United States
Consumer Product Safety Commission
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DIRECTIVE NUMBER: 1022.1

SUBJECT: Performance Management System

DIRECTIVE OWNER: Office of Human Resources Management (EXHR)

EFFECTIVE DATE: October 19, 2026

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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, 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 March 24, 2026

f. OPM Performance Management Officer Manual, WPI-04030 (July 2026)

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, Schedule C and G employees, 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. A copy should be provided to the new rating official.

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 meets the Great performance standards.

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. **Opportunity Period** is a time frame afforded to an employee to provide a reasonable opportunity to demonstrate acceptable performance in the employee's position.

i. **Outstanding Performance (Level 5)** means that the Outstanding standard and the quality of the employee's work meets the outstanding 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 Form** is the first page of the Individual Performance Appraisal and is used to record the Rating of Record. It must be signed by the Rating Official, Reviewing Official, and Performance Management Officer (PMO) before it is sent to the employee for signature.

l. **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.

m. **Performance Appraisal Program** incorporates the specific procedures and requirements established by CPSC for Performance Appraisals.

n. **Performance Appraisal System** is the method used for the administration of the Performance Appraisal Program.

o. **Performance Improvement Plan (PIP)** is formal notice to an employee when their performance falls below the Fully Successful 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.

p. **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. Where applicable, the Benchmark Performance Standards in Appendix A of this directive may be applied to any position covered by this plan.

q. **Progress Review** is a meeting conducted three times a year with an employee to give feedback regarding their progress toward achieving the Performance Standards. It is not an official Rating of Record.

r. **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.

s. **Rating of Record** is the annual Summary Rating. This is the official Rating of Record referenced in this plan and it may be used for pay, recognizing and rewarding employees, and retention purposes.

t. **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.

u. **Self-Assessment Form** is an optional form for employees to complete that provides a self-assessment of their accomplishments for agency officials to consider when developing the Summary Rating.

v. **Summary Rating** is the assignment of an overall performance level given at any time during the Performance Appraisal Period based on the performance level assigned to each critical element.

w. **Unacceptable Performance (Level 1)** is performance which fails to meet the Fully Successful Performance (Level 3) 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 Fully Successful Performance (Level 3) 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 determining 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 the Performance Plan, Progress Reviews, 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 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 preliminary performance assessments and ensure you have PMO approval before discussing final 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 in accordance with the agency guidance issued for that performance period, 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 and development, demotion, 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 all preliminary performance assessments in accordance with the agency guidance issued for that performance period and forward them in a timely manner; and

(6) Resolve challenges to Critical Elements and Performance Standards 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 ensure 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 in accordance with agency guidance

issued for that performance period and forwarded for the calibration process on time.

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

(1) Communicate and train employees and supervisors on the purpose and procedures of the Performance Appraisal System;

(2) Provide guidance and assistance to all Rating and Reviewing officials on performance management issues and in dealing with unacceptable performance matters;

(3) Conduct a preliminary review of all proposed ratings for documentation sufficiency and potential inconsistencies; and

(4) Maintain Performance Appraisal Files in accordance with provisions of the Privacy Act, the Freedom of Information Act, the Federal Records Act, and other laws and regulations.

f. Performance Management Officer (PMO), and Performance Management Governance Board:

(1) The responsibilities of the Performance Management Officer (PMO) and the Performance Management Governance Board are outlined in Appendix A.

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 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 90calendar 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 or reissued, 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.

(7) A new or reissued performance plan 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) and Fully Successful (Level 3) performance levels. 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 Fully Successful 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 be based on such factors as results achieved, improvement in efficiency, productivity gains, quality of work, and customer service. Additional factors may include measurable outcomes, such as work product completed, timeliness of deliverables, accuracy rates, customer service metrics, compliance measures, and project outcomes.

d. Mandatory Critical Elements. The Supervisors Performance Plans must include two mandatory Critical Elements. In the Supervisors Performance Plan template, 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 in the template.

e. Benchmark Performance Standards. Appendix B contains the Benchmark Performance Standards which can be used for all Critical Elements.

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 mid-year 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.

(a) 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.

