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Article 21

Performance

Section 1. Introduction

SSA will strive for continuous improvement in Agency performance to fulfill its commitment to providing quality public service. The Agency has decided to implement a three-tier performance plan, the Performance Assessment and Communication System (PACS). The PACS provides managers with an effective and equitable system for managing employee performance.

Section 2. Overview

A. PACS uses a three-tier rating system for ratings on individual performance elements and for the summary appraisal rating.

Most employees will be rated on four standard elements. The PACS offers three summary appraisal rating of record levels with clear distinctions among those performance levels to differentiate between high performing employees (Level 5 – Outstanding Contribution), the more typical successful employees

24 (Level 3 – Successful Contribution), and employees whose performance is
25 clearly failing (Level 1 – Not Successful).

26

27 B. New hires and trainees may serve under special pass/fail performance plans
28 during their initial appraisal period. This special provision for new hires and
29 trainees recognizes that the first year of employment in their new SSA
30 positions may be spent in formal classroom and on-the-job training and allows
31 these employees additional time to demonstrate performance in all elements
32 of their positions.

33

34 C. The PACS is used to make certain personnel decisions.

35

36 1. Within-Grade Increase - An employee who has attained an appraisal
37 rating of “Successful” will be entitled to a within-grade increase, as long
38 as current performance is consistent with the rating of record.

39

40 2. An appraisal rating of at least “Successful” is required in order to be
41 considered for awards and/or promotions.

42

43 3. The performance appraisal will be considered in making
44 determinations regarding reductions in force (RIF) in accordance with
45 Article 14 of this agreement.

46

47

48 Section 3. Definitions of Commonly Used Terms

49

50 A. Performance Elements are work assignments and responsibilities that are key
51 to achieving the Agency's mission and goals and reflect the Agency's
52 commitment to providing outstanding public service.

53

54 B. Critical element means a work assignment or responsibility of such
55 importance that unacceptable performance on the element would result in a
56 determination that an employee's overall performance is unacceptable.

57

58 C. Performance standard means the management approved expression of the
59 performance threshold(s), requirement(s), or expectation(s) that must be met
60 to be appraised at a particular level of performance. A performance standard
61 may include, but is not limited to, quality, quantity, timeliness, and manner of
62 performance.

63

64 Performance standards provide the framework for the expectations of what
65 employees will accomplish and how it will be done. Employees are only rated
66 on the standards that are applicable to them.

67

68 D. Performance plan means all of the written, or otherwise recorded,
69 performance elements that set forth expected performance. A plan must
70 include all critical and non-critical elements and their performance standards.

71

72 E. Alignment Statement is a standardized form that managers will provide to
73 employees to facilitate discussion regarding how their work contributes to
74 achievement of Agency goals and objectives. The statement may be
75 supplemented with information about component goals and targets.

76

77 F. Rating of record means the performance rating prepared at the end of an
78 appraisal period for performance of agency-assigned duties over the entire
79 period and the assignment of a summary level within a pattern (as specified in
80 Sec. 430.208(d)), or in accordance with Sec. 531.404(a)(1) of this chapter
81 (Code of Federal Regulations). There are three summary appraisal levels for
82 this performance plan: Outstanding Contribution (Level 5); Successful
83 Contribution (Level 3) and Not Successful (Level 1).

84

85 G. Progress review means communicating with the employees about
86 performance compared to the performance standards of critical and non-
87 critical elements.

88

89 H. New Hires – External hires who are new to the Social Security Administration.

90

91 I. Trainees – Employees, both external hires and employees
92 promoted/transferred to a new position, who management determines need a
93 structured period of training, including on-the-job training and mentoring, to
94 perform the basic duties of the position.

95

96 J. Element Average – The average of the performance element ratings which is
97 used to determine eligibility for awards. It is a computation summary derived
98 in the performance evaluation process. Each performance element in the
99 employee’s appraisal is assigned a rating of 1, 3, or 5. The individual
100 performance element ratings of 3 and 5 are added together and the total is
101 divided by the number of performance elements and the resulting number is
102 the Element Average.

