

Precepts for the Senior Foreign Service Consolidated Performance Board

A Mandatory Reference for ADS 463

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PRECEPTS FOR THE SENIOR FOREIGN SERVICE CONSOLIDATED PERFORMANCE BOARD

A. Purpose

These Precepts (including the Foreign Service/Senior Foreign Service (FS/SFS) Skills Framework) prescribe the procedures and criteria to be used by the Senior Foreign Service Consolidated Performance Board (C/Board) for determining ratings for performance, promotion recommendations, retention, performance pay and presidential awards, limited career extensions, and referrals to the Performance Standards Board (PSB). The Precepts inform the C/Board of the factors to be considered in evaluating the performance of employees and describe the performance levels necessary for promotion, retention, and separation. Consideration of limited career extension recommendations for SFS Officers must take into account the same precepts for evaluation of performance, but must also refer to the precepts contained in ADS 463mae, Precepts for Limited Career Extensions for Senior Foreign Service Employees.

B. General

SFS Officers must be reviewed each year by the C/Board. The performance evaluation files (PEFs) of employees are the sole source of information upon which the C/Board must base their decisions. The C/Board must use the FS/SFS Skills Framework when reviewing an employee's PEF. The C/Board must determine whether the employee's performance is meeting, exceeding, or may not be meeting the standards of their class. The initial step in this process is the review of the employee's current Annual Evaluation Form (AEF). Once it has been determined that the employee is meeting the standards of their class, the C/Board next determines whether the employee should be recommended for promotion (only if promotion-eligible), performance pay, and/or Presidential Award.

C. Information Provided to Boards

Senior Foreign Service (SFS) Performance Evaluation Files

All SFS Officers who have not received an approved waiver must submit AEFs for review by the SFS Consolidated Board (C/Board) each year, regardless of eligibility for promotion. This is to ensure that they are considered for performance pay and Presidential Awards and are reviewed to determine whether they are meeting the standards of performance for their class.

a. The PEF for promotion-eligible SFS Officers includes the current year AEF, plus four additional years of AEFs and Annual Accomplishment Record (AARs) (as applicable) for the past five years, the employee's training record, awards,

assignment history, and disciplinary actions (decision letters) with an active disposition.

b. The PEF for SFS Officers who are not promotion-eligible includes the current-year AEF and any disciplinary actions (decision letters) for the associated cycle.

Employees who do not have a current AEF are considered to have met the standards of their class unless there is a letter in the file documenting that the absence of the AEF was not deemed justified by HCTM.

The C/Board must be provided copies of this Mandatory Reference. HCTM will provide additional resources to guide the Board's recommendations on performance pay and Presidential Awards.

D. Equality of Consideration (Inadmissible Comments)

It is Agency policy and federal law to neither discriminate against, nor confer advantage to, any employee, directly or indirectly, on the basis of protected class or activity. Decisions regarding employee promotion, tenure, performance pay, and awards must be based solely on merit.

USAID employees, Rating Officials, Reviewing Officials, and Approving Officials must not submit documents containing inadmissible comments, or other non-merit related information. Specifically:

References to members of the USAID workforce. It is not permitted to reference the protected class or activity of specific and identifiable members of the USAID workforce, including oneself.

References to specific groups or protected classes (as defined in the list below). References to specific groups or protected classes are allowed when describing efforts to promote a diverse, inclusive, equitable, and accessible workplace, so long as those references do not violate merit-based personnel practices or identify specific persons, including oneself, i.e., employees may not reference their own protected class.

References to Employee Non-labor Organizations (NLOs). Employee NLOs, such as Employee Resource Groups, are non-federal entities. Pursuant to ADS 115.3.1(e)(4), employees are prohibited by law from being granted official duty time or administrative leave for NLO-related matters, including attendance at NLO-sponsored events and meetings. This prohibition does not apply to Agency-sponsored events or events associated with nationally-observed History and Heritage Months. Employees are permitted to reference engagement with, or membership in, a specific and identified NLO only if it is part of their official, assigned or collateral position duties. Such references may not specify the employee's own protected status or the protected status of specific and identifiable members of the USAID workforce.

