



HR Elements for HR Practitioners

Supplemental Reference Guide

Developed for the Under Secretary of Defense for Intelligence (USD(I))
DCIPS Community Curriculum

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1994—Pub. L. 103-359, title V, § 501(b)(1)(A), Oct. 14, 1994, 108 Stat. 3428, amended chapter heading generally, inserting “AND CENTRAL IMAGERY OFFICE”.

1989—Pub. L. 101-193, title V, § 507(a)(2), Nov. 30, 1989, 103 Stat. 1710, added item 1608.

1987—Pub. L. 100-178, title VI, § 601(b), Dec. 2, 1987, 101 Stat. 1015, added item 1606.

1985—Pub. L. 99-145, title XIII, § 1302(a)(2), Nov. 8, 1985, 99 Stat. 737, redesignated item 192 of chapter 8 of this title as item 1605 and transferred it to this chapter.

1984—Pub. L. 98-618, title V, § 501(b), Nov. 8, 1984, 98 Stat. 3302, added item 1604.

§ 1601. Civilian intelligence personnel: general authority to establish excepted positions, appoint personnel, and fix rates of pay

(a) GENERAL AUTHORITY.—The Secretary of Defense may—

(1) establish, as positions in the excepted service, such defense intelligence positions in the Department of Defense as the Secretary determines necessary to carry out the intelligence functions of the Department, including—

(A) Intelligence Senior Level positions designated under section 1607 of this title; and

(B) positions in the Defense Intelligence Senior Executive Service;

(2) appoint individuals to those positions (after taking into consideration the availability of preference eligibles for appointment to those positions); and

(3) fix the compensation of such individuals for service in those positions.

(b) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary of Defense under subsection (a) applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

(Added Pub. L. 104-201, div. A, title XVI, § 1632(a)(3), Sept. 23, 1996, 110 Stat. 2746; amended Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-318.)

PRIOR PROVISIONS

A prior section 1601, added Pub. L. 97-89, title VII, § 701(a)(1), Dec. 4, 1981, 95 Stat. 1159; amended Pub. L. 101-194, title V, § 506(c)(3), Nov. 30, 1989, 103 Stat. 1759; Pub. L. 101-280, § 6(d)(4), May 4, 1990, 104 Stat. 161; Pub. L. 101-510, div. A, title XIV, § 1484(l)(5), Nov. 5, 1990, 104 Stat. 1720; Pub. L. 103-359, title V, § 501(b)(1)(B), Oct. 14, 1994, 108 Stat. 3428, related to the Defense Intelligence Senior Executive Service, prior to repeal by Pub. L. 104-201, div. A, title XVI, §§ 1632(a)(3), 1635, Sept. 23, 1996, 110 Stat. 2745, 2752, effective Oct. 1, 1996. See section 1606 of this title.

Provisions similar to those in this section were contained in sections 1590(a) and 1604(a) of this title prior to repeal by Pub. L. 104-201, §§ 1632(a)(3), 1633(a).

AMENDMENTS

2000—Subsec. (a)(1). Pub. L. 106-398, in introductory provisions, substituted “in the Department of Defense” for “in the intelligence components of the Department of Defense and the military departments” and “of the Department” for “of those components and departments”.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

SHORT TITLE OF 1996 AMENDMENT

Section 1631 of Pub. L. 104-201 provided that: “This subtitle [subtitle B (§§ 1631-1635) of title XVI of div. A of Pub. L. 104-201, enacting this section and sections 1602, 1603, 1606 to 1610, and 1612 to 1614 of this title, amending sections 1593, 1596, 1605, 1611, and 1621 of this title and sections 7103 and 7511 of Title 5, Government Organization and Employees, renumbering sections 1599, 1602, 1606, and 1608 of this title as sections 1611, 1621, 1622, and 1623 of this title, respectively, repealing sections 1590, 1601, 1603, and 1604 of this title and section 833 of Title 50, War and National Defense, enacting provisions set out as a note under section 1593 of this title, and repealing provisions set out as a note under section 402 of Title 50] may be cited as the ‘Department of Defense Civilian Intelligence Personnel Policy Act of 1996.’”

DELEGATION OF AUTHORITY

Section 701(b) of Pub. L. 97-89 provided that: “The authority of the Secretary of Defense under chapter 83 of title 10, United States Code, as added by subsection (a), may be delegated in accordance with section 133(d) [now 113(d)] of title 10, United States Code.”

PROVISIONS RELATING TO THE DEFENSE CIVILIAN INTELLIGENCE PERSONNEL SYSTEM

Pub. L. 111-84, div. A, title XI, § 1114, Oct. 28, 2009, 123 Stat. 2504, provided that:

“(a) SUSPENSION OF CERTAIN PAY AUTHORITY.—Effective with respect to amounts paid during the period beginning on the date of the enactment of this Act [Oct. 28, 2009] and ending on December 31, 2010, rates of basic pay for employees and positions within any element of the intelligence community (as defined by the National Security Act of 1947 [50 U.S.C. 401 et seq.]—

“(1) may not be fixed under the Defense Civilian Intelligence Personnel System; and

“(2) shall instead be fixed in accordance with the provisions of law that (disregarding DCIPS) would then otherwise apply.

The preceding sentence shall not apply with respect to the National Geospatial-Intelligence Agency.

“(b) RESPONSE TO GAO REPORT.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional oversight committees a written description of any actions taken or proposed to be taken by such Secretary in response to the review and recommendations of the Government Accountability Office regarding the Defense Civilian Intelligence Personnel System.

“(c) INDEPENDENT ORGANIZATION.—

“(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, the Director of the Office of Personnel Management, and the Director of National Intelligence shall jointly designate an independent organization to review the operation of the Defense Civilian Intelligence Personnel System, including—

“(A) its impact on career progression;

“(B) its appropriateness or inappropriateness in light of the complexities of the workforce affected;

“(C) its sufficiency in terms of providing protections for diversity in promotion and retention of personnel; and

“(D) the adequacy of the training, policy guidelines, and other preparations afforded in connection with transitioning to that system.

“(2) DEADLINE.—The independent organization shall, after appropriate consultation with employees and employee organizations, submit its findings and recommendations under this section to the Secretary of Defense and the congressional oversight committees, in a written report, not later than June 1, 2010.

“(d) PROPOSED ACTIONS BASED ON REPORT.—Not later than 60 days after receiving the report of the independent organization under subsection (c), the Secretary of Defense, in coordination with the Director of the Office of Personnel Management and the Director of National Intelligence, shall submit to the congressional over-

sight committees a written report describing any actions that the Secretary has taken or proposes to take in response to such report.

“(e) HOLD-HARMLESS PROVISION.—No employee shall suffer any loss of or decrease in pay as a result of being converted from DCIPS in compliance with subsection (a).

“(f) DEFINITIONS.—For purposes of this section—

“(1) the terms ‘Defense Civilian Intelligence Personnel System’ and ‘DCIPS’ mean the civilian personnel system established by the Secretary of Defense under regulations—

“(A) prescribed pursuant to sections 1601 through 1614 of title 10, United States Code; and

“(B) taking effect in September 2008 or thereafter; and

“(2) the term ‘congressional oversight committees’ means—

“(A) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and

“(B) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.”

§ 1602. Basic pay

(a) **AUTHORITY TO FIX RATES OF BASIC PAY.**—The Secretary of Defense (subject to the provisions of this section) shall fix the rates of basic pay for positions established under section 1601 of this title in relation to the rates of pay provided for comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for employees of the Department of Defense by law or regulation.

(b) **PREVAILING RATE SYSTEMS.**—The Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to positions for civilian employees in or under which the Department of Defense may employ individuals described by section 5342(a)(2)(A) of that title.

(Added Pub. L. 104-201, div. A, title XVI, §1632(a)(3), Sept. 23, 1996, 110 Stat. 2746; amended Pub. L. 108-375, div. A, title XI, §1103(a), Oct. 28, 2004, 118 Stat. 2072; Pub. L. 109-364, div. A, title X, §1071(g)(12), Oct. 17, 2006, 120 Stat. 2403.)

PRIOR PROVISIONS

A prior section 1602 was renumbered section 1621 of this title.

Provisions similar to those in this section were contained in sections 1590(b) and (c) and 1604(b)(1) and (c) of this title prior to repeal by Pub. L. 104-201, §§1632(a)(3), 1633(a).

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-364 made technical correction to directory language of Pub. L. 108-375, §1103(a)(1). See 2004 Amendment note below.

2004—Subsec. (a). Pub. L. 108-375, §1103(a)(1), as amended by Pub. L. 109-364, substituted “in relation to the rates of pay provided for comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for employees of the Department of Defense by law or regulation” for “in relation to the rates of basic pay provided in subpart D of part III of title 5 for positions subject to that subpart which have corresponding levels of duties and responsibilities”.

Subsecs. (b), (c). Pub. L. 108-375, §1103(a)(2), (3), redesignated subsec. (c) as (b) and struck out heading and text of former subsec. (b). Text read as follows: “A rate of basic pay fixed under subsection (a) for a position es-

tablished under section 1601 of this title may not (except as otherwise provided by law) exceed—

“(1) in the case of a Defense Intelligence Senior Executive Service position, the maximum rate provided in section 5382 of title 5;

“(2) in the case of an Intelligence Senior Level position, the maximum rate provided in section 5382 of title 5; and

“(3) in the case of any other position, the maximum rate provided in section 5306(e) of title 5.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title X, §1071(g), Oct. 17, 2006, 120 Stat. 2402, provided that the amendment made by section 1071(g)(12) is effective as of Oct. 28, 2004, and as if included in Pub. L. 108-375 as enacted.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1603. Additional compensation, incentives, and allowances

(a) **ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.**—The Secretary of Defense may provide employees in defense intelligence positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

(b) **ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT.**—(1) In addition to basic pay, employees in defense intelligence positions who are citizens or nationals of the United States and are stationed outside the continental United States or in Alaska may be paid an allowance, in accordance with regulations prescribed by the Secretary of Defense, while they are so stationed.

(2) An allowance under this subsection shall be based on—

(A) living costs substantially higher than in the District of Columbia;

(B) conditions of environment which (i) differ substantially from conditions of environment in the continental United States, and (ii) warrant an allowance as a recruitment incentive; or

(C) both of the factors specified in subparagraphs (A) and (B).

(3) An allowance under this subsection may not exceed the allowance authorized to be paid by section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

(Added Pub. L. 104-201, div. A, title XVI, §1632(a)(3), Sept. 23, 1996, 110 Stat. 2746.)

PRIOR PROVISIONS

A prior section 1603, added Pub. L. 97-89, title VII, §701(a)(1), Dec. 4, 1981, 95 Stat. 1160; amended Pub. L. 99-145, title XIII, §1302(a)(3), Nov. 8, 1985, 99 Stat. 738; Pub. L. 99-661, div. A, title XIII, §1343(a)(9), Nov. 14, 1986, 100 Stat. 3992, related to limits on pay to members of the Defense Intelligence Senior Executive Service, prior to repeal by Pub. L. 104-201, div. A, title XVI, §§1632(a)(3), 1635, Sept. 23, 1996, 110 Stat. 2745, 2752, effective Oct. 1, 1996.

Provisions similar to those in this section were contained in sections 1590(d) and 1604(b)(2), (d) of this title prior to repeal by Pub. L. 104-201, §§1632(a)(3), 1633(a).

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

[§ 1604. Repealed. Pub. L. 104-201, div. A, title XVI, § 1632(a)(3), Sept. 23, 1996, 110 Stat. 2745]

Section, added Pub. L. 98-618, title V, § 501(a), Nov. 8, 1984, 98 Stat. 3301; amended Pub. L. 99-569, title V, § 502, Oct. 27, 1986, 100 Stat. 3198; Pub. L. 100-178, title VI, § 602(a), Dec. 2, 1987, 101 Stat. 1015; Pub. L. 101-193, title V, § 503(b), Nov. 30, 1989, 103 Stat. 1708; Pub. L. 102-496, title IV, § 401(a), Oct. 24, 1992, 106 Stat. 3183; Pub. L. 103-359, title V, § 501(b)(1)(D), title VIII, § 806(b)(1), Oct. 14, 1994, 108 Stat. 3428, 3442; Pub. L. 104-93, title V, § 501, Jan. 6, 1996, 109 Stat. 970, related to civilian personnel management. See sections 1601 to 1603, 1607, and 1609 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1605. Benefits for certain employees assigned outside the United States

(a)(1) The Secretary of Defense may provide to civilian personnel described in subsection (d) allowances and benefits comparable to those provided by the Secretary of State to officers and employees of the Foreign Service under paragraphs (2), (3), (4), (5), (6), (7), (8), and (13) of section 901 and sections 705 and 903 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3), (4), (5), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5.

(2) The Secretary may also provide to any such civilian personnel special retirement accrual benefits in the same manner provided for certain officers and employees of the Central Intelligence Agency in section 303 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2153) and in section 18 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403r).

(b) The authority of the Secretary of Defense to make payments under subsection (a) is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

(c) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) Subsection (a) applies to civilian personnel of the Department of Defense who—

(1) are United States nationals;

(2) in the case of employees of the Defense Intelligence Agency, are assigned to duty outside the United States and, in the case of other employees, are assigned to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; and

(3) are designated by the Secretary of Defense for the purposes of subsection (a).

