

Clarification of DCIPS Policy (CDP)

The chart below provides policy clarification. The clarification conveys the intent of the language of the policies. We continue to evaluate all DCIPS policies for effectiveness in support of mission. We seek your support in identifying gaps or unintended consequences of current policy and bringing those to the attention of the DCIPS PEO, through your Component DCIPS lead, for clarification or inclusion in updates to policy.

CDP Number	DCIPS Volume	Clarification
2004-01	Volume 2004: Adjustment in Force	<ul style="list-style-type: none"> • Requirements for obtaining the USD(I)'s approval for an AIF, page 6: DCIPS Volume 2004 requires Components to obtain USD(I) approval before conducting an AIF. Approximately 120 days before the AIF Effective Date (generally 30 days before a Component plans to issue AIF General Notices), Component Heads request this approval from the USD(I) via memo through the DCIPS PEO. The request memo must include the following information: <ul style="list-style-type: none"> ○ Reason for the AIF and efforts used to minimize impact/avoid AIF ○ AIF Effective Date ○ Competitive Area(s) for the AIF ○ Expected number and occupational groups of positions to be affected ○ Anticipated dates for issuing the General Notification (aka "General Notice") and Individual Employee Notification (aka "Specific Notice") ○ Confirmation that Congressional Notification will be accomplished by the Component, if required. Such notification is required for AIFs 1) releasing 50 or more civilians; 2) that may be of special interest to Congress or the public; 3) that realign 50 or more civilians outside the local commuting area; or 4) that reduce contract operations by 100 or more contactor employees.

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2004-02	Volume 2004: Adjustment in Force	<ul style="list-style-type: none"> • AIF Order of Displacement and Release, page 13: DCIPS Volume 2004 requires Components undergoing an AIF to include all competing employees occupying positions in the competitive areas on a retention register in order of retention standing, applying the retention factors provides in the Volume. To facilitate the order of displacement and release, Components must first attempt to place the employee with the highest retention standing whose position has been abolished. Their qualifications, grade and current positions are considered in relation to all employees (and any vacant positions the component chooses to consider) lower on the retention register whose positions are not being abolished. This process shall continue for each employee whose position has been abolished, or whom another employee has displaced, in descending retention order. • Clarification is provided to ensure consistent application of the policy provided in Volume 2004. When Components are trying to place an employee whose position has been abolished, or whom another employee has displaced in descending retention order, a final decision (such as placement in a new position or release if there are no available positions) must be made <u>before</u> the Component moves down to next person on the retention register. This process continues, with the Component making a final decision on each affected employee, before moving down the retention register to the next affected employee. As required under policy, this process ensures that no decision is made regarding an employee with lower retention standing out of the order provided in the retention register. • When more than one option for placement of an employee is identified, Components will provide the better placement offer to the employee. Section 5.b. on page 16 of Volume 2004 provides a framework for determining a better offer and states “Components shall determine what constitutes a better offer, considering work category, work level, pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure), occupation, location, and other factors. • Clarification is provided that when determining a better offer among multiple options, priority is given to the offer that results in the least amount of disruption to that employee. For this reason, the primary consideration is matching the employee’s grade or pay band, then to match the employee to a position similar to the employee’s current position (i.e. same work category, work level, occupational series, location and other factors). Applying grade first, then similarity of position preserves, as close as possible, grade and position for employees with the highest retention standing, prioritizes mission accomplishment, and creates the least amount of undue disruption to mission.

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2005-01	Volume 2005: Employment & Placement	<ul style="list-style-type: none"> Requirements for entering developmental programs, page 16: DCIPS Volume 2005 states that developmental programs may include non-competitive salary advances or promotions <u>up to and through</u> the Full Performance Work Level for the Professional Work Category. Given the purpose of the program is to support progressive development through established milestones, all employees hired into the Professional Work Category at the entry level must be hired at the pay band 2 level or the GG-7, 8, 9, or 10 level. This is designed to progress an employee from the Entry/Developmental Work Level (GG-07-10 or PB-02) <u>up to and through</u> the Full Performance Work Level (GG-11-13 or PB03). Program entry must be at the Entry/Developmental work level.
2005-02	Volume 2005: Employment & Placement	<ul style="list-style-type: none"> Grade minimums for the Professional Work Category, page 10. Positions in the Professional Work Category cannot be lower than a GG-7. DCIPS Volume 2005 states that in the absence of USD(I) qualification profiles, the DoD Components with DCIPS positions may adopt OPM qualification standards or use existing Component-specific qualification standards derived from OPM qualification guidance in evaluating candidate qualifications. The policy then describes how OPM minimum qualifications should be applied to DCIPS, stating that the minimum qualifying grade using a GS grade-based standard for the Professional Work Category is GG-07. This is consistent with Volume 2007: Occupational Structure, which states that the Professional Work Category begins at GG-7.