103

104

105 Section 4. Length of Appraisal Period

106

107 A. The PACS appraisal period is one year. The appraisal period is normally
108 from October 01 through September 30. A rating of record will be prepared at
109 the end of the appraisal period and issued to the employee within 30 days of
110 the completed appraisal period.

111

112 B. The minimum appraisal period for employees is 120 days. Employees must
113 be under a performance plan for a minimum of 120 days to be eligible for an

114 annual performance appraisal at the end of their appraisal period. Employees
115 serving in a probationary period will not receive a rating of record until after
116 completion of their probationary period.

117

118 C. Employees who have been under their performance plan for less than 30
119 days and are approved for an extended absence in excess of 150 days will
120 begin a new minimum appraisal period upon their return to duty. This does
121 not preclude the appraising official from considering the employee's
122 performance during the period the employee was under the performance plan
123 for less than 30 days.

124

125

126 Section 5 - Expectation Discussions

127

128 A. At the beginning of the appraisal period, the appraising official and the
129 employee will meet to discuss the performance expectations so as to attempt
130 to arrive at a full and complete understanding of what is required to achieve
131 the successful contribution performance level described in the plan.
132 Expectation discussions provide meaningful context to performance
133 standards and provide a means to align employee contributions to Agency
134 goals and objectives.

135

136 B. The discussion will also include an explanation of the performance plan
137 terminology, the method(s) to be used to determine the level of performance
138 in each Element, the nature and type of work product or other result to be
139 counted, reviewed, or otherwise monitored. The discussion may also include
140 examples of the performance requirements for Level 3 as they relate to the
141 requirements for the Successful Contribution Level. The discussion shall
142 attempt to avoid subsequent misunderstandings about the performance
143 expectations and their application to the employee's performance.

144

145 C. An employee shall not be rated on a performance standard that was not
146 disclosed to him/her as part of a written performance appraisal plan.

147

148 D. If the Agency decides to use numerics as performance standards, it will
149 clearly be identified as such.

150

151 E. The appraising official will document the expectations discussed with the
152 employee. The documentation may be a short statement or a bullet list of the
153 expectations conveyed to the employee. Standard expectations may be
154 developed for standard positions. This documentation will be filed in the
155 employee's SF-7B Extension File as part of the PACS and a copy will be
156 given to the employee.

157

158 F. Subsequent expectation sessions should be held when there is a change in
159 the work situation such as:

160

161 1. a change in the supervisor of record,

162

163 2. a detail,

164

165 3. a change in component goals or objectives, or

166

167 4. a return to duty from an extended absence of one hundred and twenty
168 (120) days or more.

169

170

171 Section 6. Appraisal Period Mechanics

172

173 A. Issuing Performance Plans

174

175 Supervisors will issue performance plans to employees no later than 30 days
176 from the beginning of their appraisal periods.

177

178 Supervisors will meet with employees individually to discuss their
179 performance plans at the time they are issued. In the context of this
180 discussion, supervisors will:

181

182 1. discuss the Alignment Statement with employees and review its
183 content.

184 2. discuss employee performance elements, standards and expectations
185 that will be used to evaluate the employee.

186

187 3. identify numeric data that may be considered in measuring employee
188 progress and contributions.

189

190 4. discuss employee development needs and opportunities, the
191 employee's commitment to success and the relationship between
192 contributions and employee recognition.

193

194 Employees and their supervisors will sign the performance plan to
195 acknowledge that the performance plan has been issued and the initial
196 performance discussion has been held. A copy of the signed performance
197 plan will be given to the employee and the original will be placed in the SF-7B
198 Extension File.

199

200 Managers may meet with employees collectively, in addition to individual
201 performance discussions, to convey information that is general for all
202 employees, such as unit/team goals.

