

## Memorandum of Agreement

Between

The Government Accountability Office (GAO)

And

The GAO Employees Organization, IFPTE, Local 1921 (Analyst Unit)

### 1. Implementation of New Competency Models and Rating Levels

The Agency has revised the competency models and rating levels. This Memorandum of Agreement (MOA) sets forth procedures and guidance for implementing the new competency models and associated rating levels as of September 30, 2012 beginning with the FY 2013 performance cycle.

### 2. Changes to Existing Order

GAO Order 2430.1 is hereby modified to address references to the new competency models and associated rating levels as follows:

- Chapter 1, 5.g. will now read: "Unacceptable performance" is performance that is rated at the "Unacceptable Performance" rating level in one or more competencies.
- Chapter 1, 7. will now read: "**Unacceptable Performance**". At any time during the appraisal cycle, if employees are in danger of receiving an "Unacceptable Performance" rating in one or more competency, management will inform the employees of the competency and deficient performance. Employees may request feedback with respect to what improvements should be made in their performance.

### 3. Coverage of CBA and Existing MOAs

The parties agree that beginning with the FY 2013 performance management cycle, all of the terms of the MOAs specified below will remain in effect and will be applied consistent with Article 28 of the CBA.

- MOA on Revisions to the Performance Management System, dated August 17, 2010, and
- MOA on the Performance Management System, dated August 30, 2010

Consistent with the August 30, 2010 MOA, the Agency will provide data to the Union within a reasonable period of time after the conclusion of each appraisal cycle, through the end of the 2015 appraisal cycle, consisting of sanitized bargaining unit employee ratings and related demographic and personnel data consistent with the sanitized performance appraisal data provided for FY 2002 - FY 2008.

#### 4. Competency Models

##### A. GAO has established the following competency models:

- 1) Analyst: This model covers employees who generally serve as individual contributors on a broad range of engagements or are responsible for major segments of engagements or lead one or more overall engagements on a recurring basis. Employees will be presumed to be covered by the Analyst competency model if they are in pay plan PE and are classified in series 347 (GAO Analyst), 1550 (IT Analyst) in teams other than ARM, or series 511 (GAO Auditor) in any organization.
- 2) Specialist: This model covers employees in a variety of occupational series in pay plan PE with current expertise in technical disciplines or fields, or other in-depth subject matter expertise, who normally apply their specialized skills across a full range of multiple engagements of varying complexity, sensitivity, size, scope, and risk levels. These individuals typically work in a consultant capacity to engagement teams. Technical specialists perform specific tasks to support team engagements. Subject matter specialists leverage their in-depth program or sector knowledge to facilitate engagement team performance by accelerating teams' understanding of specific issues and policy implications. Employees in Pay Plan PE, other than series 347, 1550 (non-ARM), 511, and 1811 will be presumed to be covered by the Specialist competency model.
- 3) Criminal Investigator: This model applies to all employees in pay plan PE in series 1811.
- 4) Communications Analyst: This model applies to all employees in pay plan PT whose title is Communications Analyst (Written or Visual) or Lead Communications Analyst (Written or Visual).

##### B. Determination of a competency model.

If a unit head believes that an employee in the PE pay plan should be covered by a different competency model because the typical duties and responsibilities of the employee are more consistent with an alternative competency model, the unit head will change the competency model under which the employee is to be rated. Employees will be afforded the opportunity to provide input before a final decision is made. Unit heads will promptly notify the Human Capital Office (HCO) and employee of any changes. Determinations by the unit head should be made as soon as possible after the beginning of the appraisal period, generally within 30 calendar days. However, such determinations can be made at any point during the performance period. An employee who believes that the unit head determination is incorrect may request reconsideration from HCO as set forth in paragraph 4D.

##### C. Employee request for change to a different competency model.

An employee covered by a competency model based on the description in paragraphs 4A who believes that the coverage is incorrect must submit by e-mail a written request to their unit head setting forth the reasons the employee believes they should be covered by the alternative competency model. The unit head shall review the request and notify the employee within 14 calendar days in writing by e-mail whether the request for a change in competency model has been granted. If the request is denied, the unit head shall provide a

brief description by e-mail of the reasons for the denial. If the employee's request is denied by the unit head, the employees may request reconsideration from HCO as set forth in paragraph 4D.

D. HCO reconsideration.

Within 14 calendar days after receipt of a notification under paragraph 4B or 4C, employees may request a reconsideration of the decision from HCO. The employees must submit a written request by e-mail to the Chief Human Capital Officer setting forth the reasons the employees believe they should be covered by the alternative model. HCO shall notify the employees in writing by e-mail whether the request has been granted, with a brief description of the reasons, if it is denied.

