

ORNGTPR 430

Human Resources

**Technician Performance
Planning and Appraisal
Program**

Joint Force Headquarters
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Oregon National Guard
Technician Personnel
Regulation 430

Human Resources

Oregon National Guard Technician Performance Management Program

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History. This publication replaces previous Oregon National Guard (ORNG) supplements to National Guard Bureau (NGB) Technician Personnel Regulation (TPR) 430, The National Guard Technician Performance Planning and Appraisal Program.

Summary. This Regulation implements and expands on the processes contained in NGB TPR 430, National Guard Bureau Technician Appraisal Program and is in compliance with Title 5 Code of Federal Regulations (CFR) Part 430. It provides guidance for ORNG supervisors to develop and implement Performance Plans for their subordinate Technicians and evaluate Technician performance.

Applicability. This regulation applies to all Oregon National Guard Federal Technicians except for Technicians occupying temporary positions.

Proponent and exception authority. The proponent for this regulation is the Director of Human Resources. The Director has authority to approve exceptions to this regulation that are consistent with controlling law and

regulation. The Director may delegate this approval authority in writing, to Deputy Director, a branch chief or specialist in the proponent office.

Suggested Improvements. Users are invited to send comments and suggested improvements to: Joint Force Headquarters - Oregon, ATTN: J1/HR, PO Box 14350, 1776 Militia Way, Salem, OR 97309-5047.

Distribution. This publication is available through links on several ORNG web sites or in print media, through the Human Resources Office (HRO) at 503-584-3975.

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Section 1 - Introduction

1-1. Purpose

This regulation establishes the Oregon National Guard Performance Planning and Appraisal Program for Federal Technicians. The program fully integrates organization and mission goals and objectives into the planning and appraisal process. It encourages Technician involvement in the process that is ultimately the responsibility of the supervisor to complete. The program provides for the application of appropriate personnel actions based on performance appraisals.

1-2. References

Required and related publications and prescribed and referenced forms are listed in Appendix A.

1-3. Explanation of Abbreviations and Terms

Abbreviations and terms used in the regulation are referenced in the Glossary.

1-4. Responsibilities

In addition to those responsibilities outlined in NGB TPR 430, the Adjutant General has made the following persons responsible for the indicated actions:

A. Director of Human Resources will:

(1) Communicate with Commanders, Supervisors and Technicians about relevant parts of the Performance Management Program.

(2) Ensure written Performance Plans are established for all permanent Technicians.

B. Commanders, Managers and Supervisors will:

(1) Aggressively solicit Technician input to Performance Planning and appraisal process's.

(2) Clearly specify in the Performance Plan, the ORNG, unit, and work center objectives the Technician's work supports.

1-5. Objectives

The objectives of the Performance Management Program are well stated in NGB TPR 430, the National Guard Technician Appraisal Program. These objectives are summarized below with additional ORNG specifics:

A. Integrate ORNG, unit, and work center goals and objectives into the performance management process.

B. Improving organizational effectiveness.

C. Establish accountability for achieving established goals and objectives.

D. Establish a record on which to base the following types of personnel actions:

(1) Within-grade/Step increases

(2) Incentive Awards

(3) Promotions

(4) Reassignments, Reductions in Grade or Removals

(5) Reduction in Force

E. Consistently apply Merit Systems Principles.

F. Involve Technicians in the program development, implementation, and application.

G. Encourage Technicians to take responsibility for performing to their full potential by:

(1) Documenting their objectives for the appraisal plan period

(2) Documenting their professional development desires

(3) Documenting their long-range career objectives

Section 2 - The Performance Plan, Review and Appraisal Process

2-1. General

A. The Performance Plan is comprised of all of the written job objectives that set forth expected performance. Only Job Objectives (Critical Elements – see glossary for definition) will make up the Performance Plan. Job Objectives are derived from the Technician’s Position Description. The Performance Plan for a Technician and a Performance Appraisal together establish a Technician’s rating of record (as referenced in 5 CFR 430 or NGB TPR 430). The Performance Plan and Appraisal are documented using the Performance Appraisal Application (PAA) tool. The Performance Plan and Appraisal together are required to establish a rating of record and may be used to justify performance awards. The rating of record is the only performance record that can be used to justify a negative personnel action in accordance with (IAW) 5 CFR 430.

