

DPMAP

Memorandum of Agreement
between

AFGE Local 1770

and XVIII Airborne Corps and
Fort Bragg



DEPARTMENT OF DEFENSE
CIVILIAN PERSONNEL ADVISORY SERVICE
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-1100

March 28, 2017

MEMORANDUM FOR THE COMMANDER, XVIII AIRBORNE CORPS AND
FORT BRAGG
ATTN: MR. PETE HILL
HUMAN RESOURCES CONSULTANT
CIVILIAN PERSONNEL ADVISORY CENTER
2175 REILLY ROAD, STOP A
FT. BRAGG, NORTH CAROLINA 28310-5000

SUBJECT: Memorandum of Agreement (Defense Performance Management and Appraisal Program) between the U.S. Army XVIII Airborne Corps and Fort Bragg and the American Federation of Government Employees, Local 1770

I reviewed the subject memorandum of agreement (MOA), executed on March 16, 2017, pursuant to 5 U.S.C. §7114(c). The MOA is approved. The approval of this MOA does not constitute a waiver of, or exception to, any existing law, rule, regulation, or published policy.

This action is taken under authority delegated by DoD 1400.25-M, Civilian Personnel Manual, Subchapter 711, Labor Management Relations. Please annotate the MOA to include the following sentence:

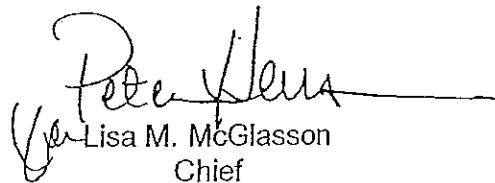
"Approved by the Department of Defense on March 28, 2017."

Please forward a signed copy of the approved MOA, along with one (1) copy of OPM Form 913B, as follows:

- a. One (1) electronic copy identified as the "Final Approved Agreement" emailed to the Defense Civilian Personnel Advisory Service (DCPAS), Labor and Employee Relations Division (LERD) at: dodhra.mc-alex.dcpas.mbx.hrops-lerd-labor-relations@mail.mil. An electronic version of OPM Form 913B is available at: https://www.opm.gov/forms/pdf_fill/OPM913b.pdf
- b. One (1) electronic copy emailed to Ms. Teresa Briley, Department of the Army, at: teresa.r.briley.civ@mail.mil.

A copy of this memorandum was served via regular mail on the exclusive representative on March 28, 2017.

If there are any questions concerning this memorandum, please contact
Mr. Pete Heins at (703) 501-6127.


Lisa M. McGlasson
Chief

Labor and Employee Relations Division

cc:

Mr. Jonathan Steele, President
AFGE Local 1770
P.O. Box 70027
Fort Bragg, NC 28307

Via Email:

Ms. Kelly Smith
Department of the Army

MEMORANDUM OF AGREEMENT
BETWEEN
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES LOCAL 1770
AND
XVIII AIRBORNE CORPS AND FORT BRAGG

1. **PURPOSE:** This Memorandum of Agreement (MOA) represents the culmination of Impact and Implementation (I&I) negotiation of the Defense Performance Management and Appraisal Program (DPMAP) and is entered into between the Parties of the Collective Bargaining Agreement Headquarters, XVIII Airborne Corps and Fort Bragg (hereinafter referred to as the "Agency") and the American Federation of Government Employees, AFL-CIO, Local 1770, (hereinafter referred to as the "Union"). The Agency and the Union are collectively known as the "parties".

2. **SCOPE.** This MOA covers all bargaining unit employees located at Fort Bragg, North Carolina who are paid from appropriated funds and who are administered by the Fort Bragg Civilian Personnel Office.

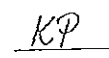
3. It has come to the attention of the Parties that it is necessary to negotiate the procedures and appropriate arrangements for Bargaining Unit Employees (BUE) as a result of Defense Performance Management and Appraisal Program (DPMAP).

4. **THE PARTIES AGREE TO THE FOLLOWING:**

The following instructions, guides and policies will be utilized by BUEs, rating officials, and higher level reviewers, until they are rescinded or superseded by the issuing authority:

- A. Department of Defense Instruction (DODI) 1400.25, Volume 431, February 4, 2016 "DoD Civilian Personnel Management System: Performance Management and Appraisal Program establishes DPMAP procedures at http://www.dtic.mil/whs/directives/corres/pdf/140025_vol431.pdf.
- B. DoD Performance Management and Appraisal Program Toolkit, April 2016 at <https://www.cpms.osd.mil/Content/Documents/DPMAP/PerformanceManagementandAppraisalProgramToolkit.pdf>
- C. Memorandum, Department of the Army, dated 9 May 2016, Subject: Army Policy on requirement for a Higher Level reviewer for the Department of the Army Civilian Employees covered Under the Defense Performance Management and Appraisal Program and at <http://cpol.army.mil/library/general/ACNB/docs/20160509-HigherLevelReviewer.pdf>.