(Added Pub. L. 98-215, title V, § 501(a), Dec. 9, 1983, 97 Stat. 1478, § 192; renumbered § 1605 and

amended Pub. L. 99-145, title XIII, § 1302(a)(1), Nov. 8, 1985, 99 Stat. 737; Pub. L. 99-335, title V, § 507(b), June 6, 1986, 100 Stat. 628; Pub. L. 99-569, title V, § 501, Oct. 27, 1986, 100 Stat. 3198; Pub. L. 101-193, title V, § 505(a), Nov. 30, 1989, 103 Stat. 1709; Pub. L. 102-496, title VIII, § 803(d), Oct. 24, 1992, 106 Stat. 3253; Pub. L. 103-160, div. A, title XI, § 1182(a)(3), Nov. 30, 1993, 107 Stat. 1771; Pub. L. 104-93, title V, § 502(a), Jan. 6, 1996, 109 Stat. 972; Pub. L. 104-201, div. A, title XVI, § 1633(c)(1), Sept. 23, 1996, 110 Stat. 2751; Pub. L. 106-65, div. A, title X, § 1067(1), Oct. 5, 1999, 113 Stat. 774.)

AMENDMENTS

1999—Subsec. (c)(2). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Pub. L. 104-201 substituted “assigned outside the United States” for “of the Defense Intelligence Agency” in section catchline.

Subsec. (a). Pub. L. 104-93, § 502(a)(1), designated first sentence of existing text as par. (1) and substituted “described in subsection (d)” for “of the Department of Defense who are United States nationals, who are assigned to Defense Attaché Offices and Defense Intelligence Agency Liaison Offices outside the United States, and who are designated by the Secretary of Defense for the purposes of this subsection.”, and designated second sentence of existing text as par. (2).

Subsec. (c). Pub. L. 104-93, § 502(a)(2), added subsec. (c) and struck out former subsec. (c) which read as follows: “Regulations issued pursuant to subsection (a) shall be submitted to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate before such regulations take effect.”

Subsec. (d). Pub. L. 104-93, § 502(a)(3), added subsec. (d).

1993—Subsec. (a). Pub. L. 103-160 substituted “(50 U.S.C. 2153)” for “(50 U.S.C. 403 note)”.

1992—Subsec. (a). Pub. L. 102-496 substituted “the Central Intelligence Agency Retirement Act” for “the Central Intelligence Agency Retirement Act of 1964 for Certain Employees” and inserted “(50 U.S.C. 403r)” after “the Central Intelligence Agency Act of 1949”.

1989—Subsec. (a). Pub. L. 101-193 struck out “who are subject to chapter 84 of title 5,” after “such civilian personnel” in last sentence and inserted reference to section 18 of the Central Intelligence Agency Act of 1949.

1986—Subsec. (a). Pub. L. 99-569 inserted reference to par. (5) of section 901 of the Foreign Service Act of 1980 (22 U.S.C. 4081(5)).

Pub. L. 99-335 inserted provision authorizing the Secretary to provide to any civilian personnel subject to chapter 84 of title 5 special retirement accrual benefits in the same manner provided for certain officers and employees of the Central Intelligence Agency in section 303 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

1985—Subsec. (a). Pub. L. 99-145, § 1302(a)(1)(A), (B), struck out references to Director of the Defense Intelligence Agency and to military personnel, substituted “sections 705 and 903” for “under sections 903, 705, and 2308”, and substituted “(22 U.S.C. 4081(2), (3), (4), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5.” for “(22 U.S.C. 4025; 22 U.S.C. 4081(2), (3), (4), (6), (7), (8), and (13); 22 U.S.C. 4083; 5 U.S.C. 5924(4)).”

Subsec. (b). Pub. L. 99-145, § 1302(a)(1)(A), struck out reference to Director of the Defense Intelligence Agency.

Subsecs. (c), (d). Pub. L. 99-145, § 1302(a)(1)(C), struck out subsec. (c) which read as follows: “Members of the Armed Forces may not receive benefits under both subsection (a) and title 37, United States Code, for the same purpose. The Secretary of Defense shall prescribe such regulations as may be necessary to carry out this subsection.”, and redesignated former subsec. (d) as (c).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as a note under section 1593 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-496 effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of Title 50, War and National Defense.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-335 effective Jan. 1, 1987, see section 702(a) of Pub. L. 99-335, set out as an Effective Date note under section 8401 of Title 5, Government Organization and Employees.

§ 1606. Defense Intelligence Senior Executive Service

(a) ESTABLISHMENT.—The Secretary of Defense may establish a Defense Intelligence Senior Executive Service for defense intelligence positions established pursuant to section 1601(a) of this title that are equivalent to Senior Executive Service positions. The number of positions in the Defense Intelligence Senior Executive Service may not exceed 594.

(b) REGULATIONS CONSISTENT WITH TITLE 5 PROVISIONS.—The Secretary of Defense shall prescribe regulations for the Defense Intelligence Senior Executive Service which are consistent with the requirements set forth in sections 3131, 3132(a)(2), 3396(c), 3592, 3595(a), 5384, and 6304 of title 5, subsections (a), (b), and (c) of section 7543 of such title (except that any hearing or appeal to which a member of the Defense Intelligence Senior Executive Service is entitled shall be held or decided pursuant to those regulations), and subchapter II of chapter 43 of such title. To the extent that the Secretary determines it practicable to apply to members of, or applicants for, the Defense Intelligence Senior Executive Service other provisions of title 5 that apply to members of, or applicants for, the Senior Executive Service, the Secretary shall also prescribe regulations to implement those provisions with respect to the Defense Intelligence Senior Executive Service.

(c) AWARD OF RANK TO MEMBERS OF THE DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.—The President, based on the recommendations of the Secretary of Defense, may award a rank referred to in section 4507 of title 5 to members of the Defense Intelligence Senior Executive Service. The award of such rank shall be made in a manner consistent with the provisions of that section.

(d) PERFORMANCE APPRAISALS.—(1) The Defense Intelligence Senior Executive Service shall be subject to a performance appraisal system which, as designed and applied, is certified by the Secretary of Defense under section 5307 of title 5 as making meaningful distinctions based on relative performance.

(2) The performance appraisal system applicable to the Defense Intelligence Senior Executive Service under paragraph (1) may be the same performance appraisal system that is established and implemented within the Department of Defense for members of the Senior Executive Service.

(Added Pub. L. 104-201, div. A, title XVI, §1632(b), Sept. 23, 1996, 110 Stat. 2747; amended

Pub. L. 106-398, §1 [[div. A], title XI, §1142], Oct. 30, 2000, 114 Stat. 1654, 1654A-319; Pub. L. 107-107, div. A, title XI, §1121, Dec. 28, 2001, 115 Stat. 1242; Pub. L. 108-375, div. A, title XI, §1103(b), Oct. 28, 2004, 118 Stat. 2073; Pub. L. 109-163, div. A, title XI, §1125, Jan. 6, 2006, 119 Stat. 3454.)

PRIOR PROVISIONS

A prior section 1606 was renumbered section 1622 of this title.

Provisions similar to those in this section were contained in sections 1590(f), (g) and 1601(a)-(c) of this title prior to repeal by Pub. L. 104-201, §§1632(a)(3), 1633(a).

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-163 substituted “594” for “544”.

2004—Subsec. (d). Pub. L. 108-375 added subsec. (d).

2001—Subsec. (a). Pub. L. 107-107 substituted “544” for “517”.

2000—Subsec. (a). Pub. L. 106-398 substituted “517” for “492”.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1607. Intelligence Senior Level positions

(a) DESIGNATION OF POSITIONS.—The Secretary of Defense may designate as an Intelligence Senior Level position any defense intelligence position that, as determined by the Secretary—

(1) is classifiable above grade GS-15 of the General Schedule;

(2) does not satisfy functional or program management criteria for being designated a Defense Intelligence Senior Executive Service position; and

(3) has no more than minimal supervisory responsibilities.

(b) REGULATIONS.—Subsection (a) shall be carried out in accordance with regulations prescribed by the Secretary of Defense.

(c) AWARD OF RANK TO EMPLOYEES IN INTELLIGENCE SENIOR LEVEL POSITIONS.—The President, based on the recommendations of the Secretary of Defense, may award a rank referred to in section 4507a of title 5 to employees in Intelligence Senior Level positions designated under subsection (a). The award of such rank shall be made in a manner consistent with the provisions of that section.

(Added Pub. L. 104-201, div. A, title XVI, §1632(b), Sept. 23, 1996, 110 Stat. 2747; amended Pub. L. 107-306, title V, §503, Nov. 27, 2002, 116 Stat. 2407.)

REFERENCES IN TEXT

Grade GS-15 of the General Schedule, referred to in subsec. (a)(1), is set out under section 5332 of Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 1607 was renumbered section 424 of this title.

Provisions similar to those in this section were contained in section 1604(f)(1), (3) of this title prior to repeal by Pub. L. 104-201, §1632(a)(3).

AMENDMENTS

2002—Subsec. (c). Pub. L. 107-306 added subsec. (c).

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1608. Time-limited appointments

(a) **AUTHORITY FOR TIME-LIMITED APPOINTMENTS.**—The Secretary of Defense may by regulation authorize appointing officials to make time-limited appointments to defense intelligence positions specified in the regulations.

(b) **REVIEW OF USE OF AUTHORITY.**—The Secretary of Defense shall review each time-limited appointment in a defense intelligence position at the end of the first year of the period of the appointment and determine whether the appointment should be continued for the remainder of the period. The continuation of a time-limited appointment after the first year shall be subject to the approval of the Secretary.

(c) **CONDITION ON PERMANENT APPOINTMENT TO DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.**—An employee serving in a defense intelligence position pursuant to a time-limited appointment is not eligible for a permanent appointment to a Defense Intelligence Senior Executive Service position (including a position in which the employee is serving) unless the employee is selected for the permanent appointment on a competitive basis.

(d) **TIME-LIMITED APPOINTMENT DEFINED.**—In this section, the term “time-limited appointment” means an appointment (subject to the condition in subsection (b)) for a period not to exceed two years.

(Added Pub. L. 104-201, div. A, title XVI, §1632(b), Sept. 23, 1996, 110 Stat. 2748.)

PRIOR PROVISIONS

A prior section 1608 was renumbered section 1623 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1609. Termination of defense intelligence employees

(a) **TERMINATION AUTHORITY.**—Notwithstanding any other provision of law, the Secretary of Defense may terminate the employment of any employee in a defense intelligence position if the Secretary—

(1) considers that action to be in the interests of the United States; and

(2) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security.

(b) **FINALITY.**—A decision by the Secretary of Defense to terminate the employment of an employee under this section is final and may not be appealed or reviewed outside the Department of Defense.

(c) **NOTIFICATION TO CONGRESSIONAL COMMITTEES.**—Whenever the Secretary of Defense terminates the employment of an employee under the authority of this section, the Secretary shall

promptly notify the congressional oversight committees of such termination.

(d) **PRESERVATION OF RIGHT TO SEEK OTHER EMPLOYMENT.**—Any termination of employment under this section does not affect the right of the employee involved to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

(e) **LIMITATION ON DELEGATION.**—The authority of the Secretary of Defense under this section may be delegated only to the Deputy Secretary of Defense, the head of an intelligence component of the Department of Defense (with respect to employees of that component), or the Secretary of a military department (with respect to employees of that department). An action to terminate employment of such an employee by any such official may be appealed to the Secretary of Defense.

(Added Pub. L. 104-201, div. A, title XVI, §1632(b), Sept. 23, 1996, 110 Stat. 2748.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 1590(e) and 1604(e) of this title prior to repeal by Pub. L. 104-201, §§1632(a)(3), 1633(a).

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1610. Reductions and other adjustments in force

(a) **IN GENERAL.**—The Secretary of Defense shall prescribe regulations for the separation of employees in defense intelligence positions, including members of the Defense Intelligence Senior Executive Service and employees in Intelligence Senior Level positions, during a reduction in force or other adjustment in force. The regulations shall apply to such a reduction in force or other adjustment in force notwithstanding sections 3501(b) and 3502 of title 5.

(b) **MATTERS TO BE GIVEN EFFECT.**—The regulations shall give effect to the following:

(1) Tenure of employment.

(2) Military preference, subject to sections 3501(a)(3) and 3502(b) of title 5.

(3) The veteran’s preference under section 3502(b) of title 5.

(4) Performance.

(5) Length of service computed in accordance with the second sentence of section 3502(a) of title 5.

(c) **REGULATIONS RELATING TO DEFENSE INTELLIGENCE SES.**—The regulations relating to removal from the Defense Intelligence Senior Executive Service in a reduction in force or other adjustment in force shall be consistent with section 3595(a) of title 5.

(d) **RIGHT OF APPEAL.**—(1) The regulations shall provide a right of appeal regarding a personnel action under the regulations. The appeal shall be determined within the Department of Defense. An appeal determined at the highest level provided in the regulations shall be final and not subject to review outside the Depart-

ment of Defense. A personnel action covered by the regulations is not subject to any other provision of law that provides appellate rights or procedures.

(2) Notwithstanding paragraph (1), a preference eligible referred to in section 7511(a)(1)(B) of title 5 may elect to have an appeal of a personnel action taken against the preference eligible under the regulation determined by the Merit Systems Protection Board instead of having the appeal determined within the Department of Defense. Section 7701 of title 5 shall apply to any such appeal to the Merit Systems Protection Board.