B. The Performance Review is one tool used to facilitate ongoing communication between the supervisor and Technician regarding performance. Formal Performance Reviews like the Performance Appraisal are documented using the PAA. Performance Reviews are not a rating of record and cannot be used to justify a negative personnel action. However, the Performance Review is mandatory to initiate a formal Performance Improvement Plan.

2-2. Five Rating Level Evaluation Method

A. The five rating level evaluation method is used to provide consistency in describing ratings of record and as a reference point for applying other related regulations, including, but not limited to:

- (1) Within Grade Increases/Step Increases (5 CFR Parts 531 and 532)
- (2) Incentive Awards (5 CFR Part 451)
- (3) Reassignments, Reductions in Grade or Removals (5 CFR Part 430)
- (4) Promotions (5 CFR Part 335 and TPR 300(335))
- (5) Reduction in Force (TPR 300 (351))

B. The five rating levels are:

JOB OBJECTIVE RATING	DESCRIPTORS: The following definitions shall apply to the summary or overall performance appraisal rating:
5 – Outstanding	Outstanding performance in one or more job objective and excellent performance for all other job objectives.
4 – Excellent	Excellent performance in one or more job objectives and fully successful performance for all other job objectives.
3 – Fully Successful	Overall fully successful performance.
2 – Marginal	Below fully successful performance for one or more job objectives, but at least marginal performance for all job objectives.
1 – Unacceptable	Fails to meet at least the marginal performance standard in one or more job objectives.
Not Rated	Employee did not have an opportunity to perform the job objective because it became obsolete or could not be accomplished due to extenuating circumstances.

2-3. Annual Performance Management Cycle

A. Supervisors will implement a Performance Plan, conduct Performance Reviews and complete the Performance Appraisals in accordance with the instructions above.

B. The supervisor is responsible for complying with the performance management timing criteria, realigning off cycle appraisals (coordinate with HRO) and fitting scheduled reviews and appraisals into the overall training and operations plan.

C. To assist command in monitoring the performance management cycle, the HRO will provide reports as needed. The following reports are examples of what reports are available:

- (1) Overdue Performance Plan Report – a list of Technicians, who have been assigned,

reassigned or promoted for more than 30 days and no Performance Plan is posted in HRO.

(2) Suspense Report for Upcoming Performance Appraisals – a list of Technicians whose last performance appraisal is 10 to 12 months old.

(3) Overdue Performance Appraisal Report – a list of Technicians whose last performance appraisal is over 12 months old.

D. Postponement of Performance Appraisals beyond one year from the last appraisal will occur only with HRO concurrence.

2-4. Performance Plans

A. The supervisor will document the Performance Plan using the PAA, Performance Appraisal Application tool.

B. Establishing the Performance Plan is a joint effort of the supervisor and Technician. The supervisor begins the plan development process by explaining to the Technician how his or her work contributes to the goals and objectives of the work element and higher headquarters goals and objectives. The supervisor and Technician then develop the body Performance Plan which is comprised of clearly written “Performance Elements” associated with established “Performance Indicators” and “Technician Objectives”.

C. The Technician is required to sign the form indicating receipt. The signature does not indicate concurrence. If the Technician refuses to sign, he/she is subject to disciplinary action. The supervisor will immediately contact HRO for guidance. If the Technician disagrees with the content of the Performance Plan they may utilize the appropriate grievance procedure to seek resolution.

D. Supervisors will implement a Performance Plan within the first 30 days of a Technician being assigned to a new position, having a new position description applied to the Technician’s current position, or when the Technician is detailed to a different position for a planned period of more than 120 days.

E. The supervisor will send an electronic copy of the completed Performance Plan to the HRO when the plan is implemented.

F. Aligning Performance Plans with Strategic Goals. Performance Plans shall support and align with the DoD mission and its strategic goals, organizational program and policy objectives, annual Performance Plans, and other measures of performance. The DoD mission and goals cascade to the state, and resulting state mission and goals are the basis for individual performance expectations.

G. Performance Expectations may include:

(1) Goals or objectives that set general or specific performance targets at the individual, team, and/or organizational level;

(2) Organizational, occupational, or other work requirements, such as standard operating procedures, operating instructions, manuals, internal rules and directives, and/or other instructions that are generally applicable and available to the employee;

(3) Particular work assignments or other instructions may be used to amplify performance expectations. These work assignments or instructions may specify the quality, quantity, accuracy, timeliness, or other expected characteristics of the completed assignment or some combination of such characteristics. Such assignments and instructions need not be in writing.