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MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

- D. Department of Army Policy on Values, at
https://www.army.mil/e2/rv5_downloads/values/armyvalues.pdf

5. PERFORMANCE EVALUATION

SECTION 1. GENERAL: The Employer will manage the performance evaluation program under the provisions of the above references in paragraph 4 above and 5C.F.R. 430, Performance Management, as amended by this article.

- A. All evaluations of performance will be applied in a fair and objective manner. An employee's signature on an evaluation, where signature is provided for, indicates only that the evaluation has been received and does not indicate an employee's agreement or disagreement with the evaluation.
- B. The Purpose of the Performance Management and Appraisal Program:
- (1) Provides a frame work for communicating expectations and job performance.
 - (2) Links individual employees performance and organizational goals
 - (3) Establishes a process for planning, monitoring, evaluating and recognizing employee's performance that contributes to mission success.

SECTION 2. BASIC REQUIREMENTS: The Performance Management and Appraisal Program uses a three (3) level rating system as identified in 5 CFR 430.208 (d) (1): Level 5- Outstanding, Level 3- Fully Successful, and Level 1- Unacceptable.

- A. APPRAISAL CYCLE: Employees covered by The Performance Management and Appraisal Program will be appraised annually:
- (1) With the exception of the year of initial implementation, the beginning of the appraisal period will commence on 1 April of each year and run through 31 March of the following year.
 - (2) In order to be assigned a rating of record, an employee must have performed in a position for 90 calendar days or more during the appraisal period and be appraised against the elements of an approved performance plan. If an employee has not performed work at least 90 calendar days in a position with an approved performance plan during the appraisal period, the appraisal period must be extended until the 90 calendar day requirement has been satisfied.
 - (3) Employees on leave without pay or extended paid leave who have not performed work under an approved performance plan for a minimum of 90 calendar days are not eligible to receive a rating of record.
- B. PERFORMANCE DISCUSSION: Supervisors (Rating Officials) and employees should engage in two- way performance communication throughout the appraisal cycle.
- (1) A minimum of three (3) formal documented performance discussions will be required per appraisal cycle, they are as follows:
 - (a) Initial performance planning to discuss performance expectations,
 - (b) One progress review, and

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

- (c) The final performance appraisal to discuss the final rating of record.
 - (2) If the employee performance becomes unacceptable or if the plan needs to be modified at any time during the appraisal cycle additional performance discussions will be held.
 - (3) The employee may also request to have a performance discussion with their immediate supervisor (Rating Official), this meeting should be held at the earliest convenience, mission dictating, but normally no later than seven (7) calendar days.
- C. MYPERFORMANCE APPRAISAL TOOL: Provides an automated system to create; review and approve performance plans, modifications to the performance plan; document progress reviews, document employee input on their individual performance, and document performance appraisals. MyPerformance Appraisal Tool:
- (1) Is the only automated appraisal tool authorized for use in the Performance Management and Appraisal Program.
 - (2) Generates a completed DD Form 2906, Department of Defense Performance Plan, Progress Review, and Appraisal.
 - (3) Where access is restricted, limited or impractical, a blank, paper copy of the DD Form 2906 must be used to document the performance plan, progress review(s), and rating of record.
 - (4) When paper copies are used for the DD Form 2906, the employee will be provided a copy of each completed action.
 - (5) When paper copies of the DD Form 2906 are used for the performance plan, progress review(s), and rating of record will be entered into the system by a trusted agent assigned by the organization.
 - (6) A trusted agent does not alleviate the rating official from their performance management duties and responsibilities.
 - (7) A trusted agent will be an Employer representative, normally a management official or an administrative assistant.

SECTION 3. PLANNING PERFORMANCE: Provides opportunity for employee's input in establishing and furthering ongoing communication and understanding of performance expectations and organizational goals throughout the appraisal cycle. Each employee will have a written performance plan established and approved normally within 30 calendar days of the new appraisal cycle or assignment into a new position or set of duties.

- A. EMPLOYEE PERFORMANCE PLAN: Will clearly document how expected outcomes and results are linked to the organization's goals and objectives and how their performance will be measured throughout the appraisal cycle.
- (1) The plan will include the employee's elements and standards for the appraisal cycle.
 - (2) Changes to mission, organizational goals, or assigned duties that occur during the appraisal cycle may necessitate revisions to the plan.

