribution of summary levels.** Supervisors and managers shall not require any particular distribution of ratings among employees or groups of employees. This does not prevent making other distinctions among employees or groups of employees based on performance for purposes other than assigning a summary level (e.g., for award determinations and promotion decisions).

5. **Marginal Performance**

Supervisors shall provide assistance to employees whose performance is determined to be Marginal on any critical element at any time during the appraisal period. If a technician is not meeting performance expectations, the supervisor will consult with the Human Resource Office and implement a formal Performance Improvement Plan (PIP) for the technician. The PIP must specify the deficiencies, outline the methods for the technician to become Fully Successful, and establish a reasonable time (normally 30 days) for improvement. When the PIP is issued, consideration should also be given to referring the technician to the Technician Assistance Program (TAP) Coordinator. If performance is affected by use of alcohol or other drugs, referral to the TAP is required. Such employees will be given an opportunity to demonstrate acceptable performance before being officially appraised. A Marginal rating on any critical element must be justified with counseling statements documented on the 904-1 and a completed PIP. If, after these efforts, the technician receives a Marginal rating, the technician should be counseled that continued performance at the Marginal level may result in a rating of Unacceptable.

6. **Unacceptable Performance**

a. Supervisors shall provide assistance to employees whose performance is determined to be Unacceptable in one or more critical elements at any time during the appraisal period. Just as with Marginal performance, the supervisor will consult with the Human Resource Office and implement a formal Performance Improvement Plan (PIP) for the technician. The PIP must specify the deficiencies, outline the methods for the technician to become Fully Successful, and establish a reasonable time (normally 30 days) for improvement. (See paragraph 6c below.) When the PIP is issued, consideration should also be given to referring the technician to the Technician Assistance Program (TAP) Coordinator. If performance is affected by use of alcohol or other drugs, referral to the TAP is required. Such employees will be given an opportunity to demonstrate acceptable

performance before being officially appraised. Employees who continue to have Unacceptable performance shall be formally appraised as Unacceptable and then reassigned, reduced in grade, or removed.

b. Actions based on unacceptable performance. At any time a technician's performance becomes unacceptable in any critical element of the job, he/she will be placed on a Performance Improvement Plan, which advises the employee in writing of the need for improvement. Technicians will be assisted in improving areas of unacceptable performance by proactive counseling, increased supervisory assistance, additional training, etc. (See paragraph 6c below.) When the PIP is issued, consideration should also be given to referring the technician to the Technician Assistance Program (TAP) Coordinator. If performance is affected by use of alcohol or other drugs, referral to the TAP is required. If, at the expiration of the PIP, the technician's performance in any critical element continues to be unacceptable despite efforts by the supervisor or manager to improve performance, the technician and his/her representative will be advised that the technician must be reassigned, reduced in grade (demoted), or removed from employment. Before initiating an action to reduce in grade or remove a technician based on unacceptable performance, consideration may be given to reassignment to another position for which the technician is qualified. For an action based on unacceptable performance to be valid, the technician must have a current, valid performance plan; must have been offered the opportunity to improve through a PIP; and must have been formally appraised as Unacceptable.

c. Requirements. The formal PIP (normally 30 days) is initiated by the technician's supervisor after consultation with the Human Resource Office. Such action may be initiated anytime by the technician's supervisor if the technician's performance is unacceptable in one or more critical job elements. The supervisor should not wait until the end of the appraisal period to initiate these actions. Reassignment may be accomplished anytime during the PIP. Should a determination be made to reduce in grade or remove from employment following the formal PIP, a technician is entitled to:

(1) A minimum 30-day advance written notice of the action to be taken (reduction in grade or removal), which identifies the critical job element(s) and documented instances of unacceptable performance on which the action is based (see sample letter Appendix B). This advance written notice must be concurred on by an official who is in a higher level position than the immediate supervisor. (This requirement does not apply when the action is being taken by the state Adjutant General). This is not a proposed notice, but is to be considered as a final notice of the action to be taken because before this final step the technician would have been given adequate assistance and time to improve performance.

(2) If a technician submits a request to his/her supervisor to change a performance appraisal of Unacceptable, the supervisor will carefully review this information and advise the technician in writing whether the unacceptable performance appraisal is sustained or will be changed. If the exclusive representative (Labor Organization) has negotiated that Marginal and Unacceptable performance ratings are grievable, the technician may appeal or grieve, but not both. A request submitted to the State review and appeals board will be handled in accordance with instructions in Appendix C.

d. Actions taken based on Unacceptable performance will be recorded in the program established under paragraph 3c(6).