H. Developing and Communicating Performance Plans. Communication between supervisors and employees is critical to the success of the performance management program. Performance expectations and year-to-date progress should be the subject of several discussions throughout the year between supervisors and employees. At least one documented interim performance review is required.

(1) Performance expectations will normally be communicated to the employee in writing within 30 days from the start of the rating cycle, entrance on duty of a new employee, or employee job change, but no later than 120 days prior to the end of the appraisal period. Employees are always accountable for demonstrating professionalism and standards of appropriate conduct and behavior, such as civility and respect for others. Performance expectations, even if not stated in a job objective, include the general behavioral expectations for all employees as stated in the Standards of Ethical Conduct for Employees in the Executive Branch, and the DoD Joint Ethics Regulations.

(2) Supervisors and employees should have meaningful dialogue on performance expectations, including but not limited to:

a. Job Objectives appropriate for the grade and current salary to which the employee is

assigned and how they relate to organizational mission and goals;

b. Weight of each job objective, if applicable

(3) Performance Plans. Every eligible employee shall be issued a Performance Plan containing the employee's job objectives and performance standards. Performance Plans shall be documented in the Defense Civilian Personnel Data System (DCPDS), utilizing the Performance Appraisal Application tools.

a. Performance Plans shall be in place and communicated to the employee normally within 30 days from the start of the rating cycle, entrance on duty of a new employee, or employee job change. The 30-day requirement may be extended up to an additional 60 days. Such extension shall not impact or delay the issuance of a yearly appraisal.

b. Higher-Level Review of Performance Plans: The Performance Plan is subject to higher-level review to ensure consistency and fairness within and across organizations. The Performance Plan is considered to be approved after higher-level review and the supervisor has communicated the plan to the employee in writing. The supervisor shall record the employee's receipt of the Performance Plan and the manner in which it was provided (face-to-face, telephone, etc.) to the employee in the PAA.

I. Adjustment of Performance Plans during the Appraisal Period. Performance Plans, (job objectives and standards) should be reviewed regularly. When adjusting Performance Plans, supervisors and employees must follow the requirements for planning, communicating, monitoring, and assessing expectations established in this regulation. Adjustments to Performance Plans shall be in place and communicated to the employee normally within 30 days from the start of the rating cycle, entrance on duty of a new employee, or employee job change.

J. Job Objectives. Each eligible employee will have their work assignments or responsibilities described in their Performance Plan as a Job Objective(s) Supervisors are encouraged to involve employees in the development of their job objectives. Normally, this process will include at least one face-to-face discussion between supervisors and employees. Final decisions regarding performance standards, including job objectives, are within the sole and exclusive discretion of management.

(1) Each eligible employee shall be assigned at least two and generally three to five job objectives. While each employee may have up to a maximum of ten job objectives, best practice is to assign three to five. These job objectives shall be commensurate with duties and responsibilities assigned to the employee and the salary paid to that employee. Job objectives may be weighted to reflect relative priority of the elements included in the Performance Plan. No job objective may be weighted less than 10 percent. Weighted job objectives must total 100 percent. If job objectives are not weighted they are considered all equal.

(2) Job objectives and performance standards should be documented, in the PAA, on the automated NGB Form 430, in the Job Objectives block.

(3) Adding Job Objectives. When new job objectives are assigned (e.g., due to a job change, additional duties, promotion, etc.), they must communicate that portion of a major performance expectation that can be accomplished within the time remaining in the appraisal period. Job objectives may not be added or changed 120 days prior to the end of the appraisal period.

(4) Mandatory Job Objective(s) for Supervisors. A supervisor's Performance Plan shall include at least one supervisory job objective. The mandatory job objective will hold supervisors accountable for carrying out the responsibilities outlined in this regulation, including but not limited to:

- a. Clearly communicating the Performance Plan and holding employees responsible for accomplishing their critical elements and performance standards;
- b. Making meaningful distinctions among employees based on performance and the employee's contributions aligned with the strategic goals and objectives;
- c. Fostering and rewarding excellent performance;
- d. Addressing poor performance;
- e. Assuring employees are assigned a rating of record;
- f. Adhering to laws and regulations concerning merit system principles and prohibited personnel practices;
- g. Ensuring continuing application of, and compliance with EEO laws, regulations and policy.

