



## USAID's Internal Processes for Senior Executive Service Performance and Misconduct

The Office of Personnel Management and Office of Management and Budget have implemented a Government-wide Performance Management System initiative. This information reflects current internal processes and regulations for Senior Executive Service (SES) members and equivalent officials (Senior Leaders (SL) and Scientific Professionals (ST)) concerning Performance and Misconduct.

- Under Title 5, Code of Federal Regulation, PART 752—ADVERSE ACTIONS, 752.603 Standard for action, an agency may take an adverse action under this subpart only for reasons of misconduct, neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.
- By law, each agency is required to develop a performance appraisal system or systems for its senior executives, senior level employees, and scientific or professional employees (SL or ST employees). By law, the agency rating official for a given senior executive is required to issue performance requirements for the position that individual is encumbering and to appraise the performance of the senior executive against those requirements. Similarly, the agency rating official for a given SL or ST employee must establish performance standards to permit the accurate evaluation of job performance against objective criteria. Rating officials must consider all available evidence that affects the employee's level of performance with respect to these requirements or standards, including information about misconduct when it affects that performance.
- If you supervise an SES, SL, or ST employee, you must assign an initial summary rating, and communicate it to each subordinate by the deadline. Your rating assessment must be based on the evidence of performance against the written performance requirements or standards issued for the position with respect to the relevant rating period. Within that framework, you must consider all relevant indicia of levels of performance, considering the performance elements applicable to the position and the relationship between organizational success and individual employee performance, as appropriate. If misconduct has affected performance, you must consider evidence of such misconduct in assessing performance against the applicable requirements or standards.

Misconduct is generally a failure to follow a workplace rule (whether written or unwritten). Although it is common for performance and misconduct to be interrelated, it is important to recognize the difference between the two. On issues of misconduct, the Rating Official must seek guidance from the Office of Human Capital and Talent Management /Employee and Labor Relations Division (HCTM/ELR) to request information related to any current, pending or closed investigation resulting in an action taken by Office of Inspector General, Office of Security, and Office of General Counsel.

Any questions concerning this notice may be directed to Marvol Edmonds/  
HCTM/CPE/PM/202-712-4884/medmonds@usaid.gov.