



U.S. Department of Energy
Implementation of Safety Performance Elements and Standards
for Federal Employees

Frequently Asked Questions
(Revised March 2008)

Minimum Implementation Requirements:

- Effective as of the FY07 performance cycle, a mandatory safety performance critical element must be included in the performance plan of each Department of Energy (DOE) Federal employee.
- The safety performance critical element may be included in the body of the performance plan or as a separate attachment. If the safety performance standard is included as a separate attachment, the signature blocks for the rating official and the employee must be designated in the attachment.
- Rating officials will communicate the safety performance expectations to employees and provide a written copy of the appropriate safety performance standard.
- The following statement should be included with the written safety standards provided to the employee:

Employee – I understand that my signature on this individual element indicates only that I have reviewed the element. I understand that failure to sign this performance element does not affect its validity.

Upon receipt, the employee will sign and date the safety performance standard.

Definitions

1. **SES Line Managers:** Have broad oversight responsibilities for safety programs which include responsibility for the health and safety of employees in the organization/site. (e.g. Site Managers, Leaders who supervises line managers who execute safety responsibilities.)

2. **Line Managers Who Execute Safety Responsibilities:** Have active, regular and recurring safety execution responsibilities at the SES or General Schedule (GS) level. (e.g. Laboratory Site Office Directors, Safety Officers)
3. **Federal Employees Who Execute Safety Responsibilities:** Have active, regular and recurring safety execution responsibilities at the General Schedule (GS) or Wage Grade (WG) level. (e.g. Power Marketing Administrations linemen)
4. **SES or Managers in Support Positions:** Provide administrative, management, and oversight support to DOE programs and offices. These individuals do not execute safety responsibilities. (e.g. General Counsel, Human Capital Management)
5. **Federal Employees in Support Positions:** Provide support to DOE programs and offices at Headquarters and Field Site Offices. These employees do not execute safety responsibilities.

1	How should the safety element/standards be incorporated into individual performance plans?
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Answer:

There are different processes for incorporating the safety standard into performance plans. The determination on which process to use is based on

- (1) the employee's category designation and
- (2) whether the employee executes safety responsibilities

Category 1: SES Line Managers:

- At a minimum, must use the generic standard in its entirety for "SES Line Managers" provided in the "Safety Performance Standards for All Federal Employees" memo dated November 30, 2006.
- Rating officials cannot delete or substitute any criteria contained in the generic standard, however, rating officials may add organization specific criteria to the generic standard.

Category 2: Line Managers Who Execute Safety Responsibilities:

and

Category 3: Federal Employees Who Execute Safety Responsibilities:

- For employees in these categories, Departmental Elements have the discretion to continue to use a previously established safety performance element but only if it has been designated as a critical element and the corresponding performance standards meet the minimum requirements described in the prescribed generic safety standard and is consistent with the manager's or employee's level of responsibility.
- Previously established safety performance elements and standards that do not meet the minimum requirements of the generic standard must be amended to include the appropriate expectations and measures consistent with the manager's or employee's level of responsibility prior to inclusion in applicable performance plans.
- All previously established safety performance standards must be approved prior to inclusion in the individual performance plans. DOE Departmental Elements Safety Officers will review and approve all proposed safety performance standards. Organizations without a designated Safety Officer are to submit proposed standards to the Office of Health, Safety, and Security (HSS) for review and concurrence.
Note: The safety performance standards for all DOE Safety Officers must be submitted to HSS for review and concurrence.
- The annual performance rating level for this element shall be made in accordance with the applicable performance management policy.
- For employees who execute safety responsibilities, the safety element is rated as a job performance critical element.

Category 4: SES or Managers in Support Positions:

- At a minimum, must use the generic standard in its entirety for "All other SES or manager in support position" provided in the "Safety Performance Standards for All Federal Employees" memo dated November 30, 2006.
- Rating officials cannot delete or substitute any criteria contained in the generic standard, however, rating officials may add organization specific criteria to the generic standard.
- The annual performance rating level for this element shall be either "Met" or "Not Met".
- In accordance with 5 CFR 430.208(b), the safety critical element rating of "Met" or "Not Met" is factored into the overall summary rating for the employee's annual appraisal.