(b) 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 sign in the Performance Appraisal system to indicate that the Progress Reviews took place.

b. Closeout Rating.

(1) For each employee under a Performance Plan for at least 90 calendar days, a Closeout Rating is given when a Rating Official leaves his or her position, or when an employee leaves any organization to assume the duties of a new position. 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 be submitted as the 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 Rating as a 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; 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. In order to be considered in the performance rating, the optional employee self-assessment must be completed in the performance system by September 30.

(4) When a Rating of Record cannot be prepared by October 30, 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 of the notification to EXHR. If the period is extended, a Rating of Record shall be prepared as soon as it is feasible.

(5) The Rating Official may consider any Interim Performance Appraisals issued to the employee during the Appraisal Period while the employee was on detail or temporary promotion or assigned to another position.

(6) At the end of the Appraisal Period, the calibration cycle will begin as outlined in Appendix A, Section 5.4. EXHR will issue guidance

to all supervisors and managers for the rating period. The Rating Official shall gather performance documentation, complete narratives, and develop a preliminary performance assessment for each of their employees. 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 across the entire performance period. When evaluating performance, the rating official should consider measurable performance results and how those accomplishments supported agency strategic goals, organizational priorities, and mission outcomes.

(7) The preliminary performance assessment may not be communicated to the employee prior to final approval of the rating by the Agency PMO. The preliminary rating will be derived utilizing a simple average formula, see sample below. If any critical element is rated at the level 1, the overall rating is Level 1 - Unacceptable.

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: 3 – 3.69
Critical Element 4	3	Unacceptable: Any element rated 1
Critical Element 5	3	
Critical Element 6	N/A	
Average:	**3.67**	**Summary Rating: Fully Successful**

(8) The Rating Official will then rank all their employees from 1-N using the CPSC calibration factors (see Section 5.6 of Appendix A). The Rating Official will ensure that relative rankings are based on the evaluation of the employee's performance relative to the impact on factors. The rankings are a comparative application of employees' performance and impact within the rating official's population.

(9) After the preliminary performance assessment and relative rankings are developed by the Rating Official and concurred on by the Reviewing Official, EXHR will review preliminary ratings for documentation sufficiency and identify any potential inconsistencies before the calibration session.

(10) The Governance Board convenes as the calibration body to review the employee population, discuss distinctions, evaluate mission impact, and compare outcomes against the objective factors in Appendix A, Section 5.6. The Governance Board

validates that the resulting distribution is consistent with agency policy, is defensible, and satisfies the agencywide distribution targets in Appendix A, Section 4.2.

(11) Ratings provided to the employee shall reflect only the final rating approved during the calibration cycle. Upon approval of the PMO, a formal meeting with the employee and the Rating Official to discuss the final Performance Appraisal will be held.

(12) The Performance Appraisal shall be signed by the employee after the Rating Official, the Reviewing Official, and the PMO have signed the Appraisal. (Note: Employee's signature does not necessarily constitute agreement with the Performance Appraisal; it merely signifies that the employee has received it.)

(13) 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.

(14) 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.

(15) The signed Performance Appraisal will be submitted to EXHR in the performance system.

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 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 currently at an acceptable level of competence. Eligibility for a within-grade increase should never be viewed as automatic or routine.

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

a. At any point during the Performance Appraisal Period, the employee may be rated Unacceptable. The employee must be given a Summary Rating on the Performance Appraisal Form and provided with a written performance improvement plan (PIP). The PIP must:

(1) Identify the Critical Element(s) in which the employee's performance is Unacceptable;

(2) Inform the employee of the Fully Successful (Level 3) Performance Standards that must be met for retention in the position and include measurable goals and timelines for achieving those goals;

(3) Give the employee a reasonable period of time, limited to 30 calendar days, to demonstrate at least Fully Successful (Level 3) performance (in rare cases a longer period may be necessary to provide sufficient time to evaluate an employee's performance);

(4) 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;

(5) 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 Fully Successful (Level 3) performance;

(6) Be approved by the Director, EXHR or designee prior to issuance.

b. An employee cannot grieve an Opportunity Period or the contents of the PIP.

c. An employee whose performance was Unacceptable during the Opportunity Period may be issued a proposal of removal from Federal service or a proposal of reduction in grade and pay.

d. An employee who successfully completes an Opportunity Period but subsequently fails to maintain a Fully Successful 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 Federal service or a proposal of reduction in grade and pay without being provided a second Opportunity Period.

e. 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.

f. Nothing in this section limits the Agency’s discretion to employ procedures established under 5 C.F.R. part 752 to address unacceptable employee performance. Progressive discipline is not required. Actions taken under 5 C.F.R. part 752 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.

g. 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.

h. 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 only to those individuals who 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. EXHR will provide all new employees a copy of (or link to) this Directive.

