



November 4, 2010

MANAGERS, HUMAN RESOURCES (AREA)  
MANAGERS, OPERATIONS SUPPORT (AREA)

SUBJECT: Fiscal Year 2010 Pay-for-Performance Mitigating Factors

Attached you will find guidelines for requesting consideration for a Pay-for-Performance (PFP) Mitigating Factor. A Mitigating Factor is an occurrence beyond an employee's control, which causes a measurable impact on the National Performance Assessment (NPA) composite summary and also results in the PFP Overall Performance Rating to be lowered by at least 1 whole point.

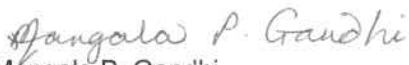
Your role is to validate any request that has been approved by the district executive that has been properly documented and warrants approval. Any request for consideration must relate to a NPA unit indicator that has caused the NPA composite summary to be lowered and, the PFP Overall Performance Rating to be lowered by at least 1 whole point. This process is not to be used for issues raised with the NPA corporate indicators, or for issues related to individual core requirement ratings.

Documentation must be maintained at the district level. The completed, approved, and signed ***Employee Request for Consideration of Mitigating Factors and Evaluator Checklist for Consideration of Mitigation Factors*** forms must be validated at the area level and forwarded to the Manager, Selection, Evaluation, and Recognition (SER) via the "Perform 3" email address. **The deadline for submission to SER of all approved forms is December 10, 2010.**

Please stress the following key points when communicating and disseminating these guidelines to your evaluators and your district leadership.

- All requests that are processed must reflect the end-of-year (EOY) rating from the Performance Evaluation System (PES) and the recommended EOY rating based on the mitigation request.
- The mitigation process applies only to EAS employees.
- Occurrences already mitigated in NPA cannot be mitigated through this process.
- Due to payroll processing timelines, all requests must be received in SER by the close of business December 10, 2010.

If there are any questions or concerns, please contact Robin McLarney, Manager, Performance Evaluation Programs at (202) 268-3951.

  
Mangala P. Gandhi  
Manager  
Selection, Evaluation, and Recognition

Attachments

## Mitigating Factors – Request for Consideration Process

### What is a mitigating factor?

A mitigating factor is a significant occurrence beyond an employee's control that triggers a measurable impact not only on the NPA composite summary, but on the Pay for Performance overall performance rating as well. In order to qualify for consideration, there must be so significant a change in a unit indicator(s) that it causes a downward change in the NPA composite summary that results in the PFP Overall Performance Rating to be lowered by at least one whole point.

Certain unique situations might constitute mitigating factors. For example, a retail unit consumed by fire, an AMF destroyed by flood, or an act of terrorism that shuts down a transportation network or plant. What is considered is how the occurrence had a profound impact on the unit indicator, did this occurrence cause a downward change in the NPA composite summary and what efforts did the employee make to offset the occurrence.

### When should an evaluator consider processing a request for a mitigating factor?

When it is apparent that a unit indicator was affected by a unique occurrence that was beyond an employee's control, the evaluator should carefully review the facts. The evaluator needs to confirm the following;

- Did the occurrence or condition cause a negative result in one or more of the unit indicators?
- Was the occurrence one that was already mitigated in NPA?
- Did that result negatively affect the NPA composite summary?
- What efforts were made by the employee to offset the occurrence that impacted the unit indicator?
- Did the downward change in the NPA composite summary result in a lower PFP overall performance rating?

### How should the evaluator handle the on-line ratings in the Performance Evaluation System (PES)?

1. There will be no on-line adjustment to the NPA composite score in the PES.
2. Evaluators will provide ratings of core requirements in the PES as it was designed.
3. The Evaluator will submit ratings and will print off the EOY Rating calculation from the PES.

### What is the process for requesting consideration for a mitigating factor?

1. The process begins with the **employee**, who must describe the situation they believe caused an adverse impact on the unit indicator(s) resulting in a lower overall performance rating as well as the efforts made to offset the occurrence (this is typically done during the end of year discussion with the evaluator). Documentation must be provided to the evaluator to support the impact of a particular occurrence.
2. The evaluator will review the employee's documentation against the criteria constituting a mitigating factor:
  - a. Did the occurrence or condition cause a negative result in one or more of the unit indicators?
  - b. Was the occurrence one that was already mitigated in NPA?
  - c. Did that result negatively affect the NPA composite summary?
  - d. Was the occurrence beyond the employee's control?
  - e. What efforts were made by the employee to offset the occurrence that impacted the unit indicator?
  - f. Did the downward change in the NPA composite summary result in a lower PFP overall performance rating?

3. If warranted, the evaluator will submit the Employee Request for Consideration of Mitigating Factors and Evaluator Checklist for Consideration of Mitigating Factors forms to their PCES district executive. The request form requires the evaluator to document the following:
  - a. The NPA composite summary (mitigated or unmitigated, whichever is applicable) has been adversely affected because of the unit indicator(s). Documentation is required that clearly demonstrates that the unit indicator result would have been higher had the event not occurred.
  - b. The evaluator must recommend an alternate unit indicator(s) result (or concur with the recommended unit indicator result) supported by sufficient documentation. The documentation must include the trends of this indicator before the occurrence, explaining clearly how the mitigating factor caused the unit result to be lower, the actions the employee performed to offset the occurrence and therefore impacting the employee's Overall Performance Rating. **Failure to submit a new recommended overall performance rating on the request for consideration format will result in no further processing.**
  - c. The unit summary and composite summary must be re-calculated and submitted along with a copy of the NPA Report Card Detail (unmitigated and mitigated report card) from the NPA Website to the lead PCES district executive.
4. The PCES district executive reviews the forms and documentation. If approved, the package is forwarded to the area Manager, Human Resources. If disapproved, the PCES district executive returns the package to the evaluator, who must then inform the employee in writing.
5. The area Manager, Human Resources, along with the area Manager, Operations Support (or designee) must verify that the documentation supports the mitigation and the resulting recommended change to the Overall Performance Rating. If valid, both must sign the request form and scans the form to the Manager Selection, Evaluation, & Recognition (SER) at Headquarters via the Perform3 email address to arrive **NO LATER THAN DECEMBER 10, 2010**. The area Manager, Human Resources must only forward request forms to SER if verified that the mitigation raises the employee's Overall Performance Rating by at least one whole point. If not valid, the area Manager, Human Resources returns the package to the PCES district executive (who must notify evaluator, and in turn evaluator notifies employee in writing.) All associated paperwork and documentation must be maintained at the district level.
6. Selection, Evaluation, and Recognition (SER) documents validated changes to the Overall Performance Rating and make the changes manually in the Performance Evaluation System (PES). SER confirms completion of this action back to the area Manager, Human Resources by email message from Perform3.