- A performance rating of “Not Met” automatically warrants a “Fails-to-Meet Expectations” overall annual performance summary rating.

Category 5: Federal Employees in Support Positions:

- At a minimum, rating officials must use the generic standard in its entirety for “Performance Element for Federal Employees” provided in the “Safety Performance Standards for All Federal Employees” memo dated November 30, 2006.
- Rating officials cannot delete or substitute any criteria contained in the generic standard, however, rating officials may add organization specific criteria to the generic standard.
- In accordance with 5 CFR 430.208(b), the safety critical element for this category of employees is factored into the overall computation of the annual performance summary rating.
 - A performance rating of “Met” equals 5 points.
 - A performance rating of “Not Met” equals 0 points.
- A performance rating of “Not Met” automatically warrants a “Fails to Meet Expectations” annual performance summary rating.

The following table illustrates the scenarios for determining which safety critical element and performance standards should be included in an employee’s performance plan.

Category	Employee Grouping	Executes Safety Responsibilities ?	Can Use <u>Job Specific</u> Standards	Must Use Generic Standards	Rating: Met/Not Met	Weighted/ Not Weighted Factored in Overall Summary Rating
1	SES Line Managers	Yes (Oversight)	No	Yes	No	Weighted/Factored
2	Line Managers (Executes Safety) (SES or GS)	Yes	Yes	No	No	SES: Weighted/Factored as Key Program Objective GS: Not Weighted/ Factored in Program Accomplishment Sub-Element
3	Employees (Executes Safety) (GS & WG)	Yes	Yes	No	No	Weighted/Factored- Included as a Job

						Performance Critical Element
4	SES & Other Managers in Support Positions	No	No	Yes	Yes	Not Weighted/ Factored
5	Federal Employees in Support Positions	No	No	Yes	Yes	Weighted/Factored

2	Do I have to use the generic standards in their entirety?
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Answer:

If a generic safety performance standard is used, it must be incorporated in a performance plan in its entirety. Rating officials cannot delete or substitute any criteria contained in the generic standard; however, rating officials may add organization specific criteria to the generic standard.

The generic standards are to be implemented as a separate, individual (i.e. stand-alone”) critical element and should not be incorporated into any current program or job related element within the various DOE performance management programs.

3	The generic standards provided are written at the “Meets Expectations” level or equivalent. Can I add a level above Meets Expectations (e.g. “significantly exceeds”) to the safety element?
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Answer:

This situation is only applicable to employees with safety as a primary job responsibility. These employees are required to ensure safety procedures are implemented, monitored for compliance, evaluated and reported on a regular and recurring basis. These employees could have a standard that allows them the opportunity to exceed the element by being proactive, timely, effective and accurate in accomplishing these requirements. DOE Elements that wish to establish a performance level above “Meets Expectations” or equivalent may do so provided the proposed standard is submitted to and approved by their Safety Officer (if applicable) or otherwise, the Office of Health, Safety and Security (HSS).

4	What is the timeframe for establishing and/or including a critical safety element and standards in the annual performance plans of DOE Federal employees?
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Answer:

The safety element must be included in the employee performance plan when established at the beginning of the performance rating period or when the employee enters on duty.

5	How do I physically add the safety performance standard to current performance plans?
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Answer:

Current performance plans and appraisal forms for non-supervisory employees contain three categories of critical elements: job performance, employee attributes, and safety performance.

For non-supervisory employees executing safety responsibilities, the safety critical element is included in the Job Performance Critical Element. For those non-supervisory employees who are in support positions and/or do not execute safety responsibilities as part of their jobs, the weight of the stand along mandatory safety critical element should change from non-weighted to 5 points.

Until such time that a new appraisal form is issued, rating officials should make a pen and ink adjustment to the critical element weights within the job performance critical element, so that the total critical element weight is 85 points. The maximum combined weight of the job performance and safety critical elements, should total 90 points. The rating of the safety critical element for employees in support positions (do not execute safety responsibilities) is "met" or "not met". A "met" rating equates to 5 points; a "not met" rating equates to zero points.

