Subpart D—Performance Management

§9901.401 Purpose.
(a) This subpart establishes a performance management system as authorized by 5 U.S.C. 9902.
(b) The performance management system established under this subpart is designed to promote and sustain a high-performance culture. The implementation and operation of the system will provide for the following elements:
(1) Adherence to merit principles set forth in 5 U.S.C. 2301;
(2) A fair, credible, and transparent employee performance appraisal system;
(3) A link between the performance management system and DoD’s strategic plan;
(4) A means for ensuring employee involvement in the design and implementation of the system;
(5) Adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management system;
(6) A process for ensuring ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, and setting timetables for review;
(7) Effective safeguards to ensure that the management of the system is fair and equitable and based on employee performance;
(8) A means for ensuring that adequate agency resources are allocated for the design, implementation, and administration of the performance management system; and
(9) A pay-for-performance evaluation system to better link individual pay to performance and provide an equitable method for appraising and compensating employees.

§9901.402 Coverage.
(a) This subpart applies to eligible employees and positions in the categories listed in paragraph (b) of this section, subject to a determination by the Secretary under §9901.102.
(b) The following employees and positions in organizational and functional units are eligible for coverage under this subpart:
(1) Employees and positions that would otherwise be covered by 5 U.S.C. chapter 43;
(2) Employees and positions excluded from chapter 43 by OPM under 5 CFR 430.202(d) prior to the date of coverage of this subpart; and
(3) Such others designated by the Secretary as DoD may be authorized to include under 5 U.S.C. 9902.
(c) Except as provided in §9901.408, this subpart does not apply to employees who have been, or are expected to be, employed in an NSPS position for less than a minimum period (as described in §9901.407) during a single 12-month period.

§9901.403 Waivers.
When a specified category or group of employees is covered by the performance management system established under this subpart, the provisions of 5 U.S.C. chapter 43 are waived with respect to that category of employees.

§9901.404 Definitions.
In this subpart:
Appraisal means the review and evaluation of an employee’s performance.
Appraisal period has the meaning given that term in §9901.103.
Competencies has the meaning given that term in §9901.103.
Contribution has the meaning given that term in §9901.103.
Contributing Factors has the meaning given that term in §9901.103.
Job Objectives has the meaning given that term in §9901.103.
Minimum period means the period of time during which an employee will perform under one or more approved NSPS performance plans before receiving a rating of record.
Pay-for-performance evaluation system means the performance management system established under this subpart to link individual pay to performance...