7. Review and Appeal Process

A technician has the right to appeal appraisals of summary levels of Marginal or Unacceptable within 15 days of receiving a copy of the appraisal. The technician's appeal will be heard by an ad hoc Review and Appeals Board. (See Appendix C for guidance on this process.) For appeals of ratings on an individual element, the technician will request an informal review by the appraisal reviewer. The Adjutant General is the final appellate authority. If it has been so negotiated, technicians may use the State Appellate Program or the negotiated grievance procedure but not both.

1 April 1998

AGONM TPR 430

MELVYN S. MONTAÑO, Maj Gen, NMANG
The Adjutant General

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APPENDIX A

PERFORMANCE IMPROVEMENT PLAN

1. The Performance Improvement Plan (PIP) will be completed on all employees when the employee's performance in one or more critical job element is below Fully Successful. A supervisor should not wait until the end of the appraisal period to write a PIP; this should be accomplished at any time performance becomes less than Fully Successful.

2. The goal of the PIP is to identify an employee's performance deficiencies in order to assist in bringing the employee's performance up to a fully acceptable level. If the employee's performance does not improve, the PIP serves as the foundation for determining and supporting the final action to be taken.

3. The PIP presents a clear picture to the employee of performance deficiencies and allows him/her to understand the gravity of the situation. This document will become important in the event of reduction in grade or removal from employment and should be written with that possibility in mind. The PIP also clarifies to the employee the additional measures that management will take to assist the employee in improving performance. Close supervisory follow-up is essential in a PIP.

4. In a case of reduction in grade or removal, an arbitrator or judge might ask questions concerning the employee's understanding of performance deficiencies. The PIP should provide answers to these questions:

a. Has the employee been clearly put on notice that his/her performance is below Fully Successful?

b. Has such notice set forth specific examples of poor performance?

c. Has the employee been specifically told what he/she must do in order to meet the employer's standards?

d. Has the employee been offered any assistance, such as training, counseling, or extra help from supervision in order to overcome deficiencies?

e. Has the employee been clearly warned of the consequences of failure to improve performance?

f. Has the employee been given a fair opportunity to bring his/her job performance up to a Fully Successful level?

5. A PIP should address the following questions

a. **Why?** The PIP should clearly state why the employee received it. This is a general statement of the purpose of the PIP. It might be something like this: "The purpose of this PIP is to call to your

attention problems in the performance of duties in one critical job element." In the attached example, this is done in the first paragraph.

b. **What has happened?** This part of the document lists particular instances of problems with performance giving names, dates, places, etc. These instances should be listed in chronological order. Great care must be taken to be specific and factual. This portion of the PIP may be useful in drafting a removal action if the employee does not correct the problem.

c. **What must be done?** The employee must be told specifically what must be done in order to meet the employer's standards. This is a complete, specific detailed list.

d. **What assistance is available?** Management has an obligation to help the employee meet the performance standard. The PIP must explain what management will do to assist the employee in improving performance. Here are some things that management might find it appropriate to do:

(1) Provide books and other publications.

(2) Provide opportunities to visit other locations to observe the work of others.

(3) Provide counseling with a trained counselor.

(4) Provide training or retraining in the deficient area.

(5) Assign the employee to work with other, more successful personnel.

e. **How long?** The PIP should specify the time span during which the employee will be assisted and observed for improvement. Normally this will be 30 days. The PIP should mention a specific date rather than a number of days so that the employee is aware of the deadline.

f. **What are the consequences?** The employee must know in advance the consequences of failure to improve and meet the job standards. For example, the PIP might say: "If your performance remains Unacceptable, you will be removed from employment."

8. The PIP documents that the employee knew why he/she was in trouble, was told what to do, and was given an opportunity to improve, with management's help. Counseling and follow-up by the supervisor are critical in a successful experience. The supervisor should monitor the employee's progress and note all counseling and assistance provided in the employee's work folder.

SAMPLE PERFORMANCE IMPROVEMENT PLAN

Date

Office

Name
Address
City, New Mexico XXXXX

Dear Name,

The purpose of this Performance Improvement Plan is to call to your attention problems in the performance of your duties as a XXXXXXXXXXXXXXXXXX. Significant improvement is necessary in a number of critical areas in order to assure continued employment. Specific areas of (Marginal/Unacceptable) performance that are in need of improvement are as follows:

Element #1: [Write it out.]

Performance in this job element has been (Marginal/Unacceptable). [Describe in detail how the performance has been deficient.]

In order to meet the expectations of the agency, you must take the following steps to correct deficiencies in your performance:
a) [Describe what you want the employee to do.]