6	Current performance management policies restrict the number of critical elements allowed in an individual performance plan. Will the number of allowable critical elements be increased to accommodate the new safety standard?
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Answer:

The mandatory safety critical element does not increase the number of elements for employees who execute safety responsibilities as the element is included in the performance plan as a job performance critical element. However, all departmental performance management policies will be modified to reflect the stand alone mandatory

safety critical element for employees who are in support positions and do not execute safety responsibilities. Pending formal amendment of the policies, the memorandum, "Safety Performance Standards for All Federal Employees", dated November 30, 2006 serves as the basis and authority for the increase in the number of critical elements.

7	Will I assign a numerical weight to the safety standard?
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Answer:

NNSA Employees:

In accordance with performance policy addressing NNSA employees, no prescribed numerical weights will be applied to the safety standards.

Employees for DOE components other than NNSA:

Category 1: SES Line Managers: Yes. The safety element is incorporated as one of the Key Program Objectives and weighted as part of the 60 points.

Category 2: Line Managers Who Execute Safety Responsibilities: No. The DOE Supervisors/Managers Performance Management Program does not assign weights to critical elements.

Category 3: Federal Employees Who Execute Safety Responsibilities: Yes. The safety element is incorporated into the employee's job performance critical elements and a numerical weight is assigned as required by the Non-Supervisory Performance Management Program.

Category 4: SES or Managers in Support Positions: No. A prescribed numerical weight is not applied.

Category 5: Federal Employees in Support Positions: Yes. A prescribed numerical weight of 5 points is applied.

8	How will the rating requirement of "Met" or "Not Met" be addressed and what impact, if any, will this have on the final rating of record?
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Answer:

The use of the "Met" or "Not Met" rating approach is limited to those employees who do not have job specific safety responsibilities and accordingly, would not have opportunities to exhibit performance that exceeds that normally deemed to be "Meets Expectations".

Given this scenario, a rating of "Met" on this individual element, will receive 5 points which will be factored into the overall computation of the annual performance summary rating. A rating of "Not Met" on this critical performance element will receive 0 points which will result in an overall summary rating of "Fails-to-Meet Expectations".

In accordance with prescribed performance management regulation, if at any time during the appraisal period, performance is determined to be unacceptable in a critical element; the agency must provide the employee assistance in improving performance.

9	As a supervisor, what should I do if I observe "Unacceptable" performance involving the critical safety element/standard ?
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Answer:

Whenever supervisors observe unacceptable employee performance on any critical element, they are required to take immediate, prompt corrective action to bring about improvements. Action must not be postponed until the end of the annual rating period. The supervisor and the employee should discuss the probable cause and plan strategies for overcoming it. At the discretion of the supervisor, strategies for improving performance may include, but are not limited to, on-the-job training or other kinds of training, referral to employee assistance programs, or closer supervision to include coaching and mentoring.

10	The proposed wording in the generic standard appears to constitute an <i>absolute standard</i> (one that allows for no errors or cannot be surpassed) that would result in a "fails to meet" should one workplace accident, injury, illness, and unplanned release to the environment occur. Was this element intended to be an absolute standard?
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Answer:

The intent of the safety critical element is to convey a measure of accountability to all DOE employees for their personal safety and the safety of others who maybe affected by their actions. Individual employees who, as a result of their negligence or failure to observe existing safety requirements, cause accidents, injuries, property damage, or related outcomes will be subject to the range of penalties prescribed under Federal regulations that address employee conduct issues.

However, the occurrence of an accident or similar event does not automatically warrant conduct (i.e., suspension or removal) or performance processes (performance improvement plan issuance) if not warranted by fact-finding conducted by appropriate officials (DOE safety inspectors/officers, OSHA inspectors, etc.).

No. Until the SES form is revised, raters should attach the appropriate safety standard as an addendum to the performance plan.

14	In the SES Program, can we put the standard under leadership (HR matters) or must it be in the programmatic section?
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Answer:

The safety standard must be addressed in the programmatic section.

15	Is there a minimum percentage value, and do we have to re-write all existing forms to carve out that % from all others?
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Answer:

For SES Line Managers (Category 2) who will incorporate the safety standard as part of the five (5) key program objectives, the percentage must come from the existing 60%. There is not a minimum value prescribed other than it must be at least 1% (no decimals).