References to working groups or councils established by U.S. Embassies or USAID Operating Units. Reference to participation in specific and identified federal entities such as U.S. Embassy or USAID Operating Unit groups such as DEIA Councils are permitted, but employees may not identify their own protected status or the protected status of specific and identifiable members of the USAID workforce.

References to U.S. Embassy-run groups. References to participation in U.S. Embassy-run groups such as the Post Housing Board or Commissary Board are permitted.

References to USAID partners and beneficiaries. References to the protected status of USAID partners and program beneficiaries are permitted.

Protected classes and activities include:

- 1. Race, color, national origin, sex (including pregnancy, gender identity, sexual orientation or transgender status), age, religion, or genetic information;
- 2. Geographic or educational affiliation within the United States;
- 3. Retirement, resignation, or other separation plans;
- 4. Disability status, whether a reasonable accommodation has been requested or provided due to a disability, the nature/type of any reasonable accommodation requested or provided, and medical information (including information regarding alcoholism, drug abuse, rehabilitation efforts, or medical condition that affects job performance or ability to accept overseas assignments). However, reference to disability as it relates to the work of the Agency (without identifying individual employees) is permitted.
- **5.** Marital or parental status; references to spouse, partner, or family;
- 6. Veteran status;
- **7.** Participation or non-participation in union activities, either as a representative of the union or as a bargaining unit member;
- **8.** Political affiliation;
- 9. Filing, initiating, involvement in, or participation in any grievance, Equal Employment Opportunity or Harassment complaint, or other formal complaint investigative or adjudicative process;
- **10.** Reluctance or refusal, and any known reason for doing so, to work voluntary overtime:

- **11.** Leave record, except absence without leave (AWOL) (consultation with HCTM is required). This includes the Family Medical Leave Act (FMLA), Leave Without Pay (LWOP), and leave for medical reasons;
- **12.** Using or not using workplace flexibilities (e.g., telework, or away from a post on authorized/ordered departure) or negative reference to the impact of a detail/TDY assignment on the employee's ability to complete their regular duties. If the employee's work supported the workplace flexibilities of other employees, then references to that performance is acceptable;
- 13. Use of the dissent channel or direct or indirect reference to, or consideration of, judgments in dissent channel messages as a basis for an adverse evaluation of performance or potential (however, expressions of dissenting views on policy that are outside the dissent channel and that raise substantive questions of judgment relative to the Foreign Service Skills Matrix may be discussed in an evaluation, with specific instances cited);
- 14. "Whistleblowing," or the protected disclosure of information. This includes statements by an employee who reasonably believes they are providing evidence of an activity constituting a violation of law, rules, or regulations, or gross mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health or safety;
- 15. Decisions or proposals concerning disciplinary action (this does not include references by managers to describe efforts to improve the performance or conduct of a subordinate or otherwise address performance or conduct issues in a manner relevant to the skills matrix);
- 16. Negative or derogatory discussion of another employee's (including predecessor's) performance (this does not include references by managers to describe efforts to improve the performance or conduct of a subordinate or otherwise address performance or conduct issues in a manner relevant to the skills matrix); and
- 17. References to private U.S. citizens by name.

Foreign Service Promotion Board, Performance Standards Board, and Tenure Board members must be alert to potentially discriminatory, biased, or non-merit based comments in employee files and report such findings to HCTM immediately. HCTM must verify whether the comments are admissible or inadmissible. If a comment is determined to be inadmissible, the Board will be instructed to ignore the inadmissible comments in the file and not allow such comments to influence their assessments of candidates. If a Board member believes another Board member is violating this policy in their review of an employee's file, the member must immediately bring the matter to the attention of HCTM for appropriate action. HCTM/Employee Labor Relations (ELR) must also consider inadmissible comments for potential disciplinary action.

E. Guidance for Performance Reviews and Promotion Recommendations

1. General Guidance for Reviews

Only information included in the files provided to the Board may be considered in the Board's deliberations. Demonstrated exemplary performance and exceptional skills relative to others in one's class are required of all those recommended for promotion and performance pay bonuses.