In order to help you improve your performance, management will take the following actions:
a) For the first two weeks of this Performance Improvement Plan, from now through [DATE], I will meet with you daily in the morning to provide feedback on performance shortcomings and improvements.

Your work performance will be evaluated again in thirty (30) days. If your performance is not fully successful as outlined in the Performance Improvement Plan by [DATE], I will recommend that you be (removed from employment/changed to a lower grade/reassigned).

Sincerely,

[Supervisor's signature block]

Receipt acknowledged: _____
Signature

_____
Date

APPENDIX B
SAMPLE NOTICE OF WRITTEN DECISION BASED ON UNACCEPTABLE PERFORMANCE (ON LETTERHEAD)

(Date)

Office

Name
Address
City, New Mexico XXXXX

Dear Name,

[State the specific action being taken, i.e., removal, or change to lower grade. Furnish a copy to the exclusive representative for technicians in the bargaining unit. Include series and grade of position incumbent occupies and show full unit name and mailing address to which the technician is assigned. For example...]

This memorandum will serve as your formal notice of (removal/reduction in grade) not earlier than thirty (30) calendar days from the date of your receipt for this notice. The reasons for this removal are:

[Refer to TPR 430 and 5 CFR 430. Give the reason for removal action. Use all available information in sufficient detail so that the technician will understand why the action is being taken.]

On [DATE], you and I established written performance standards and identified critical job elements for your position. At that time you acknowledged our discussion of these standards and critical elements.

On [DATE], I informed you orally and in writing that your performance regarding critical element number _____ pertaining to _____ was unacceptable because you had failed to (list specific instances of unacceptable performance on which this action is based). On [DATE], I provided you with specific written instructions on how to improve your performance on this critical job element.

Despite counseling and on-the-job training, your performance of this critical job element continues to be unacceptable. Therefore, I have initiated this process to . . .

Copies of the performance appraisal materials relied upon to support this proposal are attached. You may reply to this notification, either orally or in writing, or you may appeal the unacceptable performance appraisal to the State review and appeals board. You may submit affidavits in support of your response. Your response will be considered an appeal unless you specify otherwise. To be considered, your response must arrive within fifteen (15) calendar days of receipt of this notice. Consideration will be given to extend this period if you submit a request stating your reasons for requiring more time. You will be given a final determination within fifteen (15) calendar days of our receipt from you.

You may contact Barbara Jones in the Human Resource Office for procedural guidance at DSN xxx-xxxx or Commercial (xxx) xxx-xxxx.

Encls [Supervisor's Signature Block]

(Copy Furnished:

Human Resources Office)

Receipt acknowledged: _____ _____
(Signature) (Date)

I [Technician's name]: _____ the fifteen (15) day response.
Waive/Do not waive

APPENDIX C
APPRAISAL APPEALS

1. State Review and Appeals Board. The state review and appeals board will consist of (at least three) members to provide an impartial review on performance appraisal appeals. Members serving on this board cannot be in the chain of command of the technician who is filing an appeal and should not be in a lower graded position than the technician appealing. Peers of appellant can be chosen to serve on the board. The technician is entitled to representation during the board process. The board will not review appeals that have been grieved through the negotiated grievance procedure.

2. Filing an Appeal. A technician desiring to file an appeal of a marginal or unacceptable performance appraisal may file an appeal with the Human Resources Officer within 15 days of receiving a copy of the appraisal. In cases of appeals of Unacceptable appraisals, the Human Resources Office will convene the board within 15 days of receipt of the notice of written decision based on unacceptable performance (see Appendix B). In reviewing performance appraisal appeals, including those for unacceptable performance, the board, by majority vote, will recommend to the Adjutant General either to change the appraisal or to sustain the appraisal without change. When reviewing unacceptable performance ratings, the board will only be concerned with the performance appeal; it will not review the personnel action taken as a result of an unacceptable appraisal. Supervisors have the right to present their case. All members of the board must be present at all times during the hearings, and must participate in deciding on a recommendation. The Adjutant General will make the final decision. A technician has no appeal rights beyond the state Adjutant General on these matters.

3. Appeal Processing. An appeal to the board is submitted through the Human Resource Officer (HRO). The appeal must contain the following information:

a. Name of the technician
b. Organization
c. The appraisal being appealed
d. Why the appraisal should be changed
e. Performance level requested
f. Date notice received

The technician should include a copy of the appraisal, performance plan, and PIP. When any of the necessary information is not available, the technician should submit what is available, and state why the other information is not available. HRO will assemble the board.