(e) CONSULTATION WITH OPM.—Regulations under this section shall be prescribed in consultation with the Director of the Office of Personnel Management.

(Added Pub. L. 104-201, div. A, title XVI, § 1632(b), Sept. 23, 1996, 110 Stat. 2749.)

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1611. Postemployment assistance: certain terminated intelligence employees

(a) AUTHORITY.—Subject to subsection (c), the Secretary of Defense may, in the case of any individual who is a qualified former intelligence employee, use appropriated funds—

(1) to assist that individual in finding and qualifying for employment other than in a defense intelligence position;

(2) to assist that individual in meeting the expenses of treatment of medical or psychological disabilities of that individual; and

(3) to provide financial support to that individual during periods of unemployment.

(b) QUALIFIED FORMER INTELLIGENCE EMPLOYEES.—For purposes of this section, a qualified former intelligence employee is an individual who was employed as a civilian employee of the Department of Defense in a sensitive defense intelligence position—

(1) who has been found to be ineligible for continued access to information designated as “Sensitive Compartmented Information” and employment in a defense intelligence position; or

(2) whose employment in a defense intelligence position has been terminated.

(c) CONDITIONS.—Assistance may be provided to a qualified former intelligence employee under subsection (a) only if the Secretary determines that such assistance is essential to—

(1) maintain the judgment and emotional stability of the qualified former intelligence employee; and

(2) avoid circumstances that might lead to the unlawful disclosure of classified information to which the qualified former intelligence employee had access.

(d) DURATION OF ASSISTANCE.—Assistance may not be provided under this section in the case of any individual after the end of the five-year period beginning on the date of the termination of the employment of the individual in a defense intelligence position.

(Added Pub. L. 103-359, title VIII, § 806(a)(1), Oct. 14, 1994, 108 Stat. 3441, § 1599; amended Pub. L. 104-106, div. A, title XV, § 1502(a)(11), Feb. 10, 1996, 110 Stat. 503; renumbered § 1611 and amended Pub. L. 104-201, div. A, title XVI, § 1632(c), Sept. 23, 1996, 110 Stat. 2749; Pub. L. 106-65, div. A, title X, § 1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-318; Pub. L. 107-107, div. A, title X, § 1048(a)(15), Dec. 28, 2001, 115 Stat. 1223; Pub. L. 107-306, title VIII, § 811(b)(4)(B), Nov. 27, 2002, 116 Stat. 2423; Pub. L. 108-177, title III, § 361(h), Dec. 13, 2003, 117 Stat. 2625.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 1604(e)(4) of this title and in section 17 of Pub. L. 86-36 as added by Pub. L. 102-88, title V, § 503, Aug. 14, 1991, 105 Stat. 436, set out as a note under section 402 of Title 50, War and National Defense, prior to repeal by Pub. L. 103-359, § 806(b).

AMENDMENTS

2003—Subsec. (e). Pub. L. 108-177 struck out heading and text of subsec. (e). Text read as follows:

“(1) The Secretary of Defense shall submit to the congressional committees specified in paragraph (3) an annual report with respect to any expenditure made under this section.

“(2) In the case of a report required to be submitted under paragraph (1) to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives, the date for the submittal of such report shall be as provided in section 507 of the National Security Act of 1947.

“(3) The committees referred to in paragraph (1) are the following:

“(A) The Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

“(B) The Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.”

2002—Subsec. (e)(1). Pub. L. 107-306, § 811(b)(4)(B)(i), substituted “paragraph (3)” for “paragraph (2)”.

Subsec. (e)(2), (3). Pub. L. 107-306, § 811(b)(4)(B)(ii), (iii), added par. (2) and redesignated former par. (2) as (3).

2001—Subsec. (d). Pub. L. 107-107 struck out “with” before “in a defense intelligence position”.

2000—Subsec. (a)(1). Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(b)(1)], substituted “a defense intelligence position” for “an intelligence component of the Department of Defense”.

Subsec. (b). Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(b)(2)], substituted “sensitive defense intelligence position” for “sensitive position in an intelligence component of the Department of Defense” in introductory provisions and “in a defense intelligence position” for “with the intelligence component” in pars. (1) and (2).

Subsec. (d). Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(b)(3)], substituted “in a defense intelligence position” for “an intelligence component of the Department of Defense”.

Subsec. (f). Pub. L. 106-398, § 1 [[div. A], title XI, § 1141(b)(4)], struck out heading and text of subsec. (f). Text read as follows: “In this section, the term ‘intelligence component of the Department of Defense’ includes the National Reconnaissance Office and any intelligence component of a military department.”

1999—Subsec. (e)(2)(A). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Pub. L. 104-201 renumbered section 1599 of this title as this section.

Subsec. (e)(2)(A). Pub. L. 104-106, §1502(a)(11)(A), substituted “The Committee on National Security, the Committee on Appropriations,” for “The Committees on Armed Services and Appropriations”.

Subsec. (e)(2)(B). Pub. L. 104-106, §1502(a)(11)(B), substituted “The Committee on Armed Services, the Committee on Appropriations,” for “The Committees on Armed Services and Appropriations”.

Subsec. (f). Pub. L. 104-201 substituted “includes the National Reconnaissance Office and any intelligence component of a military department.” for “means any of the following:

- “(1) The National Security Agency.
- “(2) The Defense Intelligence Agency.
- “(3) The National Reconnaissance Office.
- “(4) The Central Imagery Office.
- “(5) The intelligence components of any of the military departments.”

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-177, title III, §361(n), Dec. 13, 2003, 117 Stat. 2626, provided that: “The amendments made by this section [amending this section, section 1681b of Title 15, Commerce and Trade, and sections 402a, 403-5, 404g, 404i, 415b, and 2366 of Title 50, War and National Defense, repealing section 540C of Title 28, Judiciary and Judicial Procedure, and section 404n-3 of Title 50, and repealing provisions set out as a note under section 402a of Title 50] shall take effect on December 31, 2003.”

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as a note under section 1593 of this title.

§ 1612. Merit system principles and civil service protections: applicability

(a) APPLICABILITY OF MERIT SYSTEM PRINCIPLES.—Section 2301 of title 5 shall apply to the exercise of authority under this subchapter (other than sections 1605 and 1611).

(b) CIVIL SERVICE PROTECTIONS.—(1) If, in the case of a position established under authority other than section 1601(a)(1) of this title that is reestablished as an excepted service position under that section, the provisions of law referred to in paragraph (2) applied to the person serving in that position immediately before the position is so reestablished and such provisions of law would not otherwise apply to the person while serving in the position as so reestablished, then such provisions of law shall, subject to paragraph (3), continue to apply to the person with respect to service in that position for as long as the person continues to serve in the position without a break in service.

(2) The provisions of law referred to in paragraph (1) are the following provisions of title 5:

- (A) Section 2302, relating to prohibited personnel practices.
- (B) Chapter 75, relating to adverse actions.

(3)(A) Notwithstanding any provision of chapter 75 of title 5, an appeal of an adverse action by an individual employee covered by paragraph (1) shall be determined within the Department of Defense if the employee so elects.

(B) The Secretary of Defense shall prescribe the procedures for initiating and determining appeals of adverse actions pursuant to elections made under subparagraph (A).

(Added Pub. L. 104-201, div. A, title XVI, §1632(d), Sept. 23, 1996, 110 Stat. 2750.)

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1613. Miscellaneous provisions

(a) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in sections 1601 through 1603 and 1606 through 1610 may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an agency or office that is a successor to an agency or office covered by the agreement before the succession.

(b) NOTICE TO CONGRESS OF REGULATIONS.—The Secretary of Defense shall notify Congress of any regulations prescribed to carry out this subchapter (other than sections 1605 and 1611). Such notice shall be provided by submitting a copy of the regulations to the congressional oversight committees not less than 60 days before such regulations take effect.

(Added Pub. L. 104-201, div. A, title XVI, §1632(d), Sept. 23, 1996, 110 Stat. 2750; amended Pub. L. 105-85, div. A, title X, §1073(a)(32), Nov. 18, 1997, 111 Stat. 1902.)

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85 substituted “1603” for “1604”.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

§ 1614. Definitions

In this subchapter:

(1) The term “defense intelligence position” means a civilian position as an intelligence officer or intelligence employee of the Department of Defense.

(2) The term “intelligence component of the Department of Defense” means any of the following:

- (A) The National Security Agency.
- (B) The Defense Intelligence Agency.
- (C) The National Geospatial-Intelligence Agency.

(D) Any other component of the Department of Defense that performs intelligence functions and is designated by the Secretary of Defense as an intelligence component of the Department of Defense.

(E) Any successor to a component specified in, or designated pursuant to, this paragraph.

(3) The term “congressional oversight committees” means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) The term “excepted service” has the meaning given such term in section 2103 of title 5.

(5) The term “preference eligible” has the meaning given such term in section 2108(3) of title 5.

(6) The term “Senior Executive Service position” has the meaning given such term in section 3132(a)(2) of title 5.

(7) The term “collective bargaining agreement” has the meaning given such term in section 7103(8) of title 5.

(Added Pub. L. 104–201, div. A, title XVI, §1632(d), Sept. 23, 1996, 110 Stat. 2750; amended Pub. L. 106–65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 106–398, §1 [[div. A], title XI, §1141(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A–319; Pub. L. 108–136, div. A, title IX, §921(d)(7), Nov. 24, 2003, 117 Stat. 1569.)

AMENDMENTS

2003—Par. (2)(C). Pub. L. 108–136 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency”.

2000—Par. (1). Pub. L. 106–398 substituted “of the Department of Defense” for “of an intelligence component of the Department of Defense or of a military department”.

1999—Par. (3)(B). Pub. L. 106–65 substituted “Committee on Armed Services” for “Committee on National Security”.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1635 of Pub. L. 104–201, set out as an Effective Date of 1996 Amendment note under section 1593 of this title.

SUBCHAPTER II—DEFENSE INTELLIGENCE AGENCY PERSONNEL

Sec.

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| 1621. | Defense Intelligence Agency merit pay system. |
| 1622. | Uniform allowance: civilian employees. |
| 1623. | Financial assistance to certain employees in acquisition of critical skills. |

§ 1621. Defense Intelligence Agency merit pay system

The Secretary of Defense may by regulation establish a merit pay system for such employees of the Defense Intelligence Agency as the Secretary considers appropriate. The merit pay system shall be designed to carry out purposes consistent with those set forth in section 5401 of title 5, as in effect on October 31, 1993.

(Added Pub. L. 97–89, title VII, §701(a)(1), Dec. 4, 1981, 95 Stat. 1160, §1602; amended Pub. L. 98–615, title II, §204(b), Nov. 8, 1984, 98 Stat. 3216; Pub. L. 103–89, §3(b)(3)(A), Sept. 30, 1993, 107 Stat. 982; Pub. L. 103–359, title V, §501(b)(1)(C), Oct. 14, 1994, 108 Stat. 3428; renumbered §1621 and amended Pub. L. 104–201, div. A, title XVI, §§1632(a)(1), 1633(d), Sept. 23, 1996, 110 Stat. 2745, 2752.)

REFERENCES IN TEXT

Section 5401 of title 5, referred to in text, was repealed by Pub. L. 103–89, §3(a)(1), (c), Sept. 30, 1993, 107 Stat. 981, eff. Nov. 1, 1993.

PRIOR PROVISIONS

A prior section 1621, added Pub. L. 99–145, title IX, §924(a)(1), Nov. 8, 1985, 99 Stat. 697; amended Pub. L. 99–433, title I, §110(g)(2), Oct. 1, 1986, 100 Stat. 1004; Pub. L. 100–26, §7(c)(2), (k)(2), Apr. 21, 1987, 101 Stat. 280, 284; Pub. L. 101–189, div. A, title VIII, §853(c)(1), Nov. 29, 1989, 103 Stat. 1518, defined “program manager”, “procurement command”, and “major defense acquisition program”, prior to repeal by Pub. L. 101–510, div. A, title XII, §1207(c)(4), Nov. 5, 1990, 104 Stat. 1665; Pub. L.

102–190, div. A, title X, §1061(a)(26)(C)(i), Dec. 5, 1991, 105 Stat. 1474, effective Oct. 1, 1993.

AMENDMENTS

1996—Pub. L. 104–201 renumbered section 1602 of this title as this section and struck out “and Central Imagery Office” after “Intelligence Agency”.

1994—Pub. L. 103–359 inserted “and Central Imagery Office” after “Defense Intelligence Agency”.

1993—Pub. L. 103–89 inserted “”, as in effect on October 31, 1993”.

1984—Pub. L. 98–615 substituted “section 5401 of title 5” for “section 5401(a) of title 5”.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104–201 effective Oct. 1, 1996, see section 1635 of Pub. L. 104–201, set out as a note under section 1593 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–89 effective Nov. 1, 1993, see section 3(c) of Pub. L. 103–89, set out as a note under section 3372 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1984 AMENDMENT

Section 205 of Pub. L. 98–615 provided that amendment by Pub. L. 98–615 was effective Oct. 1, 1984, and applicable with respect to pay periods commencing on or after that date, with certain exceptions and qualifications.

