

Directive 308.1
12/2/92

EMPLOYEE PERFORMANCE FILE (EPF) AND SUPERVISORS' WORK FOLDERS

I. This Directive:

PURPOSE

- A. Provides guidelines for maintaining performance-related records in an EPF system.
- B. Outlines security measures which must be followed to prevent unauthorized disclosure of such records as part of the Governmentwide Privacy Act system of records.
- C. Prescribes the retention period for performance-related documents.
- D. Provides, as Attachment 1, a listing of authorized custodians of EPF records.
- E. Provides information on establishing and maintaining supervisors' work folders.

II. This Directive:

REPLACEMENT

HIGHLIGHTS

- A. Replaces AMS Directive 308.1, dated 9/14/89.
- B. Revises the listing of authorized custodians of EPF records (Attachment 1). Changes are marked with asterisks.

III. It is AMS policy to maintain an EPF system

POLICY

containing performance-related records needed to implement performance appraisal plans. Performance appraisal ratings are used as a basis for most personnel actions, i.e., promotions, reassignments, within-grade increases (WGI), quality step increases, removals, reductions-in-grade, retention under reduction-in-force procedures, training, and awards. Rating officials will be better able to implement the Agency's performance appraisal procedures if they have records to support actions. Therefore, it is imperative for responsible officials to accurately maintain an employee's EPF. The EPF is a required record, and its contents, security, and retention are discussed below.

IV.
GUIDELINES
FOR EPF
CONTENTS

- A. Materials Which Must Be Maintained in the EPF for GS, GM, or WG Employees.
 - 1. Performance ratings of record, and the performance plans on which they are based, which are 4 years old or less.
 - 2. Other forms and documents in support of personnel actions that are based solely on performance, such as forms showing training provided to correct or improve poor performance, reduction-in-grade, or removal based on performance. Documentation of completion of, or attendance at, training in excess of 8 hours will continue to be filed in the Official Personnel Folder (OPF).
- B. Materials Which Must Be Maintained in the EPF for Career Senior Executive Service (SES) Employees.
 - 1. Form AD-435C, SES Appraisal Record (including justification for SES bonus, pay level adjustment, or Rank Award, if applicable), completed and signed by the appropriate officials;
 - 2. Form AD-435A/B, Performance Plan, Progress Review and Appraisal Worksheet, documenting performance elements, standards, accomplishments, and element ratings which are 5 years old or less;

3. Rating responses, if applicable;
4. Additional narrative justification for Rank Award, if applicable; and
5. Form AD-773, Supervisory or Managerial Probationary Period Report, certifying a new career SES appointee's satisfactory completion of the 1-year probationary period.

C. Materials Which Must Be Maintained in the EPF for Non-Career SES Employees. EPF's for non-career executives will contain Form AD-435C, SES Appraisal Record, and Form AD-435A/B, Performance Plan, Progress Review and Appraisal Worksheet, documenting performance elements, standards, accomplishments and element ratings which are 5 years old or less.

D. Materials Which May Be Maintained in the EPF.

1. Any document used by a rating official to recommend a performance-related personnel action (e.g., removal, reassignment, demotion, promotion, or performance award). An SF-52, Request for Personnel Action, may be included in the EPF, but only when the action was not effected. Although an action may not be effected, this record is supportive documentation of an employee's performance.
2. Information pertaining to performance-related adverse actions, WGI denial letters, and notices of unacceptable performance.
3. Recommendations for performance-related training; i.e., Individual Development Plans; memos; and SF-182, Request, Authorization, Agreement, and Certification of Training forms.
4. Any document in support of a recommended action, such as listed in 1. above, and the Agency's final decision.
5. Any document required in support of an employee's appraisal (quality-control records, production records, or similar records used to track employee performance during an appraisal period).
6. Appraisals of potential (e.g., in connection with Agency's merit promotion procedures).
7. Copies of licenses, Certificates of Proficiency, or similar documents required of the employee's position.
8. Form AD-658, Within-Grade Increase Record, supervisor's copy.

E. Materials Which May Not Be Maintained in the EPF.

1. Information describing how an individual exercises rights to freedom of religion, political belief, speech, the press, or assembly and to petition the government.
2. Photographs and notations concerning race, color, religion, and national origin.
3. Materials related to an employee's conduct, such as letters of reprimand or proposed adverse actions based on misconduct. (Copies of such material may be kept in the supervisor's work folder; see Section VI.)
4. Any other items which are not performance-related.