4. Board Procedures. During the proceedings, the board may admit oral and/or written evidence from the technician or the technician's immediate supervisor. The technician and the technician's representative (if desired by the technician) and the representative of the Adjutant General will submit any additional information they deem pertinent. Such information may be presented orally, by presentation of witnesses, or in writing. In the submission of evidence, both oral and written information may be submitted to reach a decision, as long as the technician, the technician's representative, and the representative of the Adjutant General are given the opportunity to hear, and reply to the information submitted by the other parties, and are given an opportunity to question any witnesses. If any of these individuals are absent during the oral presentation, the absentee(s) must be furnished in writing any evidence admitted during their absence. The board may not use any written information to render a recommendation until the technician, the technician's representative (if any), and the representative of the Adjutant General have had an opportunity to examine and reply to it. Board members must serve as impartial fact finders and review each case objectively. They must give consideration to the merits of each case. Within 15 calendar days of completion of the board's proceedings, the board is to complete

review of the evidence and submit its recommendations directly to the Adjutant General with an information copy to the HRO.

APPENDIX D

REQUIRED ELEMENTS FOR SUPERVISORY PERFORMANCE PLAN
(Performance plans should be adapted to your particular situation.)

Paragraph 4j of the regulation discusses criteria and requirements for performance plans. The three elements that follow – Personnel Management, Safety, and EEO – are required elements in the performance plan of a supervisor or manager. The specific items shown in this Appendix are not required; they are examples only and should be adapted to the individual situation. These three elements are required on performance plans for supervisors and managers, but these particular bullets are not required. The plan should be adapted to meet the needs of each situation.

Element: Personnel Management: Appraises employee performance. Uses incentive awards program as appropriate. Plans and assigns work of subordinates. Proposes appropriate adverse and disciplinary actions. Requests and approves needed training for subordinates. Supports management-union relations. Schedules and approves leave.

Expected performance standards:
Fully Acceptable. Employee accomplishes the following:

- Reviews and revises elements and standards for all positions. Uses employee input before finalizing.
- Brings changes to all personnel and/or working conditions to the attention of appropriate union officials.
- Surveys all employees concerning their training and development needs semiannually.
- Identifies employees with behavior and/or conduct problems and discusses with supervisor.
- Using a calendar reminder system, evaluates and rates every employee by required due date.
- Conducts a minimum of one midyear review on each employee, annotating on NGB 904-1.

Marginally Acceptable. Following formal counseling, fails to follow the "Fully Acceptable" standard on two or three occasions.

Unacceptable. Following formal counseling, fails to follow the "Fully Acceptable" standard on four or more occasions.

Developmental Goals:

- Develops a plan of action concerning at least two (2) employees who demonstrate performance and/or behavior deficiencies.
- Establishes regularly scheduled "check-in" or partnership meetings with appropriate union officials.
- Conducts a minimum of 3 (quarterly) progress reviews on each employee, documenting on NGB 904-1.
- Develops upward appraisal/feedback system in conjunction with employees.

Element: Safety (when appropriate): Manages and implements safety program. Provides training in safety. Addresses safety problems appropriately. Complies with results of inspection performed by Safety Office and SMM.

Expected performance standards:
Fully Acceptable. Employee accomplishes the following:
- Inspects work areas for hazards.
- Provides new employees with safety orientation within 5 working days of hire.
- Brings safety problems that are beyond shop control to attention of the next higher level.
- Takes appropriate corrective action toward employees who disregard safety procedures.

Marginally Acceptable. Following formal counseling, fails to follow the "Fully Acceptable" standard on two or three occasions.

Unacceptable. Following formal counseling, fails to follow the "Fully Acceptable" standard on four or more occasions.

Developmental Goals:
- Provides all employees who have been injured on the job with remedial/refresher training.
- Holds weekly safety meetings with shop.
- Provides employees with refresher training for existing long-term hazardous operations.
- Conducts personal shop inspections in advance of Safety Office and SMM inspections.

Element: EEO: Provides a positive work environment free of illegal discrimination. Provides appropriate training.

Expected performance standard:
Fully Acceptable. Employee accomplishes the following:
- Administers the appropriate supervisory response to each situation of a discriminatory nature affecting the work environment.
- Ensures that all employees receive training on complaints procedures and discrimination to include sexual harassment.
- Provides immediate attention to complaints.
-

Marginally Acceptable. Following formal counseling, fails to follow the "Fully Acceptable" standards on two or three occasions.

Unacceptable. Following formal counseling, fails to follow the Fully Acceptable standard on four or more occasions.

Developmental Goals:
- Takes actions to identify and eliminate barriers to the employment of all qualified applicants.
- Attempts to resolve complaints at the lowest level possible.