203

204 B. Monitoring Performance and Communications

205

206 Ongoing two-way communication between the manager and the employee is
207 an effective tool for successful performance. Discussions should be a candid,
208 forthright dialogue between the manager and the employee aimed at
209 improving performance, the work process, or product. These discussions will
210 provide the employee the opportunity to seek further guidance and
211 understanding of his/her work performance, to surface needs, or to participate
212 in a dialogue about his/her contribution. Discussions may be initiated by the
213 manager or by the employee.

214

215 Supervisory conclusions based upon observations of an employee by
216 management will be timely communicated to the employee during informal
217 discussions and/or the progress review. If the employee disagrees with the
218 supervisory conclusions on individual cases or overall performance to date,
219 he/she may provide management with written rebuttals that will be placed in
220 the SF-7B Extension File.

221

222 An employee may inform his/her appraising official in writing, which includes
223 Email, of factors beyond his/her control that have affected his/her
224 performance. The appraising official will consider such factors when
225 evaluating performance for the appraisal period. The written documentation
226 will be placed in the employee's SF-7B Extension File.

227

228 C. Formal Performance Discussion

229

230 At least once during the appraisal period, management will have a
231 documented performance discussion with each employee regarding the
232 employee's performance. During the discussion, management should
233 discuss the employee's contributions and results achieved within each
234 performance element, reinforce expectations, and identify needs for
235 performance improvement.

236

237 To ensure that all performance related activities are identified and
238 documented, employees should provide feedback about their contributions to
239 managers.

240

241 Managers should document the content of performance discussions. The
242 documentation may be a short statement or a bullet list highlighting individual
243 accomplishments and/or contributions.

244

245 Employees and supervisors will sign the performance plan to acknowledge
246 that the formal discussion was held. The documentation will be placed in the
247 SF-7B Extension File and a copy given to the employee.

248

249 D. Annual Performance Appraisal

250

251 Supervisors will schedule time with the employee to issue his/her rating of
252 record within 30 days of the end of the employees' appraisal period.

253

254 If employees have not served under their performance plans for the minimum
255 appraisal period, their annual performance appraisal will be postponed until
256 the 120 day appraisal period has been completed.

257

258 Annual performance appraisals for new employees who are not covered by
259 the PACS New Hires and Trainees (NHT) procedures will be postponed until
260 one of the following conditions are met:

261

262 1. the probationary period is completed, or

263

264 2. the trial period for term appointment is completed, or

265

266 3. the initial excepted service appointment not limited to 1 year or less is
267 completed.

268

269 E. Optional Employee Self-Assessment

270

271 Employees will be provided the option of completing a one page, end-of-cycle
272 self-assessment highlighting their contributions and accomplishments relating

273 to the performance plan. Employees, who wish to submit a self-assessment,
274 must do so no later than 10 days after the end of their appraisal period. A
275 reasonable amount of time, as determined by the supervisor, will be provided
276 for this activity. Self-assessments should be maintained in the SF-7B
277 Extension File.

278

279 F. Feedback from Workgroup/Special Projects/Details

280

281 Rating officials are responsible for obtaining feedback regarding an
282 employee's performance on workgroups, special projects, or details outside
283 the normal work unit when the activity would have an impact on the
284 determination of the employee's performance. In determining whether to
285 solicit feedback, consideration should be given to the activity, duration of the
286 activity, and the amount of time the employee spent on the activity.

287

288 Feedback should be obtained in writing from the supervisor responsible for
289 the workgroup, project or detail. The assignment supervisor may include
290 feedback obtained from a non-supervisory project leader, technical expert or
291 team leader. Employees should be given a copy of the feedback and
292 provided an opportunity to include comments. Feedback information should
293 be maintained in the SF-7B Extension File.

294

295 G. Considerations In Assessing Performance

296

297 1. The Agency, when assessing performance, will consider factors which
298 affect performance that are beyond the control of the employee.