2-5. Monitoring Performance

A. As part of monitoring employee performance, supervisors are expected to:

- (1) Engage in dialogue with the employee concerning performance
- (2) Conduct one or more documented interim reviews with each employee
- (3) Maintain performance information
- (4) Update job objectives and performance standards if they change
- (5) Anticipate and address performance deficiencies
- (6) Reinforce effective behavior

B. Properly monitoring performance enables supervisors to identify, address, and resolve performance deficiencies during the appraisal cycle. A Level 1 rating of record does not need to be formally assigned to the employee in order to address a performance deficiency.

C. Dialogue and Feedback.

(1) Supervisors will provide on-going (i.e., regular and timely) feedback in the form of meaningful dialogue with employees regarding their performance. Face-to-face is the preferred method of supervisory/employee dialogue for performance based issues. Although supervisors have the primary responsibility for providing employees feedback, employees share the responsibility of identifying and communicating successes and challenges relative to their assigned Performance Plan.

(2) Employees may request periodic feedback and dialogue regarding their own performance. To the extent practicable, supervisors will accommodate such requests.

D. Employees on temporary assignment/promotion. Policies established for setting and communicating Performance Plans will be applied to the extent practicable. Generally, an employee on a short-term detail, temporary reassignment or temporary promotion during the appraisal period shall be assigned an annual rating of record by the supervisor/rater of the permanent position.

(1) At the time of the temporary assignment, the employee, temporary (gaining) supervisor and supervisor of the permanent position shall jointly review and determine the need to adjust previously assigned job objectives.

(2) The supervisor of the permanent position has final authority to determine and document the appropriate job objectives and performance plan. Both supervisors will cooperate to ensure that the employee is provided meaningful feedback during the temporary assignment or temporary promotion and is issued at least one documented interim review.

(3) The temporary supervisor shall complete a closeout assessment for employees who have been assigned to them for at least 120 calendar days.

(4) In the case of long-term details, temporary reassignments or temporary promotions, it may be more appropriate for the temporary (gaining) supervisor to prepare the annual rating of record. To the extent practicable, the rater and reviewing official will consider the closeout assessment provided by the supervisor of the temporary position.

E. Interim Reviews. While ongoing informal dialogue and feedback are essential throughout the rating cycle, one or more formal interim Performance Reviews shall be conducted between supervisors and employees. At least one interim Performance Review shall be prepared and documented during the appraisal period. The interim review shall be documented on automated NGB Form 430.

(1) A formal interim review shall acknowledge achievements and suggest areas for improvement, and provide meaningful dialogue and exchange of concerns. Developmental suggestions also may be provided to the employee, as appropriate.

(2) The employee shall be provided a copy of the interim review. Supervisors shall record the employee's receipt of the interim review and the manner in which the review was communicated (face-to-face, telephone, etc.).

(3) Normally, the immediate supervisor will accomplish the interim review. To the extent practicable, if the immediate supervisor is unable to accomplish the interim review, he or she shall provide meaningful input to the manager responsible for accomplishing the review.

(4) Interim reviews are subject to higher-level review to ensure consistency and fairness within and across organizations. The interim review is considered to be approved after higher-level review, and the supervisor has communicated the plan to the employee in writing.

F. Closeout Assessment. Supervisors will complete the PAA, giving a brief narrative description of

employee performance, achievements and contributions during the current appraisal period when it is known the supervisor will cease to exercise duties related to monitoring, developing and rating employee performance (due to job change, extended absence, retirement etc.) for such employees. This condition may result from a job change by either the supervisor or the employee.

(1) A supervisor shall prepare a closeout assessment for an employee when it is known the employee will change positions resulting in a new supervisor. Additionally, a supervisor shall prepare a closeout assessment, as required, for employees on details or other previously occupied positions, as input for an employee's rating of record.

(2) A closeout assessment is only required if an employee has been assigned to a specific supervisor and has been on an approved Performance Plan for more than 120 calendar days.

(3) Closeout assessments will normally be accomplished within 10 calendar days after the supervisor ceases to exercise duties related to monitoring, developing and rating the employee's performance and shall be considered by the appropriate rating official when determining the annual rating of record.

(4) A closeout assessment for an employee that was prepared during the most recent appraisal period shall be available for review by the following:

- a. the employee;
- b. the employee's supervisor (or rater, if different); and
- c. responsible reviewing official.

