NUMBER: Directive 1022.1

SUBJECT: Performance Management System

DIRECTIVE OWNER: Office of Human Resources Management (EXHR)

EFFECTIVE DATE: November 6, 2025

1. **PURPOSE.** This directive establishes the U.S. Consumer Product Safety Commission's Performance Management System and Appraisal Program as required by Title 5, Code of Federal Regulations. It provides for a single performance management system for all GS-15 and below employees.

2. AUTHORITY.

- a. Chapter 43 of Title 5, United States Code
- **b.** Chapter 430, Title 5, Code of Federal Regulations.
- **c.** Chapter 752, Title 5, Code of Federal Regulations
- **d.** 5 C.F.R. § 531.404
- **e.** Office of Personnel Management (OPM) guidance, *Performance Management for Federal Employees*, dated June 17, 2025
- 3. SCOPE. The policies in this Performance Management System apply to all CPSC employees except Commissioners, Senior Executive Service members, non-career employees whose appointments are less than 120 calendar days, and those excluded under 5 U.S.C. 4301(2).

4. **DEFINITIONS.**

- a. Closeout Rating is a written Summary Rating given to an employee when the employee or the supervisor leaves a position. This type of rating can only be given when the employee has been covered by an established Performance Plan for 90 calendar days.
- b. Critical Element is a description of work assigned to an employee that is of such importance that unacceptable performance of that work would result in an Unacceptable (Level 1) Performance Appraisal.
- c. Fully Successful Performance (Level 3) means that the employee's work meets the established standards of acceptable quality, quantity, and timeliness.

- d. Benchmark Performance Standards are statements of expectations or requirements written broadly for the accomplishment of most employees' Critical Elements. The Rating Official can use the Benchmark Performance Standards, in Appendix A of this directive, or customize the Performance Standards for a Critical Element.
- **e. Great Performance (Level 4)** is work performed that meets the Great standard and the quality is unusually good.
- **f. Individual Performance Plan** is a written record of the Critical Elements and Performance Standards that will be used to determine an employee's level of performance.
- g. Key Characteristics are specific job tasks that further identify and define a Critical Element. Rating Officials may use the key characteristics as a guide for measuring performance but are not limited to the specific tasks listed.
- h. Minimally Satisfactory Performance (Level 2) is work performed that meets the Minimally Satisfactory standard and the employee needs improvement to reach the Fully Successful performance level. Consequently, there may be a need for closer supervision, substantial correction of work, and remedial training.
- i. Outstanding Performance (Level 5) means that the quality of the employee's work exceeds the Great standards.
- j. Performance Appraisal is the written assessment of the employee's performance compared to the Performance Standards for each Critical Element.
- k. Performance Appraisal File is a file established for each employee that includes employee Self-Assessment forms, Performance Plans, Summary Rating sheets and Final Ratings of Record. Each annual Rating of Record and associated forms are retained by EXHR for a period of 4 years.
- I. Performance Appraisal Form is the first page of the Individual Performance Appraisal and is used to record the Rating of Record. It must be signed and dated by the Rating and Reviewing Official before it is presented to the employee for signature.
- m. Performance Appraisal Period is the period of time for which performance will be reviewed. The minimum Performance Appraisal Period is 90 days, and the fixed annual Performance Appraisal Period is October 1 through September 30 of each year.
- **n. Performance Appraisal Program** incorporates the specific procedures and requirements established by CPSC for Performance Appraisals.

- **o. Performance Appraisal System** is the method used for the administration of the Performance Appraisal Program.
- p. Performance Improvement Plan (PIP) is provided to an employee when their performance falls below the Minimally Satisfactory level. It is a written document that provides an employee specific examples of unacceptable performance in the critical element(s) they are failing. It also describes what an employee needs to do to demonstrate acceptable performance and provides a specific time period to do so.
- q. Performance Standard is a statement of expectations or requirements established by management for the accomplishment of a Critical Element at a particular rating level. A Performance Standard may include, but is not limited to, factors such as quality, quantity, timeliness, customer service and manner of performance. Rating Officials are strongly encouraged to establish Performance Standards for each critical element in the performance plan. The Benchmark Performance Standards in Appendix A of this directive may be applied to any position covered by this plan, if applicable.
- r. Progress Review is a meeting conducted three times a year with an employee to give feedback regarding performance progress toward achieving the Performance Standards. It is not an official Rating of Record.
- s. Rating Official is the individual responsible for informing the employee of the Critical Elements of his or her position, describing progress, assisting in improving performance and assigning a Summary Rating. Normally, the Rating Official is the employee's immediate supervisor.
- t. Rating of Record is the annual Summary Rating prepared by the Rating Official at the end of a Performance Appraisal Period and concurred in by the Reviewing Official. This is the official Rating of Record referenced in this plan and it may be used for pay, recognizing and rewarding employees whose performance so warrants, and retention purposes.
- u. Reviewing Official is the supervisor who assigns work to, and is responsible for the work of, the Rating Official. Normally, the Reviewing Official is the Rating Official's immediate supervisor. For employees who report directly to the Chairman or another Commissioner, there is no Reviewing Official.
- v. Self-Assessment Form is an optional form for employees to complete that provides a self-assessment of their accomplishments to the Rating Official to consider when developing the Summary Rating.
- w. Summary Rating is the assignment of an overall performance level (Level 1-5) given at any time during the Performance Appraisal Period based on the performance level assigned to each critical element.
- x. Unacceptable Performance (Level 1) is performance which fails to meet the Minimally Satisfactory Performance (Level 2) standard in one or more

Critical Elements. Unacceptable performance in one or more Critical Elements results in an overall Performance Rating of Unacceptable and the employee must be placed on a PIP. An Unacceptable rating requires that corrective action be taken after affording the employee a reasonable opportunity to demonstrate acceptable performance. During the period in which the PIP is effective, the employee must improve to at least Minimally Satisfactory Performance (Level 2) or higher on the Critical Element or elements that was/were rated Unacceptable.