11. RECORDKEEPING.

a. EXHR is responsible for maintaining the original Performance Appraisal File with an employee's rating of record for each employee for a period of four (4) years after the date of the appraisal. 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.

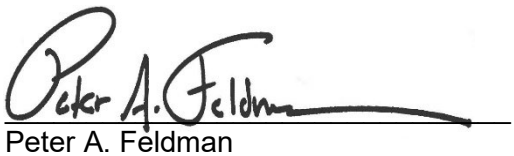
12. ASSESSMENT AND REPORTING.

a. EXHR will complete all performance system reporting requirements to OPM and other outside entities and conduct all required program assessments.

b. The Performance Management Governance Board will convene to provide governance, monitoring, system assessment, identify emerging risks, implement any corrective actions, and ensure leadership satisfaction.

13. CANCELLATION. This Directive cancels and supersedes Directive 1022.1, *Performance Management System*, dated November 6, 2025.

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.



Peter A. Feldman
Acting Chairman

OCTOBER 19, 2026
Date

Appendix A – Performance Mgmt. Governance & Calibration Policy
Appendix B – Benchmark Performance Standards
Appendix C – Mandatory Supervisory Critical Element

Appendix A

U.S. Consumer Product Safety Commission

Office of Human Resources Management

Performance Management Governance Framework and Calibration Policy

Implementation of 5 CFR Part 430, Subpart B

1. Purpose and Scope

1.1 Purpose

This directive establishes CPSC's governance framework and calibration policy for administering a standardized distribution of performance ratings under 5 CFR part 430, subpart B. It defines who makes which decisions, how preliminary ratings are reviewed for consistency, and how the agency will document and defend rating outcomes.

This directive is scaled to CPSC's size and structure. Rather than adopting the multi-tier governance and calibration architecture designed for large cabinet departments, CPSC adopts the centralized, enterprise-wide model that OPM's Performance Management Officer Manual identifies as appropriate for small agencies.

1.2 Authority

- 5 U.S.C. §4302 and 5 CFR part 430, subpart B (standardized performance rating distribution requirements).
- 5 U.S.C. § 2301 (merit system principles) and 5 U.S.C. § 2302 (prohibited personnel practices).
- OPM Performance Management Officer Manual, WPI-04030 (July 2026), Chapters 1–2 and 5.
- CPSC Directive 1022.1, Performance Management Program, as revised.

1.3 Applicability

This policy applies to all CPSC employees whose performance is appraised under the agency's title 5 performance appraisal program. It does not alter appraisal requirements for employees.

2. Agency Complexity Assessment

2.1 CPSC as a Small Agency

OPM's Performance Management Officer Manual directs agencies to select a governance and distribution model appropriate to their size, workforce composition, mission complexity, and executive risk tolerance. CPSC meets every characteristic the Manual associates with a small agency (Chapter 2.3):

- A workforce well under the 5,000-employee small-agency threshold.
- A single Headquarters Office with a geographically distributed field workforce and limited

organizational layers between front-line supervisors and agency leadership.

- Centralized HR operations administered by a single Office of Human Resources Management.
- A small executive cadre
- A workforce that performs substantially comparable work — principally, safety operations and administrative/program support — rather than the highly diverse occupational mix found in large departments.

2.2 Implications for Model Selection

Because CPSC's workforce can reasonably be compared across the agency and its organizational structure is flat without multiple layers, the Manual's decision framework points to the simplest available model on every axis: an enterprise-wide distribution, agencywide (rather than component- or occupation-based) calibration, and centralized governance. Adopting a hybrid or multi-tier model designed for cabinet departments would add governance layers, meeting burden, and documentation overhead that CPSC's size does not warrant, without improving consistency or defensibility.