E. Exceptions or Additions to the Competency Models.

- 1) Elimination of a competency. Unit heads may authorize the elimination of a competency at the employee's or rater's request if the employee will not have an opportunity of sufficient duration to demonstrate performance in the areas covered by the competency during the performance year. Such action is expected to be rare and may take place at any time in the rating cycle. After obtaining input from the employee and rater, unit heads will notify the employees by email as soon as a determination is made. If an employee's request is denied, the unit head shall provide a brief description by e-mail of the reasons for the denial. If the employee's request is denied by the unit head, the employees may request reconsideration from HCO as set forth in paragraph 4D.
- 2) Additional competencies. Unit heads may authorize an additional competency, as specified in paragraph 4.E.3. below, at the employee's or rater's request if the employee will have an opportunity to demonstrate performance in the areas covered by the competency during the performance year. After obtaining input from the employee and rater, unit heads will notify the employees by email as soon as a determination is made. If an employee's request is denied, the unit head shall provide a brief description by e-mail of the reasons for the denial. If the employee's request is denied by the unit head, the employees may request reconsideration from HCO as set forth in paragraph 4D.
- 3) Band levels with additional competencies. The following band levels have an additional competency that will be used to rate staff when the employees' positions include responsibilities for work leadership or performance management. Unit heads will notify employees as soon as it is determined that employees will be appraised on an additional competency.
  - a) When a Band IIA Analyst or Band II Criminal Investigator is assigned work as an Analyst/Investigator-in-Charge (AIC)/(IIC), they will be provided job-specific expectations related to these additional competencies at that time.
  - b) Band IIA Analysts and Band II Criminal Investigators assigned to serve as Analysts/Investigators-in-Charge (AIC)/(IIC) of an engagement/investigation to which one or more staff members are assigned, and who serve at least 440 hours as an AIC/IIC during the appraisal cycle, will be rated on the competency "Providing Project Direction and Guidance" and the Band IIA standards

applicable to AICs. An employee may request an exception to the 440 hours requirement based on his or her particular situation (CBA 28.8).

## **5. Performance standards.**

Performance standards have been defined for each competency at each band for the following rating levels:

- A. Exceptionally high-quality performance: This level defines performance that exceeds sustained quality performance.
- B. Sustained quality performance: This level defines the expected level of performance relative to the competency.
- C. Marginal Performance: This level defines performance that is less than sustained quality performance but is not unacceptable performance.
- D. Unacceptable performance: This level defines performance that is unacceptable relative to the competency. Unacceptable performance on any competency will result in the placement of an employee covered by GAO Order 2432.1, Dealing with Unacceptable Performance, in an opportunity period.

During the appraisal cycle, as soon as an employee's performance falls below "Sustained Quality" Performance in one or more competencies, management will inform the employees as soon as practicable of the competency(s) and deficient performance. If requested, employees will be provided feedback with respect to what improvements should be made in their performance.

## **6. Marginal Performance**

A rating of Marginal Performance in any competency does not impact an employee's ability to apply for telework. A rating of Marginal Performance in any competency does not impact an employee's eligibility to receive across the board pay increases.

Employees who receive a rating of less than "Sustained Quality" performance in more than one competency will not be eligible to participate in the Student Loan Repayment Program.

When an employee receives a rating of Marginal Performance in any competency, he or she will be advised of the observed job-specific performance that needs to be improved to achieve Sustained Quality Performance. Upon request, the employee will be provided job-specific assistance by the agency to help in improving his or her performance.

## **7. Expectations**

For the purposes of this section, expectations are job-specific tasks that an employee would be required to meet in order to receive a rating of "Sustained Quality" performance.

- A. Employees may request a written copy of expectations that they have been provided orally and they may be provided at the discretion of the manager.
- B. When an employee's performance falls below "Sustained Quality" performance in any competency, he or she will be informed as soon as practicable and will be provided job-specific expectations in writing upon request.

**8. Feedback Sessions**

The Agency will give reasonable advance notice and will consider an employee's personal leave and work schedule when scheduling performance feedback for the annual appraisal rating.

**9. Assessment/Monitoring/Evaluation**

The Union and the Agency are committed to the ongoing monitoring and assessment of the performance management system. The Agency agrees to prepare an evaluation plan for the performance management system. The Agency will provide a draft of this plan to the Union for review and comment. The Union agrees to provide comments within 14 calendar days or other mutually agreed upon length of time. The Agency agrees to share the results of the evaluation with the Union in a reasonable period of time after completion of the evaluation.

To the extent that surveys are used to monitor and assess the system, the Agency agrees to provide to the Union a copy of written GAO initiated surveys of bargaining unit employees which concern matters affecting the performance management system. A survey is a formal or informal systematic request for information about personnel policies, practices, and conditions of employment. A copy of the survey will be provided to the Union prior to pre-testing or implementation of the survey in order for the Union to provide comments. Union comments will be provided in a reasonable period of time.

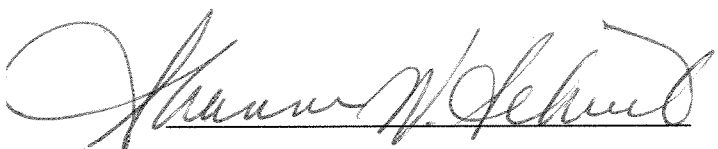
GAO will assign an HCO representative to attend unit rating review sessions for the first two rating cycles after execution of this agreement. The Agency agrees to assess the need for ongoing HCO participation in rating review sessions at the end of the first two rating cycles after execution of this agreement.

The terms and conditions of GAO Order 2430.1 are incorporated into this agreement; to the extent there are conflicts between the Order and this agreement, the agreement shall control.

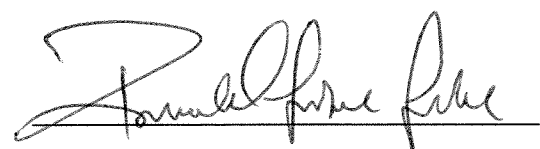
Executed this 26 day of SEPTEMBER, 2012.

For the Government Accountability Office:

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Date