299

300 2. When numerical goals, guidelines, indicators and pars are factors in
301 appraising an employee in a given critical element, management will
302 consider the employee's other job assignments and the actual amount of
303 time available to perform the job function being appraised under that
304 critical element.

305

306 3. Management will also consider the approved use of official time when
307 evaluating employee performance.

308

309 4. In the performance of and accounting for Agency work, statistical
310 measures and their application will be reliable.

311

312 5. The procedures that are used to gather information in order to evaluate
313 employee performance must reasonably ensure the accurate evaluation of
314 performance.

315

316 6. Management will timely disclose to each employee all records that relate
317 to his/her performance appraisal.

318

319 H. Documentation of Annual Performance Appraisal

320

321 Standard forms will be used to document the employees' performance.
322 Rating supervisors will sign and date the annual performance appraisals and
323 make copies of them. Employees will sign and date the copy of their annual
324 performance appraisals to indicate receipt. Employees will receive the
325 original signed appraisals. Copies of appraisals will be maintained in the SF-
326 7B Extension File and recorded on the Agency's automated management
327 information system. Appraisals will be maintained in accordance with SSA's
328 policies and procedures.

329

330 I. Element Average

331

332 In order to differentiate degrees of above average performance to determine
333 eligibility for awards, the Element Average will be computed based on the
334 rating of each individual element. An Element Average is not computed for
335 those employees with a Level 1 rating because they are not eligible for
336 awards.

337

338 1. Only performance element ratings of 3 and 5 will be used.

339

340 2. All elements are given equal weight in computing the element average.

341

342 3. An Element Average is not computed on PACS-NHT appraisals.
343 Those new hires and trainees covered by PACS-NHT will be rated on
344 two elements and will be rated "Pass" or "Fail". For purposes of
345 awards, "Pass" corresponds to an average of 3.0 and "Fail"
346 corresponds to a rating of 1.0.

347

348

349 Section 7. Procedures for Marginal and Failing Performance

350

351 The procedures for dealing with marginal and failing performance apply to
352 employees who are entitled to the procedural and appeal rights described in 5
353 CFR 432 or 5 CFR 752.

354

355 These procedures are not applicable to employees who are not entitled to the
356 procedural and appeal rights described in 5 CFR 432 or 5 CFR 752, or who have
357 waived those rights. These employees may be terminated for performance
358 reasons with appropriate written notice.

359

360 A. Performance Assistance

361

362 When an employee's performance is identified as marginal or failing, the
363 manager should conduct a performance discussion with the employee to

364 determine the reason(s) for the poor performance. The manager should
365 discuss with the employee:

366

367 1. the expectations for improving performance;

368

369 2. the employee's responsibilities; and,

370

371 3. what assistance may be needed to perform at the Successful

372 Contribution Level, which may include training, or mentoring, or other

373 appropriate support.

374

375 An employee will be allowed 30 calendar days to successfully improve his/her
376 performance. The manager may extend the period if the employee is
377 demonstrating significant progress toward successful performance.

378

379 The manager should summarize the discussion in writing. This will be
380 initialed by the employee and placed in their SF-7B Extension File, along with
381 copies of training schedules and documentation of any other assistance
382 provided. The employee will be given copies.

383

384 Employees are considered to be performing at the Successful Contribution
385 Level (Level 3) during a period of performance assistance. If a rating of
386 record becomes due during a period of performance assistance, the

387 employee will be rated no lower than the Successful Contribution Level
388 (Level 3). Employees will be eligible for WIGIs and awards during an
389 assistance period. Employees in career ladder positions will also be eligible
390 for career ladder promotions, provided that the other requirements for
391 promotion are met. If after successful completion of a Performance
392 Assistance Plan an employee develops another performance related problem,
393 they are entitled to another period of Performance Assistance.