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2005-03	Volume 2005: Employment & Placement	<ul style="list-style-type: none"> • Upward Mobility programs, page 19. Once a candidate is identified and hired into a DCIPS position through Upward Mobility or a similar hiring program, the employee is assigned to a DCIPS Developmental Program to support development and progression into the Full Performance Work Level. • DCIPS Volume 2005 permits Components to establish Upward Mobility and similar hiring programs designed to increase diversity or broaden opportunities in specific work categories, occupations, geographic areas, or other areas of focus. Such hiring programs are intended to provide an avenue for employees to enter new career paths through structured development and training programs. • Through these programs, Components can offer opportunities to candidates who might not otherwise qualify for the positions but have demonstrated the potential to succeed. As with all employees hired into the Entry/ Developmental Work Level in the Professional Work Category, employees identified through these programs are assigned to a DCIPS Developmental Program that provides for additional training, coaching and/or experience they may require to be successful in their new positions. Using Upward Mobility and similar hiring programs requires a strong commitment from the Component to help ensure success of employees hired through them, even more than is typically required to support all employees in developmental programs. • Examples of Upward Mobility and similar hiring programs referenced in DCIPS Volume 2005 include DCIPS hiring programs modeled after the traditional definition of Upward Mobility, i.e., programs designed to help employees transition from the Technician/ Administrative Support Work Category to the Professional Work Category (with employees generally being appointed at the lower end of the Entry/Developmental Work Level). Such programs may be adapted for DCIPS; however, DCIPS policies must be applied.
2008-01	Volume 2008: Awards & Recognition	<ul style="list-style-type: none"> • Awarding of partial steps, page 9: A partial DCIPS Quality Increase (DQI) or DCIPS Sustained Quality Increase (SQI) cannot be awarded. DCIPS Volume 2008 states that the amount of a DQI or SQI is the amount of one or two steps at the employee's current grade, therefore, awarding a partial step is <u>not</u> permitted.
2009-01	Volume 2009: Disciplinary, Performance-based, & Adverse Action Procedures	<ul style="list-style-type: none"> • Proposed Written Reprimands, page 6: The intent of DCIPS Volume 2009 is for Components to establish policies that outline internal procedures, such as, what an HR practitioner and/or supervisor should include when drafting or proposing to prepare written reprimands. Policy does not support "proposed written reprimands". Written reprimands are discussed, or proposed, internally, and if the Component proceeds, a written reprimand is provided to the employee.

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2009-02	Volume 2009: Disciplinary, Performance-based, & Adverse Action Procedures	<ul style="list-style-type: none"> • Reasons for Adverse Actions, page 15. An adverse action, as defined in Volume 2009, is a removal, suspension for more than 14 calendar days, furlough of 30 calendar days or less, or involuntary reduction in work level, pay band, grade, or base-pay taken by management. • Although some adverse actions are taken to address an employee’s conduct or behavior, others are taken because of circumstances outside an employee’s control, such as lack of work or shortage of funds. Under DCIPS, all adverse actions, regardless of reason, follow the procedures outlined in Volume 2009. This includes advance written notice of the proposed action, the right to request representation, a reasonable period to reply to the notification, a written final decision that specifies the reasons on which the decision was based, and the right to appeal the final decision. In future revisions to the Volume, the language on adverse actions in Enclosure 2 sections 1 and 4 will be expanded to align more broadly to the definition of adverse actions in the volume. The revised language will clarify that adverse actions can be based on conduct, behavior, or other reasons. • In addition, future revisions to the Volume will include clarification, in agreement with recent Office of Personnel Management statements, that in the case of furlough, 30 calendar days or less is the equivalent of 22 discontinuous days. This will be consistently stated in revisions to Volume 2009 and Volume 2004.
2011-01	Volume 2011: Performance Management	<ul style="list-style-type: none"> • Role of the Performance Management Performance Review Authority (PM PRA) in the Informal Reconsideration Process, pg. 25. If an employee disagrees with the ratings on the performance evaluation, the employee can contact the rating and reviewing officials within 5 days of the employee’s receipt of the rating to resolve the disagreement informally. DCIPS Volume 2011 states that the Performance Management Performance Review Authority (PM PRA) is responsible for final independent review of employee evaluation of record when challenged by an employee; therefore, if the rater and/or reviewing official deem that a rating change is warranted through informal reconsideration, it must be approved by the PM PRA.

