to specify how such a rating is to be taken into account when preparing a rating of record.

10. Deletes fixed limits (90 to 120 days) on the length of the minimum appraisal period, and replaces them with a requirement that a minimum

period be established.

11. Deletes specific requirements for rating employee performance while on detail and replaces them with a requirement that an agency appraisal program address appraisal while on detail.

12. Deletes the general requirement for higher-level approval of a rating of record and replaces it with a requirement that only "Unacceptable" summary ratings be approved at a higher level.

13. Replaces the requirement for training supervisors and employees on the appraisal process with a requirement to communicate about relevant parts of the system and

programs.

14. Deletes subpart E (Performance Awards) of part 430 and incorporates some performance awards provisions into part 451 (Awards).

15. Deletes the recommendation to make maximum use of awards

authority.

16. Replaces the requirement to document awards in the OPF with a provision for agencies to establish criteria to determine which awards to document in the OPF.

17. Replaces the requirement for higher-level review of awards with a requirement to follow agency financial management control procedures.

18. Deletes the requirements for an SF-50 for a time-off award and for annual reports on performance awards and awards program activity, and

replaces them with a requirement to report data on all cash and time-off awards to the CPDF.

19. Deletes the provision that awards cannot be used as substitutes for pay or

other personnel actions.

20. Deletes most regulatory provisions and requirements regarding time-off awards, but retains the provision that prohibits converting a time-off award to cash.

New Provisions

- 1. A distinction is made between an agency system (agencywide policy and parameters) and an agency program (specific procedures, forms, standards, etc.).
- 2. Agencies are encouraged to involve employees and their representatives in the development of award and appraisal systems and programs.

3. Key definitions and provisions have been broadened to explicitly

include teams.

4. Provision to maintain applicability of appraisal systems already reviewed and approved by OPM is added.

5. At least one element in a performance plan must address individual performance.

6. Agencies are to ensure that any award program they develop does not conflict with any other applicable law or regulation.

7. OPM is authorized to grant agency requests to extend 5 U.S.C. 4505a to non-General Schedule employees as provided by Executive Order 12828.

- 8. The provision that a rating-based cash performance award cannot be appealed is clarified to include all awards.
- 9. The statutory restrictions on granting awards to senior political officials is added.

- 10. Agencies are to use the OPM Guide to Federal Workforce Reporting Systems when reporting data.
- 11. OPM is authorized to evaluate agency award programs.
- 12. A provision permitting an agency to delay an ALOC determination if the employee is in an opportunity period or notice period is added.
- 13. A provision permitting an agency to waive the ALOC determination for employees who have been unable to perform under elements and standards because they spent 100% of their time on activities of official interest to the agency is added.
- 14. An agency that does not use the "Outstanding" (Level 5) summary rating level will be permitted to establish performance-related criteria and grant a quality step increase to an employee who demonstrates significantly high quality performance.

Table of Changes

The following table lists all the proposed changes to the current regulation, including those discussed above.

- —In the left column, the table lists all current regulations in parts 430 and 451 and current regulations in parts 432 and 531 that are impacted by the proposed regulations.
- —In the middle column, the table lists the proposed regulations that track the provisions of the current regulations in the left column.
- —In the right column, the table explains the changes in provisions from the current regulation in the left column to the proposed regulation in the middle column.

Current rule	Proposed rule	Description of change
§ 430.101	§ 430.101	Proposed rule removes citation of incentive award and pay statutes because they no longer apply.
§ 430.102	§ 430.102(a)	Proposed rule redefines performance management to reorient the definition to team settings and goals of the National Performance Review (NPR).
§ 430.103	§ 430.102(c)	Proposed rule redescribes the Performance Management Plan; removes the requirement for OPM approval of plans for awards, quality step increases, and within-grade increases; the requirement for final approval of component plans by OPM; and reference to the Performance Management Plan Checklist to provide greater agency flexibility and to reflect OPM's scope of review.
	§ 430.209 (a) & (f)	Proposed rule revises and redesignates the provision requiring submission of appraisal system(s), system changes, and records to OPM to reflect OPM's scope of review.
§ 430.201(a)	§ 430.201(a)	Proposed rule makes editorial changes to section addressing statutory authority to eliminate nonessential information.
	§ 430.201(b)	Proposed rule adds provision to maintain applicability of performance appraisal systems already reviewed and approved by OPM.
§ 430.201(b)	§ 430.102(b)	Proposed rule revises language that specifies objectives of performance appraisal systems to specify objectives of performance management and to add references to teams.
§ 430.202(a)	§ 430.202(a)	Proposed rule attaches to "General Schedule" a parenthetical reference to "GS/GM" to accommodate termination of the Performance Management and Recognition System.
§ 430.202(b)	§ 430.202(b)	Proposed rule deletes requirements regarding the statutory authority under which agencies may exclude temporary employees to increase agency flexibility.