APPENDIX E
GUIDELINES FOR APPRAISING SUPERVISORS AND MANAGERS ON THEIR PERFORMANCE IN EEO

Performance standards for furthering equal employment opportunity (EEO) will be appropriate to the technician's position and should be stated in terms of visible efforts. The following guidelines may be helpful when appraising managers and supervisors on their performance in EEO:

- Has the manager/supervisor communicated to all subordinates his/her commitment to EEO and what is expected from each member of the work force?
- What specific actions has the manager/supervisor taken to identify and eliminate any barriers to the employment and advancement of all qualified applicants?
- Do the managers/supervisors support the state's plan, including goals and timetables, to address identified problem areas within the work force?
- Does a review of the manager's/supervisor's decisions relative to selection, training, and awards indicate that full consideration is being given to all employees?
- What actions has the manager/supervisor taken to provide upward mobility opportunities for eligible technicians in the work force?
- Has the manager/supervisor insured that the complaints processing poster is posted on the bulletin board?
- What specific steps, including setting a personal example, has the manager/supervisor taken to assure the acceptance of all technicians?
- Does the manager/supervisor maintain records that show formal EEO training of all subordinate managers/supervisors including both initial and updated orientation?
- Does the record indicate that the manager/supervisor assigns like penalties for like offenses regardless of race, color, religion, sex, national origin, age, or other nonmerit factors?

APPENDIX F
A SAMPLE PERFORMANCE PLAN

This is an example of what a completed performance plan might look like. There is no requirement to use this style or format for a performance plan. There is a requirement to specify what constitutes acceptable performance and what constitutes unacceptable performance. Working with the technician to set developmental goals gives the supervisor the opportunity to challenge the technician to perform beyond the level of acceptable performance and also lets the technician and the supervisor together discuss what tasks and achievements are desired during the upcoming appraisal period. The supervisor may want to use the achievement of developmental goals as a criterion for nomination of an incentive award.

PERFORMANCE PLAN FOR Miss Minnie Pearl
APPRAISAL PERIOD: 1 January 200X - 31 December 200X
GRADE, SERIES, TITLE: GS-0318-05, Secretary

PERFORMANCE ELEMENT	PERFORMANCE STANDARD
*1. Correspondence. Establishes correspondence standards and reviews outgoing correspondence for proper format and accuracy. Advises on correspondence procedures.	Fully Acceptable: Accomplishes all of the following: • Prepares correspondence from rough drafts or oral instructions. • Provides guidance to division on questions concerning correspondence format, grammar, and style. Marginal: Fails to follow the Fully Acceptable standard following from two to three formal counseling sessions. Unacceptable: Fails to follow the Fully Acceptable standard following four or more formal counseling sessions. DEVELOPMENTAL GOALS: • Prepares routine correspondence for supervisor's signature with little or no guidance. • Arranges and attends training in Advanced Microsoft Word.
*2. Coordination. Receives visitors and telephone calls. Makes travel arrangements. Schedules meetings.	Fully Acceptable: Accomplishes all of the following: • Maintains supervisor's schedule and reminds him/her of appointments and meetings. • Using Excel spreadsheets, maintains weekly calendar for designated division personnel. Marginal: Fails to follow the Fully Acceptable standard following from two to three formal counseling sessions. Unacceptable: Fails to follow the Fully Acceptable standard following four or more formal counseling sessions.

	DEVELOPMENTAL GOALS: • Coordinates supervisor's schedule to prevent scheduling conflicts. • Arranges and attends training on time management.

*3. Administrative support. Receives and distributes mail. Assists in preparation of performance plans, performance appraisals, military ratings, and other confidential documents. Maintains organization chart.	Fully Acceptable: Accomplishes all of the following: • Insures that mail is picked up and delivered to Mailroom by scheduled personnel in a timely manner. • Screens supervisor's mail and responds or forwards items as appropriate. Marginal: Fails to follow the Fully Acceptable standard following from two to three formal counseling sessions. Unacceptable: Fails to follow the Fully Acceptable standard following four or more formal counseling sessions. DEVELOPMENTAL GOALS: • Maintains a suspense log for appraisals and performance plans due. • Tracks trends for appraisals and awards given in division.

*Critical element. An Unacceptable rating on one or more critical elements requires a summary rating of Unacceptable.

_____

SUPERVISOR: Signature, printed name, date signed.

_____

TECHNICIAN: Signature, printed name, date signed.

On the following page is an example of a form for a performance plan. There is no requirement to use this style or format for a performance plan. There is a requirement to specify what constitutes acceptable performance and what constitutes unacceptable performance. Working with the technician to set developmental goals gives the supervisor the opportunity to challenge the technician to perform beyond the level of acceptable performance and also lets the technician and the supervisor together discuss what tasks and achievements are desired during the upcoming appraisal period. The supervisor may want to use the achievement of developmental goals as a criterion for nomination of an incentive award.