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

- (3) All performance plans will be reviewed and approved by a senior level management official, typically the second level supervisor/ the level above the rating official.
- B. PERFORMANCE ELEMENTS; Describe the expectations related to the work being performed. All performance elements must be critical elements and clearly aligned to the organizational goals. For ratings of record, each ratable element will be assigned a performance element rating.
- (1) Performance plans must have a minimum of one critical performance element and each element must have associated performance standards that define expectations.
 - (2) A critical element is a work assignment or responsibility of such importance that unacceptable performance on the element would result in an employee's overall performance rated as "Unacceptable."
 - (3) Critical elements are only used to measure individual performance: supervisors must not establish critical elements for team performance.
 - (4) Critical elements will be directly related to the employee's assigned position.
- C. PERFORMANCE STANDARDS: Describe how the expectations as provided in the performance elements are to be evaluated.
- (1) Each Performance standards must be written at the "Fully Successful" level.
 - (2) The Performance standards should be based on "SMART" criteria as specified in DoDI 1400.25-V431.
- D. DEVELOPING AND COMMUNICATING PERFORMANCE EXPECTATIONS:
Written plans must be developed and approved by supervisors, clearly communicated and acknowledge by employees.
- (1) Normally within 30 days of the beginning of the appraisal cycle, supervisors and employees should discuss performance goals for the upcoming cycle.
 - (2) Employees should be given the opportunity to provide input into their performance elements and standards.
 - (3) Approved performance plans must be communicated to the employee on how the performance expectations are linked to organizational goals.
 - (4) The date of the meeting or communication will be documented in the MyPerformance Appraisal Tool or on the DD Form 2906.
- E. MODIFYING THE PLAN DURING THE APPRAISAL CYCLE: Performance plans are flexible and should be reviewed and discussed throughout each appraisal cycle.
- (1) Plans may be modified as organizational goals and priorities or employees' responsibilities change.
 - (2) Performance plan modifications or changes made during the appraisal cycle will be

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

communicated to the employee to ensure the employee understands the new standard/ expectation.

(3) Employees will acknowledge the modification through the MyPerformance Appraisal Tool or on the DD Form 2906.

(4) In situations where proposed changes to an element or standard become necessary, when work requirements change or new duties are assigned, within the end of the 90 calendar day appraisal cycle, employees will be advised if:

- (a) The plan will be modified during the current appraisal cycle and the minimum 90 calendar day period cannot be met and the employee will not be rated on the revised element, or
- (b) The appraisal cycle will be extended by the necessary time to allow for the 90 calendar day to be observed.

SECTION 4. MONITORING PERFORMANCE: Consists of ongoing review of employees performance compared to the stated expectations and ongoing feedback to employees progress toward reaching their goals.

A. CONTINUOUS MONITORING OF PERFORMANCE: Throughout the appraisal cycle supervisor can provide timely feedback and identify unacceptable performance during the appraisal cycle in order to provide assistance to the employee to help them improve.

B. PERFORMANCE DISCUSSIONS: May consist of feedback, regular one-on-one meetings, or acknowledgment of performance.

(1) Supervisors or employees may initiate performance discussions at any time during the appraisal cycle to promote ongoing engagement and understanding.

(2) Performance discussions help with effective communication and contribute to overall employee and organizational success.

C. PROGRESS REVIEW: May only be initiated by the supervisor and performance discussions must be documented in the MyPerformance Appraisal Tool.

(1) Employees will receive at least one documented progress review during the appraisal cycle.

(2) Employees are not given a performance narrative or performance element ratings on progress reviews.

(3) The supervisor and employee should engage in communication throughout the appraisal cycle.

SECTION 5. EVALUATING PERFORMANCE: Employees performance will be evaluated against the elements and standards in the employee's approved performance plan and assigned a rating of record based on their work. A written rating of record must be provided at the end of the appraisal cycle for each employee who has been under an approved performance plan for 90 calendar days or more during the appraisal cycle.

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

A. PREPARATION AND SUBMISSION OF PERFORMANCE APPRAISALS: Will be prepared consistent with the DODI 1400.25-V431 and documented in the MyPerformance appraisal tool.

(1) Employees should provide written input about their performance for each of the performance elements and their overall performance accomplishments for their supervisor's consideration.

(a) Employee written input is not mandatory however it is highly encouraged for progress reviews and at the end of the appraisal cycle where the employee input becomes a part of the employee performance file.