When assessing SFS Officers at the Minister Counselor and Career Minister ranks, documented skills and achieved results in one or more of the following areas are especially important: (1) leadership in advancing U.S. foreign policy and USAID development objectives; (2) Agency-wide impact; (3) strong effectiveness as a leader within the U.S. interagency; and/or (4) leadership and influence within the donor community.

C/Board recommendations for SFS promotions are to be based solely on ratings on the primary promotion decision factors and secondary factors described below, and the composite picture of the candidate that emerges from these ratings. C/Board recommendations for performance pay bonuses focuses on current-year performance using the primary decisions factors only, as the sole basis when making its recommendations.

2. Framework for Developing a Composite Picture for Ratings and Promotion Ranking

C/Board members will apply their collective experience as well as their individual judgments to develop a composite picture of an employee's performance and potential from which they can make decisions concerning ratings, rankings and recommendations.

Successful demonstration of performance meeting or exceeding the skill proficiency expectations provided in the "Teacher" level examples of the FS/SFS Skills Framework, and the fulfillment of annual work objectives, are the keys to retention and advancement.

3. Review of Current-Year Performance

In reviewing and scoring current-year performance of SFS Officers, the following scoring tiers must be applied:

- (i) Tier 1: Top-scoring (recommended for a performance pay bonus)
- (ii) Tier 2: Exceeds Standards of Class (not recommended for a performance pay bonus)

- (iii) Tier 3: Meets Standards of Class
- (iv) Tier 4: Does Not Meet Standards of Class

The allowed number of performance pay bonuses and the number of SFS employees who can be placed into Tier 1 is determined by the Foreign Service Act. The C/Board is advised of the maximum number of SFS Officers who can be assigned to Tier 1. Assignment to Tiers 2-4 are at the discretion of the C/Board, with reference to guidance provided by HCTM to the boards.

Primary Factors

a. Achievement of Work Objectives.

When reviewing a SFS Officer's current-year PEF the C/Board must first determine whether the employee met, exceeded, or did not meet the work objectives. In performing this task, the C/Board must determine whether the work objectives established in the AEF were within the control of the SFS Officer and whether they were commensurate with the SFS Officer's personal grade. SFS Officers who failed to achieve a work objective that was within their span of control and appropriate to their grade must be determined not to have met the performance standards of their class and placed in Tier 4 (equivalent to a low-ranked rating). The C/Board must not determine that the SFS Officer did not meet the standards of their class when their failure to achieve work objectives is due to the work objectives being beyond the Officer's control or if the work objectives were at a level exceeding the Officer's personal grade.

b. Proficiency and consistency in demonstrating the required FS/SFS Core Skills.

After determining that a SFS Officer has met their work objectives, the C/Board must assess whether the SFS Officer's current year AEF demonstrates that the Officer met, exceeded, or did not meet the skill standards of the class. In performing this task, the C/Board must refer to the FS/SFS Skills Framework and evaluate all SFS employees on all core skill areas. The skill areas are further defined in terms of subskills and proficiency indicators, into which the Agency's core values have been integrated. SFS Officers who are assessed to be deficient in one or more core skill areas have not met the performance standards of their class (equivalent to a low-ranked rating).

If the current Annual Evaluation Form is so deficient that the Board cannot make a confident decision concerning the employee's comparative performance against established work objectives and the skills standards, the Board will consider the employee's performance as meeting the standards of the class.

The C/Board must also review and score the current-year file on two additional primary factors:

- c. Understanding of and ability to advance the Agency's mission. The C/Board must consider the SFS Officer's contributions to the Agency through demonstrated success in the current year assignment(s). SFS Officers must show a deep understanding of the Agency's objectives and how these evolve; how the Agency works (both in the United States and overseas); and how individual performance contributes to the achievement of the Agency's mission and U.S. foreign assistance objectives. SFS Officers must also demonstrate effectiveness in contributing to the Agency's mission and objectives, acting individually, as a member of a team (e.g., interagency, across B/IOs), or in partnership with local actors and other key external stakeholders.
- **d.** Degree of difficulty, complexity, and challenge of the work performed.