394

395 B. Opportunity to Perform Successfully (OPS)

396

397 If following the Performance Assistance period, performance is below the
398 Successful Contribution Level, the manager should initiate a performance
399 improvement plan, the OPS Plan. The OPS represents a formal process for
400 performance improvement developed by the manager.

401

402 To institute an OPS Plan, the manager must provide written notice to the
403 employee that includes:

404

- 405 1. the critical element(s) for which performance is unacceptable;
- 406
- 407 2. the performance requirement(s) or standard(s) that must be attained in
408 order to demonstrate acceptable performance;

409

- 410 3. a statement that the employee is not in good standing and any WIGI or
411 career ladder promotion will be withheld for the duration of the plan;
412
413 4. a summary of assistance already provided, along with the results;
414
415 5. a statement of the manager's plan for providing additional assistance
416 to the employee (e.g., training, mentoring, etc.);
417
418 6. a statement that the employee has the responsibility to improve
419 performance, which may include seeking assistance needed, reading
420 and researching issues, etc.; and
421
422 7. a statement that unless the employee's performance in the critical
423 element(s) improves to and is sustained at an acceptable level, the
424 employee may be reassigned, reduced in grade, or terminated.

425

426 OPS Plans will be instituted for a period of 120 calendar days. Managers
427 may terminate the plan if successful performance is demonstrated and
428 sustained before the end of the 120 days. Managers may extend the period if
429 the employee is demonstrating significant progress toward the Successful
430 Contribution Level of performance.

431

432 A copy of the written OPS notice will be placed into the employee's SF-7B
433 Extension File.

434

435 During the OPS, the manager will conduct ongoing discussions with the
436 employee about progress toward improvement. The manager will document
437 these discussions and work reviews in the employee's SF-7B Extension File.

438 The employee will be given copies of discussions and work reviews placed in
439 his/her Extension File.

440

441 At the end of the OPS period if performance has not improved to the
442 Successful Contribution Level, a Level 1 rating of record will be issued. If
443 performance has improved to the Successful Contribution Level and a rating
444 of record is due, the rating will be Level 3. If performance has improved to
445 the Successful Contribution Level and a rating of record is not due, the
446 employee will be notified in writing of his/her successful completion of the
447 OPS and a copy of the notice will be placed in his/her SF-7B Extension File.

448

449 Employees are considered to be performing at the Not Successful level
450 (Level 1) while under an OPS Plan. If a rating of record becomes due while
451 an employee is under an OPS Plan, the rating of record will be delayed until
452 the plan is completed. If a WIGI becomes due while an employee is under an
453 OPS Plan, a Not Successful rating of record will be prepared and the WIGI
454 will be denied.

455

456 Section 8. Performance-Based Actions

457

458 A. Managers will initiate a performance-based action if, despite the additional
459 assistance provided in accordance with the OPS Plan, the employee's
460 performance has not improved to the Successful Contribution Level by the
461 end of the OPS period. This will result in the employee's reassignment to
462 another position; e.g., the prior position, or reduction in grade, or termination.

463

464 B. Demotions or removals for performance-based reasons must be
465 accomplished in accordance with the applicable law and government-wide
466 regulations governing the employees covered and the procedures to be
467 followed (i.e., 5 CFR Part 432 or 5 CFR Part 752).

468

469 C. An employee receiving a proposed action based on unacceptable
470 performance is entitled to:

471

472 1. 30 day advance written notice of the proposed action that identifies
473 both the specific instances of unacceptable performance by the
474 employee on which the proposed action is based and the critical
475 element(s) of the employee's position involved in each instance of
476 unacceptable performance;