EFFECTIVE DATE

Section 806 of Pub. L. 97–89 provided that: “The amendments made by titles V, VI, and VII and by this title [enacting this chapter and section 403m of Title 50, War and National Defense, amending sections 2108, 6304, and 8336 of Title 5, Government Organization and Employees, and sections 403e, 403f, and 405 of Title 50, enacting provisions set out as notes under this section and section 402 of Title 50, and amending provisions set out as notes under section 402 of Title 50] shall take effect as of October 1, 1981.”

§ 1622. Uniform allowance: civilian employees

(a) The Secretary of Defense may pay an allowance under this section to any civilian employee of the Defense Intelligence Agency who—

- (1) is assigned to a Defense Attaché Office outside the United States; and
- (2) is required by regulation to wear a prescribed uniform in performance of official duties.

(b) Notwithstanding section 5901(a) of title 5, the amount of any such allowance shall be the greater of the following:

- (1) The amount provided for employees of the Department of State assigned to positions outside the United States and required by regulation to wear a prescribed uniform in performance of official duties.
- (2) The maximum allowance provided under section 1593(b) of this title.

(c) An allowance paid under this section shall be treated in the same manner as is provided in subsection (c) of section 5901 of title 5 for an allowance paid under that section.

(Added Pub. L. 100–178, title VI, §601(a), Dec. 2, 1987, 101 Stat. 1015, §1606; amended Pub. L. 101–189, div. A, title III, §336(b), Nov. 29, 1989, 103 Stat. 1419; renumbered §1622, Pub. L. 104–201, div. A, title XVI, §1632(a)(2), Sept. 23, 1996, 110 Stat. 2745.)

DCIPS Occupational Structure

TECHNICIAN/ADMINISTRATIVE SUPPORT WORK CATEGORY

Senior
Work Level 3

Pay Band 3 GG-11-13

Full Performance
Work Level 2

Pay Band 2 GG-7-10

Entry/Developmental
Work Level 1

Pay Band 1 GG-1-7

PROFESSIONAL WORK CATEGORY

Expert
Work Level 4

Pay Band 5 GG-15

Senior
Work Level 3

Pay Band 4 GG-13-14

Full Performance
Work Level 2

Pay Band 3 GG-11-13

Entry/Developmental
Work Level 1

Pay Band 2 GG-7-10

SUPERVISION/MANAGEMENT WORK CATEGORY

Expert
Work Level 4

Pay Band 5 GG-15

Senior
Work Level 3

Pay Band 4 GG-13-14

Full Performance
Work Level 2

Pay Band 3 GG-11-13

1 Start Here

Select Mission Category

Collection & Operations

Processing & Exploitation

Analysis & Production

Research & Technology

Enterprise Information Technology

Enterprise Management & Support

Mission Management

2 Select Work Category

Technician/Administrative Support

Professional

Supervision/Management

3 Select Work Level

Entry/Developmental
Work Level 1

Full Performance
Work Level 2

Senior
Work Level 3

Entry/Developmental
Work Level 1

Full Performance
Work Level 2

Senior
Work Level 3

Expert
Work Level 4

Full Performance
Work Level 2

Senior
Work Level 3

Expert
Work Level 4

4 Select DCIPS Pay Band or Grade

Pay Band 1

Pay Band 2

Pay Band 3

Or

Or

Or

GG - 1-7

GG - 7-10

GG - 11-13

Pay Band 2

Pay Band 3

Pay Band 4

Pay Band 5

Or

Or

Or

Or

GG - 7-10

GG - 11-13

GG - 13-14

GG - 15

Pay Band 3

Pay Band 4

Pay Band 5

Or

Or

Or

GG - 11-13

GG - 13-14

GG - 15

Occupational Groups

Determined at any point within the top-down process

DoDI 1400.25 2000 Series DCIPS Volumes

Volumes can be found at: <http://dcips.dtic.mil/policies.html>

- Volume 2001 - DoD Civilian Personnel Management System: (DCIPS) Introduction
- Volume 2004 - DoD Civilian Personnel Management System: (DCIPS) Adjustment in Force (AIF)
- Volume 2005 - DoD Civilian Personnel Management System: (DCIPS) Employment and Placement
- Volume 2006 - DoD Civilian Personnel Management System: (DCIPS) Compensation Administration
- Volume 2007 - DoD Civilian Personnel Management System: (DCIPS) Occupational Structure
- Volume 2008 - DoD Civilian Personnel Management System: (DCIPS) Awards and Recognition
- Volume 2009 - DoD Civilian Personnel Management System: (DCIPS) Disciplinary, Performance-Based, and Adverse Action Procedures
- Volume 2011 - DoD Civilian Personnel Management System: (DCIPS) Performance Management
- Volume 2012 - DoD Civilian Personnel Management System: (DCIPS) Performance-Based Compensation
- Volume 2013 - DoD Civilian Personnel Management System: (DCIPS) Program Evaluation
- Volume 2014 - DoD Civilian Personnel Management System: (DCIPS) Employee Grievance Procedures
- Volume 2015 - DoD Civilian Personnel Management System: (DCIPS) Special Categories of Personnel
- Volume 2016 - DoD Civilian Personnel Management System: (DCIPS) Administration of Foreign Language Pay



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2001

December 29, 2008

Incorporating Change 1, Effective March 17, 2014

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: ~~Volume 2001~~, Defense Civilian Intelligence Personnel System (DCIPS) Introduction

References: See Enclosure 1

1. PURPOSE

a. ~~Overall Instruction~~. In accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), this Instruction establishes and implements policy, establishes uniform DoD-wide procedures, provides guidelines and model programs, delegates authority, and assigns responsibilities regarding civilian personnel management within the Department of Defense.

b. ~~This Volume~~. In accordance with the guidance in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), and pursuant to subchapter I of chapter 83 of title 10, United States Code (U.S.C.), (Reference (e)), this Volume ~~of this Instruction~~ prescribes policies and responsibilities for the development, management, evaluation, and evolution of DCIPS.

2. APPLICABILITY

a. This Volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

b. This Volume does not apply to:

(a) ~~e~~Employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees.

~~(b) It does not apply to m~~Members of the Defense Intelligence Senior Executive System (DISES) or the Defense Intelligence Senior Level (DISL) unless ~~specifically addressed-specified herein or~~ in other Volumes of this Instruction.

3. DEFINITIONS. Unless otherwise noted, these terms and their definitions apply to the DCIPS Volumes of this Instruction.

a. Defense Intelligence Components. Defined in Reference (d).

b. DoD Components with DCIPS Positions. The Defense Intelligence Components and the DoD Components with positions, employees, and organizations with duties and functions considered to have an intelligence function and that have been so designated by the Head of the Component, with the concurrence of the Under Secretary of Defense for Intelligence (USD(I)).

c. Functional Chief. The Senior Military Intelligence Officer of each Military Department.

d. rank in position. Personnel management construct in which the organization's position structure establishes workforce requirements at both the occupational and work levels and provides the basis for establishing the title and pay band level of an employee assigned to a position in the organization.

e. rank in person. Personnel management construct in which the organization's position structure establishes aggregate workforce requirements at the occupational and work levels for the purposes of planning recruitment, development, and assignment activities based on aggregate assessment of workforce capabilities, but in which individual personnel capabilities are separately assessed against mission requirements to establish title and pay band level of an employee of the organization.

f. personnel action. Defined in Presidential Policy Directive 19 (Reference (f)).

4. POLICY. It is DoD policy that, within the Department of Defense, DCIPS shall be the only civilian personnel system for defense intelligence positions, employees, and organizations designated as having an intelligence function, and shall:

a. Provide a human resources system that supports military and civilian managers in the accomplishment of the intelligence missions of the DoD Components with DCIPS positions..

b. Create a system of human resource policies and management practices that will make the Defense Intelligence Components attractive places to work and establish them as "employers of choice" for top talent, and that will make DCIPS positions "positions of choice" for top talent.

c. Provide for planned training, education, and diverse assignments that support retention and career development of intelligence professionals in the DoD Components with DCIPS positions, and of other career professionals in the Defense Intelligence Components.

d. Be implemented in a manner that is understandable, clearly establishes employee and manager roles and responsibilities, and provides for continuous evaluation and improvement.

e. Be developed with appropriate consideration of ~~the National Security Personnel System~~, the Department of Defense Human Capital Strategy, and the Director of National Intelligence (DNI) Intelligence Community Human Capital Strategy.

f. Be developed and implemented in a manner that supports both rank-in-position and rank-in-person personnel management constructs.

g. Be designed and implemented to incorporate the merit systems principles in section 2301 of title 5, U.S.C., (Reference (f)) at all organizational levels in accordance with section 1612 of Reference (e).

h. Personnel policies for DCIPS will include the prohibition of reprisal against an employee serving in a DCIPS position for protected disclosures. Prohibitions on reprisal by affecting eligibility for access to classified information will be incorporated into administrative procedures as required by Reference (f) and Directive-type Memorandum 13-008 (Reference (h)).

i. Prohibit, in compliance with Reference (f) and Reference (h), any officer or employee from taking, failing to take, threatening to take, or threatening to fail to take, personnel action against any employee serving in a DCIPS positions, including DISES and DISL members, as a reprisal for a protected disclosure pursuant to Reference (f).

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Procedures for implementing DCIPS are published in the DCIPS Volumes of this Instruction. Managers and supervisors of DCIPS employees, positions, and organizations shall carry out DCIPS policies, procedures, and programs in Reference (d) and in the DCIPS Volumes and shall exercise DCIPS personnel management authorities as delegated by the Heads of the DoD Components with DCIPS positions and consistent with Reference (f).

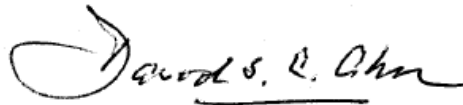
7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release. Copies may be obtained through the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction ~~is effective immediately~~:

a. Is effective December 29, 2008.

b. Must be reissued, cancelled, or certified current within 5 years of its publication to be considered current in accordance with DoD Instruction 5025.01 (Reference (i)).

c. Will expire effective December 29, 2018 and be removed from the DoD Issuances Website if it hasn't been reissued or cancelled in accordance with Reference (i).



David S. C. Chu
Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness USD(P&R),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” November 23, 2005
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007, *as amended*
- (e) Section 1612 and subchapter I of chapter 83 of title 10, United States Code
- (f) *Presidential Policy Directive 19 (PPD-19), “Protecting Whistleblowers with Access to Classified Information,” October 10, 2012*
- (g) Section 2301 of title 5, United States Code
- (h) *Directive-type Memorandum 13-008, “DoD Implementation of Presidential Policy Directive 19,” July 8, 2013, as amended*
- (i) *DoD Instruction 5025.01, “DoD Directives Program,” September 26, 2012, as amended*
- (j) Public Law 108-458, “Intelligence Reform and Terrorism Prevention Act of 2004,” December 17, 2004
- (k) DoD Directive 5145.04, “Defense Legal Services Agency (DLSA),” ~~December 15, 1989~~ *April 16, 2012*

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R), in addition to the responsibilities in paragraph 4 of this enclosure, shall develop and maintain DCIPS policy in conjunction with the USD(I).

2. USD(I). The USD(I), in addition to the responsibilities in paragraph 4 of this enclosure, shall:
 - a. Oversee the implementation and management of the policy developed pursuant to Reference (d) *and Reference (f)*.

 - b. Develop DCIPS policy in conjunction with the USD(P&R) and provide DCIPS Volumes to the USD(P&R) for inclusion in this Instruction. The DCIPS Volumes shall:
 - (1) Define DCIPS policies and procedures.

 - (2) Be issued to comply with applicable provisions of law, including References (e) and Public Law 108-458 (Reference (~~g~~j)) and may, at the discretion of the USD(I), in conjunction with the USD(P&R), comply with applicable Intelligence Community Directives issued by the DNI.

 - c. Approve the designation of DoD Components with DCIPS positions as Defense Intelligence Components when such Components are engaged in the performance of intelligence functions as defined by Reference (d).

 - d. Approve DCIPS coverage, upon the request, for DoD occupations in which the primary responsibility is the performance of an intelligence function as defined by Reference (d).

 - e. Concur, as appropriate, with the designation of selected positions or organizational elements as DCIPS-covered at the request of the Heads of the DoD Components.

 - f. Conduct ongoing evaluations of the implementation, management, and administration of DCIPS; advise the USD(P&R) of policy issues identified as a result of these evaluations; and direct such corrective actions or policy updates as necessary to achieve the goals and objectives of DCIPS.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:
 - a. Implement and comply with DCIPS policies and programs in Reference (d) and the DCIPS Volumes.

b. Obtain the approval of the General Counsel, *of the* Department of Defense, ~~(GC, DoD)~~ Director, Defense Legal Services Agency (DLSA), concerning personnel policies and actions taken with regard to or affecting DLSA members in accordance with DoD ~~Directive D~~ 5145.04 (Reference (~~hk~~)).

c. Issue internal supplements or guidance to the extent authorized by Reference (d) and the DCIPS Volumes. The supplementation and guidance may not modify or conflict with the overarching DCIPS policy contained in Reference (d) or with the provisions of any DCIPS Volume.

d. Establish internal supplemental regulations and policy issuances consistent with Reference (f) to prohibit any officer or employee from taking, failing to take, threatening to take, or threatening to fail to take, personnel action against any employee serving in a DCIPS position, including DISES and DISL members, as a reprisal for a protected disclosure.

e. Provide a process for employees in DCIPS positions to seek review of personnel actions they allege to be in violation of section A of Reference (f).