3. Governance Framework

3.1 Governance Structure Overview

Large agencies typically separate governance into three tiers — an Executive Performance Governance Board, a Performance Management Council, and component-level Calibration Boards — to manage the coordination burden across many bureaus. CPSC's size does not require that separation. This policy consolidates those functions into a single governance body, described below, supported by the EXHR Director and the Deputy Executive Director for Operations Support acting in the agency's Performance Management Officer (PMO) role.

3.2 CPSC Performance Management Governance Board

The CPSC Performance Management Governance Board (the "Governance Board") is the agency's single consolidated governance body. It combines the approval authority ordinarily held by an Executive Governance Board with the operational and consistency-review responsibilities ordinarily held by a Performance Management Council and component Calibration Boards.

Responsibilities

- Approve the agency's Operating Distribution Plan and any changes to it.
- Approve the agencywide calibration methodology and annual calibration schedule.
- Serve as the agency's single calibration body (see Section 5.3).
- Review enterprise-wide rating outcomes and monitor workforce impacts, including any patterns by office, occupation, or demographic group.
- Approve corrective actions and certification readiness before submission to OPM.
- Resolve escalated calibration or employee-relations concerns.

Membership

- Chief of Staff (serves as Chair)
- Executive Director

- Deputy Executive Director for Operations Support
- Deputy Executive Director for Safety Operations (Agency PMO)
- General Counsel
- Director, Office of Human Resources Management (as needed for employee relations or bargaining-obligation questions)

Meeting Frequency

- Quarterly during initial implementation of the standardized distribution.
- At minimum annually, thereafter, timed to the calibration cycle described in Section 5.4, with additional sessions called as escalations require.

3.3 Governance Principles

- **Performance first:** performance evaluation against established standards occurs before any distribution consideration.
- **Documentation:** all significant governance and calibration decisions are documented in writing.
- **Consistency:** similar performance receives equitable consideration across the Headquarters and Office of Field Operations.
- **Transparency:** decision criteria are communicated to supervisors and employees.
- **Merit-based evaluation:** all decisions align with the merit system principles in 5 U.S.C. § 2301 and avoid the prohibited personnel practices in 5 U.S.C. § 2302.

3.4 Decision Authorities

Decision	Authority
Distribution model selection	Governance Board (recommended by PMO)
Calibration methodology	Governance Board
Agencywide rating validation	Governance Board, sitting as the calibration body
Awards alignment strategy	Governance Board
Certification readiness approval	PMO, with concurrence of the Governance Board Chair
Corrective action approval	Governance Board

3.5 Escalation Framework

Issues shall be escalated when:

- Agencywide distribution targets cannot be achieved without compromising evidence-based ratings.
- Significant workforce impacts are identified, including office-level or occupational patterns that warrant review.
- EEO concerns emerge from rating outcomes.
- Supervisors apply inconsistent standards across the agency.

- Legal or labor-relations concerns arise.

Escalation Path: Supervisor → EXHR Director→ PMO function → CPSC Performance Management Governance Board.

3.6 Governance Deliverables

- Governance charter (this policy).
- Annual Operating Distribution Plan and implementation notes.
- Calibration procedures and session records.
- Annual rating-distribution summary for Governance Board review.
- Risk register (maintained by EXHR).
- Certification readiness assessment.
- Corrective action plans, where applicable.
- Annual lessons-learned summary.

3.7 Governance Effectiveness Measures

The Governance Board should review, at least annually:

- Distribution compliance against agencywide targets.
- Consistency of ratings across the agency.
- Employee understanding of the process (e.g., via employee viewpoint survey items or targeted feedback).
- EEO trend indicators associated with rating outcomes.
- Employee-relations indicators (non-grievance disputes, reconsideration requests).
- Certification outcomes with OPM.

4. Operating Distribution Plan

4.1 Distribution Model: Enterprise-Wide

CPSC adopts an Enterprise-Wide Distribution model (Model A in the OPM Manual's Distribution Model Selection Guide). The same agencywide rating distribution applies across CPSC as a whole, rather than being subdivided by component, occupation, or grade band.