PERFORMANCE PLAN
APPRAISAL PERIOD:
GRADE, SERIES, TITLE:

PERFORMANCE ELEMENT	PERFORMANCE STANDARD

*Critical element. An Unacceptable rating on one or more critical elements requires a summary rating of Unacceptable.

SUPERVISOR: Signature, printed name, date signed.

TECHNICIAN: Signature, printed name, date signed.

APPENDIX G

A SUPERVISOR'S SIMPLIFIED GUIDE TO PERFORMANCE MANAGEMENT

THE PERFORMANCE PLAN

Prepare a performance plan (formerly called performance standards) for each technician. A written, detailed plan is essential communication about what is expected.

Seek and use the input of your employees when preparing the plan. Experienced employees might be asked to write a draft of the standards or to give you their understanding of what constitutes an acceptable level of work and an unacceptable level. With all employees, supervisors should discuss the standards that will become the basis for appraisal and incorporate the employees' ideas to the greatest extent practicable.

Prepare a new performance plan at the beginning of each new appraisal period. Even if you do not change the plan at all, review the plan with the technician and get new signatures for the new appraisal period. Consider rewriting the plan at the beginning of the new appraisal period to reflect changing organizational goals and the professional development of the employee. The plan should communicate your expectations of the employee clearly and specifically. The plan is a good tool for working through an employee's limitations as well as developing his or her strengths. In this way, it is like a Performance Improvement Plan that you can use with every employee. A performance plan can help to improve performance.

Go over the completed plan with the employee. Since you have created the plan together, the completed plan should not be a surprise to the employee. In the event that you and the employee have been unable to agree on appropriate standards, you will make the determination and present the completed plan to the employee even though he or she disagrees with your decision. Ask the employee to sign the plan. This signature does not connote agreement; it is evidence that you presented the plan to the employee. If the employee refuses to sign the plan, note this fact in place of the signature by writing "Employee refused to sign" with the date and get the signature of your supervisor.

If you are a new supervisor, or are newly assigned to a work area, sign new performance plans with your new employees. The old plans signed by the old supervisor represent an agreement between that supervisor and the employees; you must make your own agreement with your employees. You might use the old plans without change until you have time to get to know the goals and priorities of the work area and the developmental needs of your employees. But you need to sign them.

As a minimum, you must state in detail what the employee must do to be considered Fully Acceptable on the appraisal and also what you will consider Unacceptable. There are many ways to write the performance plan. If you find a way that meets your needs, use it. This guide will describe one way to write the plan that you might want to try.

The appraisal period begins when you and the employee sign a new performance plan. If you have been working with the employee on the plan for a couple of weeks and it is now the middle of the month, you might date the plan the first of the month if that seems easier to both of you. But in general, don't

backdate a plan. The employee cannot be held responsible for a plan that he did not know about. A plan may cover less than a year but not more. A plan must be in effect for at least 120 days before you can do an appraisal.

HOW TO WRITE A PERFORMANCE PLAN

There is no one right way to write a performance plan and no form you must use. This guide will show you one way to write the plan and give you a sample form that you may copy if it meets your needs.

1. Begin by listing all the separate tasks performed by the technician. You might want to have the technician do this or at least you might interview the technician. Be specific. One task might be "Changes tires" or "Processes retirement applications."

2. Group similar or related tasks and name this group. These are performance elements. You might have things like "Automotive Repair" or "Customer Support." Indicate that a performance element is a critical element by marking it with an asterisk or in some other way clearly marking that it is a critical element. An Unacceptable rating on a critical element will mean that the rating for the whole appraisal is Unacceptable and some action will be required: a Performance Improvement Plan, and possibly even removal of the employee. You may include performance elements that are not critical if you wish, or you may only use critical elements. You may have an element that addresses group performance or teamwork on which all members of the group or team will be rated identically. Or the group or team may rate individual members on their contributions. You may want to try an element that includes peer feedback (or, for supervisors, feedback from subordinates).

It is not necessary to include all tasks or even all areas of responsibility on a performance plan. The performance plan explains what the employee will be appraised on. You certainly may assign tasks that do not appear on the performance plan. However, it is usually a better idea to include all the major areas of responsibility on the plan.

3. For each performance element, you will write performance standards. Describe what must be done for the work in an element to be successful. Consider the individual technician and the situation in the work area. A performance plan can be a tool for developing the skills and abilities of an employee. You may want to have different performance plans for employees who have the same position description, for a couple of reasons. One, they may have slightly different work assignments. Two, they may perform differently and need different challenges. On the other hand, you may want to use the same plan for all employees on the same position description. It depends on what best meets your needs.