~~f.~~ Submit internal supplemental regulations and policy issuances implementing DCIPS policy to the USD(I) for oversight and program evaluation within 30 days of issuance.

g. Designate, as applicable, any DCIPS positions that are of a confidential, policy determining, policy making, or policy advocating character and are not to be included in the definition of personnel action of Reference (f).

4. HEADS OF ALL THE DoD COMPONENTS. The Heads of all the DoD Components shall:

a. Designate positions or organizations within their respective Components for DCIPS coverage, with the concurrence of the USD(I), when such positions or organizations are engaged in performing an intelligence function as defined in Reference (d) and meet the coverage criteria defined in paragraph 3.b. of the front matter of this Volume.

b. Not establish a position within their Components without the approval of the USD(I) if the position:

(1) Will perform functions that have been determined by the USD(I) to be intelligence functions;

(2) Will be in an occupational category designated by the USD(I), with the concurrence of the USD(P&R), as having responsibilities in the intelligence field; or

(3) Is determined by the USD(I) to be an intelligence position necessary to carry out the intelligence functions of the Department of Defense.

5. FUNCTIONAL CHIEFS OF THE MILITARY DEPARTMENTS. The Functional Chiefs of the Military Departments, under the authority, direction, and control of the Secretaries of the Military Departments, shall:

- a. Implement and administer DCIPS.
- b. In conjunction with the Secretaries of the Military Departments, recommend DCIPS coverage for positions having intelligence functions to the USD(I).
- c. Ensure all supplemental regulations, policy issuances, and standards that implement DCIPS within each of their Departments are consistent with Reference (d) and the DCIPS of Volumes of this Instruction.

GLOSSARY

ABBREVIATIONS AND ACRONYMS

<i>DCIPS</i>	<i>Defense Civilian Intelligence Personnel System</i>
<i>DISES</i>	<i>Defense Intelligence Senior Executive System</i>
<i>DISL</i>	<i>Defense Intelligence Senior Level</i>
<i>DLSA</i>	<i>Defense Legal Services Agency</i>
<i>DNI</i>	<i>Director of National Intelligence</i>
<i>DoDD</i>	<i>Department of Defense directive</i>
<i>U.S.C.</i>	<i>United States Code</i>
<i>USD(I)</i>	<i>Under Secretary of Defense for Intelligence</i>
<i>USD(P&R)</i>	<i>Under Secretary of Defense for Personnel and Readiness</i>



Department of Defense INSTRUCTION

NUMBER 1400.25-V2004

September 16, 2011

Incorporating Change 2 as of May 4, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Adjustment in Force (AIF)

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several Volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the Department of Defense.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and the guidance in DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) This Volume. This Volume establishes policies and guidance for conducting AIF for positions covered by DCIPS and establishes procedures, prescribes authorities, and assigns responsibilities for AIF actions.

2. APPLICABILITY

a. This Volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense that employ

individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions.”

b. This Volume applies to members of the Defense Intelligence Senior Executive Service (DISES) only insofar as they make AIF decisions, serve as members of the AIF Appeals Committee (AIFAC), or perform other similar managerial functions with respect to AIF. AIF processes for Defense Intelligence Senior Level (DISL) members shall be accomplished in accordance with this Volume and Volume 2003 of this Instruction.

c. This Volume does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees hired under other than DCIPS authority.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that DoD Components with DCIPS positions shall:

a. Make every reasonable effort to avoid AIF through resource planning, job changes or retraining, voluntary early retirement authority, separation incentives, and pre-AIF placement for those employees eligible for placement assistance and referral programs in accordance with applicable guidance. Use of these options shall be consistent with specific program requirements and policies.

b. Accomplish AIF with maximum advance planning to ensure minimum disruption to mission and adverse effect on employees.

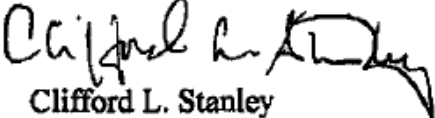
c. Use competitive AIF procedures when an employee(s) is faced with separation; reduction in work level, pay band (for organizations operating under the DCIPS banded structure), or grade (for organizations operating under the DCIPS graded structure); furlough for more than 30 consecutive days or more than 22 cumulative workdays; or, as a result of workforce shaping (e.g., lack of work; shortage of funds; reorganization).

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides procedures for planning and executing AIF actions.

7. RELEASABILITY. UNLIMITED. This Volume is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective August 7, 2011 pursuant to section 1613 of title 10, United States Code (U.S.C.) (Reference (e)).


Clifford L. Stanley
Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
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Glossary

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ENCLOSURE 1

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- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007
- (e) Sections 1603, 1610, and 1613 of title 10, United States Code
- (f) Sections 351.502, 351.503, 351.806 and 353.209 of title 5, Code of Federal Regulations,
- (g) Sections 2108, 3501, 3502, 5595, 7701, 8151, 8336, 8412, 8414, 8905, and Chapter 63 of title 5, United States Code
- (h) Sections 4313 and 4315 of title 38, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall:

a. Coordinate with the Under Secretary of Defense for Intelligence (USD(I)) on the development of DCIPS AIF policies and practices and monitor their effects on DoD-wide personnel readiness.

b. Adjudicate AIF appeals filed by employees in the Office of the Under Secretary of Defense for Intelligence (OUSD(I)).

2. USD(I). The USD(I), in conjunction with the USD(P&R), shall:

a. Prescribe policies governing AIF and provide oversight and direction in the execution of AIF in the DoD Components with DCIPS positions.

b. Approve AIF in the DoD Components with DCIPS positions.

c. Evaluate AIF practices of DoD Components with DCIPS positions, including assistance and referral programs, for consistency with this Volume.

d. Identify the membership for and appoint the AIF AC.

3. DIRECTOR, HUMAN CAPITAL MANAGEMENT OFFICE (HCMO). The Director, HCMO, under the authority, direction, and control of the USD(I), shall serve as the Chair of the AIF AC and provide human capital management subject matter expertise in the adjudication of employee AIF appeals.

4. GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE. The General Counsel of the Department of Defense shall provide legal support and advice to the AIF AC, as requested.

5. HEADS OF DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of DoD Components with DCIPS positions shall:

a. Assess the need to conduct an AIF within their respective Components or affecting their DCIPS population and, if necessary, request approval from the USD(I) to use AIF.

- b. Administer AIF affecting DCIPS personnel in accordance with the procedures of this Volume.
- c. Participate in the AIF appeals in accordance with this Volume and as required by the AIF AC.
- d. Authorize reasonable duty time for employees to attend in-house career counseling sessions, workshops, Employee Assistance Service counseling and/or training, and any other activities related to career transitions in response to AIF.
- e. Designate a representative at the DISES level or equivalent to serve on the AIF AC.

ENCLOSURE 3

DCIPS AIF PROCEDURES

1. COMPETITIVE AREAS. Competitive areas shall be defined by the DoD Components with DCIPS positions to establish the geographical and organizational limits of AIF competition. Components shall determine competitive areas no fewer than 90 calendar days prior to the planned effective date of an AIF. With USD(I) approval, Components may change a competitive area less than 90 calendar days before the original effective date of an AIF; however, a new 90-day period will begin upon USD(I) approval. A competitive area may be determined by ~~one~~ *a combination of geographic area and any* of the following factors: work category, work level, pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure), organizational unit, occupational group, or funding lines of business. Competitive areas for DISL positions may be based on one or more of the following: geographical location; organizational unit; technical qualifications; and funding lines of business. DoD Components with DCIPS positions will not mix DCIPS employees in competitive areas with non-DCIPS employees nor assign an employee to more than one competitive area at one time. The minimum geographic competitive area is the local commuting area.

a. Official Position of Record. Employees' official positions or work roles of record determines their competitive areas and placement on the retention list. Employees compete in AIF only from their official positions or work roles of record. While other records that document actual performance of duties and responsibilities may ultimately affect employee eligibility for other positions by demonstrating their qualifications, employees will be included in competitive areas based only on their official positions or work roles of record.

b. Competing Employees. Employees who are in the same competitive area and who are in Tenure Groups I and III, as outlined in subparagraph 3.e.(1) of this enclosure, shall compete for retention.

2. NOTIFICATION

a. General Notification. DoD Components with DCIPS positions shall notify employees who are potentially affected by the planned AIF no less than 90 calendar days prior to the effective date of the AIF.

b. Individual Employee Notification. DoD Components with DCIPS positions shall provide each employee against whom AIF action will be taken a specific written notice of the action at least 60 calendar days (not counting the date the notice is delivered or the AIF effective date) before the AIF effective date. At a minimum, AIF notification shall contain:

- (1) The action to be taken, the reason for the action, and its effective date.

(2) Documentation of the employee's work category, work level, pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure), competitive area, tenure group, subgroup, veterans' preference, evaluation of record and dates of rating used for performance credit, and length-of-service computation.

(3) The place where the employee may inspect the regulations and records pertinent to the case.

(4) In cases of exceptions to the order of release, the reason for retaining a lower-standing employee in the same competitive area.

(5) Information on reemployment rights.

(6) The employee's benefits, entitlements, and appeal rights, including the time limits for appeal and the address of the AIF AC.

(7) A notice of eligibility for unemployment insurance and other assistance, pertinent application information, and an authorization, at the employee's option, to release their resume and other relevant employment information for employment referral to potential public or private employers.

c. New, Amended, or Cancelled Notice Required. An employee is entitled to a new written notice of at least 60 calendar days if a decision results in an action more severe than the original action.

d. Status During Notice Period. The employee shall remain in normal duty status during the notice period. However, if an emergency exists and there is a lack of work or funds for all or part of the notice period, the employee may be placed on annual leave with or without his or her consent, on leave without pay with his or her consent, or in a non-pay status without his or her consent, consistent with section 351.806 of title 5, Code of Federal Regulations (Reference (f)). The reasons supporting the decision must be fully documented.

e. Prohibited Notice Period. AIF termination and furlough notices shall not be issued or made effective between December 15 and January 3. If, in specific situations, available resources absolutely preclude delay, the USD(I) may authorize exceptions. Exceptions shall be limited and approved only when adverse effect on employees will be significantly increased if the exceptions are not granted.

3. RETENTION

a. Retention Standing. Employees occupying positions in the same competitive area compete for positions in AIF based on their retention standing. Retention standing is based on a combination of tenure, veterans' preference, performance, and length of creditable service, and is determined only for competing employees in the competitive area.

b. Retention Register. All competing employees occupying positions in the competitive area are included on a retention register in order of retention standing.

c. Right of Assignment. Through AIF, DCIPS qualified employees can displace other DCIPS employees with lower retention standing in the assigned competitive area, but have no right of assignment beyond their competitive area during an AIF.

d. Right of Appeal. DCIPS employees may appeal AIF determinations in accordance with section 8 of this enclosure.

e. Retention Factors. DoD Components with DCIPS positions shall use tenure group, veterans' preference, performance, and creditable service as factors in determining retention, as described in section 1610 of Reference (e).

(1) Tenure. Employees in the competitive area serving on temporary appointments of 1 year or less have no tenure and will be released prior to the AIF competition. They do not compete in the AIF. For the purposes of this Volume, Tenure Groups I and II, as defined in section 351.502 of Reference (f), are combined into Tenure Group I. The resulting Tenure Group I employees and Tenure Group III employees are competing employees for AIF.

(a) Tenure Group I includes all permanent employees, including those serving in a trial period. Trial period employees are included in Tenure Group I in order to provide high-performing, recently hired employees retention opportunity under AIF proceedings.

(b) Tenure Group III includes all employees on non-permanent appointments of any kind that are more than 1 year in duration or result in continuous employment for more than 1 year.

(c) Tenure Groups I and III employees identified in the competitive area are placed on the retention register according to their position or work role of record, including those who are on a temporary assignment to a position outside the competitive area.

(2) Veterans' Preference. DoD Components with DCIPS positions shall apply military and veterans' preference in AIF actions, in accordance with section 1610 of Reference (e) and section 3502(c) of title 5, U.S.C. (Reference (g)). Application of veterans' preference to disabled and retired veterans in AIF actions shall be consistent with sections 3501(a)(3) and 3502(b) of Reference (g).

(a) Veterans With Service-Connected Disabilities. A preference eligible who has a compensable service-connected disability of 30 percent or more and whose performance has not been rated unacceptable is entitled to be retained over other preference eligibles.

(b) Veterans' Preference for Retired Members of the Military Services. A retired Service member is a veteran for AIF purposes only if the employee meets one of three conditions:

1. The Service retirement (without regard to benefits from the Department of Veterans Affairs) is directly based upon a combat-incurred disability or injury.

2. The Service retirement is based upon less than 20 years of active duty.

3. The employee has been continuously employed by the Government since November 30, 1964, without a break in service of more than 30 calendar days.

(c) Application of Veterans' Preference in Determining Retention Standing. DoD Components with DCIPS positions will divide each of the two Tenure Groups into three subgroups based upon employees' entitlement to veterans' preference for AIF purposes:

1. Subgroup AD. Includes veterans who are eligible for AIF preference and who have a compensable service-connected disability of 30 percent or more.

