

Public Law 102-22
102d Congress

An Act

To amend chapter 54 of title 5, United States Code, to extend and improve the Performance Management and Recognition System, and for other purposes.

Mar. 28, 1991
[H.R. 1316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Performance Management and Recognition System Amendments of 1991".

SEC. 2. AMENDMENTS.

(a) STATEMENT OF WORK OBJECTIVES.—Section 4302a of title 5, United States Code, is amended by adding at the end the following:

"(h) Notwithstanding subsections (a)(2) and (b)(2)–(4), an agency performance appraisal system may utilize a written statement of the work objectives of the employee's position to establish performance requirements related to the position and to evaluate job performance against such requirements. Such statement of work objectives shall be jointly developed by the supervising official and the employee, and may be used in lieu of, or in addition to, critical elements and performance standards."

(b) PERFORMANCE AWARDS.—Section 5406 of title 5, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) Any employee who is covered by this chapter, and whose performance for an appraisal period is rated under section 4302a (or an equivalent rating system) at the fully successful level or higher may be paid a performance award for such period.

"(b) The amount of a performance award under this section shall be determined by the appropriate agency head, except that any such award shall not be more than 10 percent of the employee's annual rate of basic pay, unless the agency head determines that a higher amount is warranted by unusually outstanding performance, in which case an award of not to exceed 20 percent of the employee's annual rate of basic pay may be paid."

(2) in subsection (c)(1) by striking "Subject to subsections (a)(2) and (b)(2) of this section, the" and inserting "The";

(3) by amending subsection (c)(2)(A)(i) to read as follows:

"(2)(A)(i) The applicable minimum percentage for each fiscal year during which this chapter is in effect shall be 1.15 percent."; and

(4) by striking subsection (c)(3).

(c) PROGRAM EXTENSION.—Section 5410 of title 5, United States Code, is amended by striking "March 31, 1991" and inserting "September 30, 1993".

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of April 1, 1991.

Performance
Management
and Recognition
System
Amendments of
1991.
Government
employees.
5 USC 5401 note.

5 USC 4302a
note.

5 USC 5408 note. SEC. 3. STUDY AND REPORT.

(a) **ESTABLISHMENT OF REVIEW COMMITTEE.**—The Office of Personnel Management shall establish a Performance Management and Recognition System Review Committee to review the Performance Management and Recognition System (established under chapter 54 of title 5, United States Code) and advise the Office on any improvements needed in that system.

(b) **MEMBERSHIP.**—(1) The Committee shall consist of such members as the Office considers appropriate, including representatives of organizations that include in their membership employees who are covered under the Performance Management and Recognition System, and representatives of agencies employing such employees.

(2) The Chairman of the Committee shall be appointed by the Director of the Office, and may be paid (except as provided by the first sentence of paragraph (3)) at a rate determined by the Director, not to exceed the maximum rate of basic pay for the Senior Executive Service.

(3) The members of the Committee who are otherwise employees of the Federal Government (including the Chairman, if applicable) shall not receive any additional pay for their service on the Committee. Members of the Committee who are not otherwise employees of the Government (other than the Chairman, if applicable) shall not be paid for their service on the Committee and shall not be considered employees of the Federal Government for any purpose by reason of their service on the Committee.

(c) **STAFF AND ADMINISTRATIVE SUPPORT.**—The Office may provide staff and administrative support for the Committee.

(d) **COORDINATION.**—In carrying out its responsibilities under this section, the Committee shall coordinate its efforts with those of the Pay-for-Performance Labor-Management Committee (established under section 111 of the Federal Employees Pay Comparability Act of 1990) to the extent those committees consider appropriate.

(e) **REPORT.**—The Committee shall submit a report with its recommendations to the Director of the Office on November 5, 1991, or such other date as the Director may determine.

Approved March 28, 1991.

LEGISLATIVE HISTORY—H.R. 1316:

HOUSE REPORTS: No. 102-20 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 137 (1991):

Mar. 19, considered and passed House and Senate.