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2011-02	Volume 2011: Performance Management	<ul style="list-style-type: none"> • Responsibilities and authority of the PM PRA and reviewing officials in reviewing evaluations of record, pg. 24-25. At no time can an evaluation of record be finalized without PM PRA approval. Evaluations of record cannot be finalized until the PM PRA 1) completes the review of the evaluations of record and, 2) informs the reviewing officials that the review is complete and they may proceed in finalizing the evaluations of record. • The PM PRA must withhold completion of this review if ratings or narratives do not support the proposed evaluation of record or closeout, or if there is concern regarding the merit of the proposed evaluation of record. The PM PRA can, and must, send back proposed evaluations of record where there is a mismatch between the narrative and the proposed evaluation of each performance objective or performance element, or any indication that policy was not followed. • The PM PRA should initially encourage the rating and/or reviewing officials to resolve issues identified, but may direct that specific action be taken, if necessary. If the rating or reviewing officials are unavailable or unwilling to make changes, the PM PRA may make changes to ensure compliance. Similarly, reviewing officials may initially encourage rating officials to resolve issues identified by the reviewing official, may direct that specific action be taken, and if necessary, may make changes to ensure compliance.

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2011-03	Volume 2011: Performance Management	<ul style="list-style-type: none"> • Inclusion of proper handling of classified information in performance elements, page 22. EO 13526 prescribes a uniform system for classifying, safeguarding, and declassifying national security information, and requires that systems used to rate personnel performance include the designation and management of classified information as a critical element or item. To adhere to the information sharing and protection performance requirements included in the EO, ICD 651 has been updated to include these expectations in two Performance Elements: Technical Expertise and Management Proficiency. • In accordance with DCIPS policy we comply with applicable ICDs. Below are the updated definitions of Performance Elements in ICD 651 and their applicability to DCIPS performance management. Those Components using systems other than the Performance Appraisal Application tool are required to ensure compliance with the EO by expanding the definitions of the Performance Elements noted below. The revised elements must be in place a minimum of 90 calendar days before the end of the performance evaluation period. • Technical Expertise (applies to all DCIPS employees): DCIPS employees are expected to acquire and apply knowledge, subject matter expertise, tradecraft, and/or technical competency necessary to achieve results. This includes employee compliance with EO 13526 regarding the proper handling of classified information. • Management Proficiency (applies to DCIPS Supervisors and Managers): DCIPS supervisors and managers are expected to possess the technical proficiency in their mission area appropriate to their role as supervisor or manager. They are also expected to leverage that proficiency to plan for, acquire, organize, integrate, develop, and prioritize human, financial, material, information (including classified), and other resources to accomplish their organization’s mission and objectives. In so doing, all supervisors and managers are also expected to focus on the development and productivity of their subordinates by setting clear performance expectations, providing ongoing coaching and feedback, evaluating the contributions of individual employees to organizational results, and linking performance ratings and rewards to the accomplishment of those results.