2. Subgroup A. Includes veterans eligible for AIF preference who are not eligible for Subgroup AD (including eligible spouses, widows or widowers, and mothers of veterans).

3. Subgroup B. Includes nonveterans and others not eligible for AIF preference in Subgroups AD and A.

(3) Performance. After placing employees on the retention list by Tenure Group and veterans' preference, DoD Components with DCIPS positions shall list employees in descending order based on their performance scores as defined in this section, including DCIPS ratings and converted ratings. DISL performance ratings consistent with Volume 920 of this Instruction will be used to compute the performance score for DISL members to determine retention standing after employees are placed on the retention list by Tenure Group and veterans' preference.

(a) Computing the Performance Score. DoD Components with DCIPS positions will use an employee's evaluation of record against performance objectives and performance elements in accordance with the procedures in Volume 2011 of this Instruction. An employee's performance score for AIF purposes is the average of the employee's three most recent DCIPS overall ratings received during the 4-year period prior to the established cut-off date for receipt of performance ratings. If fewer than three DCIPS ratings exist and no other ratings are available to convert to DCIPS ratings, the existing DCIPS ratings shall be averaged. These ratings shall be averaged to the first decimal point. For example, an employee whose three most recent overall DCIPS ratings are 3, 3, and 4 would have a performance score for AIF of 3.3. Computations shall include only performance scores provided to the employee more than 90 calendar days in advance of the effective date of the AIF.

(b) Creditable Ratings. To be creditable, an evaluation of record need not have been signed by the employee, but must have been issued to the employee with all appropriate supervisory reviews and rater and reviewer signatures accomplished, and must be available for use by the office responsible for establishing retention lists at least 90 days in advance of the

effective date of the AIF. Except for cases of mass conversions and new hires, DoD Components with DCIPS positions shall use only annual and special purpose DCIPS evaluations of record, as described in Volume 2011 of this Instruction, when determining performance scores for AIF purposes.

1. Mass Conversion into DCIPS - “Excellent” and “Outstanding” Ratings.

Employees who convert into DCIPS with their organization, and have a non-DCIPS evaluation of record determined by their Component to be equivalent to the DCIPS evaluation of record of “Excellent” or “Outstanding” on file at the time of conversion, shall be assigned an overall converted DCIPS evaluation of record of 4 or 5, respectively.

2. Mass Conversion into DCIPS - “Successful” Ratings.

Employees who convert into DCIPS with their organization, and have a non-DCIPS evaluation of record determined by their Component to be equivalent to the DCIPS evaluation of record of “Successful” on file at the time of conversion, shall be assigned an overall converted DCIPS evaluation of record of 3.

3. Mass Conversion into DCIPS - “Unacceptable” or “Minimally Successful”

Ratings. Employees who convert into DCIPS with their organization, and have a non-DCIPS evaluation of record determined by their Component to be equivalent to the DCIPS evaluation of record of “Unacceptable” or “Minimally Successful” on file at the time of conversion, shall be assigned an overall converted DCIPS evaluation of record of 1 or 2, respectively.

(c) Individual Movement into DCIPS. Employees who were not part of a mass organizational conversion and who have not yet received a DCIPS evaluation of record shall be assigned a converted DCIPS evaluation of record of 3 (“Successful”).

(d) Missing Ratings. Employees who have no evaluations of record within the most recent 4-year period prior to the established cut-off date for receipt of performance ratings shall be assigned the modal evaluation of record for the competitive area.

(e) Using Converted Ratings in Computing Performance Score. DoD Components with DCIPS positions shall continue to use the converted ratings when computing the DCIPS performance score until the employee has three official DCIPS evaluations of record.

(4) Creditable Service. Creditable service is the final consideration when placing an employee on a retention list. Components shall include all creditable Federal and military service as defined by section 351.503 of Reference (f). As required by section 1610 of Reference (e), credit for military service will be computed in accordance with section 3502(a) of Reference (g).

(5) Additional Tie-Breaking Procedures. DoD Components with DCIPS positions may use additional tie breakers as long as these measures are announced to the work force in advance of an AIF.

(6) Active Service Members. Employees who are Reservists or members of the National Guard on active duty and who have restoration rights will not be listed on the retention list.

Their military status must be included in their record in order to indicate the reason they are not included on the retention register as competing employees for AIF.

(7) Employees with Performance and/or Conduct Problems

(a) Removal. An employee does not compete for retention if, prior to the effective date of the AIF, he or she has received a final written decision of removal for performance or conduct-based reasons.

(b) Reduction in Work Level or Pay Band or Grade. An employee who, prior to the effective date of the AIF, has received a final written decision for reduction in work level or pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure) because of performance or for conduct reasons, is placed on the retention register for the position to which the employee will be reduced in work level or pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure). The employee competes in AIF based on the new position.

(8) Employees with Compensable Injuries. Employees away from work receiving compensation for injury enjoy no special protections during an AIF and may not be denied placement rights because of their injury. Separation by AIF terminates restoration rights.

4. DISPLACEMENT AND RELEASE

a. Displacement. DoD Components with DCIPS positions shall displace an employee by moving the employee from his or her present position to a position held by an employee of lower retention standing on the same retention list. Displacement is caused by the abolishment of the employee's position or by the movement of an employee with higher retention standing into a position held by an employee of lower retention standing.

b. Qualifications. An employee must be qualified for the lower standing employee's position and must meet the designated standards and requirements, including minimum educational requirements for the position; be physically qualified, with reasonable accommodation where appropriate, to perform the duties of the position; and be able to satisfactorily perform the duties of the position without undue interruption.

c. Physical Qualifications. An employee on a leave of absence because of a compensable injury may not be denied an assignment right solely because the employee is not physically qualified for the duties of the position if the physical disqualification resulted from the compensable injury. In this case, the employee must be afforded appropriate assignment rights subject to recovery as provided by section 8151 of Reference (g).

d. Preference Eligible Physical Qualifications. If a DoD Component determines that a competing employee from Subgroup AD, as described in subparagraph 3.e.(2)(c)1. of this enclosure, is not able to fulfill the physical requirements of a position to which the employee

would otherwise have been assigned, the Component shall notify HCMO of the determination and, at the same time, the Component shall notify the preference eligible candidate of the reason(s) for the determination and of the right to respond, within 15 days of the date of notification, to HCMO. HCMO will forward the complete package to the AIF AC. The AIF AC shall require a demonstration by the Component that the notification was timely sent to the preference eligible candidate's last known address and shall, before the selection of any other person for the position, make a final determination on the physical ability of the preference eligible candidate to perform the duties of the position, taking into account any additional information provided in the response. When the AIF AC has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the Component and the preference eligible candidate. The Component shall comply with the findings of the AIF AC.

e. Order of Displacement and Release

(1) DoD Components with DCIPS positions shall select employees for release from the retention register in the inverse order of retention standing, beginning with the employee with the lowest retention standing. To ensure this, Components shall first place the employee with the highest retention standing whose position has been abolished. This process shall continue for each employee whose position has been abolished, or whom another employee has displaced, in descending retention standing order.

(2) DoD Components shall release all employees in Tenure Group III before any employee in Tenure Group I is released.

(3) Within each Tenure Group, DoD Components shall release all employees in Subgroup B before any employee in Subgroup A is released, and all employees in Subgroup A before any employee in Subgroup AD.

(4) Within each Subgroup, DoD Components shall release employees in order of performance score, beginning with the lowest performance score. If two or more employees within the same Subgroup have the same performance score and at least one, but not all, of the employees must be released, Components shall release employees based upon their length of creditable service, with the employee having the least amount of creditable service released first. When employees in the same retention Subgroup have identical service dates and are tied for release, the Component may select a tiebreaker to determine the employee for release.

f. Employees on Temporary Assignments. An employee shall always compete for retention from his or her permanent position of record. Employees on temporary assignments away from their permanent positions are members of a competitive area and still compete within the competitive area on the basis of their permanent position of record. Employees on temporary assignments into a competitive area undergoing an AIF and whose permanent position of record is not within the competitive area will not be considered for AIF. At DoD Component discretion, they may complete the temporary assignment or return to the position in the organization to which they are permanently assigned. Temporary assignments to competitive areas undergoing AIF may be permitted to carry through to completion but may not be extended.

g. Exceptions to Order of Release. DoD Components with DCIPS positions may give an employee a temporary postponement of release from a retention list under options listed in subparagraphs 4.f.(1) through 4.f.(3) of this enclosure, as appropriate. The reasons for the exception and the date the employee's retention will end must be on the retention list opposite the employee's name.

(1) Mandatory Exceptions

(a) Military Service Restoration Rights. A Tenure Group I employee entitled under sections 4313 or 4315 of title 38, U.S.C. (Reference (h)) to retention after restoration shall be given retention priority over other employees in the same Subgroup, regardless of performance evaluation of record or length of service, and may not be separated or reduced in pay band, except for cause, for a designated period of time, as specified in section 353.209 of Reference (f).

(b) Use of Annual Leave to Reach Eligibility for Retirement or Continuance of Health Benefits. DoD Components with DCIPS positions shall make a temporary exception to retain an employee who is being involuntarily separated under AIF procedures and who elects to use annual leave to remain on the rolls after the effective date the employee would otherwise have been separated. This exception shall be made in order to establish initial eligibility for immediate retirement under sections 8336, 8412, or 8414 of Reference (g), and/or to establish initial eligibility under section 8905 of Reference (g) to continue health benefits coverage into retirement. DoD Components with DCIPS positions may not retain employees beyond the date they first become eligible for immediate retirement or continuation of health benefits, unless it is necessary in order to satisfy both retirement and health benefits requirements. Annual leave considered must be accrued by the employee and may not be advanced to the employee.

(2) Continuing Exceptions. DoD Components with DCIPS positions may retain an employee who would otherwise be released, provided the employee is performing duties that cannot be taken over within 90 calendar days by an employee with higher-retention standing without undue interruption to the mission. The Component shall notify in writing each higher-standing employee reached for release from the same competitive area of the reasons for the exception.

(3) Temporary Exceptions. Unless otherwise specified, the following temporary exceptions shall be limited to 90 calendar days. The AIF notice of each higher-standing employee on the retention list reached for release from the list must include the reasons for the exception and the date the lower-standing employee's retention will end. Temporary exceptions may be provided:

(a) To satisfy a Government obligation to the retained employee (e.g., to allow an employee who is entitled to a new written notice to have the required full 60 calendar days when the AIF effective date is less than that).

(b) To extend an employee's separation date beyond the effective date of the AIF when the temporary retention of a lower-standing employee does not adversely affect the right of any higher-standing employee who is released ahead of the lower-standing employee.

(c) To retain on sick leave a lower-standing employee covered by Chapter 63 of Reference (g) or other applicable leave system for Federal employees, who is on approved sick leave on the effective date of the AIF, for a period not to exceed the date the employee's sick leave is exhausted.

(d) To retain on accrued annual leave a lower standing employee who will attain first eligibility for an immediate retirement benefit under the authority of sections 8336, 8412, or 8414 of Reference (g) or other authority, and/or establish eligibility under section 8905 of Reference (g) or other authority, to carry health benefits coverage into retirement during the period represented by the amount of the employee's accrued annual leave.

(e) To continue an activity without undue interruption for a period not to exceed 90 days.

(4) Liquidation Exceptions. In addition to exceptions described in subparagraphs 4.f.(1) through (3) of this enclosure, an exception to release order based on retention standing may be made when all positions in the competitive area are abolished. This means employees may be released without regard to performance or creditable service time. However, employees must be released in Subgroup and Tenure Group order. This exception may be applied within 1 year of the date of liquidation.

5. POSITION OFFERS. DoD Components with DCIPS positions will offer an employee placement in a position for which the employee is considered qualified, that is occupied by an employee with lower retention standing in the same competitive area, is not temporary, and does not result in a promotion. For those organizations operating under the DCIPS banded structure, offers may be made to a position at the same or next lower work level or pay band than the employee's present position. For those organizations operating under the DCIPS graded structure, offers may be made to a position at the same or lower work level or grade than the employee's present position, but not more than three grades below the employee's present position. The position offered may be a position in a developmental program. If an employee's pay rate exceeds the maximum rate for the pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure) of the position offered and accepted, the employee will be placed in pay retention in accordance with Volume 2006 of this Instruction.

a. There is no inherent entitlement to a position offer under AIF. However, once a DoD Component does offer a position to an employee, the employee is entitled to that specific offer. Except as provided in paragraph 5.b. of this enclosure, the employee is not entitled to any further offers if the employee:

(1) Accepts the initial offer.

(2) Rejects the initial offer.

(3) Fails to reply to the initial offer within a reasonable time as defined by the Component when the initial offer is provided to the employee.

b. If a better position for which the employee is qualified and for which the employee has retention standing becomes available before, or on, the effective date of the AIF, DoD Components shall offer that position to the released employee regardless of whether the employee accepted or declined a previous offer. Components shall determine what constitutes a better offer, considering work category, work level, pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure), occupation, location, and other factors. The employee is entitled to any better offers of assignment that may occur as a result of another employee's rejection of an offer, resignation, retirement, etc.

c. In addition to position offers resulting from displacement, DoD Components with DCIPS positions may also offer vacant positions to those employees being displaced through AIF, to mitigate the disruption and impact of AIF. Offers of vacancies satisfy an employee's AIF assignment rights if they are within the competitive area and otherwise meet the requirements of a position offer described in section 5 of this enclosure. Management may waive or modify specific qualifications when offering an employee a vacant position, provided the employee meets minimum education requirements and has a performance record that demonstrates the skills and abilities to satisfactorily perform the duties of the position. If Components choose to use vacancies in AIF, the following procedures shall apply.