2-6. Performance Reviews

A. Supervisors will document Performance Reviews within the PAA.

B. Performance Reviews improve communications between the supervisor and the Technician concerning performance expectations and results. Performance Reviews can and should be conducted by the supervisor as many times as necessary. However, a trial/probationary review and Interim Performance Reviews are mandatory.

C. A trial/probationary period review is used by the supervisor to document whether the Technician has the qualities needed for permanent Federal government service. The review is mandatory to document the supervisor's recommendation to retain or not retain a trial period or probationary Technician. ("Trial" period is the term used for dual-status Technicians and "Probationary" is used for non-dual-status Technicians).

(1) The supervisor will complete the appropriate blocks of the PAA by the end of the 10th month of the trial/probationary Technician's first year of employment and obtain the Technician's signature to indicate that he or she has been informed of the recommendation. The supervisor then immediately sends a copy of the completed form electronically to the HRO.

(2) If the HRO concurs with the recommendation to retain the Technician, the supervisor will complete the full performance appraisal at the end of the first year of employment IAW paragraph 2-4.

(3) At the end of the 10th month of employment, if the supervisor recommends non-retention, the following will apply. The HRO will evaluate the supervisor's justification, insuring that the employee was given an opportunity to improve. Between the date of the original recommendation and the end of the probationary period, the HRO will make a final concur/non-concur decision and coordinate with the supervisor to establish a termination date if necessary.

D. Interim Performance Reviews are mandatory and should occur at a minimum near the middle of the period covered by the Performance Plan.

2-7. Performance Appraisal

A. The supervisor will document the performance appraisal by completing the appraisal in the PAA.

B. The performance appraisal is the formal documentation of the supervisor's assessment of the Technician's performance. The Supervisor evaluates the Technician's performance against the previously established Performance Plan information contained in the PAA to formulate his or her conclusions and the summary rating.

C. Timing of the Appraisal: The supervisor:

(1) Will ensure close out of the Performance Appraisal for a Technician by 30 October (rating period is 1 October to 30 September) or at any time provided the Technician's Performance Plan has been in place for a minimum of 120 days. Closeout is accomplished when the supervisor, higher level reviewer, and employee

all sign the Performance Appraisal.

(2) Must complete a performance appraisal no more than one year after the Performance Plan is implemented.

(3) Annual performance ratings, to determine a rating of record, may be postponed (with documentation of circumstances) when there has been insufficient time to observe the technician's performance in their present assignment because:

a. The supervisor or the Technician is newly-assigned (less than 120 calendar days);

b. The Technician has not been performing the regularly assigned work because of extended details or absences;

c. The Technician has not worked under the Performance Plan for at least 120 calendar days. The postponement should not be extended any longer than necessary to permit 120 calendar days under the Performance Plan;

d. The Technician has been deployed for a long period of time, in which case the technician's last rating of record will be used for all official purposes until the technician returns and is observed for at least 120 calendar days under an approved Performance Plan.

e. Employees who are absent at the end of the appraisal period due to a work-related injury. Eligible employees who are still on agency rolls at the end of the appraisal period but who are absent due to a work-related injury will be rated based on the work performed during the appraisal period, provided they have satisfied the minimum 120 day performance period. The performance appraisal program procedures described in this regulation shall be observed to the extent practicable.

(4) Must complete "close-out" performance appraisals. Supervisors will complete a close-out appraisal for all subordinates Technicians they have supervised for at least 120 days when the supervisor leaves the supervisory position or when the technician is given another supervisor or given a new Performance Plan.

D. The supervisor will discuss the appraisal with the Technician and fully explain his or her rationale for the ratings and comments.

Section 3 - Unacceptable Performance

3-1. Performance Verses Conduct

A. This section addresses actions that must be taken by Command, the Human Resources Office, the immediate supervisor and the subordinate Technician when the Technician fails to meet the criteria needed to be rated fully successful in the performance elements of the Performance Plan.

B. This section does not address inappropriate conduct by the Technician. Supervisors should refer to NGB TPR 752, Discipline and Adverse Action, to address inappropriate conduct issues.

3-2. Recognizing Unacceptable Performance

A. Commanders and Supervisors are responsible for monitoring the work of their subordinate Technicians and helping them succeed. When the supervisor sees signs of unacceptable performance, he or she must take steps to help the Technician meet the standards of the Performance Plan.