5. RESPONSIBILITIES.

a. Employee Responsibilities:

- (1) Learn about the Commission's Performance Appraisal System;
- (2) Participate with the Rating Official in developing the Individual Performance Plan and determine Critical Elements and Performance Standards:
- (3) Make every reasonable effort to perform at or above the acceptable level of performance established at the Fully Successful standard:
- (4) Request the Rating Official clarify any Critical Element or Performance Standard not clearly understood and confer with the Rating Official about Progress Reviews, as necessary; and
- (5) Sign and date the Performance Plan, Progress Review, and Rating of Record.

b. Rating Official Responsibilities:

- (1) Inform employees about the mission, objectives, goals, plans, and activities of the organization;
- (2) Inform the employees of their duties and responsibilities;
- (3) Encourage the employee to participate with the employee in developing and preparing written individual Performance Plans:
- (4) Inform employees of the Critical Elements and Performance Standards related to their jobs, and complete and maintain each employee's Performance Appraisal Form during the Appraisal Period;
- (5) Monitor employee performance on a continuing basis and inform employees of their progress in meeting Performance Standards;
- (6) Conduct at least three Progress Reviews with each employee during the Appraisal Period; coach and counsel employees toward accomplishing the standards;

- (7) Discuss with and obtain concurrence from the Reviewing Official for all Summary Ratings before discussing ratings with employees;
- (8) Propose an impartial and objective evaluation of each employee's performance, assigning Summary Ratings for employees based on results and accomplishments, and complete and forward Performance Appraisal Forms to the Reviewing Official in a timely manner;
- (9) Guide and assist all employees, especially those employees whose work is below the Fully Successful standard, to improve performance; and
- (10) Recommend other personnel actions based on the employee's level of performance, including promotion, award, reassignment, detail, training, developmental assignments, reduction-in-grade, or removal.

c. Reviewing Official Responsibilities.

- (1) Communicate the mission, objectives, goals, plans, and activities of the work unit to appropriate supervisory levels within the organization;
- (2) Ensure that the organization's Individual Performance Plans are in conformance with CPSC policies;
- (3) Provide Rating Officials with adequate training as to their duties and responsibilities under the Performance Appraisal System;
- (4) Ensure that employees are adequately and timely informed of their rights and responsibilities regarding the Performance Appraisal System;
- (5) Review and approve all Summary Performance Ratings which will then become the final Ratings of Record and, if necessary, return them to the Rating Official for changes before they are communicated to the employee; and
- (6) Resolve challenges to Critical Elements, Performance Standards, and Summary Ratings raised by employees with subordinate Rating Officials.

d. Assistant/Associate Executive Directors' (AEDs), Office Directors' (ODs), and Supervisors' Responsibilities:

(1) Inform subordinate managers of the mission, objectives, and plans of the directorate or office, and assure that the Individual Performance Plans for employees reflect Commission, directorate, and office goals and objectives;

- (2) Communicate to subordinate Rating Officials the importance of fair and objective evaluations of performance; and
- (3) Ensure that Performance Appraisal records of subordinate employees are completed and forwarded to the Office of Human Resources Management on time.

e. The Office of Human Resources Management (EXHR) Responsibilities:

- (1) Communicate the purpose and procedures of the Performance Appraisal System to employees;
- (2) Provide guidance and assistance to all Rating and Reviewing officials on performance management issues and in dealing with unacceptable performance matters; and
- (3) Maintain Performance Appraisal Files in accordance with provisions of the Privacy Act, the Freedom of Information Act, and other laws and regulations.

6. PLANNING PERFORMANCE.

- a. Performance Appraisal Period. The Performance Appraisal Period begins each year on October 1 and ends September 30. Employees must be covered by Critical Elements and Performance Standards for at least 90 calendar days during the Performance Appraisal Period in order to receive a Rating of Record. Employees who are appointed after July 1 and before September 30 will have their Performance Appraisal Period extended so that they can complete the 90-day requirement.
- b. Individual Performance Plans. Employees are encouraged to participate with their supervisors in establishing Individual Performance Plans.
 - (1) Performance Plans should be in place for each employee within 30 calendar days after the start of the annual Performance Appraisal Period or the date that the employee begins a new position.
 - (2) The Rating Official and the employee together shall review and determine the main functions of each position. These functions are ordinarily described in each employee's position description. These identified functions and organizational objectives and goals shall comprise the Critical Elements of the position.
 - (3) All non-supervisory performance plans must consist of a minimum of three and a maximum of six Critical Elements. Each supervisory performance plan must consist of a minimum of four and a maximum of seven critical elements. Each Critical Element must have key characteristics that identify and further define the total element. Supervisors and managers must have at least one

- Critical Element that measures their ability to supervise (see Appendix B).
- (4) All employees must have a *Program Support* element that defines their duties and responsibilities that contribute to organizational results and directly align with the strategic goals, strategic objectives, administration priorities, and/or performance measures for their organization.
- (5) Critical Elements previously identified, and made a part of the Performance Plan, may be changed as necessary. Any new or substantially modified Critical Element must be added at least 90 calendar days before the end of the Performance Appraisal Period. Any change to the elements must be communicated to the employee at the time that the change takes effect.
- (6) Individual Performance Plans may be carried over, without change, into the following Performance Appraisal Period. It is not necessary to rewrite a Performance Plan unless changes in the position, grade, or the work require a new Performance Plan. A new cover sheet must be prepared and signed by the employee and the Rating Official at the beginning of the new Performance Appraisal Period.

c. Performance Standards.

