



GUIDELINE TO WRITING RECONSIDERATION AND RESOLUTION COMMITTEE FINAL DECISION

This document is provided to serve as a guide for the agency Reconsideration and Resolution Committee (RRC) in writing the Final Decision for performance rating reviews, including both panel reviews and paper reviews. The Final Decision consists of the following sections:

- I. Introduction
- II. Presentation
- III. Analysis and Conclusion
- IV. Decision

When writing the Final Decision, it is important to keep the following in mind:

- Spell out the facts, but do not include facts that are irrelevant to the issues raised.
- Determine what is important to the matter. Identify issues in the matter based on the facts and the D.C. regulations.
- Analyze the facts in light of the regulations.
- Base the decision on the analysis of the facts and the D.C. regulations.
- The Final Decision need not document word for word the testimony of each party, and may accurately summarize the presentation and findings. For example:

This: *“The agency supervisor testified that employee A’s on-time attendance was not satisfactory during the month of April of the performance rating period.”*

Rather than:

“According to the supervisor, employee A came to work late on April 5, 6, 7, etc. Employee was also late the week of May 12, 20__ and testified that her lateness on May 15 was unavoidable.”)

The following information describes each section of the **Final Decision** and includes a sample format of how to write each section.

I. INTRODUCTION

Description: Includes identifying information about the matter, including the employee name, position title, grade, division, and agency; the rating period in question, the assigned rating and the requested rating. Also included are the **Procedural History** information which includes the following information and the **Issue:**

Procedural History

- Date employee filed the RRC performance rating review with the RRC Coordinator or designee.

- Date the Hearing on the Merits or paper review was held.
- Names of participants, including representatives, witness(es), if any, agency supervisor and RRC panel members.

Sample format: *This is the Performance Rating Review matter of employee name (Hereinafter "the Employee".) The employee received a performance rating of _____ for the rating period of October 1, 20__ to September 30, 20__. The Employee was rated by (supervisor's name) of the (agency name) (hereinafter, the "Agency"). The employee contends that s/he should have been rated (performance rating received).*

The employee filed Request for Review of performance rating with the Reconsideration and Review Committee (RRC) on _____.

A RRC Panel Review/Paper Review was held on _____.

_____ appeared on behalf of the Employee

_____ represented the Agency.

The witnesses for the Employee were:

The agency witnesses were:

The RRC panel members were:

Issue

At issue is whether to sustain the Agency's performance rating of _____ or to increase the performance rating to _____ as requested by the employee.

II. PRESENTATION

Description: Includes all material and relevant evidence (i.e. documentary, physical or testimonial) presented by the employee and agency at the hearing. This section may be organized as follows:

Sample Format: (Note: these samples are based on fictitious excerpts and not testimony in its entirety).

The Employee received a performance rating for the FY 2009 performance management period of Valued Performer. The Employee stated that his rating should be increased to the Highly Effective Performer for the following reasons:

- *Increase in workload demands*
- *Certification received as a _____*
- *Attempts to make improvements in the work situation*
- *Acting in the supervisor's absence as a _____*

The agency witness stated that the employee's written reports were not completed in a timely manner and occasionally included substantial inaccuracies.

III. ANALYSIS AND CONCLUSION (Note: these samples are based on fictitious excerpts and do not constitute the Analysis and Conclusion in its entirety).

Description: This is an analysis of the materials and information presented based on the DPM regulations, agency, federal or other relevant standards or guidelines, performance management principles, and other factual information that substantiates the decision-making.

Sample Format:

Despite the Employee's description of a rater who did not exhibit objectivity and fairness, the panel has concluded that the supervisor's testimony presented a balanced view of the employee's overall performance, by describing both his strengths and weaknesses. The Employee's testimony did not reflect that the duties were performed in a manner that warranted the Highly Effective Performer. Rather they appeared to be the result of a transition period in the division and, as such, were for a limited period of time.

IV DECISION

Description: Includes the panel's decision to either sustain or increase the rating and any necessary follow-up.

Sample Format:

The Employee's performance rating for the period of October 1, 2010 to September 30, 20_____ shall be increased from level 3, "Valued Performer" to level 4, "Highly Effective Performer".

Or

The Employee's performance rating for the period of October 1, 2010 to September 30, _____ is sustained.