(1) Offers of Vacant Positions Within the Competitive Area. DoD Components with DCIPS positions will first offer vacancies within the employee's assigned competitive area. A vacancy offer must be based on relative retention standing, with the employee who has the highest retention standing and who is qualified being offered the vacancy before any other employee.

(2) Offers of Vacant Positions Outside the Competitive Area. DoD Components with DCIPS positions may offer vacancies outside the competitive area to employees who would otherwise be separated because they have been released from the retention list. Offers of vacant positions outside the competitive area must be based on retention standing. Acceptance of such offer is voluntary and declining an offer outside of the competitive area is not considered a declination of an official offer.

6. FURLOUGHS. A competing employee may be furloughed when the intent is to recall the employee to duty within 1 year from the date of separation and the furlough will last for more than 30 consecutive calendar days or more than 22 workdays. If more than one employee is to be furloughed, the procedures in this Volume shall be followed to determine retention standing, and employees shall be released beginning with the employee who has the lowest retention standing on the retention register. A competing employee may not be separated due to AIF

while an employee with a lower retention standing in the same competitive area is on furlough. An employee may not be furloughed for more than 1 year. When employees are recalled to duty, they shall be recalled in the order of their retention standing, beginning with the employee with the highest retention standing.

7. TRANSFER OF FUNCTION (TOF)

a. A TOF occurs when work is moved from one competitive area to another or when an entire competitive area is moved to a new local commuting area. The work must cease to be performed in the losing competitive area and be performed by competing employees (not contracted out) in the new competitive area. Additionally, the function transferred must not be being performed in the gaining competitive area prior to the time of transfer.

b. When work is scheduled for liquidation or termination, the transfer of associated or follow-up work to another competitive area for final closure does not constitute a TOF.

c. DoD Components shall use the displacement and release procedures in this Volume to determine the transfer and retention rights of employees in both the losing and gaining competitive areas in the event of a TOF. This Volume's displacement and release procedures shall be applied by:

(1) The losing competitive area, in deciding whether a competing employee has a right to transfer (i.e., if the employee will be separated or reduced in pay band (for those organizations operating the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure) if he or she does not transfer).

(2) The losing competitive area, in the selection of volunteers for the transfer when the number of volunteers exceeds the number of positions required to perform the function in the gaining competitive area.

(3) The gaining competitive area, in establishing the retention rights of the combined population of employees transferring into and employees originally in the gaining competitive area.

8. APPEALS

a. General. The decision by a DoD Component with DCIPS positions to conduct an AIF is not subject to appeal. However, an employee who has been separated, changed to a lower work level, pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure), or who has been furloughed for more than 30 consecutive calendar days, or more than 22 workdays if done on a discontinuous basis, as a result of AIF, may appeal an alleged wrongful application of AIF procedures to the AIF AC, or as provided in this section.

(1) Preference-eligible employees, as defined in section 2108 of Reference (g), and with one year of continuous service, may appeal an action taken against them under this policy to either the Merit Systems Protection Board (MSPB) or to the AIF AC, but may not appeal to both. Section 7701 of Reference (g) shall apply to any such appeal to the MSPB.

(2) OUSD(I) employees shall not appeal to the AIF AC. Non-preference eligible employees in the OUSD(I) may appeal directly to the USD(P&R). Preference-eligible employees in the OUSD(I) may appeal an action taken against them under this policy to the MSPB or the USD(P&R), but may not appeal to both.

b. AIF AC Composition and Responsibilities

(1) The AIF AC shall consist of one DISES level, or equivalent officer (e.g., Senior Intelligence Service, DISL, active duty military officer O-6 or above) designated by each DoD Component with DCIPS positions, a legal representative, and a Chairperson appointed by the USD(I). The functions of the AIF AC may not be delegated.

(2) Responsibilities of the AIF AC are to:

- (a) Conduct necessary fact-finding and research.
- (b) Adjudicate an appeal based on its merits.
- (c) Notify the appellant and the DoD Component with DCIPS of the final ruling.
- (d) Provide instructions to the Component to redress the matter raised by the appellant for appeals that are upheld.
- (e) Return without action an appeal that is withdrawn by the appellant.

c. Appeals to the AIF AC

(1) Appeals to the AIF AC must be in writing, must specify the allegation, and must be received by the OUSD(I) HCMO by the 30th calendar day after the effective date of the AIF action.

(2) Appeals may not be filed by an employee on behalf of any other employee(s).

(3) The AIF AC will be scheduled to convene whenever the Director, HCMO, is in receipt of at least one valid appeal.

(4) An employee who has filed an appeal and is awaiting ruling on that appeal shall immediately notify the AIF AC if he or she accepts an offer of assignment to a position of the same pay band or work level he or she held immediately prior to the AIF in issue.

(5) Other avenues of redress pursuant to DoD Component administrative grievance procedures, separate laws and regulations governing prohibited personnel practices, Equal Employment Opportunity, and protections against whistleblower reprisal remain available to employees outside the AIF appeals process, as applicable.

(6) AIF AC decisions shall normally be made within 30 calendar days from the date the AIF AC convenes.

(7) AIF AC decisions are final.

d. Content of Appeals. Appeals to the AIF AC must contain:

(1) The name, address, and telephone number of the appellant, and the name and address of the agency that took the action.

(2) A description of the action the agency took and its effective date.

(3) A request for hearing if the appellant desires a hearing.

(4) A statement of the reasons why the appellant believes the agency action is wrong and copies of documentation the appellant believes support the argument that the agency action is wrong.

(5) A statement of the action the appellant would like the AIF AC to order.

(6) The name, address, and telephone number of the appellant's representative, if the appellant has a representative.

(7) A copy of the decision from the DoD Component appeal process, if the employee has first pursued that process, along with any relevant documents.

(8) A statement telling whether the appellant or anyone acting on his or her behalf has filed any other appeal, grievance, or complaint with any agency regarding the matter.

(9) The signature of the appellant or, if the appellant has a representative, of the representative.

e. AIF AC Procedures

(1) The Chairperson of the AIF AC shall reject as invalid any appeal that arrives at OUSD(I) beyond 30 calendar days after the effective date of the AIF action, and shall reject any appeal that does not contain the documentation required in subparagraph 8.d. of this enclosure.

(2) The Chairperson of the AIF AC shall establish the AIF AC schedule, meeting, or hearing locations; appoint a secretary to the AIF AC; and arrange for the availability of legal counsel.

(3) The AIF AC membership shall review all appeal documentation and discuss the merits of the appeal in person or electronically.

(4) If the appellant requests a hearing in the appeal submission, the hearing shall be scheduled promptly in order that the appeal be adjudicated within 30 days from the date the AIF AC convenes, or as soon as possible.

(5) Decisions of the AIF AC shall be made final after legal concurrence.

(6) The decision of the AIF AC shall be documented and maintained in OUSD(I) HCMO.

(7) The decision shall be communicated to the employee and the agency at the addresses provided in the appeal.

9. OUTPLACEMENT ASSISTANCE. Components will provide outplacement services to employees who are separated as the result of an AIF utilizing the following programs, as applicable:

a. DoD Priority Placement Program. Participating DoD Components with DCIPS positions shall follow the policies in Volume 1800 of this Instruction.

b. Administrative Referral Assistance. Employees who have received written notification of separation as the result of AIF may, in accordance with Volume 1700 of this Instruction, seek administrative referral assistance to publicize their availability for positions within the DoD Components with DCIPS positions for which they are qualified.

c. Severance Pay Effect on Other Benefits. DoD Components with DCIPS positions will pay severance pay under the authority of section 1603 of Reference (e) and consistent with the provisions in section 5595 of Reference (g). Since separation from a DoD Component with DCIPS positions as a result of AIF is an involuntary separation, not for reasons of misconduct, delinquency or inefficiency, employees shall be eligible for severance pay, retirement, and other benefits. To be eligible for severance pay, an employee must have been employed for at least 12 continuous months, must not be eligible for an immediate annuity from a Federal civilian retirement system or from the uniformed Services, and must not be receiving workers' compensation benefits for wage loss due to an on-the-job injury. In addition, to be eligible for severance pay, an employee may not have refused an offer of a position that is:

(1) In the same DoD Component and local commuting area; and

(2) No more than one work level or pay band below the current position (for those organizations operating under the DCIPS banded structure) or no more than one work level or three grades below the current position (for those organizations operating under the DCIPS graded structure).

d. Retirement and Effect on Other Benefits. Standing provisions available through sections 8336, 8412, and 8414 of Reference (g) and Office of Personnel Management regulations regarding discontinued service retirement, life insurance, health insurance, and other benefits are applicable for such involuntary separation.

10. RECORDS

a. DoD Components with DCIPS positions will maintain complete and accurate records relating to an AIF for at least 2 years after the final action has been taken (refer to the relevant DoD Component's records disposition schedule for specific retention periods).

b. An employee who has received a specific AIF notice has the right to review any completed records used in an AIF action that was taken, or will be taken, against the employee. An employee who has not received an AIF notice has no right to review the retention list and related records.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AIF	adjustment in force
AIF AC	AIF Appeals Committee
DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Level
DoDD	DoD Directive
HCMO	Human Capital Management Office
MSPB	Merit Systems Protection Board
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
TOF	transfer of function
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise stated, the following terms and their definitions apply to this Volume of this Instruction and serve as the basic adjustment in force taxonomy for DoD Components with DCIPS positions.

AIF. The DCIPS force shaping or reduction mechanism for releasing employees from competitive areas in order of tenure, veterans' preference, performance score, and length of service according to this Volume.

AIF AC. A DoD appellate body established by the USD(I) for adjudicating AIF appeals from DCIPS employees, except for appeals from OUSD(I) employees and appeals to the MSPB.

appeal. The administrative action available to employees separated, furloughed for more than 30 consecutive calendar days or more than 22 workdays, or changed to a lower work level, or pay

band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure).

competing employee. An employee in Tenure Groups I or III.

competitive area. The combination of geographic area and any additional criteria (e.g., work category, work level, pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure); organizational unit; occupational group; or funding lines of business) in which DCIPS employees compete for retention in AIF actions.

demotion. A change to a lower work level or pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure).

DoD Component with DCIPS positions. Defined in Volume 2001 of this Instruction.

evaluation of record. The officially designated DCIPS performance evaluation that was presented to the employee with all supervisory reviews and signatures.

furlough. The temporary release of an employee and placement in non-duty, non-pay status because of lack of work or shortage of funds. AIF procedures must be followed when the furlough is for more than 30 consecutive days or more than 22 workdays if done on a discontinuous basis, but not more than 1 year.

liquidation. The abolishment of all positions in a competitive area.

local commuting area. The geographic area that usually constitutes one area for employment purposes. It includes any population center or two or more neighboring ones, and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.

preference eligible. Defined in Section 2108 of Reference (g).

retention register. A rank-ordering of employees in the competitive area resulting from application of the retention factors. Employees are listed on the retention register in the order of the employee's relative retention standing. For example, the employee with the highest standing is at the top of the register, and the employee with the lowest standing is at the bottom of the register.

tenure group. Defined in Volume 2005 of this Instruction.

TOF. The cessation of the performance of a function in one competitive area and its addition to one or more other competitive areas, or the movement of the competitive area in which the function is performed to another commuting area. In a TOF, the function ceases in the losing

competitive area and continues in identical form in the gaining area. The function transferred must not be being performed in the gaining competitive area prior to the time of transfer.

undue interruption. A degree of interruption that would prevent the completion of required work within a reasonable period (e.g., 90 days) after the employee has been placed in a different position.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2005
March 3, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Employment and Placement

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several Volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) This Volume. In accordance with the authority in References (a) and (c), this Volume reissues Volume 2005 of this Instruction (Reference (e)) to update established policies and assigned responsibilities and provide guidance for employment and placement programs in DCIPS.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD that employ individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions.”

b. Does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority. It does not apply to members of the Defense Intelligence Senior Executive Service (DISES) or Defense Intelligence Senior Level (DISL) employees, or other experts (e.g., highly qualified experts) who work at the DISES or DISL equivalent, unless specifically addressed in other volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that DCIPS employment and placement practices shall:

a. Facilitate the recruitment and employment of a high-quality, diverse workforce with the skills and competencies needed to meet mission requirements.

b. Facilitate the development of a workforce that acquires an integrated enterprise-wide and inter-agency perspective through assignments that cross DoD Component and DoD boundaries.

c. Incorporate the practices and principles of veterans' preference, merit principles, equal employment opportunity (EEO), and restrictions on employment of relatives consistent with applicable law, and as outlined in Enclosure 2.

d. Incorporate best practices from Government and, consistent with law, the private sector, in recruiting and placing qualified staff.

e. Be executed by DoD Components with DCIPS positions, or their servicing component with appointing authority and responsibility for their employment and placement programs, as applicable. Nothing in this Volume should be construed as providing appointing authority or other personnel authority to a head of component that did not have such authority before issuance of this Volume.