- (1) A Performance Standard **must** be established in writing for each element, at the Great (Level 4), Fully Successful (Level 3), and Minimally Satisfactory (Level 2) performance level. Outstanding (Level 5) performance ratings will be given for performance that exceeds the Great performance standard. Unacceptable (Level 1) performance ratings will be given for performance that does not meet the Minimally Satisfactory performance standards. Supervisors have the option of developing their own Performance Standards for Critical Elements or using the Benchmark Performance Standards contained in Appendix A. Employee performance plans must make clear distinctions among what is required to achieve performance at each level.
- (2) Performance Standards may take into account such factors as results achieved, improvement in efficiency, productivity gains, quality of work, and customer service.
- d. Mandatory Critical Elements. All supervisors' Individual Performance Plans will include two mandatory Critical Elements. In the Supervisors Performance Plan, examples of key characteristics are given for each mandatory Critical Element. Rating Officials may use these key characteristics as a guide for measuring performance but are not limited to the characteristics listed.

- e. Benchmark Performance Standards. Appendix A contains the Benchmark Performance Standards which can be used for all Critical Flements
- f. Resolving Disagreement on Performance Plan.
 - (1) Employees who object to specific Critical Elements or Performance Standards when establishing their Individual Performance Plans must try to resolve any disagreement through discussion with the Rating Official. If a resolution is not attained, the employee may submit a written challenge of the specific elements and standards to the Reviewing Official.
 - (2) Employee challenges must be made in writing within 15 calendar days after the employee and the supervisor have disagreed on a Critical Element and/or Performance Standard. The Reviewing Official will consider the challenge and any other relevant information and make a final determination, in writing, within 15 calendar days after receiving the employee's written challenge.
- 7. RATING PERFORMANCE. Rating Officials must monitor each subordinate employee's performance on a continuous basis, which includes informing employees of their progress toward meeting established standards and offering guidance to employees to help them improve their performance. For probationary employees, Rating Officials shall use the performance plan to assess how well an employee can perform the duties of their job before the probationary period ends. This assessment may be done at any time during the performance appraisal period.
 - a. Progress Review. The Progress Review gives the Rating Official and the employee an opportunity to review the employee's performance achievements. During a Progress Review, changes may be made to Critical Elements (excluding the mandatory Critical Elements), key characteristics, and Performance Standards as necessary. Critical Elements may be changed as necessary prior to the last 90 calendar days of the Performance Appraisal Period. While the Progress Review provides an excellent opportunity to review and adjust the Critical Elements, it is not a Rating of Record.
 - (1) At least three Progress Reviews must be held during the Performance Appraisal Period to include a required midyear progress review. Additional Progress Reviews may be held, as necessary, at the discretion of the Rating Official. Employees may request that an additional Progress Review be held at any time.
 - (2) The Progress Review meetings provide an opportunity for an exchange of information between the employee and the Rating Official. The employee may provide a list of accomplishments and be given an opportunity to present an assessment of results weighed against the Performance Standards established in the Individual Performance Plan:

inform the Rating Official of aspects of the work which the Rating Official may not be fully aware of; and identify changes that would improve the Performance Plan for either the current or future Performance Appraisal Periods. The Rating Official should discuss 1) where the employee is failing to meet expectations (if applicable), 2) where the employee is meeting or exceeding expectations, and 3) how the employee can continue to grow.

- (3) Positive reinforcement and compliments should be communicated to the employee as well as a statement of current or potential problems in meeting the Performance Standards. Likewise, if an employee's performance is Unacceptable at the time of the Progress Review, the Rating Official shall notify the employee of that fact and of the possible consequences of continued Unacceptable Performance. The Rating Official must provide guidance to the employee to help raise the level of performance to a higher level. The procedures for dealing with Unacceptable Performance must be utilized as soon as it becomes apparent, not just at the pre-established Progress Reviews.
- (4) While Progress Reviews do not have to be written, the Rating Official and the employee shall initial and date the appropriate blocks on the front cover sheet of the Performance Appraisal Form to indicate that the Progress Review took place.

b. Closeout Rating.

- (1) A Closeout Rating is given when a Rating Official leaves his or her position, each employee under a Performance Plan for at least 90 calendar days should be rated; or when an employee in a position covered by an approved Individual Performance Plan for more than 90 calendar days leaves any organization to assume the duties of a new position. The employee's Performance Appraisal File will be transferred to a new employer if the employee transfers to another Federal agency. It **may** also be completed when an employee is detailed to a position for more than 90 calendar days.
- (2) The Closeout Rating will be forwarded to the employee's new Rating Official if the employee remains at CPSC. The new supervisor may take a Closeout Rating into consideration at the end of the Performance Appraisal Period.
- (3) The Closeout Rating **may** become the final Rating of Record if the following conditions are met: (1) there is insufficient time (less than 90 calendar days) to establish a

new Performance Plan and rate the employee in the assigned position before the end of the Appraisal Period; (2) the Rating Official takes into consideration all other Closeout Ratings conducted during the Appraisal Period; and (3) the Reviewing Official approves the Closeout Ratings as a final Rating of Record.

- c. Annual Rating of Record. Every employee who can be rated at the end of the Performance Appraisal Period must receive an annual Rating of Record within 30 calendar days of the end of the Performance Appraisal Period.
 - (1) An employee can be rated if the employee: occupies a covered position on the last day of the Appraisal Period; and has worked at least 90 calendar days in one or more covered positions during the Appraisal Period.
 - (2) An employee cannot be rated if one of the following applies: the employee did not work at least 90 calendar days in one or more covered positions during the Appraisal Period; or the employee was appointed to a covered position after July 1; or the employee is in an opportunity period.
 - (3) By September 25, Rating Officials and employees should begin to prepare for the Performance Appraisal. Employees are encouraged to complete the optional Self-Assessment Form and give it to their Rating Official for consideration. The form should be given to the Rating Official on or before September 30 so that it can be made a part of the Performance Appraisal File.
 - (4) When a Rating of Record cannot be prepared by October 31, the Performance Appraisal Period may be extended, or the Rating Official can include a performance period of less than 90 days in the next performance cycle. The Rating Official will notify the employee in writing of any extension and send a copy or the notification to EXHR for the employee's Performance Appraisal File. Once the conditions necessary to complete a Rating of Record have been met, a Rating of Record shall be prepared as soon as it is feasible.
 - (5) The Rating Official shall take into account any Interim Performance Appraisals issued to the employee during the Appraisal Period while the employee was on detail, temporary promotion, or assigned to another position.
 - (6) Summary Rating. At the end of the Appraisal Period, the Rating Official shall develop Summary Ratings for each employee supervised. Each critical element will be rated holistically. The Rating Official will assign a rating level for

each critical element based on their judgment as to the extent the employee's performance demonstrates the established criteria in the performance standards. performance standards or fell below the standards during the rating period. The Summary Rating will be derived utilizing a simple average formula, see sample below.