> **Why Enterprise-Wide Fits CPSC**
>
> The Manual identifies enterprise-wide distribution as offering maximum consistency, the simplest certification and reporting burden, and the strongest executive control — at the cost of reduced sensitivity to occupational or mission differences. For an agency of CPSC's size, with a largely comparable safety mission and program-support workforce and a small executive cadre, those trade-offs favor simplicity: the model is explicitly recommended for small agencies and highly centralized organizations.

4.2 Agency-Wide Distribution Targets

CPSC will apply the agencywide rating distribution targets published in OPM's annual governmentwide guidance to the full covered CPSC population in the aggregate. EXHR will update the specific target percentages by level each year to match current OPM guidance and will communicate them to supervisors before the calibration cycle begins.

4.3 Monitoring and Reconciliation

Because CPSC uses a single enterprise-wide pool rather than component-based operating ranges, monitoring occurs continuously through the calibration process itself (Section 5) rather than through a separate multi-level reconciliation process. CPSC will track preliminary rating distributions as they are submitted and flag material variances for discussion at the agencywide calibration session.

4.4 Certification

Before ratings are finalized, the EXHR Director will validate that the aggregate CPSC rating distribution satisfies OPM-approved requirements and will prepare the certification documentation described in Section 5.7 for Governance Board and, where required, OPM review.

5. Calibration Policy

5.1 Purpose

Calibration is the structured process through which CPSC reviews preliminary performance ratings against organizational standards, workforce-wide outcomes, and the agencywide distribution targets in Section 4.2. Calibration does not replace supervisor judgment; it ensures that supervisory judgments are applied consistently across the agency.

5.2 Guiding Principles

- **Performance first.** Employees are evaluated against established performance standards before calibration begins; calibration never substitutes for that evaluation.
- **Evidence-based decisions.** Calibration discussions must be supported by documented evidence — accomplishments, performance narratives, metrics, mission outcomes, and related documentation. Unsupported assertions do not influence outcomes.
- **Merit-based evaluation.** Calibration decisions must align with merit system principles and must not be influenced by personal relationships, political affiliation, protected characteristics, retaliation concerns, or other non-performance factors.
- **Transparency.** The calibration process and the standards applied are communicated clearly to supervisors and, at a summary level, to employees.
- **Consistency.** Employees performing at comparable levels are evaluated consistently regardless of office, supervisory chain, or occupational group.

5.3 Calibration Structure: Single Agencywide Calibration

Given CPSC's size, calibration occurs at a single agencywide level rather than through separate component and agency-level reviews. The CPSC Performance Management Governance Board, described in Section 3.2, serves as the agency's calibration body, meeting the OPM Manual's recommendation that small agencies use agencywide calibration for maximum consistency and strong executive visibility.

The calibration body:

- Reviews proposed ratings for consistency across the agency.
- Compares performance outcomes across employees and offices using a common evidentiary framework.

- Validates that distinctions between rating levels are supported by evidence (employee self-assessments and supervisory assessments).
- Identifies unsupported ratings and recommends adjustment where evidence does not support a proposed distinction.
- Documents the rationale for calibration decisions.

5.4 Calibration Cycle

Phase 1 — Preparation

Supervisors gather performance documentation, complete narratives, and conduct preliminary assessments. EXHR trains participants and distributes distribution targets and calibration materials.

Phase 2 — Preliminary Review

EXHR reviews proposed ratings for documentation sufficiency and identifies potential inconsistencies before the calibration session.

Phase 3 — Calibration Session

The Governance Board convenes as the calibration body to review the employee population, discuss distinctions, evaluate mission impact, and compare outcomes against the objective factors in Section 5.6.

Phase 4 — Validation

The Governance Board validates that the resulting distribution is consistent with agency policy, is defensible, and satisfies the agencywide distribution targets in Section 4.2.

Phase 5 — Finalization

Ratings are approved, decisions are documented, and records are archived in accordance with Section 5.7.