(b) Employee written input will be given consideration in developing the employee's performance rating.

(c) Employees choosing not to provide input into the appraisal program should not suffer a negative effect in their appraisal rating. The employee's appraisal rating should be based on the employee's performance in meeting the performance plan expectations.

(2) PERFORMANCE NARRATIVE: Addresses the employee's performance measured against the performance standards for the appraisal cycle. Performance narratives:

(a) Justifies how employees' ratings are determined.

(b) Are required for each element rated "Outstanding" and "Unacceptable".

(c) Are highly encouraged for each element rated "Fully Successful" to recognize all levels of accomplishment and contributions made to the success of the mission.

B. DESCRIPTION OF PERFORMANCE RATING LEVELS: Should reflect the level of performance as compared to the standards established. The illustrations as provided in DODI 1400.25-V431 should be tailored to meet each particular situation however they are just that illustrations therefore they are not only limited to those as listed in the DODI 1400.25-V431 and DPMAP Toolkit referenced above.

C. RATING EMPLOYEE PERFORMANCE: Employees will be assigned an individual performance element rating of either 5, 3, or 1 to each critical element.

(1) All performance element ratings are averaged to calculate the rating of record, which reflects the employee's overall job performance during the appraisal cycle.

(2) A rating of record of "Unacceptable" (Level 1) must be reviewed and approved by senior level management official, typically the second level supervisor the level above the rating official.

(3) An unratable performance element cannot be used as a factor in deriving a rating of record.

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

(4) All performance plans will be reviewed and approved by a senior level management official, typically the second level supervisor the level above the rating official.

D. RECONSIDERATION OF A PERFORMANCE APPRAISAL: Employees may seek reconsideration of issues related to the Performance appraisal process (e.g., individual performance element ratings and ratings of record), through the Negotiated Grievance Procedure.

SECTION 6. IMPROVING UNACCEPTABLE PERFORMANCE: Supervisors should act as soon as they notice a performance problem or a decrease in the level of an employee's performance. The Employer will counsel employees in relation to their overall performance on an as-needed basis and when the employee's performance drops below a satisfactory level. Supervisors should take the following actions, as appropriate:

A. INFORMAL PERFORMANCE COUNSELING PERIOD: Supervisor must initiate informal performance counseling when the employee's performance becomes unacceptable in one or more elements at any time during the appraisal cycle. The employee will be:

- (1) Given a minimum of fifteen calendar days to improve performance.
- (2) Provided closer supervision and feedback.
- (3) Provided in writing detailed explanation regarding specific performance deficiencies and what must be done to improve to an acceptable level or performance.

B. PERFORMANCE IMPROVEMENT PLAN (PIP): If the employee's performance does not improve to acceptable level in the time frame during the informal performance counseling period the supervisor will conduct a formal written Performance Improvement Plan (PIP). The following procedures are as follows:

- (1) The employee will be notified formally in writing with a detailed explanation regarding the element of the performance plan for which the employee's performance is unacceptable and how the performance is unacceptable.
- (2) What standards the employee must achieve to be "Fully Successful" and remain in the position.
- (3) Employees will be given a minimum of thirty (30) calendar days to improve performance.
- (4) A statement of the possible consequences of failure to raise their performance level to "Fully Successful" during the improvement period.

SECTION 7. PROBATIONARY PERIODS: Management is encouraged to provide the foregoing process to probationary employees; however, timelines addressed in this article would not preclude management from effecting termination of the probationary employee.

MOA-DEFENSE PERFORMANCE MANAGEMENT AND APPRAISAL PROGRAM

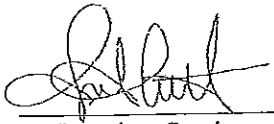
SECTION 8. WITHIN-GRADE INCREASE: Where applicable, within grade increase will be processed in accordance with DODI 1400.25-V431.

SECTION 9. Civilian appraisals are to be conducted by the assigned rater and higher level reviewer. Employees will be notified in writing in the event the rating officials change.

6. Higher level review will be conducted by Department of Defense prior to finalizing of agreement.

In witness whereof, the parties have entered into this agreement on the 16th day of MARCH, 2017

FOR THE UNION



Jonathan Steele
President
AFGE Local 1770

FOR THE AGENCY

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Digitally signed by PETERSON.KAY.L.1070196359
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ou=USA, cn=PETERSON.KAY.L.1070196359
Date: 2017.03.16 09:54:49 -0400

Kay L. Peterson
Director, Civilian Personnel

Approved by the Department of Defense on March 28, 2017