CPSC Summary Rating Derivation - SAMPLE		
Element	Rating	Numerical Range
Critical Element 1	3	Outstanding: 4.7 – 5
Critical Element 2	4	Great: 3.7 – 4.69
Critical Element 3	4	Fully Successful: 2.8 – 3.69
Critical Element 4	3	Minimally Satisfactory 2.0 – 2.79
Critical Element 5	3	Unacceptable: Any element rated 1
Critical Element 6	N/A	
Average:	3.67	Summary Rating: Fully Successful

- (7) The Rating Official must provide a brief justification in the narrative section of the Performance Appraisal Form, detailing how the employee's performance met the applicable standards and provide examples of the work. The Rating of Record <u>may not</u> be communicated to employees prior to approval by the Reviewing Official. Rating forms provided to the employee <u>shall not</u> reflect changes made by the Reviewing Official. Upon approval of the Reviewing Official, a formal meeting with the employee and the Rating Official to discuss the final Performance Appraisal will be held.
- (8) If the employee disagrees with the Rating of Record, the employee will be given up to seven (7) calendar days to present additional information in writing to the Reviewing Official for further consideration. The Reviewing Official will consider the additional information, finalize the rating and communicate the final decision to the employee and Rating Official within seven (7) calendar days. The decision of the Reviewing Official is the final agency decision.
- (9) The Performance Appraisal Form shall be signed and dated by the employee after the Rating Official and the Reviewing Official have signed and dated the Appraisal form. (Note: Employee's signature does not necessarily constitute agreement with the Performance Appraisal; it merely signifies that the employee has received it.)
- (10) If for any reason the Rating Official is unavailable to conduct the Annual Performance Appraisal meeting, the Reviewing Official will be responsible for doing so.

- (11) The Performance Appraisal of a disabled veteran may not be lowered because the veteran has been absent from work to seek medical treatment as provided in Executive Order 5396.
- (12) The original, signed/dated Performance Appraisal Form, along with the Individual Performance Plan must be sent to EXHR. A copy of the Performance Appraisal Form will be given to the employee.
- d. Within-Grade Increases. An employee's most recent rating of record must be at least a Fully Successful (Level 3) to earn a within-grade increase. CPSC will not grant a within-grade increase to an employee who has a most recent rating of record at the Minimally Satisfactory (Level 2) or Unacceptable (Level 1) level, even if the employee has completed the required waiting period for advancement to the next higher step of the grade of his or her position. In addition, when an employee is eligible for a within-grade increase, the supervisor must certify that the employee's performance is at an acceptable level of competence. Eligibility of a within-grade increase should never be viewed as automatic or routine.
- e. Effective period of appraisal. The Rating of Record is based on the evaluation of the employee's performance and becomes effective on the date the Performance Appraisal Form is signed by the employee, after the Rating Official and the Reviewing Official have signed. If the employee declines to sign the rating, it will become effective on the date the Rating Official annotates the employee's refusal to sign. The Rating of Record will remain in effect until replaced by another Rating of Record. Each Rating of Record will be maintained by EXHR in the employee's Performance Appraisal File for a period of 4 years and then destroyed.
- f. Performance Appraisals while on detail. When an employee leaves their current organization for a detail to another organization within CPSC or with another Agency, the employee is given a Closeout rating if the employee has completed at least 90 days of the rating period and is expected to be on detail for at least 90 days. If the employee returns to the organization and does not have an Individual Performance Plan for the current Performance Appraisal Period, the Rating Official will develop Critical Elements and Performance Standards within 30 days of their return. If necessary, the Performance Appraisal Period will be extended to ensure the completion of the required 90 calendar day period under current Critical Elements and Performance Standards. If an employee receives a rating from the organization to which they were detailed, the Rating Official may take this into account when preparing the Rating of Record.

8. UNACCEPTABLE PERFORMANCE UNDER 5 C.F.R. § 432.

- **a.** The benchmark standards are provided for all performance levels.
- **b.** At any point during the Performance Appraisal Period, the employee may be rated Unacceptable. The employee must be given a written Summary

Rating on the Performance Appraisal Form and provided with a written performance improvement plan (PIP) at the beginning of the Opportunity Period. The PIP must:

- (1) Identify the Critical Element(s) in which the employee's performance is Unacceptable;
- (2) Inform the employee of the Minimally Satisfactory (Level 2) Performance Standards that must be met for retention in the position and include measurable goals and timelines for achieving those goals;
- (3) Provide a description of the types of acceptable performance that the employee must demonstrate to attain Fully Successful (Level 3) performance;
- (4) Give the employee a reasonable period of time, limited to 30 business days, to demonstrate at least Minimally Satisfactory (Level 2) performance (in rare cases a longer period may be necessary to provide sufficient time to evaluate an employee's performance);
- (5) Include the support and resources the Rating Official will provide to assist the employee in achieving the established goals through periodic check-ins and feedback;
- (6) Include a statement of the consequences of the employee's failure to achieve the identified goals, and demonstrate and sustain at least the retention level of Minimally Satisfactory (Level 2) performance;
- (7) Be approved by the Director, EXHR, or designee prior to issuance.
- **c.** An employee cannot contest or grieve an Opportunity Period or the contents of the Opportunity Period document.
- **d.** An employee whose performance was Unacceptable during the Opportunity Period may be issued a proposal of removal from the Federal service or a proposal of reduction in grade and pay.
- e. An employee who successfully completes an Opportunity Period but subsequently fails to maintain a Minimally Satisfactory level of performance in the Critical Elements addressed by the Opportunity Period, for one year from the start of the Opportunity Period, can be given a proposal of removal from the Federal service or a proposal of reduction in grade and pay without being provided a second Opportunity Period.
- **f.** At the conclusion of the Opportunity Period, the Rating Official will inform the employee in writing of the outcome. A copy of the notification will be sent to EXHR.