Make a list of what you consider acceptable performance. This is a good time to address concerns with a technician's work performance. If a particular technician is sometimes careless with tools and you find this unacceptable, you may include "Puts away tools in proper place after use" or "Keeps work area neat and clean," or whatever is appropriate. You might not include the same item in the plan of another technician who does not have this problem.

List at least three or four items. These should be tasks you want the technician to perform and that you will know he or she has performed. At the top of this list, write this: "Fully Acceptable. Accomplishes the following: "

Next you will specify what will cause the technician to receive a rating of Unacceptable. Underneath the Fully Acceptable list, write: "Marginal. Fails to follow the Fully Acceptable standard following three

instances of formal counseling by supervisor." Use whatever number of counseling instances you feel to be appropriate.

Do the same for Unacceptable: "Unacceptable. Fails to follow the Fully Acceptable standard following four or more instances of formal counseling by supervisor."

What is a formal counseling? This is more serious than a conversation about how the technician is doing. Call the technician into a private setting and arrange not to be disturbed. Have the performance plan ready. Say something to this effect: "This is a formal counseling concerning your performance on performance element number two. You have not done this task although I reminded you twice. This is the first formal counseling on this matter. If you have more than four, you will receive an appraisal of Unacceptable on this element." Go on to investigate what problems the technician is experiencing with this task and see if there is anything you need to do to ensure success. Make a note of this counseling in the technician's work folder or 904-1. Maintaining documentation of counseling is very important. If you rate the technician below Fully Successful, you must be able to show documentation for counseling when that is a basis for the rating.

You will also add a short list of tasks or achievements you want the technician to achieve. The technician will not be rated on these tasks, but they are a way for the technician to excel. It is important to give employees goals that go beyond the acceptable level. These are called "developmental goals."

THE APPRAISAL

There is no form you must use to accomplish a technician's appraisal. A sample of an appraisal form is in this guide. You may use it if it meets your needs. If the appraisal is Fully Successful, all that is required is that you sign a statement to that effect. You may keep this in the employee's work folder. A recommended way to meet this requirement is to appraise the employee using a form like the one included in this guide. If the appraisal is less than Fully Successful, you must work with the Human Resources Office to process whatever consequences to the appraisal that there might be.

The following are requirements of a valid appraisal:

- The technician has a current performance plan.
- The plan has been in effect for at least 120 days.
- For an appraisal that covers more than six months, at least one mid-year performance review has been done.

HOW TO CONDUCT AN APPRAISAL

1. Spend some time reviewing the technician' performance plan so that you are familiar with the goals and tasks required. Ask the technician to do the same.

2. Meet with the technician. At this meeting, he or she should tell you how he or she feels about his or her performance on each element. This is also a good time to discuss training needs and developmental assignments that might be appropriate in the upcoming appraisal period.

3. Using the technician's input as part of your decision-making process (as seems appropriate to you), rate the performance elements Fully Successful, Marginal, or Unacceptable.

a. If the rating on each element is Fully Successful, spend some time discussing the things the technician accomplished that exceeded the Fully Acceptable standard. The appraisal gives you an opportunity to direct the technician's efforts by understanding and appreciating his or her efforts and abilities. You may want to use this information to recommend this employee for an incentive award.

b. If the rating on any critical element is less than Fully Acceptable, you will need to get the involvement of the Human Resources Office.

c. If the rating on a non-critical element is less than Fully Acceptable, spend some time discussing what was done or not done to affect the rating and what must happen to raise the rating. HRO does not need to be involved.

4. If you are ready to conclude the meeting with a Fully Successful rating, mark the appraisal form accordingly and both technician and you can sign it then. In some cases you may want extra time to decide on a rating. You can end the meeting and ask the technician to meet with you on the next day to finish the appraisal. If you intend to rate the technician less than Fully Successful on any critical element, you should end the meeting and meet again after you have obtained the signature of your supervisor as reviewer. A technician who receives a rating that is less than Fully Successful should be given an appraisal already signed by the supervisor and reviewer.

You may do an appraisal at any time the technician has been under your supervision with a current for at least 120 days. The requirement of law is that you do one annual appraisal with one mid-year review part way through the year. You are to notify HRO when you have completed the annual appraisal, even if you send no paperwork to them. The annual appraisal thus completed and reported is called the annual rating of record. You may do other appraisals; for example, if a technician moves to another supervisor during the appraisal period, you will do an appraisal on the technician's work with you and pass that on to the new supervisor. This close-out appraisal does not need to be reported to HRO and it is not an annual rating of record.

