

APPENDIX A

PERFORMANCE IMPROVEMENT PLAN (PIP)

1. Supervisors must complete a Performance Improvement Plan for any employee whose performance in one or more critical job elements is at an unacceptable level.
2. The basic goal of the PIP is to identify an employee's performance deficiencies and to assist in bringing the employee's performance to a fully acceptable level. If the employee's performance does not improve, the PIP and allied documents serve as the foundation for determining and supporting the final action taken.
3. The PIP is a specialized documentation tool that pulls together into a single document, the employee's history of unacceptable performance. The whole case is brought into perspective by an outline of events leading up to the PIP. With this, the employer's advocate or attorney can gain better control of the case if an action to demote or remove follows, and if the employee appeals. This documentation device presents the "big picture" to the employee, apprising them of the gravity of the situation. The PIP is an excellent final notice to the employee prior to taking action such as reduction in grade or removal from employment.
4. In any case where the employee has due process rights, the arbitrator, hearing officer, or judge will ask such questions as:
 - a. Has the employee been clearly put on notice that their performance is unacceptable?
 - b. Has such notice set forth, specific examples of poor performance?
 - c. Has the employee been specifically told what they must do in order to meet the employer's standards?
 - d. Has the employee been offered any assistance, such as training, counseling, or extra help from supervisors in order to overcome deficiencies?
 - e. Has the employee been clearly warned of the consequences of failure to improve performance?
 - f. Has the employee been given a fair opportunity to bring their job performance up to an acceptable level?
5. The PIP is not intended for use in disciplinary or adverse action cases. TPR 752 contains the procedures that must be followed when taking a disciplinary or adverse action. The PIP is an excellent device to coordinate and pull together a number of documented counseling, training, and supervisory assistance records accumulated over a period of time.

6. The PIP should be typed as a regular military memorandum and be neat, legible, and error-free. It must clearly show: (1) To whom it is directed; (2) Who prepared it; (3) The date prepared; and (4) The subject.

7. The following questions must be addressed in the Performance Improvement Plan:

a. Why? The PIP should state why the employee received it. This consists of a general statement of purpose and reasons thereof.

b. What Has Happened? This part of the memorandum consists of a listing of particular instances giving names, dates, places, etc., that constitute unacceptable performance. If the specifics have been previously documented, copies of such documents should be attached. Such prior instances should be listed in chronological order. Great care must be taken to be specific and factual. This portion of the notice may be very useful in drafting the removal action if the employee does not correct the problem.

c. What Must Be Done? The employee must be specifically told what must be done in order to meet employer's standards. This should consist of a specific list of things to do in order to improve performance. It should be a complete, but simple, detailed list. This part of the PIP will consist of a list of answers to the questions, "What can the employee do in order to meet the job standards?" The plan must tell the employee in simple terms what must be done in order to save their job.

d. What Assistance Is Available? Management has an obligation to help employees meet job standards. Thus, the plan must set forth those things management is willing to do to assist the employee in improving unacceptable performance. Some common forms of assistance are:

(1) Providing publications and books.

(2) Providing opportunities to visit other locations to observe the work of others.

(3) Providing counseling with a trained counselor.

(4) Providing attendance at training programs.

(5) Having trained personnel work with and assist the employee. The employee's attitude and participation in programs of assistance must be documented.

(6) If you have reason to suspect (or discover during counseling) that the employee's poor performance is caused by personal or behavioral problems, contact the Human Resources Office for information on the Technician Assistance Program.

e. How Long? The PIP should include the time span during which the employee is expected to meet job standards. This should be not less than 30 and not more than 90 calendar days. A specific date can be used instead of a specific number of days. The employee must know the cutoff date in advance.

f. What Are The Consequences? The employee must know in advance the consequences of failure to improve and meet the job standards. The following or similar phrase will eliminate the defense, "Nobody told me that I would be fired.":

"By (date), if you fail to make the necessary improvements in your work performance as outlined in this Performance Improvement Plan, I will have no other alternative but to recommend that your employment be terminated."

8. The PIP is used to clearly document that the employee knew why they were performing unacceptably, were told what to do, and were given a fair opportunity to correct the problem over a reasonable period of time, with management's help, prior to removal. Such documentation is extremely persuasive to arbitrators, hearing officers, and judges.

SAMPLE
PIP

Office Symbol

Date

MEMORANDUM FOR (Name of Employee)

SUBJECT: Performance Improvement Plan (PIP)

1. The purpose of this Performance Improvement Plan is to call to your attention serious deficiencies in the performance of your duties as a Personnel Records Clerk. Significant improvement is necessary in a number of critical areas in order to assure you continued employment. Specific areas of unacceptable performance which need improvement are:

a. Element 1 - Records Maintenance. Fully acceptable performance in this element requires: "File records in Organization Personnel Folders in accordance with governing directives and standard operating procedures. Records are filed within five working days of receipt, or sooner if accumulation of unfiled records will exceed 100. Unfiled records are not to exceed 100. Reviews Organization Personnel Folder annually to remove duplicate and/or obsolete records."

Your performance of duties under this performance element is less than marginally meeting the standard. Specific instances of unacceptable performance in this critical element are:

(1) On 30 April 1995, I counseled you concerning excessive record accumulation. I advised you to stop involving yourself in office activities that do not concern you and devote your time to accomplishing your work. (See attached copy of counseling note signed by both of us.)

(2) On 16 May 1995, I counseled you regarding erroneous filing of records. I suggested methods to improve your document filing procedure. (See attached copy of counseling note signed by both of us.)

b. Element 2 - Requests for Records Information. Fully acceptable performance in this element requires: "Response dispatched within three workdays of receipt of request. Provide only information allowed by the Privacy Act and/or Freedom of Information Act. Receive no more than two servicing complaints per month. Performance verified through spot checks of work."

Your performance of duties under these performance elements has been less than marginally meeting the standards. Specific instances of unacceptable performance in this critical element are as follows:

NOTE: Follow the pattern for each element where there is unacceptable performance.

2. In order to meet the expectations of the activity, you must take the following steps to correct deficiencies in record maintenance, requests for record information, and word processing.

- a. Do not allow yourself to be drawn into office matters that are not of your concern.
- b. Alphabetize records before filing in member's folders.
- c. Expand your suspense file to include calendar days.
- d. Take time to proofread your word processing material (or have someone else proofread it for you) before submitting for signature or other disposition.
- e. Utilize your dictionary (or spell-check program on your word processor) to assist you in spelling correctly.
- f. Check with the Privacy Act Officer if unsure about information to be released.

3. I will make arrangements for you to visit with other agency personnel clerks for the purpose of learning better filing techniques and suspense controls. Also, I will make available to you USDA Graduate School classes and other career development courses to help you improve your office skills.

4. I am available to discuss your performance on these critical job elements as you strive for improvement and am willing to help you in any way. When both you and I feel that sufficient progress has been made to bring your performance up to the fully acceptable level, I will notify you in writing. This letter will be filed in your OPF for one year from the date shown above. If your performance improves and remains at the fully acceptable level during this year, this statement will be destroyed. Should your performance not reach the fully acceptable level within the time limit specified, you will be reduced in grade or removed from the position.

5. If you do not make the necessary improvements in your work performance as outlined in the Performance Improvement Plan by (Date), I will recommend that your employment be terminated.

Supervisor's
Signature Block

Receipt Acknowledged _____
Employee's Signature and Date