- g. Nothing in this section limits the Agency's discretion to employ procedures established under 5 C.F.R. Chapter 75 to address unacceptable employee performance. Progressive discipline is not required. Actions taken under chapter 75 should be calibrated to the specific facts and circumstances of each situation. Suspension should not be a substitute when removal is appropriate. All past misconduct and work record should be considered.
- h. If an employee receives a rating of record of less than Fully Successful (Level 3), EXHR must take the necessary steps to terminate any recruitment, relocation, or retention incentive service agreement or Federal student loan repayment program service agreement in place.
- i. If adverse action is taken that affects an employee's pay, the employee is only entitled to step 1 of the lower grade. The employee is not eligible for grade or pay retention.

9. REWARDING PERFORMANCE.

- **a**. To ensure meaningful rewards, the largest performance awards must be given to only those individuals that have demonstrated genuinely exceptional individual performance and contributions to the agency.
- **b**. CPSC has a broad range of authorities to reward deserving employees for performance. Please refer to CPSC Directive 1024.1, *Performance and Incentive Awards Programs*, for information on these authorities.
- **c.** Following the conclusion of each performance appraisal period, EXHR will provide supervisors and managers with guidance on the performance award budget, procedures, and processing for that cycle.

10. TRAINING.

- **a.** All supervisors must successfully complete a supervisory course on performance management the first year this Directive is implemented and at least triennially after that.
- **b.** Employees and supervisors must complete any training on performance management assigned by EXHR.
- **c.** All new employees will be provided a copy (or link) of this Directive.

11. RECORDKEEPING.

- **a.** EXHR is responsible for maintaining the original Performance Appraisal File for each employee for a period of four (4) years. EXHR is responsible for destroying these records by approved methods after four (4) years.
- **b.** When an employee transfers from CPSC to another Federal agency, EXHR will transfer *the* last four (4) years of Performance Records with the employee's Official Personnel Folder to the new agency.

- **c.** All provisions and restrictions of the Privacy Act, Freedom of Information Act, and the Federal Records Act apply to Performance Records.
- **12. ASSESSMENT AND REPORTING.** EXHR will complete all performance system reporting requirements to OPM and other outside entities and conduct all required program assessments.
- **13. CANCELLATION.** This Directive cancels and supersedes Directive 1022.1, *Performance Management System*, dated July 9, 2018.

This policy will become effective when signed by the agency head and approved by the Office of Personnel Management (OPM). Any administrative action already initiated when this program becomes effective shall continue consistent with the procedures and requirements of the program in effect when initiating the action.

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PETER Digitally signed by PETER FELDMAN

PELDMAN Date: 2025.11.06
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Peter A. Feldman Acting Chairman

Digitally signed by PETER FELDMAN

NOVEMBER 6, 2025

Date

Appendix A – Benchmark Performance Standards

Appendix B – Mandatory Supervisory Critical Element

Appendix C - Self-assessment Form

Appendix D - Individual Performance Plan (Supervisory)

Appendix E - Individual Performance Plan (Non-supervisory)

CPSC Benchmark Employee Performance Standards

Outstanding:

The employee demonstrates exceptional performance in all aspects of the critical element that is of such high quality that organizational goals have been achieved that would not have been otherwise. The employee consistently achieved expectations at the highest level of quality possible and accomplished objectives even when faced with unanticipated challenges.

The employee demonstrates mastery of technical skills and a thorough understanding of the mission of the organization and has a fundamental impact on the completion of program objectives. The employee exerts a major positive influence on management practices, operating procedures and/or program implementation, which contribute substantially to organizational growth and recognition. The employee plans for the unexpected and uses alternate ways of reaching goals. Difficult assignments are handled intelligently and effectively. The employee has produced an exceptional quantity of work, often ahead of established schedules and with little supervision.

The employee's oral and written communications are exceptionally clear and effective. He/she improves cooperation among participants in the workplace and prevents misunderstandings. Complicated or controversial subjects are presented or explained effectively to a variety of audiences so that desired outcomes are achieved.

Indicators of performance at this level include outcomes/results that consistently exceed the Exceeds Expectations performance standard for the critical element.

Great:

The employee demonstrates a high level of performance that exceeds expectations in significant areas of the critical element and exhibits a sustained support of organizational goals. The employee shows a comprehensive understanding of the objectives of the job and the procedures for meeting them. Effective planning by the employee improves the quality of management practices, operating procedures, task assignments and/or program activities. The employee develops and/or implements workable and cost-effective approaches to improving organizational operations/results.

The employee effectively balances accomplishing work while handling difficult and unpredicted problems. The employee produces a high quantity of work, often ahead of established schedules with less than normal supervision. The employee works productively and strategically with others in non-routine matters, some of which may be complex and sensitive. The employee writes and speaks clearly on difficult subjects to a wide range of audiences.

Indicators of performance at this level include outcomes/results that consistently exceed the Fully Successful performance standard for the critical element.

Fully Successful:

The employee demonstrates consistently successful performance on most aspects of the critical element that contribute positively to organizational goals. The employee effectively applies technical skills and organizational knowledge to deliver results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed-upon deadlines, keeping the rating official informed of work issues, alterations, and status. The employee successfully carries out regular duties while also handling any special assignments and identifying opportunities to improve organizational operations/results that consider stakeholder perspectives. The employee plans

and performs work according to organizational priorities and schedules. The employee communicates clearly and effectively and works effectively with others to accomplish organizational objectives.