B. With a well written Performance Plan and expectations that are understood by the subordinate Technician, the supervisor and Technician should be able to discuss performance issues in a non adversarial manner.

3-3. Performance Review Associated with Unacceptable Performance

A. When the supervisor first sees signs of unacceptable performance, he or she will conduct an interim Performance Review with the Technician to begin the process of helping the Technician improve. The supervisor will use the PAA to document the Performance Review.

B. If the Technician is not meeting the standards of any job objective of the Performance Plan, the supervisor will discuss with the Technician the need for a Performance Improvement Plan (PIP) and follow the PIP process described in paragraph 3-4 below. The supervisor should remind the Technician that a PIP is not a roadmap to termination but will be designed to clearly explain expectations and training needs so the Technician

can succeed.

C. If the Technician needs to improve performance identified in the Performance Plan, the supervisor will counsel the Technician. However, a PIP is not required unless the Technician's deficiency brings a job objective to an "unacceptable" rating.

D. After completing the Performance Review, the supervisor will contact HRO and request assistance in writing a PIP.

3-4. Performance Improvement Plan (PIP)

A. The purpose of a Performance Improvement Plan (PIP) is designed to help the Technician succeed. The PIP process is not meant as the first step toward removal, but a constructive step to help the Technician.

B. Some of the actions that can be taken by the supervisor in conjunction with a PIP are closer supervision, counseling, more frequent scheduled feedback, informal or formal training, supervisory or peer coaching and possibly special job focused assignments.

C. The Technician's immediate supervisor defines the PIP parameters. A PIP will accurately and specifically narrow the focus of the Technician allowing them to concentrate on Job Objectives of the Performance Plan needing improvement while not ignoring other elements. The content of a PIP must include the job objective(s) in which the Technician's performance is Unacceptable, in what manner it is considered as such and exactly what is required to bring the performance above an "Unacceptable" level. The PIP must be written in language that the Technician fully understands.

D. A PIP must contain certain elements required to ensure compliance with Federal regulations. Before placing a Technician on a PIP, contact the Human Resource Office, Labor Relations Specialist (HR-L) for additional guidance specific language or a sample PIP.

3-5. Unacceptable Performance after a PIP

A. If the Technician simply cannot meet the standards of the Performance Plan after being afforded the opportunity to improve under a PIP, the supervisor will complete a full performance appraisal using the PAA. The appraisal will clearly indicate where the Technician has failed to meet the requirements of a Job Objective.

B. The immediate supervisor and second level supervisor will contact the HRO to discuss options such as grade reduction, transfer to another job, or termination for the Technician.

Section 4 - The Review and Appeal Process for Non-Bargaining Unit Members

4-1. Appeal Rights

A Technician may appeal a performance appraisal in order to have the comments on the appraisal changed and/or have the summary rating changed. The Technician, supervisor, HRO, the State Review and Appeals Board, and the Adjutant General all play a part in the appeal process. The actions necessary to process an appeal are identified in paragraphs 4-2 through 4-5 below.

4-2. Technician Actions

A. The Technician should notify their immediate supervisor that they intend to appeal the appraisal. The Technician may not appeal an interim Performance Review since it is not a "rating of record" in accordance with 5 CFR 430 and no personnel action will result from the Performance Review.

B. To appeal a marginal or above appraisal, the Technician may file an appeal to the HRO no later than 30 calendar days after the Technician receives the completed appraisal.

C. To appeal an "unacceptable" appraisal, the Technician must file an appeal to the HRO within the 15-day advance written notice period outlined in the "Notice of Written Decision Based on Unacceptable Performance" letter. This letter will be presented to the Technician after a decision has been made to take a personnel action as a result of unacceptable performance. This letter may be presented sometime after the Technician receives the unacceptable performance appraisal.

D. The Technician must file the appeal in writing and submit it to the HRO for consideration by a State

Review and Appeals Board. The appeal must contain the following information:

- (1) Name of the employee organization;
- (2) The appraisal being appealed;
- (3) Why the appraisal should be changed;
- (4) Performance level requested; and
- (5) Date of notice received.

E. When any required information for the appeal is not available, the Technician should submit what is available and state why the other information is not available.

