

# EMPLOYEE PERFORMANCE MANAGEMENT

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## I. Purpose

This Directive implements title 5 United States Code (U.S.C.) Chapter 43, Performance Appraisal, and title 5 Code of Federal Regulations (CFR) Part 430, Performance Management, Subparts A and B, by assigning responsibilities and establishing the policy for the Department of Homeland Security's (Department or DHS) Employee Performance Management Program (Program). The Program supports achievement of the Department's mission by promoting and sustaining an inclusive, high-performing organizational culture comprised of a diverse, results-oriented, high-performing workforce. The Department-wide program differentiates between multiple levels of employee performance that link individual, team, unit, and supervisor accomplishments to the DHS mission by balancing achievement of performance goals and the successful demonstration of core competencies.

## II. Scope

See [Appendix A: "Employee Coverage."](#) for an explanation of DHS employees covered by this Department-wide Program. Employees not covered by this program may be covered by other policy or procedures that apply to different categories of employees. Component Human Resources Office has the information on employees not covered by this Program Instruction.

## III. Authorities and References

- A. Title 5 (U.S.C.) Chapter 43, Performance Appraisal
- B. Title 5 CFR Part 430, Performance Management, Subparts A and B
- C. 5 CFR Part 432, Performance Based Reduction-in-Grade and Removal Actions
- D. The DHS Performance Appraisal System approved by the Office of Personnel Management (OPM) on February 17, 2010
- E. DHS Directive 255-07, Employee Performance Management

- F. 5 CFR Part 293, Personnel Records, and Subpart D, Employee Performance File System Records
- G. OPM [Guide to Personnel Recordkeeping](#), dated September 2008
- H. OPM's [System of Records](#) as published in the Federal Register on July 15, 1996 (Volume 61, Number 136)
- I. 5 CFR Part 297, Privacy Procedures for Personnel Records

## IV. Responsibilities

a. **DHS Chief Human Capital Officer (CHCO):**

1. Designs and implements the Department-wide Program.
2. Issues policy and operational guidance, technical assistance and advice on issues that arise under the Program.
3. Ensures that appropriate communications and/or training on the Program is provided to Department executives, managers, supervisors, and employees in accordance with 5 CFR § 430.209(c).
4. Evaluates the Program as required by 5 CFR § 430.209(d) and 5 CFR Part 250.

b. **Component Heads:**

1. Comply with the policies, procedures, and requirements of the Department-wide Program.
2. Determine the Component-wide selection of the Program's 3-Level or 4-Level Design for rating employee performance.
3. Identify, develop, and communicate Component organizational goals and priorities for cascading into executive, manager, supervisor, and employee work plans.
4. Ensure that appropriate training on the Department-wide Program is provided to executives, managers, supervisors, and employees.
5. Review program evaluation results and other data regarding implementation of the Program for compliance with the policies, procedures, and requirements of the Program and determine the need for improvements, additional training, and/or issuance of additional guidance.

6. Ensure Component-wide rating evaluation consistency.

C. **Executive Director, Headquarters Human Resources Management and Services (HRMS)** assumes the same responsibilities listed under the Component Heads section for all Headquarters support Components with the exception of the National Protection and Programs Directorate (NPPD), the Office of Inspector General (OIG), and the Federal Law Enforcement Training Center (FLETC).

D. **Heads of NPPD, OIG, and FLETC** assume the responsibilities listed under the Component Heads section for their respective support Components.

E. **Component Human Resources Directors or Staff** provide direction, advice, training and guidance to executives, managers, supervisors, and employees on the policies, procedures, and requirements of the Department-wide Program to their respective Component.

## V. Policy and Requirements

A. The Program is part of the Department's integrated approach to promoting and sustaining a diverse high-performance culture that achieves accomplishment of strategic objectives and organizational goals. It requires:

1. Adherence to Merit System Principles.
2. Alignment to the Department's mission, plans and objectives.
3. Review, evaluation, and control of managerial and supervisory performance to ensure a continuing affirmative application and vigorous enforcement of equal employment opportunity policy.
4. Creation of a fair, credible, and transparent employee performance appraisal program.
5. Involvement of employees in the design, implementation, and maintenance of the Program in accordance with applicable law and regulation.
6. Training on the Program for executives, managers, supervisors, and employees.

B. Component and Headquarter Office Performance Management Programs established within the Department comply with the DHS Performance Management Program and DHS Performance Management System approved by the Office of Personnel Management on February 17, 2010; other applicable DHS policies and procedures; and all other applicable laws and regulations.

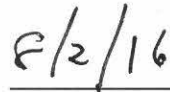
## VI. Questions

Address any questions or concerns regarding this Directive to the Department's Office of the Chief Human Capital Officer.



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Russell C. Deyo  
Under Secretary for Management



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Date

## APPENDIX A EMPLOYEE COVERAGE

A. The following employees are eligible for coverage:

1. Employees of the Department who are covered by 5 U.S.C. Chapter 43, Performance Appraisal, except as excluded below.

B. The following employees are excluded from coverage:

(Employees not covered by this program may be covered by other policy or procedures that apply to different categories of employees. Please contact the Human Resources Office for information on employees not covered by this Program Instruction.)

1. Employees excluded pursuant to 5 U.S.C. § 4301(2):

a. an employee outside the United States who is paid in accordance with local native prevailing wage rates for the area in which employed.

b. an administrative law judge appointed under 5 U.S.C. § 3105.

c. an individual in the Senior Executive Service.

d. an individual appointed by the President.

e. an individual occupying a position not in the competitive service excluded from coverage by regulations of the OPM.

f. an individual who (i) is serving in a position under a temporary appointment for less than one year, (ii) agrees to serve without a performance evaluation, and (iii) is not considered for a reappointment or for an increase in pay based in whole or in part on performance.

2. Employees who are not expected to be employed longer than the 90-day minimum period.

3. TSA personnel are not covered under 5 U.S.C. Chapter 43. TSA employees are covered by the Aviation And Transportation Security Act (ATSA), P.L. 107-71, and the policies created by TSA relative to performance management.

4. Members of the uniformed military services.



5. Employees in Executive Schedule positions.
6. Senior Level (SL) and Scientific and Professional (ST) employees hired under 5 CFR Part 319.
7. Employees paid from non-appropriated fund instrumentalities (NAFIs).
8. Experts and consultants appointed under 5 U.S.C. § 3109, Employment of Experts and Consultants; Temporary or Intermittent.
9. Employees appointed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
10. Excepted Service Coast Guard Academy employees who are professors/teachers and who are subject to an appraisal program under 14 U.S.C.
11. Employees of the Office of Inspector General.
12. Federal Wage System employees until the Secretary or designee determines they are covered.