**NOTE: At any point during the process the request is disapproved, the reason for the disapproval must be documented on the form. The employee must be notified that the request has been disapproved and provided a copy of the form.**

**REMINDERS:**

- Mitigating Factor Request for Consideration is only available for EAS eligible employees.
- Mitigation Factor Request cannot be on an indicator for which a national mitigation has already occurred. The NPA Report Card Detail (both mitigated and unmitigated) from NPA must be included with the documentation.
- Mitigating Factor process pertains only to NPA unit indicators. An employee who wishes to dispute individual core requirement(s) rating must use the "Ratings Recourse Process" outlined in the PFP Administrative Rules.
- The mitigating factor must affect an NPA unit indicator so adversely that the PFP Overall Performance Rating result would have been changed by at least one whole point had it not occurred.
- Any request for mitigation will be treated as an exception and must be fully documented.

- Two documents will be most helpful in calculating mitigation: the NPA Report Card Detail (mitigated and unmitigated) from the NPA Website and the PES report showing the employee's Overall Performance Rating calculation.
- Additional documentation related to the specific unit indicator performance must be submitted along with the request for consideration form.
- Area, Manager, Human Resources must submit validated request forms with no attachments to SER for processing no later than **December 10, 2010**.
- The forms and documentation must be kept on file for two years by the approving district level office.
- ***Requests and supporting documentation must be submitted in time to allow for each level's approval prior to final processing by the area and submission to Selection, Evaluation, & Recognition no later than December 10, 2010.***

## Employee Request for Consideration of Mitigating Factors

Employee Name: \_\_\_\_\_ Title: \_\_\_\_\_ EIN \_\_\_\_\_

Unit Name: \_\_\_\_\_ Fin #: \_\_\_\_\_

\*\*\*\*\*PLEASE USE ADDITIONAL SHEETS OF PAPER AS NEEDED\*\*\*\*\*

**1. Describe the mitigating factor by addressing each of these criteria:**

- a) What was the significant occurrence?
- b) When did it occur (dates)?
- c) What specific NPA unit indicator was impacted by this occurrence?
- d) How was it beyond your control?
- e) What actions did you take to offset the effects of this event?
- f) What was the impact on the unit indicator; unit summary; and composite summary?

**2. Describe the trends of the unit indicator prior to the occurrence and attach documentation.**

**3. Attach your NPA Report Card Detail (Mitigated and unmitigated) with the proposed indicator score annotated on the report card.**

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

### Evaluator Checklist for Consideration of Mitigating Factors

Employee Name: \_\_\_\_\_ Title: \_\_\_\_\_ EIN \_\_\_\_\_

Unit Name: \_\_\_\_\_ Fin #: \_\_\_\_\_

\*\*\*\*\*PLEASE ANSWER THE FOLLOWING QUESTIONS\*\*\*\*\*

1. Was the occurrence or NPA unit indicator one that was already mitigated in NPA? YES NO
2. Do you agree with the NPA unit indicator affected as stated by the employee? YES NO
3. Did the occurrence cause a negative result in one or more of the unit indicators? YES NO
4. Does the documentation supplied by the employee support this? YES NO
5. Was the occurrence beyond the employee's control? YES NO
6. Did the employee make any effort to offset the occurrence? YES NO
7. Was the impact of the occurrence enough to a cause downward change in the NPA Composite Summary that resulted in a lower PFP overall rating? YES NO
8. Have you verified that mitigated score, cell value and end results as annotated by the employee on the NPA Report Card Detail (mitigated and unmitigated) is accurate? YES NO
9. Have you verified that the Overall Performance Rating from PES was lowered by at least a whole point due to this occurrence (PES calculates to 32 decimal points and displays 5 decimal points. Anything less than .5xxxx rounds down) YES NO

Please record the employee's actual Overall Performance Rating from PES and the rating that would have been achieved but for the mitigating circumstance.

<b>PFP OVERALL PERFORMANCE RATING</b> <i>(Please attached NPA Report Card Detail (mitigated and unmitigated – with new calculations) along with the End-of-Year Overall Performance rating from PES).</i>	
ACTUAL _____	RECOMMENDED _____

#### DISTRICT REVIEW & APPROVAL

Evaluator Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ (CHECK ONE)

Reason for disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PCES District Executive**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ (CHECK ONE)

**Reason for disapproval:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AREA VALIDATION**

**Area Manager, Human Resources**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**AREA VALIDATION**

**Area Manager, Operations Support  
(or designee)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Reason for disapproval:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INTERNAL USE ONLY (HQ SER)**  
Received \_\_\_\_\_ (date) \_\_\_\_\_ (initials)

Entered to PES \_\_\_\_\_ (date) \_\_\_\_\_ (initials)