V. Officials responsible for maintaining EPF's shall:

ACCESS TO
AND SECURITY
OF EPF'S

- A. Ensure that only authorized persons view the contents of these folders. Such access shall be provided to the employee or to the employee's designated representative, and may also be disclosed to other officials of the Agency

who have a need for the documents in the performance of their duties;

B. Contact the Agency Privacy and/or Freedom of Information Act representative when in doubt about disclosure or maintenance of work folders; and

C. Ensure that records are stored in locked metal filing cabinets, a secured room, or a location where facilities or conditions are adequate to prevent unauthorized access.

VI. SUPERVISORS' WORK FOLDERS Supervisors' work folders are discretionary and are not part of the EPF. Although the Office of Personnel Management (OPM) does not specify the contents of work folders, the records generally contain information on experience, education, training, special qualifications, and skills. The following guidelines pertain to the contents of these work folders:

A. Operating officials in field offices geographically remote from the office which keeps the EPF may maintain work folders containing supervisory copies of documents listed in Section IV. of this Directive to assist them in initiating personnel actions.

B. Notes made by the supervisor to assist in recalling employee performance for progress reviews may be kept in the work folder. They are not part of the EPF and are not subject to the provisions of the Privacy Act unless the notes are used as a record of accomplishments or to substantiate the performance appraisal.

C. Copies of material related to an employee's conduct, such as documentation of misconduct, a reprimand, or proposed adverse action, may be kept in the work folder.

D. A supervisor's personal notes regarding an employee's conduct may be kept in the work folder and are under the strict control of the supervisor who shall safeguard these notes against disclosure. Notes which are formalized or are shared with another party become subject to the provisions of the Privacy Act.

E. When an employee leaves the Agency through transfer or other separation, the work folder will be destroyed immediately.

VII. LOCATION EPF's are kept at the work site of the authorized custodian. Authorized officials (see Attachment 1) should ensure that the guidelines described in Sections IV. and V. of this Directive are followed.

VIII. A. RETENTION PERIOD Performance appraisals and supporting documents for non-SES employees shall be retained as follows:

1. Except as noted in Section VIII.B. below, the forms and documents listed in Section IV. of this Directive shall be retained for 4 years (5 years for SES employees).

2. An appraisal of unacceptable performance in which a notice of proposed demotion or removal is issued but not effected shall be destroyed no later than 30 days after the employee has completed the 1-year period of acceptable performance from the date of the advance written notice of unacceptable performance (5 CFR 432.101).

B. Performance-related documents for any employee may be retained in the EPF for as long as necessary beyond the designated retention period when the documents are needed in connection with an ongoing administrative, negotiated, quasi-judicial, or judicial proceeding.

C. Officials authorized to maintain EPF's are responsible for periodic

review and purging of the EPF's.

D. Electronically stored files (such as WordPerfect files) containing performance-related information will be removed from online storage immediately upon completion. Completion is considered to be when the hard copy of the document (file) has been signed. If the document is not destroyed, it will be filed on a floppy diskette prominently marked "PRIVACY ACT DATA." Diskettes used to store performance-related Privacy Act information will be stored with the EPF's.

IX.
DISPOSITION
OF RECORDS
UPON
TRANSFER,
SEPARATION,
OR
REASSIGNMENT

A. Disposition of Records for Non-SES Employees.

1. When an employee leaves AMS (i.e., transfer, termination, resignation, etc.), all performance ratings that are 4 years old or less, including the performance plan on which the most recent rating was based, must be filed in the OPF. All performance ratings more than 4 years old and other performance-related records shall be destroyed.

a. Authorized officials (see Attachment 1) responsible for the EPF must ensure all performance ratings of record 4 years old or less are attached to the SF-52 and forwarded through appropriate channels to the servicing personnel office. The materials should be placed in a sealed envelope clearly marked "Confidential - EPF Material" with the employee's name and Social Security number indicated.

b. For transfers, the servicing personnel office must file the performance records on the left side of the employee's OPF and forward it to the employee's new organization.

c. If the employee's OPF is being forwarded to the National Personnel Records Center, the servicing personnel office must ensure that the performance records are filed on the right side of the employee's OPF.

2. When an employee is reassigned within AMS, the EPF must be forwarded to the appropriate EPF custodian of the gaining organizational unit.

B. Disposition of Records for SES Employees. Follow procedures in Paragraph A.1. through 2. above when disposing of records for SES employees, except that 5 years will apply where 4 years is indicated.

L.P. Massaro
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