477

- 478 2. to be represented by an attorney or other representative;
479
- 480 3. time to respond to the notice of proposed action orally and in writing;
481
- 482 4. a final written decision within 30 days after the expiration of the
483 advance notice period.
484
- 485 D. The employee may appeal to the Merit Systems Protection Board in
486 accordance with applicable law, or the Union on behalf of the employee may
487 timely file a written request to invoke arbitration under the terms of this
488 Agreement. The choice of appeal forum is irrevocable. An employee shall be
489 deemed to have exercised the appellate option at such time as the employee
490 timely initiates an appeal under the statutory procedure, or the Union on
491 behalf of the employee timely files a written request to invoke arbitration,
492 whichever occurs first. Arbitration must be invoked no later than thirty (30)
493 days after the effective date of the action unless EEO counseling is initiated
494 pursuant to Article 24 Section 8.
495
- 496 E. Managers have the option of taking a performance-based action without
497 instituting a new OPS Plan if:
498
- 499 1. the employee has successfully completed an OPS Plan by
500 demonstrating improved performance, and

501 2. within a one-year period following the beginning of that OPS Plan, the
502 employee's performance again falls below the Successful Contribution
503 level in the same element, and

504

505 3. there is sufficient documentation to support a performance-based
506 action.

507

508 F. If these three conditions are not met, the manager will initiate a new OPS
509 Plan.

510

511 G. The Not Successful (Level 1) rating of record for an employee who has been
512 demoted or reassigned for performance-based reasons in accordance with
513 this Section will continue in effect until completion of the employee's appraisal
514 period for his/her current position. However, if the employee is eligible for a
515 WIGI prior to the completion of this appraisal period, a rating of record will be
516 issued when the employee has demonstrated successful performance for at
517 least 120 days.

518

519

520 Section 9. Special PACS Provisions for New Hires and Trainees (PACS-NHT)

521

522 A. Overview

523

524 New hires and trainees may be issued a pass/fail PACS-NHT performance
525 plan. The PACS-NHT provisions recognize that many new hires and trainees
526 require a lengthy period of formal classroom training and/or on-the-job
527 training before they can perform the full range of their job duties. The PACS-
528 NHT provisions provide these employees with additional time to demonstrate
529 successful performance before they are rated under the normal PACS
530 performance plan.

531

532 B. Employees Covered

533

534 1. New Hire/Trainees

535

536 Employees newly hired into SSA positions for the first time, or following
537 a break in SSA employment, may be covered by the special PACS
538 provisions for new hires and trainees (PACS-NHT). Since new hires
539 for some positions would be expected to perform the full range of job
540 duties without extensive training/mentoring, additional time would not
541 be needed to evaluate performance.

542

543 2. Current SSA Employee Trainees

544

545 Current SSA employees who move, without a change in appointment
546 or a break in service, into new positions that require a lengthy training

547 period may also be covered by special PACS-NHT provisions during
548 the training period.

549

550 C. Length of Appraisal Period

551

552 1. New Hire/Trainees

553

554 The initial appraisal period for the new hires covered under PACS-NHT
555 provisions begins with their entrance on duty into the new position and
556 ends one year from that date. They are issued a limited performance
557 plan consisting of two elements: Engages in Learning and
558 Interpersonal Skills. Probationary employees are not appraised during
559 their first year.

560

561 a. If the employee's training period ends before the end of the
562 probationary period, he/she is issued a rating of record at the end
563 of the probationary period based on these two elements. The
564 employee is then issued a full performance plan for the next rating
565 period.

566

567 b. If the employee's training period does not end before the end of the
568 probationary period, he/she is issued a rating of record at the end
569 of the probationary period based on the two elements. The

570 employee is then reissued a limited performance plan with the two
571 elements until training is completed.

572

573 At the completion of training, the employee is given the full performance plan.
574 A rating of record is issued if a rating is due and the employee has been
575 under the PACS-NHT plan for at least 120 days.

576

577 The above applies to covered employees serving under a trial period for term
578 appointments and to covered employees in the first year of employment
579 under excepted service appointments that are not limited to 1 year or less.

580

581 Upon issuance of a full performance plan, employees will be given a minimum
582 appraisal period of 6 months. If a rating of record is due before completion of
583 this 6 month period, the rating will be delayed until the end of the first 6
584 months under the full performance plan. Thereafter, all employees will be
585 covered under the normal PACS provisions and the appraisal period will end
586 on the applicable date described in Section 4.