Minimally Satisfactory:

The employee's performance in one of more aspects of the critical element do not consistently meet the criteria for Fully Successful performance. The employee's work products fall short of one or more requirements of the element in quality and/or quantity; or arrive late. The employee fails to consistently apply adequate technical knowledge to complete the work or needs substantial assistance from others to do so. Lack of adherence to required procedures, instructions and formats may contribute to inadequate work products.

In dealing with multiple assignments, the employee may disregard portions of their work or fail to complete one assignment while completing another. The employee finds it difficult to adapt to changes in priorities, procedures, or program direction and therefore may operate inadequately in relation to changing requirements.

The employee's oral and written communications used in accomplishing the work of this element lacks the necessary clarity for successful completion of required tasks.

Unacceptable:

The employee's performance is unacceptable. The quality and/or quantity of the employee's work are not adequate for the position. Work products do not meet the requirements expected.

The employee demonstrates little or no contribution to organizational goals; failure to meet work objectives; inattention to organizational priorities and administrative requirements; poor work habits resulting in missed deadlines and/or incomplete work products; strained work relationships; failure to respond to client needs; and/or lack of response to rating official's corrective efforts.

Mandatory Supervision Critical Element

Supervision – Holding Employees Accountable. Ensures subordinate's commitment to efficient work execution. Models self-accountability and holds subordinates accountable for high-quality results. Recognizes, supports, and rewards excellent work from employees supervised. Timely and efficiently addresses poor and mediocre performance of employees supervised—including seeking appropriate action up to removal from the Federal service. Takes appropriate action when employees report concerns of illegal conduct or waste, fraud, or abuse.

In addition to the benchmark standards, the following performance standards will also be applied to this critical element.

Supervision – Holding Employees Accountable - Performance Standards

Level 1 (Unacceptable): The supervisor consistently demonstrates the following behaviors and results:

Work is below Minimally Satisfactory.

Level 2 (Minimally Satisfactory): The supervisor consistently demonstrates the following behaviors and results:

- With few exceptions, demonstrates commitment to efficient work execution. Requires reminders and guidance to optimize processes and productivity.
- With few exceptions, holds subordinates accountable for delivering results. Expectations and standards are sometimes clearly defined, leading to inconsistent performance.
- Attempts to recognize or support excellent work. Recognition programs are infrequent or ineffective.
- Occasionally attempts to address poor and mediocre performance, leading to prolonged issues. Corrective actions are insufficient or poorly implemented.
- Takes limited action when employees report concerns of illegal conduct or waste, fraud, or abuse, leading to a lack of trust and transparency.

Level 3 (Fully Successful): The supervisor consistently demonstrates the following behaviors and results:

- Ensures that subordinates are committed to executing work efficiently and effectively, modeling self-accountability in all tasks.
- Holds subordinates accountable for delivering high-quality results, setting clear expectations and standards.
- Actively recognizes, supports, and rewards excellent work of employees, fostering a culture of achievement and motivation.
- Addresses poor and mediocre performance in a timely and efficient manner, implementing corrective actions as necessary, including considering removal from Federal service if appropriate.
- Consistently takes appropriate action when employees report concerns of illegal conduct or waste, fraud, or abuse.

Level 4 (Great): The supervisor consistently demonstrates the following behaviors and results:

- Demonstrates strong commitment to efficient work execution among subordinates, consistently optimizing processes to enhance productivity.
- Achieves excellent results through subordinates by setting clear goals and providing the necessary resources and guidance to consistently meet and exceed expectations.
- Actively identifies and celebrates outstanding contributions from employees, implementing effective recognition programs that boost morale and motivation.
- Manages performance issues effectively, resulting in noticeable improvements in employee performance and engagement. Handles complex employee situations with skill, using appropriate administrative actions.
- Fosters an environment where employees feel safe to report concerns of illegal conduct or waste, fraud, or abuse.

Level 5 (Outstanding): The supervisor consistently demonstrates the following behaviors and results:

- Consistently demonstrates and instills a strong commitment to efficient work execution among subordinates, leading by example and optimizing processes to enhance productivity.
- Achieves exceptional results through subordinates by setting clear, ambitious goals and providing the necessary resources and guidance to exceed expectations consistently.
- Proactively identifies and celebrates outstanding contributions from employees, implementing innovative recognition programs that significantly boost morale and motivation.
- Effectively manages performance issues with a strategic approach, resulting in noticeable improvements in employee performance and engagement. Demonstrates skillful handling of complex and sensitive employee situations, including successful resolution of performance-related challenges using the full range of administrative actions.
- Fosters a transparent and supportive environment where employees feel safe to report concerns of illegal conduct or waste, fraud, or abuse.

Outstanding performance in this element reflects a supervisor who not only meets the basic requirements but exceeds them by creating a high-performing team that consistently delivers exceptional results, while maintaining a positive and compliant workplace culture.

U.S. Consumer Product Safety Commission Supervisory Individual Performance Appraisal Part I - Administrative Data Employee's Name: Job Title, Series and Grade Level: Organization: Appraisal Period: From: To: Part II - Establishing Plan Rating Official's Name: Rating Official's Signature and Date: Employee's Signature and Date: Part III - Progress Reviews Date: Progress Review #1 Progress Review #2 Date: Progress Review #3 Date: Signature #1: Employee: Supervisor: Signature #2: Employee: Supervisor: Signature #3: Employee: Supervisor: Part IV - Summary Rating ☐ Other ☐ Rating of Record ☐ Closeout Rating Element Numerical Range by Level Rating Critical Element 1 Outstanding: 4.7 -5 Critical Element 2 Great: 3.7 – 4.69 Critical Element 3 Fully Successful: 2.8 – 3.69 Critical Element 4 Minimally Satisfactory: 2.0 – 2.79 Critical Element 5 Unacceptable: Any element rated 1 Critical Element 6 Critical Element 7 Average: Summary Rating: Outstanding (Level 5) Great (Level 4) Fully Successful (Level 3) Minimally Satisfactory (Level 2) Unacceptable (Level 1) Rating Official's Name: Rating Official's Signature and Date:

