

must be of significantly longer duration than 80 hours.

(2) There are developmental assignments that total at least 4 months of full-time service outside the candidate's position of record. The purpose of the assignments is to broaden the candidate's experience and/or increase knowledge of the overall functioning of the agency so that the candidate is prepared for a range of agency positions.

(3) There is a member of the Senior Executive Service as a mentor.

(f) Each candidate's performance in the program is evaluated periodically, and there is a written policy for discontinuing a candidate's participation in the program. A candidate can be discontinued or may withdraw from the program without prejudice to his or her ability to apply directly for SES positions.

(g) Each candidate has a documented starting and finishing date in the program.

### Subpart B—Senior Executive Service Status and Nonstatus Candidate Development Programs

#### § 412.201 Purpose.

Section 3393 of title 5, United States Code, requires that career appointees to the SES be recruited either from all groups of qualified individuals within the civil service, or from all groups of qualified individuals whether or not within the civil service. This subpart sets forth regulations establishing two types of SES candidate development programs, "status" and "non-status."

#### § 412.202 "Status" programs.

Only employee serving under career appointments, or under career-type appointments as defined in § 317.304(a)(2) of this chapter, may participate in "status" candidate development programs.

#### § 412.203 "Non-status" programs.

(a) *Eligibility.* Candidates are from outside Government and/or from among employees serving on other than career or career-type appointments within the civil service.

(b) *Requirements.* (1) Candidates must be appointed using the Schedule B authority authorized by § 213.3202(j) of this chapter. The appointment may not exceed or be extended beyond 3 years.

(2) Assignments must be to a full-time position created for developmental purposes connected with the SES candidate development program. Candidates serving under Schedule B appointment may not be used to fill an agency's regular positions on a continuing basis.

(3) Schedule B appointments must be made in the same manner as merit staffing requirements prescribed for the SES, except that each agency shall follow the principle of veteran preference as far as administratively feasible. Positions filled through this authority are excluded under § 302.101(c)(6) of this chapter from the appointment procedures of part 302.

## PART 430—PERFORMANCE MANAGEMENT

### Subpart A—Performance Management

Sec.

430.101 Authority.

430.102 Performance management.

### Subpart B—Performance Appraisal for General Schedule, Prevailing Rate, and Certain Other Employees

430.201 General.

430.202 Coverage.

430.203 Definitions.

430.204 Agency performance appraisal system(s).

430.205 Agency performance appraisal program(s).

430.206 Planning performance.

430.207 Monitoring performance.

430.208 Rating performance.

430.209 Agency responsibilities.

430.210 OPM responsibilities.

### Subpart C—Managing Senior Executive Performance

430.301 General.

430.302 Coverage.

430.303 Definitions.

430.304 SES performance management systems.

430.305 Planning and communicating performance.

430.306 Monitoring performance.

430.307 Appraising performance.

430.308 Rating performance.

**§ 430.101**

- 430.309 Using performance results.
- 430.310 Performance Review Boards (PRBs).
- 430.311 Training and evaluation.
- 430.312 OPM review of agency systems.

**Subpart D—Performance Appraisal  
Certification for Pay Purposes**

- 430.401 Purpose.
- 430.402 Definitions.
- 430.403 System certification.
- 430.404 Certification criteria.
- 430.405 Procedures for certifying agency appraisal systems.

AUTHORITY: 5 U.S.C. chapter 43 and 5307(d).

**Subpart A—Performance  
Management**

SOURCE: 60 FR 43943, Aug. 23, 1995, unless otherwise noted.

**§ 430.101 Authority.**

Chapter 43 of title 5, United States Code, provides for the performance appraisal of Federal employees. This subpart supplements and implements this portion of the law.

**§ 430.102 Performance management.**

(a) Performance management is the systematic process by which an agency involves its employees, as individuals and members of a group, in improving organizational effectiveness in the accomplishment of agency mission and goals.

(b) Performance management integrates the processes an agency uses to—

(1) Communicate and clarify organizational goals to employees;

(2) Identify individual and, where applicable, team accountability for accomplishing organizational goals;

(3) Identify and address developmental needs for individuals and, where applicable, teams;

(4) Assess and improve individual, team, and organizational performance;

(5) Use appropriate measures of performance as the basis for recognizing and rewarding accomplishments; and

(6) Use the results of performance appraisal as a basis for appropriate personnel actions.

**5 CFR Ch. I (1–1–06 Edition)**

**Subpart B—Performance Appraisal for General Schedule, Prevailing Rate, and Certain Other Employees**

SOURCE: 60 FR 43943, Aug. 23, 1995, unless otherwise noted.

**§ 430.201 General.**

(a) *Statutory authority.* Chapter 43 of title 5, United States Code, provides for the establishment of agency performance appraisal systems and requires the Office of Personnel Management (OPM) to prescribe regulations governing such systems. The regulations in this subpart in combination with statute set forth the requirements for agency performance appraisal system(s) and program(s) for employees covered by subchapter I of chapter 43.

(b) *Savings provision.* The performance appraisal system portion of an agency's Performance Management Plan approved by OPM as of September 22, 1995 shall constitute an approved performance appraisal system under the regulations in this subpart until such time changes to the system are approved. No provision of the regulations in this subpart shall be applied in such a way as to affect any administrative proceeding related to any action taken under regulations in this chapter pending on September 22, 1995.

(c) *Equivalent ratings of record.* (1) If an agency has administratively adopted and applied the procedures of this subpart to evaluate the performance of its employees, the ratings of record resulting from that evaluation are considered ratings of record for reduction in force purposes.

(2) Other performance evaluations given while an employee is not covered by the provisions of this subpart are considered ratings of record for reduction in force purposes when the performance evaluation—

(i) Was issued as an officially designated evaluation under the employing agency's performance evaluation system,

(ii) Was derived from the appraisal of performance against expectations that are established and communicated in advance and are work related, and