The C/Board must consider the degree to which a SFS Officer has undertaken and successfully completed challenging work within the context of their work environment. The degree of difficulty is not assessed based on job titles, but rather on the nature of the work described in the work objectives and in the rater's assessment of the SFS Officer's skills.

The C/Board must score and rank SFS Officers for placement into a performance tier by scoring each core skill, and factors c) and d) above. If a SFS Officer did not complete all work objectives, they will be assigned to Tier 4.

Scoring by the C/Board of the current year performance also factors into determining annual SFS salary increases (see <u>ADS 463mal, Senior Foreign Service Performance Pay</u>).

4. Review for Promotion

After the C/Board has reviewed the current-year PEF for all SFS Officers, the C/Board must review the five-year PEFs for SFS Officers who are eligible for promotion. The five-year review seeks to determine the SFS Officer's potential for continuing growth and to assess the Officer's relative merit with regard to promotion.

Promotion-eligible career and career candidate SFS employees are assigned by the C/Board into one of the following three categories:

- 1) High-Ranked: SFS employee's performance demonstrates potential to meet the standards of the class at the next higher level and the employee is recommended for promotion. The C/Board must numerically rank order employees with a high-ranked rating.
- 2) Mid-Ranked: SFS employee's performance is meeting the standards of their class.

3) Low-Ranked: SFS employee's performance is not meeting the standards of their class.

In making these assignments, the C/Board must consider the same primary factors to rate and rank SFS Officers' current year performance, but with a broader perspective related to reviewing professional growth over the past five years. The factors the C/Board must assess in developing their composite picture of candidates for promotion include the following considerations:

Primary Factors

a. Foreign Service/Senior Foreign Service Skills Framework

The C/Board must refer to the <u>FS/SFS Skills Framework</u> and the criteria established in Section E when they assess candidates for promotion and performance pay. The FS/SFS Skills Framework illustrates how expected proficiency levels in the core skills change as one moves up the career ladder. Behavioral examples for each subskill are provided at four levels: Apprentice (FS-06 to FS-04), Journey (FS-03/FS-02), Master (FS-01), and Teacher (SFS). These examples, combined with the core skill and subskill definitions in the framework, provide a common frame of reference for Board member deliberations and discussions as they integrate information from multiple sources into their assessments of the SFS Officers' core skills.

b. Proficiency and consistency in demonstrating the required FS/SFS Core Skills

The C/Board focuses on information in the PEF relevant to the SFS Officer's skills and competencies. The SFS Core Skills are defined in the FS/SFS Skills Framework and backstop competencies are referenced in the Technical and Substantive Expertise subskill under the Results and Impact Focused core skill. Employees with the greatest potential to be successful at the next level must prove their mastery of skills required at the current level and demonstrate the ability to exceed the skill proficiency expectations of their current level.

c. Understanding of and ability to advance the Agency's mission

The C/Board must consider a SFS Officer's contributions to the Agency through demonstrated success in various and increasingly responsible assignments within and outside the Agency during the five-year review period. SFS Officers must show a deeper understanding of the Agency's objectives and how these evolve; how the Agency works (both in the United States and overseas); and how individual performance contributes to the achievement of the Agency's mission and U.S. foreign assistance objectives. SFS Officers must demonstrate increasing effectiveness in contributing to the Agency's mission and objectives, acting individually, as a member of a team (e.g., interagency, across B/IOs), or in partnership with local actors and other key external stakeholders.

d. Degree of difficulty, complexity, and challenge of the work performed

The C/Board must consider the degree to which the SFS Officer has consistently undertaken and successfully completed challenging work within the context of their work environment. The degree of difficulty is not assessed based on job titles, but rather on the nature of the work described in the work objectives and in the rater's assessment of the SFS Officer's skills.