U.S. Consumer Product Safety Commission Individual Performance Appraisal

Reviewing Official's Name:	Reviewing Official's Signature and Date:
Employee's Signature and Date: (Employees Signature and Date)	nature does not indicate agreement, it only acknowledges receipt).
Rating Official's Comments: (see last page of app	praisal for performance narrative)
Reviewing Official's Comments:	
Employee's Comments:	
Part V - Instructions	

- Supervisory Performance Plans will consist of a minimum of four (4) and a maximum of seven (7) Critical Elements. Each plan must include the mandatory critical elements, Program Management/Support and Supervision. Each critical element must have defined key characteristics.
- 2. Three Progress Reviews will be conducted during a one-year Performance Appraisal Period. The employee and the Rating Official will sign the appropriate block in Part III to document each progress review.
- The Rating Official will assign a rating for each critical element based on their judgement as to the extent the employee's performance demonstrates the established criteria in the benchmark performance standards and any other applicable performance standards. The Summary Rating will be derived utilizing a simple average formula.
- 4. The Rating Official must include a narrative detailing how the employee's performance met the applicable standards with specific examples of performance (see the last page of the appraisal).
- 5. All Summary Ratings require a Rating Official and Reviewing Official signature.
- A Summary Rating of Minimally Satisfactory (Level 2) does not require a Performance Improvement Plan (PIP). However, a Summary Rating of Unacceptable (Level 1) does require a PIP.
- 7. Performance plans should be in place within the first thirty (30) calendar days of the performance cycle or after the start of a new position. Employees must be covered by a performance plan for a minimum of ninety (90) days in order to be given a Summary Rating.
- 8. Employees who do not agree with their Summary Rating may request reconsideration as outlined in Directive 1022.1.

U.S. Consumer Product Safety Commission Individual Performance Appraisal Appraisal Period: Employee's Name: From: To: Critical Elements and Ratings Critical Element: Key Characteristics: (Organizational Specific) Describe the supervisor's duties, 1. Program Management/Support responsibilities, and programmatic efforts that contribute to organizational results and directly align with the strategic goals, strategic objectives, administration priorities, and/or performance measures for the organization. Please indicate the specific goals/measures that are being linked to the supervisor's performance. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards 🗌 Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: Critical Elements and Ratings Critical Element: **Key Characteristics:** 2. Supervision – Holding Employees Ensures subordinate's commitment to efficient work execution. Accountable Models self-accountability and holds subordinates accountable for high-quality results. Recognizes, supports, and rewards excellent work from employees supervised. Timely and efficiently addresses poor and mediocre performance of employees supervised—including seeking appropriate action up to removal from the Federal service. Takes appropriate action when employees report concerns of illegal conduct or waste, fraud, or abuse. **Level 1 (Unacceptable):** The supervisor consistently demonstrates the following behaviors and results: Work is below Minimally Satisfactory. Performance Standards (choose one): Level 2 (Minimally Satisfactory): The supervisor consistently Benchmark Performance Standards demonstrates the following behaviors and results: Custom Performance Standards With few exceptions, demonstrates commitment to efficient work Benchmark and additional standards execution. Requires reminders and guidance to optimize processes and productivity. If utilizing performance standards other With few exceptions, holds subordinates accountable for delivering than the benchmark standards or in results. Expectations and standards are sometimes clearly defined, addition to the benchmark standards for leading to inconsistent performance. this critical element, please list them on Attempts to recognize or support excellent work. Recognition this page for each applicable rating level. programs are infrequent or ineffective. Occasionally attempts to address poor and mediocre performance, leading to prolonged issues. Corrective actions are insufficient or poorly implemented. Takes limited action when employees report concerns of illegal conduct or waste, fraud, or abuse, leading to a lack of trust and transparency. Level 3 (Fully Successful): The supervisor consistently demonstrates the following behaviors and results: Ensures that subordinates are committed to executing work efficiently and effectively, modeling self-accountability in all tasks. Holds subordinates accountable for delivering high-quality results, setting clear expectations and standards. Actively recognizes, supports, and rewards excellent work of employees, fostering a culture of achievement and motivation. Addresses poor and mediocre performance in a timely and efficient manner, implementing corrective actions as necessary, including considering removal from Federal service if appropriate. Consistently takes appropriate action when employees report concerns of illegal conduct or waste, fraud, or abuse. **Level 4 (Great):** The supervisor consistently demonstrates the following behaviors and results: Rating level: 1 2 3 4 5 Demonstrates strong commitment to efficient work execution among

subordinates, consistently optimizing processes to enhance

productivity.

- Achieves excellent results through subordinates by setting clear goals and providing the necessary resources and guidance to consistently meet and exceed expectations.
- Actively identifies and celebrates outstanding contributions from employees, implementing effective recognition programs that boost morale and motivation.
- Manages performance issues effectively, resulting in noticeable improvements in employee performance and engagement. Handles complex employee situations with skill, using appropriate administrative actions.
- Fosters an environment where employees feel safe to report concerns of illegal conduct or waste, fraud, or abuse.

Level 5 (Outstanding): The supervisor consistently demonstrates the following behaviors and results:

- Consistently demonstrates and instills a strong commitment to efficient work execution among subordinates, leading by example and optimizing processes to enhance productivity.
- Achieves exceptional results through subordinates by setting clear, ambitious goals and providing the necessary resources and guidance to exceed expectations consistently.
- Proactively identifies and celebrates outstanding contributions from employees, implementing innovative recognition programs that significantly boost morale and motivation.
- Effectively manages performance issues with a strategic approach, resulting in noticeable improvements in employee performance and engagement. Demonstrates skillful handling of complex and sensitive employee situations, including successful resolution of performancerelated challenges using the full range of administrative actions.
- Fosters a transparent and supportive environment where employees feel safe to report concerns of illegal conduct or waste, fraud, or abuse
- Outstanding performance in this element reflects a supervisor who not only meets the basic requirements but exceeds them by creating a high-performing team that consistently delivers exceptional results, while maintaining a positive and compliant workplace culture.