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2011-04	Volume 2011: Performance Management	<ul style="list-style-type: none"> • Presumptive ratings in Performance Management, page 27. DCIPS Volume 2011 states that employees shall be assigned presumptive evaluation of record if they do not have the required 90 days of performance under an established DCIPS performance plan during the current evaluation period. • For civilians called to military active duty and employees on Worker’s Compensation, the presumptive evaluation shall be equivalent to the employee’s last summary evaluation of record prior to his or her departure. Clarification is provided that if the employee’s last summary evaluation of record prior to his or her departure is not available, or if it is below “Successful,” the employee shall be assigned a presumptive evaluation of record of “Successful.” The numerical value of “Successful” for presumptive evaluations of record is 3.0. • Volume 2011 provides for flexibility at the Component level in the establishment of presumptive evaluations for employees in other special circumstances, for example, extended Leave Without Pay (LWOP) or Long-Term Full-Time training. Components may establish their own procedures for employees in these and other special circumstances; some options for assigning presumptive evaluations of record for these specially situated employees include the employee’s last summary evaluation of record prior to his or her departure, an evaluation of record of “Successful” or the mean evaluation of the work unit. Components must be consistent and transparent when assigning presumptive evaluations of record. In addition, Components should ensure understanding of the impact of their decisions regarding assignment of presumptive evaluations of record in other processes, to include the pay pool process and Adjustment In Force.

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2012-01	Volume 2012: Performance-Based Compensation	<ul style="list-style-type: none"> • Presumptive ratings in Performance-Based Compensation, page 12-13. As provided in DCIPS Policy Volume 2012, performance-based bonus and salary decisions are linked to demonstrated performance as documented in the performance evaluation of record established under DCIPS Policy Volume 2011, for the relevant performance period. Employees who have not received any type of performance evaluation of record shall not be included in pay pools. • Employees with evaluations of record administratively derived, referred to as presumptive evaluations of record, because the employee did not meet the requirement of performing for 90 days under a DCIPS performance plan for the current performance period must be considered as required by DCIPS policy. There is no requirement that they receive a performance-based bonus, or performance-based salary increase (except that those in the pay banded system must receive the DCIPS floor to support retention of their relative position in the band). • Clarification is provided that while flexibility does exist in the establishment of pay pool processes affecting employees in Special Circumstances, i.e., with administratively derived presumptive evaluations of record, specific rules must be applied, and Components must ensure consistency and transparency in the application of component-unique processes: • Employees absent to perform service in the uniformed services and subject to the protections of Uniformed Services Employment and Reemployment Rights Act (USERRA) will be considered for performance-based bonuses and salary increases. If the initial recommendation of the Compensation Workbench includes a recommended performance bonus or salary increase, such individuals should receive as initially recommended, unless the component has a documented justification for not doing so that would comport with USERRA. • Employees with presumptive evaluations of record due to absence for Worker’s Compensation, Leave Without Pay, and Long-Term training are included in the pay pools and considered for performance bonuses and performance-based salary increases (for those component operating in the pay banded system). There is no requirement to award performance bonuses or performance-based salary increases to these specially situated employees, the requirement is only that they be included in the pay pool for consideration under Component operating procedures. An exception is that employees in pay bands must retain their relative positions within their pay band, i.e., the DCIPS floor. Components may establish Component-specific procedures for determining how these employees will be handled, however, the process should be transparent to support expectations. • Employee’s receiving presumptive evaluations of record for other reasons may be included in the pay pools and may be considered for bonuses and for performance-based salary increases (for those components operating in the pay banded system) except that such employees under pay bands must receive the DCIPS floor and retain their relative position within their band.

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2014-01	Volume 2014: Employee Grievances	<ul style="list-style-type: none"> Grievable matters for term or temporary employees, page 9. DCIPS Volume 2005 varies from Title 5 on this issue and states that termination of a temporary or term appointment can occur at any time. DCIPS Volume 2014 states the following is <u>not</u> a grievable matter, "I. Termination or expiration of a term or temporary appointment <u>on the date</u> specified as a condition of employment at the time the appointment was made." DCIPS policy does not support changing a term or temporary employee's employment status as a result of a grievance if he or she was terminated on a date on <u>or before</u> the date specified as a condition of employment because per DCIPS Volume 2005, these employees can be terminated at any time.

The most recent DCIPS Policies can be found on the DoD Issuances website: http://www.dtic.mil/whs/directives/corres/html/CPM_table2.html

Note: Each DCIPS component is required to have local implementing guidance and policies consistent with these policies.