The summary level rating is the overall rating as opposed to the element rating. There is a requirement to assign a summary level rating ONLY on the annual rating of record. This means that you may do a close-out appraisal, or any other appraisal during the year, without assigning a summary level rating. You may just rate the individual elements.

WHO DOES THE APPRAISAL?

Questions will arise about the proper appraiser of a technician. If the supervisor or the technician has changed positions during the appraisal period, or if the technician has had a promotion, it may be confusing to know how to handle the appraisal. The best approach is to use common sense and handle each situation as seems best. Each supervisor can work out an answer with the technician involved and the next level of supervision. Here are some examples of problems and workable solutions.

1. The technician has received a promotion under the same supervisor.

The supervisor meets with the technician and does a close-out appraisal, no matter the lengths of time involved. This amounts to a discussion with the technician of his/her work in the old job. At the same

time the supervisor writes a performance plan for the new position. The technician will receive an appraisal on the new position after at least 120 days, but no more than one year.

The timing of this change will guide the supervisor as to which appraisal should be reported as the annual rating of record. If the change occurred a month or so before the end of the appraisal period, the close-out appraisal should be treated as the rating of record. The supervisor should note on the appraisal form or in the work file that the date is irregular because of this change in position.

2. The technician or the appraising supervisor moves to a new work area.

The old supervisor does a close-out appraisal. If this occurs close to the end of the appraisal period, this should be reported as the annual rating of record. The new supervisor prepares a new performance plan and has the option of rating the technician after 120 days and then writing a new performance plan for the rest of the appraisal period. An early rating like this is advised because, when the time comes for the next annual rating of record, the new supervisor should not rate the technician over more than one year of work. An alternative the supervisor and the technician might discuss is to let the excess month or so go and make the new performance plan effective at the beginning of the regular appraisal period. This would create a gap in the time covered by the technician's appraisals.

3. A new supervisor comes into the work area toward the end of the appraisal period. The old supervisor did not complete appraisals for any of the technicians.

The new supervisor should prepare performance plans as soon as possible. He/She has two choices: (1) preparing a rating as close as possible to the end of the appraisal period and annotating the reason for the irregular date; (2) beginning the new performance plan at the start of the regular appraisal period and doing the annual rating of record at the end of the year. With (2), the technician will not have a rating of record for one year.

PERFORMANCE IMPROVEMENT PLAN (PIP)

Law and regulation require that a technician whose performance is deficient be given an opportunity to improve. This is done through the use of a performance improvement plan (PIP). A PIP is prepared by the supervisor with the help of HRO. This should be done ANY time performance is found to be below Fully Successful. The PIP is a detailed, concrete communication to the technician about expectations for performance. It will be in effect for thirty (30) days unless there is a reason to make it longer. At the end of the PIP, the supervisor will formally appraise the technician. If the appraisal is below Fully Successful, the supervisor should implement the consequences. In the case of a rating of Unacceptable, this might be removal or change to lower grade. A rating of Marginal will suppress the within-grade increase. Advance notice to the employee is required to deny a WIG; be sure to check the negotiated agreement for any further requirements.

HOW TO MONITOR A PERFORMANCE IMPROVEMENT PLAN

A PIP has two functions: it guides the technician in improving performance; and it creates a solid foundation for change to lower grade or removal, if that becomes necessary. Both these outcomes depend on the same thing: the supervisor's completion of his/her part of the plan.

A critical part of a PIP is the paragraph where the supervisor outlines what the agency will do to assist the technician in achieving successful performance. The supervisor may offer additional training, to include on-the-job training and rotational assignments. Often the supervisor will increase supervisory guidance of the technician during the PIP. It is essential that the supervisor follows through on these responsibilities! If the supervisor appraises the technician as Unacceptable and then removes him, an appraisal appeal will focus on whether or not the supervisor met all his/her responsibilities under AGONM TPR 430 and the PIP. If the supervisor has not met all these responsibilities, it is very likely that the appraisal of Unacceptable will be rescinded, even though the technician's performance may indeed have been unacceptable.

GENERAL RULE

The general rule for performance management is that implementing this program is the responsibility of supervision rather than HRO. HRO's responsibility is to guide and advise supervisors in this area. Decisions about appraisals, performance plans, removing for poor performance, and other matters in the area of performance management rest with supervision. HRO will assist in implementing these decisions and may be able to advise about possible consequences or suggest alternatives. The goal of this program is to give supervisors tools for managing the performance of their employees and for removing employees for poor performance when that is necessary.