U.S. Consumer Product Safety Commission Individual Performance Appraisal

Individual Performance Appraisal		
Employee's Name:	Appraisal Period:	
	From:	To:
Criti	ical Elements and Ratings	S
Critical Element:	Key Characteristics:	
3.		
Performance Standards (choose one): Benchmark Performance Standards □		
Custom Performance Standards ☐ Benchmark and additional standards ☐		
If utilizing performance standards other than the benchmark standards or in addition		
to the benchmark standards for this critical element, please list them on this page for		
each applicable rating level.		
Rating level: 1 2 3 4 5		

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: From: Critical Elements and Ratings Key Characteristics: Critical Element: Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: Critical Elements and Ratings Key Characteristics: Critical Element: 5. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: From: To: Critical Elements and Ratings Key Characteristics: Critical Element: 6. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level.

Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: Critical Elements and Ratings Key Characteristics: Critical Element: 7. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards \square If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

Rating Official Narrative

U.S. Consumer Product Safety Commission Individual Performance Appraisal Part I - Administrative Data Employee's Name: Job Title, Series and Grade Level: Organization: Appraisal Period: From: To: Part II - Establishing Plan Rating Official's Name: Rating Official's Signature and Date: Employee's Signature and Date: Part III - Progress Reviews Date: Progress Review #1 Progress Review #2 Date: Progress Review #3 Date: Signature #1: Employee: Supervisor: Signature #2: Employee: Supervisor: Signature #3: Employee: Supervisor: Part IV - Summary Rating ☐ Other ☐ Rating of Record ☐ Closeout Rating Element **Rating** Numerical Range by Level Critical Element 1 Outstanding: 4.7 -5 Critical Element 2 Great: 3.7 – 4.69 Critical Element 3 Fully Successful: 2.8 – 3.69 Critical Element 4 Minimally Satisfactory: 2.0 – 2.79 Critical Element 5 Unacceptable: Any element rated 1 Critical Element 6 Average: **Summary Rating:** Outstanding (Level 5) (Level 4) Great Fully Successful (Level 3) Minimally Satisfactory (Level 2) Unacceptable (Level 1) Rating Official's Name: Rating Official's Signature and Date:

U.S. Consumer Product Safety Commission Individual Performance Appraisal

Reviewing Official's Name:	Reviewing Official's Signature and Date:
Employee's Signature and Date: (Employees Sign	nature does not indicate agreement, it only acknowledges receipt).
Rating Official's Comments: (see last page of app	praisal for performance narrative)
Reviewing Official's Comments:	
Employee's Comments:	
Part V - Instructions	

- Employee Performance Plans will consist of a minimum of three (3) and a maximum of six (6) Critical Elements.
 Each plan must include the mandatory critical element, Program Support. Each critical element must have defined key characteristics.
- 2. Three Progress Reviews will be conducted during a one-year Performance Appraisal Period. The employee and the Rating Official will sign the appropriate block in Part III to document each progress review.
- 3. The Rating Official will assign a rating for each critical element based on their judgement as to the extent the employee's performance demonstrates the established criteria in the benchmark performance standards and any other applicable performance standards. The Summary Rating will be derived utilizing a simple average formula.
- 4. The Rating Official must include a narrative detailing how the employee's performance met the applicable standards with specific examples of performance (see the last page of the appraisal).
- 5. All Summary Ratings require a Rating Official and Reviewing Official signature.
- 6. A Summary Rating of Minimally Satisfactory (Level 2) does not require a Performance Improvement Plan (PIP). However, a Summary Rating of Unacceptable (Level 1) does require a PIP.
- 7. Performance plans should be in place within the first thirty (30) calendar days of the performance cycle or after the start of a new position. Employees must be covered by a performance plan for a minimum of ninety (90) days in order to be given a Summary Rating.
- 8. Employees who do not agree with their Summary Rating may request reconsideration as outlined in Directive 1022.1.

U.S. Consumer Product Safety Commission Individual Performance Appraisal Appraisal Period: Employee's Name: From: To: Critical Elements and Ratings Critical Element: Key Characteristics: (Organizational Specific) Describe the employee's duties and responsibilities that contribute to organizational results and directly 1. Program Support align with the strategic goals, strategic objectives, administration priorities, and/or performance measures for the organization. Please indicate the specific goals/measures that are being linked to the employee's performance. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards 🗌 Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Appraisal Period: Employee's Name: To: From: Critical Elements and Ratings Critical Element: Key Characteristics: Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal

Individual Performance Appraisal		
Employee's Name:	Appraisal Period:	
	From:	To:
Criti	ical Elements and Ratings	S
Critical Element:	Key Characteristics:	
3.		
Performance Standards (choose one): Benchmark Performance Standards □		
Custom Performance Standards ☐ Benchmark and additional standards ☐		
If utilizing performance standards other than the benchmark standards or in addition		
to the benchmark standards for this critical element, please list them on this page for		
each applicable rating level.		
Rating level: 1 2 3 4 5		

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: From: Critical Elements and Ratings Key Characteristics: Critical Element: Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: To: Critical Elements and Ratings Key Characteristics: Critical Element: 5. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level. Rating level: 1 2 3 4 5

U.S. Consumer Product Safety Commission Individual Performance Appraisal Employee's Name: Appraisal Period: From: To: Critical Elements and Ratings Key Characteristics: Critical Element: 6. Performance Standards (choose one): Benchmark Performance Standards Custom Performance Standards Benchmark and additional standards If utilizing performance standards other than the benchmark standards or in addition to the benchmark standards for this critical element, please list them on this page for each applicable rating level.

Rating level: 1 2 3 4 5

Rating Official Narrative