587

588 2. Current SSA Employee Trainees

589

590 The initial appraisal period for SSA employees who move, without a
591 change in appointment or a break in service, into new positions that

592 require a lengthy training period begins with the date they enter the
593 trainee position.

594

595 Trainee as used here is not meant to include the length of time needed
596 to reach the journeyman level of a career ladder position.

597

598 If the employee's training period has not ended by the end of his/her
599 appraisal period, issue a PACS-NHT appraisal if the employee has
600 been covered by a performance plan for at least 120 days. The
601 employee will then be issued another PACS-NHT performance plan.

602

603 If the employee's training period has not ended by the end of his/her
604 appraisal period, and the employee has not been covered by a
605 performance plan for at least 120 days, management will defer issuing
606 a PACS-NHT appraisal until the employee has been covered for 120
607 days. The employee will then be issued another PACS-NHT
608 performance plan.

609

610 If the training period is completed by the end of his/her appraisal
611 period, a PACS-NHT appraisal will be issued. A regular PACS
612 performance plan will then be issued.

613

614 Upon issuance of a full performance plan, employees will be given a
615 minimum appraisal period of 6 months. If a rating of record is due
616 before completion of this 6 month period, the rating will be delayed
617 until the end of the first 6 months under the full performance plan.
618 Thereafter, all employees will be covered under the normal PACS
619 provisions and the appraisal period will end on the applicable date
620 described in Section 4.

621

622 D. PACS-NHT Performance Plans

623

624 Supervisors will issue PACS-NHT performance plans to new employees and
625 trainees no later than 30 days from their entrance on duty into their new
626 positions.

627

628 Supervisors will meet with new employees and trainees to discuss their
629 performance plans at the time they are issued. Initial Performance Plan
630 discussions will be conducted and documented in accordance with Section 6.

631

632 E. Monitoring Performance

633

634 Supervisors will monitor the performance of new hires and trainees and
635 conduct formal progress reviews in accordance with the provisions in
636 Section 6.

637

638 F. Annual PACS-NHT Performance Appraisal

639

640 Annual PACS-NHT performance appraisals must be completed at the end of
641 employees' initial appraisal periods. Supervisors will provide employees with
642 their ratings of record within 30 days of the end of their appraisal periods.

643

644 If employees have not served under their PACS-NHT performance plans for
645 the minimum appraisal period (i.e., 120 days), their annual performance
646 appraisal for the initial appraisal period will be postponed until the minimum
647 appraisal period has been completed.

648

649 Supervisors will consider feedback from other sources, including mentors and
650 training instructors, to ensure a fair, complete and ongoing appraisal of
651 employees' work/learning activities during the rating period. Feedback should
652 be obtained, maintained and considered in accordance with the provisions in
653 Section 6.

654

655 PACS-NHT annual performance appraisals will be documented and
656 maintained in accordance with the provisions in Section 6.

657

658 G. Procedures for PACS-NHT Marginal and Failing Performance

659

660 1. New Hires and Trainees with Appeal Rights

661

662 The procedures for dealing with marginal and failing performance in
663 Section 7 will also apply to new hires and trainees serving under
664 PACS-NHT performance plans who are entitled to the procedural and
665 appeal rights described in 5 CFR 752 or 5 CFR 432.

666

667 2. New Hires and Trainees without Appeal Rights

668

669 The procedures for dealing with marginal and failing performance in
670 Section 7 do not apply to new hires and trainees serving under PACS-
671 NHT performance plans if they are not entitled to the procedural and
672 appeal rights described in 5 CFR 752 or 5 CFR 432 or if they have
673 waived those rights. In these situations, new hires and trainees who
674 demonstrate marginal or failing performance may be terminated for
675 performance reasons with appropriate written notice.

676