F. A Technician has no appeal rights beyond the Adjutant General.

4-3. HRO Actions

A. The HRO will establish a State Review and Appeals Board on an “ad hoc” basis. The State Review and Appeals Board will consist of (at least three) members to provide an impartial review on performance appraisal appeals. Personnel serving on the 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. Peers of the appellant may be chosen to serve on the board. The Technician is entitled to representation during the board process.

B. The HRO will not establish the board to review appeals that have been grieved through the negotiated grievance procedure.

C. The HRO will assist the board in presenting their formal recommendation to the Adjutant General.

4-4. State Review and Appeals Board Actions

A. The board will convene as soon as practical after being formed by the HRO. The board will elect a spokesperson to run the meetings and to present its findings to the Adjutant General.

B. In reviewing performance appraisal appeals including unacceptable performance, the board by majority vote will recommend to the Adjutant General to either change the appraisal, or 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. The Adjutant General will make the final decision. All members of the board must be present at all times during the hearings, and must participate in deciding on a recommendation.

C. During the proceedings, the board may admit oral and/or written evidence from the employee and the employee’s immediate supervisor. The employee and the employee’s representative (if desired by the employee), and the management representative (appealing employee’s 1st or 2nd level supervisor) will submit any additional information deemed pertinent. Such information may be presented orally, by presentation of witnesses, or in writing. The employee, the employee’s representative, and the management representative must be given the opportunity to hear, question any witnesses, and reply to the information submitted by the other parties. 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 employee, the employee’s representative (if any), and the management representatives 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.

D. Within 15 calendar days of completion of the board’s proceedings, the board will complete review of the evidence and submit the board’s recommendations directly to the Adjutant General with an information copy to the HRO.

4-5. Adjutant General Actions

The Adjutant General will publish a final decision on the appeal after receiving the recommendation of the State Review and Appeals Board. The original copy of the decision will be sent to the Technician and copies sent to the immediate supervisor and the HRO.

Appendix A - References

Section I - Required Publications

NGB TPR 430

National Guard Bureau Technician Appraisal Program (Cited in para 1-3, 1-4c, 1-5, 2-4(3), 2-5d)

NGB TPR 752

Discipline and Adverse Action (Cited in para 3-1b)

Title 5 CFR Part 430

Performance Management (Cited in para 2-1a and b, 3-3d, 4-2a)

Section II - Related Publications

No entries in this section

Section III - Prescribed Forms

No entries in this section

Glossary

1. NGB 430 Performance Appraisal Form. The official form, generated from the PAA, on which all elements of the performance appraisal process are documented. For the purposes of NGB 430, “Technician” refers to the Technician to whom the Performance Plan, Review and Appraisal apply, and “Supervisor” refers to the Technician’s immediate supervisor. The “Reviewing Official” is the second level supervisor – the person who writes the supervisor’s Performance Plan.
2. Appraisal Period: October 1st to September 30th each year, the period shall be no less than 120 days and no more than one year in which the Performance Plan will be in effect and at the conclusion of which the Technician will receive a formal appraisal.
3. Summary Rating: The five level summary rating pattern approved by the Office of Personnel Management (OPM) was chosen for use by the National Guard Bureau. The features of this system are outlined in NGB TPR 430.
4. Position Description (PD): The NGB approved document that states the PRIMARY duties and responsibilities for a Technician duty position. The duties and responsibilities are the key factors used to determine the pay plan, occupational code, and grade of the position. The PD’s do not outline all of the duties a Technician is required to perform as part of their day, how the Technician is supposed to accomplish the duties nor do they describe the ORNG, unit, work center, or individual Technician objectives.
5. Job Objective/Performance Element/Critical Element: These items are interchangeable terms and are considered synonymous. A job objective describes duties and responsibilities that are “mission essential” and essential to the overall success of the Technician in his or her position. Each Job Objective outlines one or more components of the Technician’s duties and responsibilities and should be stated in clearly understood terms. Job Objectives detail actual performance expectations and do not simply restate the words in the Technician’s Position Description. A series of job objectives describe the full range of duties and responsibilities assigned to a Technician.

Abbreviations

AGO-OR

Adjutant Generals Office-Oregon

CFR

Code of Federal Regulations

DOD

Department of Defense

HRO

Human Resource Office

IAW

In Accordance With

NGB

National Guard Bureau

OPM

Office of Personnel Management

ORNG

Oregon National Guard

PIP

Personnel Improvement Plan

TPR

Technician Personnel Regulation

U.S.C.

United States Code