Each C/Board member, from their review of the performance evaluation files, and according to the approved criteria, must score each core skill, as well primary factors a) and b) above. Each factor is given equal weight, such that average scores over all SFS reviewed will enable the C/Board to complete its initial ranking of candidates for promotion.

Secondary Factors

Ratings against the primary factors will be used to make initial rankings for promotion consideration. When highly qualified candidates need to be further differentiated, the C/Board must consider the nature and variety of SFS Officers' assignments in addition to the primary factors, as a way to differentiate among candidates who otherwise appear equivalent. Illustrative examples of the kinds of past assignments/work experience that may enhance a SFS Officer's ability to add value to the Agency in future include:

- 1) Assignments in two or more geographic and/or functional Bureaus in USAID/W or overseas.
- 2) Special assignments including but not limited to task forces, details, and councils.
- **3)** USAID-related outside assignment such as to other Federal agencies (*e.g.*, Department of State, National Security Council, Department of Defense Military Commands), Congress, international organizations, or non-government organizations.
- 4) Professional development and training assignments.
- **5)** Assignments in hardship, conflict, post-conflict and crisis environments.
- **6)** Work undertaken in uniquely challenging situations such as start-ups, downsizing, closeouts, and phase-outs that are necessitated by changing international and political climates.

F. Guidance for Retention Reviews

In reviewing promotion-eligible SFS Officers' five-year PEFs, the C/Board must consider an individual's performance relative to the performance of other SFS Officers being

reviewed. If careful examination of the files of those ranked at or near the bottom of their class suggests inadequacies in the knowledge, skills, abilities, values, or other factors expected of individuals at that grade, such as those related to conduct, the Board may assign those individuals a low-ranked rating.

The C/Board, in reviewing current year PEFs, must determine that failure by a SFS Officer to achieve a work objective and/or to meet a skill proficiency expectation constitutes failure to meet the performance standards of the class (Tier 4), which is equivalent to a low-ranked rating.

The C/Board must provide written feedback to all SFS Officers who have not met the standards of performance for their class, from either a low-ranked rating in a promotion review or from being assigned to Tier 4 in a current-year or a five year review, describing the specific areas where they were deemed to be performing below expected levels or did not meet the skill proficiency expectations illustrated in the FS/SFS Skills Framework. The memorandum may also provide specific recommendations for professional development. The Board must submit the memorandum to HCTM/CPE, who must provide a copy to the HCTM/FSC Assignments and Career Counselor (ACC) for the Senior Leadership Group (SLG). The HCTM/FSC SLG ACC will share the memorandum with the employee no later than the date that the report cards are issued.

Individuals who did not meet the standards of performance of their class twice within a five-year period must be retired from the Foreign Service under Section 608 of the Foreign Service Act of 1980, unless a PSB determines that there are extenuating circumstances which might warrant retaining the individual. The PSB must review performance data from the past five years and forward their findings and recommendations to the HCTM Chief Human Capital Officer (CHCO) for a final decision and appropriate action (see ADS 464maa, Precepts for the Performance Standards Board (PSB)).

G. Additional Precepts for Presidential Rank Award Nominations

The C/Board nominates exemplary SFS Officers for Presidential Rank Awards. To be nominated, the SFS Officer must have demonstrated sustained superior or outstanding accomplishment at a SFS rank (or equivalent) for at least the last three consecutive rating cycles, applying the performance factors outlined in the sections above.

Evidence of such sustained accomplishment should also be considered in light of in the following additional criteria, which form the basis for the Presidential Rank Award nomination justifications prepared by the C/Board for submission to the Department of State Inter-Agency Selection Board:

- i. Significant contributions to the international interest in the area of foreign affairs;
- ii. Managerial accomplishments in cooperative efforts with other foreign affairs agencies, federal agencies, government entities, and/or the private sector; and

iii. Achievements of Agency-wide importance in policy, technical, program, and/or human resource terms.

Nominations for Presidential Awards should recognize the most capable, deserving, and accomplished employees of the Service who warrant this singular honor due to exceptional contributions and because their integrity and worthiness of public trust are beyond question.

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