5.5 Calibration Session Format

Element	CPSC Approach
Session structure	Single session (rather than sequential component and agency-level sessions)
Participants	Governance Board membership (Section 3.2)
Facilitation	PMO
Timing	Annually, aligned with the close of the appraisal cycle, with an interim mid-cycle check-in on distribution trends

5.6 Objective Calibration Factors

Calibration discussions should evaluate each employee against the following factors, supported by documented evidence:

- Achievement of performance standards — were critical elements achieved or exceeded?
- Mission impact — did the work meaningfully advance CPSC's mission and strategic priorities?
- Quality of results — were work products accurate and did they meet or exceed quality expectations?

- Quantity and productivity, adjusted for workload complexity.
- Timeliness — were deadlines and priorities met?
- Complexity and difficulty of assignments, commensurate with grade level.
- Organizational contribution — did the employee improve team or agency outcomes consistent with the scope of their position?
- Sustained performance — was strong performance maintained throughout the appraisal period, rather than concentrated in a single period?

Calibration decisions should never rest on popularity, length of service, position grade, prior ratings, personal relationships, awards alone, or budget availability.

5.7 Documentation and Recordkeeping

All documents and evidence used in the calibration process are subject to the Privacy Act and FOIA and the Agency will evaluate applicable exemptions before release.

EXHR will retain, in accordance with agency records schedules:

- Calibration session agendas and attendance records.
- Rating summaries and supporting evidence considered.
- Distribution reports before and after calibration.
- Governance Board decisions and rationale.
- Certification documentation submitted to OPM.

5.8 Common Calibration Errors to Avoid

- **Popularity contests —** focus on documented evidence, not personalities.
- **Recency bias —** evaluate the full appraisal period, not only recent events.
- **Halo effect —** no single accomplishment should drive an entire rating.
- **Inflation preservation —** calibration is not intended to preserve historical rating patterns that are not evidence-supported.
- **Unsupported claims —** every assertion offered in calibration should be documented.

6. Roles and Responsibilities

6.1 CPSC Chief of Staff

- Chairs the Performance Management Governance Board.
- Approves the Operating Distribution Plan, calibration methodology, and corrective actions.
- Ensures agency accountability for implementation outcomes.

6.2 Deputy Executive Director for Operations Support (Performance Management Officer Function)

- Serves as CPSC's Performance Management Officer under this policy.
- Facilitates the Governance Board and the agencywide calibration session.

- With EXHR, maintains distribution and calibration analytics, the risk register, and certification readiness documentation.
- Ensures EXHR conducts training and communications for supervisors and employees.

6.3 Supervisors

- Establish performance expectations and document performance throughout the appraisal cycle.
- Prepare evidence-based preliminary ratings, narratives, and relative rankings.
- Participate in the agencywide calibration session, if called to support proposed ratings with evidence.
- Communicate final ratings to employees, consistent with calibration outcomes.

6.4 Employees

- Provide accurate, relevant self-assessment input tied to performance objectives.
- Engage in ongoing performance discussions with their supervisor.
- Retain all rights provided under applicable law, regulation, agency policy, and any collective bargaining agreement.

7. Employee and Labor Relations Considerations

Standardized distribution and calibration do not replace individual performance evaluation. Employees continue to be assessed against established performance standards and critical elements; agencywide distribution targets govern aggregate outcomes and organizational accountability, not predetermined individual ratings.

- EXHR will review any applicable collective bargaining agreement provisions addressing performance appraisal, rating procedures, and calibration before implementation, and will coordinate with Labor Relations on any bargaining obligations that arise.
- EXHR will prepare plain-language guidance and FAQs for supervisors and employees explaining that ratings remain performance-based, that calibration promotes consistency rather than predetermining outcomes, and that Fully Successful remains a successful, valued rating.
- EXHR will monitor feedback following implementation and will report trends to the Governance Board.

8. Effective Date, Review, and Amendment

This policy takes effect upon approval by the CPSC Chairman. EXHR will review this policy annually and following any material change to 5 CFR part 430, subpart B, or governing OPM guidance, and will recommend amendments to the Governance Board as needed.

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 employees' 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.

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's performance in one of more aspects of the critical element does 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.

The employee may demonstrate one or more of the following: 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:

- 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.