5. RESPONSIBILITIES

a. Under Secretary of Defense for Personnel and Readiness (USD(P&R)). The USD(P&R), in conjunction with the Under Secretary of Defense for Intelligence (USD(I)), shall establish and maintain DCIPS policies and monitor their effects on DoD-wide personnel readiness.

b. USD(I). The USD(I) shall, in conjunction with the USD(P&R), develop and oversee the policies governing the design and administration of DCIPS employment and placement programs in accordance with Reference (d) and sections 1601-1614 of title 10, United States Code (U.S.C.), (Reference (f)) and shall monitor compliance within the DoD Components with DCIPS positions through established reporting requirements and program evaluation.

c. Heads of the DoD Components with DCIPS Positions. The Heads of the DoD Components with DCIPS positions shall:

(1) Conduct workforce planning; identify appropriate applicant sources; and recruit, assign, and manage DCIPS-covered personnel within their Components in accordance with this Volume and Volume 250 of this Instruction.

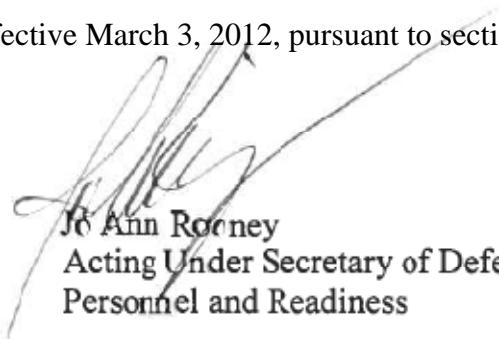
(2) Develop, publish, and maintain current qualifications criteria for all DCIPS job titles within their Component in coordination with the USD(I).

(3) Publish Component regulations and guidance in compliance with the provisions of this Volume implementing DCIPS employment and staffing policies for their DCIPS personnel; monitor compliance; and respond to reporting requirements determined by the USD(I).

6. PROCEDURES. Enclosure 2 provides an overview of DCIPS employment and placement practices and procedures.

7. RELEASIBILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective March 3, 2012, pursuant to section 1613 of title 10, United States Code (Reference (f)).



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Overview of DCIPS Employment and Placement

Glossary

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- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," November 23, 2005
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007
- (e) DoD Instruction 1400.25-V2005, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Employment and Placement," September 17, 2010 (hereby cancelled)
- (f) Sections 1601-1614 of title 10, United States Code
- (g) Title 5, United States Code
- (h) Title 38, United States Code
- (i) Part 1607 of title 29, Code of Federal Regulations
- (j) DoD Instruction 1442.02, "Personnel Actions Involving Civilian Attorneys," September 30, 2010
- (k) Executive Order 12968, "Access to Classified Information," August 2, 1995, as amended
- (l) Intelligence Community Directive 704, "Personnel Security Standards and Procedures Governing Eligibility for Access to Sensitive Compartmented Information and Other Controlled Access Program Information," 1 October 2008¹
- (m) Under Secretary of Defense for Personnel and Readiness Memorandum, "Strategic Plan for Fiscal Years 2010-2012," December 30, 2009²
- (n) DoD Instruction 1402.01, "Employment of the Retired Members of the Armed Forces," September 9, 2007
- (o) DoD Instructions 1400.20, "DoD Program for Stability of Civilian Employment," September 26, 2006

¹ Available through the Internet at http://www.dni.gov/electronic_reading_room/ICD_704.pdf

² Available through the internet at [http://prhome.defense.gov/docs/FY2010-12%20PR%20Strategic%20Plan%20\(Final%20Public%20-%20signed\)\(4%20January\).pdf](http://prhome.defense.gov/docs/FY2010-12%20PR%20Strategic%20Plan%20(Final%20Public%20-%20signed)(4%20January).pdf)

ENCLOSURE 2

OVERVIEW OF DCIPS EMPLOYMENT AND PLACEMENT

1. GENERAL STRUCTURE. DCIPS employment and placement programs shall incorporate the principles and practices of:

a. Veterans' Preference. When staffing from external sources, veterans, as defined by section 2108 of title 5, U.S.C. (Reference (g)), shall be given preference for employment in accordance with section 15 and paragraph 18.a. of this enclosure.

b. Merit System Principles. In accordance with section 1612 of Reference (f), merit system principles shall apply to DCIPS employment and placement actions.

c. Prohibited Personnel Practices. DCIPS employment and placement actions shall be free from unlawful discrimination, as well as other practices prohibited by section 2302 of Reference (g), as required by applicable law.

d. Restrictions on Employment of Relatives. Advocacy for DCIPS appointment, employment, promotion, and advancement of relatives is prohibited in accordance with section 3110 of Reference (g).

e. Employment of Former Peace Corps Employees and Volunteers. DoD Components with DCIPS positions shall recruit and employ former Peace Corps employees and volunteers in accordance with internal agreements, policies, and any requirements imposed by the Peace Corps to which the employee had agreed during employment or as conditions of employment.

f. Rank-in-Position and Rank-in-Person Constructs. The DCIPS occupational and position structure established by Volume 2007 of this Instruction provides the basis on which organizations operating under either a rank-in-position or rank-in-person personnel management construct shall establish workforce requirements to structure their recruitment, retention, and development programs in support of the intelligence mission.

g. Uniformed Services Employment and Reemployment Rights Act (USERRA). The DoD Components with DCIPS positions shall apply the provisions of USERRA in employment and placement policies and practices in order to ensure the protection of civilian job rights and benefits for veterans and members of Reserve Components as provided for by applicable law, sections 4314-4315 of title 38, U.S.C. (Reference (h)).

2. APPOINTMENT AUTHORITY. DCIPS positions shall be filled in accordance with the authority of section 1601 of Reference (f). Appointments may be permanent, indefinite, temporary, or term. Unless otherwise stated in this Volume, guidance and flexibilities provided in sections 3101-3114 of Reference (g) and DoD regulations regarding employment of special categories of personnel (students, experts, consultants, veterans, etc.) may be followed when

making similar appointments pursuant to DCIPS authority. In special circumstances, and in accordance with applicable security and suitability policy and restrictions, DoD Components with DCIPS positions may appoint non-U.S. citizens into the Federal service. Appointment authorities other than section 1601 of Reference (f), to include those for competitive service or leading to competitive service status, are not applicable to DCIPS.

3. STATUTORY AND REGULATORY LIMITS ON APPOINTING OFFICIAL AUTHORITY. Before filling positions by any other means, the DoD Components with DCIPS positions must, as applicable, satisfy the rights of employees entitled to:

- a. Restoration following military duty or recovery from compensable injury or disability in accordance with sections 4314 and 4315 of Reference (h).
- b. Reemployment under law or regulation.
- c. Restoration after a successful grievance or appeal.

4. FLEXIBILITY IN SOURCES. DCIPS recruitment and placement policies provide maximum flexibility within statutory and regulatory guidelines to recruit high-quality, diverse candidates from internal (Federal) and external (non-Federal) sources. In issuing internal DCIPS guidance, the DoD Components with DCIPS positions shall allow for varying areas of consideration depending on the nature and level of the positions to be filled. Consistent with merit system principles, recruitment and placement procedures may include any combination of internal and external recruitment sources, allowing concurrent consideration of all sources identified. Procedures shall provide for management's right to select from any appropriate source. Joint DoD and Intelligence Community (IC)-wide recruiting efforts, where appropriate, are encouraged.

5. SELECTION. All employee selections shall be made in accordance with the merit system principles specified in section 2301 of Reference (g). Selections shall be made from among qualified applicants based solely on valid job-relevant criteria in accordance with part 1607 of title 29, Code of Federal Regulations (Reference (i)).

6. EXTERNAL RECRUITMENT. When recruiting from external (non-Federal) sources, the DoD Components with DCIPS positions shall:

- a. Use the authority granted by section 1601 of Reference (f) to structure DCIPS recruitment and appointment programs that provide the most direct access to local or national sources of high-quality, diverse candidates.

b. Consistent with merit system principles, have the authority to identify, recruit, and appoint directly from any non-Federal applicant source with or without public notification or vacancy notices.

c. Determine when public notification and advertising, as described in section 8 of this enclosure, are warranted considering mission requirements, costs, and organizational benefits. For placements commonly made through college recruitment programs or in conjunction with established DCIPS special employment programs, the general, standing announcements used in support of those programs shall qualify as public notice or publication of vacancy notices. Records for these types of external recruitment actions must include documentation to ensure compliance with merit system principles and veterans' preference procedures.

7. APPLICANT SOURCES. The DoD Components with DCIPS positions shall access applicant sources through any legal means, including such resources as the Office of Personnel Management (OPM) USAJOBS website (<http://www.usajobs.gov>) and DoD Component or IC-hosted websites; newspaper and periodic publications distributed in applicant-rich population areas; job fairs or college campus recruiting activities organized by the Component or jointly by IC or Federal entities; employee referral programs; or other means consistent with the merit system principles in section 2301 of Reference (g).

8. ADVERTISING. The DoD Components with DCIPS positions, when advertising Component requirements, shall communicate employment opportunities through the most practical venues to ensure the diversity and qualifications of candidates. Component instructions shall ensure that all potential applicants, including those being recruited through job fairs or college campus recruiting activities, have access to the minimal information relevant to the opportunity being offered, to include:

- a. A brief description of job responsibilities.
- b. The pay plan, occupational series, work level, pay band (for organizations operating under the DCIPS banded structure) or grade(s) (for those organizations operating under the DCIPS graded structure), pay range, and position title.
- c. An organizational and geographic location.
- d. A statement of who may apply.
- e. A statement that the position is in the excepted service and covered by DCIPS.
- f. The minimum qualifications required.
- g. The criteria against which applications will be evaluated.

- h. The conditions of employment (e.g., trial period, mobility program requirements, security clearances, exceptional travel).
- i. A brief description of the DCIPS occupational structure.
- j. A brief description of the pay-for-performance process for those organizations operating under the DCIPS banded structure, or a description of the career advancement process applicable to those organizations operating under the DCIPS graded structure.
- k. Application documentation and procedures, including the preferred means of contact, whether the advertisement has a specific closing date or is open-ended, “rolling,” etc.
- l. An EEO/diversity statement.
- m. A statement of any incentives or entitlements for which the applicant may be considered.

9. QUALIFICATION REQUIREMENTS. The DoD Components with DCIPS positions shall apply general qualification profiles developed by the USD(I) in conjunction with their Components and the Office of the Director of National Intelligence (ODNI). These profiles shall include descriptions of the competencies, knowledge, skills, abilities, education, training, and the type and quality of experience required for successful job performance in the DCIPS occupational structure as defined in Volume 2007 of this Instruction.

a. Evaluating Qualifications. Applicants must meet the minimum qualification requirements established for the work category, occupation, and work level, as well as the pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure).

b. Comparison of DCIPS and OPM Minimum Qualifications. In the absence of USD(I) qualification profiles, the DoD Components with DCIPS positions may adopt OPM qualification standards or use existing Component-specific qualification standards derived from OPM qualification guidelines in evaluating candidate qualifications. The Table describes the equivalencies applicable to organizations using the DCIPS occupational structures defined in Volume 2007 of this Instruction. For attorney positions, DoD Components with DCIPS positions will comply with DoD Instruction 1442.02 (Reference (j)).

c. Use of Time-in-Band or Time-in-Grade. Qualifications for DCIPS positions shall not include specific time-in-band (for those organizations operating under the DCIPS banded structure) or time-in-grade (for those organizations operating under the DCIPS graded structure) requirements. In staffing DCIPS positions, the DoD Components with DCIPS positions shall emphasize the quality, rather than the duration, of experience and assess how the quality of the experience demonstrates possession of the knowledge, skills, abilities, and competencies necessary for successful job performance in the DCIPS occupational structure.

Table. Application of OPM Minimum Qualifications to DCIPS

DCIPS WORK CATEGORY	WORK LEVEL	PAY BAND	MINIMUM QUALIFYING GRADE USING GS GRADE-BASED STANDARDS
Technician/Administrative Support	1	1	GG-01
Technician/Administrative Support	2	2	GG-07
Technician/Administrative Support	3	3	GG-11
Professional	1	2	GG-07
Professional	2	3	GG-11
Professional	3	4	GG-13
Professional	4	5	GG-15
Supervision/Management	2	3	GG-11
Supervision/Management	3	4	GG-13
Supervision/Management	4	5	GG-15

d. Qualification Standards. The DoD Components with DCIPS positions may tailor the OPM or DCIPS qualification standards by adding a valid knowledge, skill, or ability derived from a documented job analysis as either a selective placement factor or a quality ranking factor. They shall ensure that all qualification standards, vacancy advertisements, and other documentation related to descriptions of work used in recruitment and staffing are consistent with the USD(I)-developed qualification profiles, and shall use the taxonomy and nomenclature consistent with Volume 2007 of this Instruction.

e. Positive Education Requirements. Establishment of positive, or minimum, education requirements must be consistent with accepted Federal practices and regulations. The DoD Components with DCIPS positions may not establish minimum education requirements for DCIPS positions unless they determine in advance of recruitment through a formal validation process conducted in accordance with Federal policy and practice that persons without that education, generally of a scientific, technical, or professional nature (but with related experience), cannot perform the work. Additional education requirements must be submitted to and approved by the USD(I) before use.

f. Professional Positions. At a minimum, all groups in the Professional work category shall require either a bachelor's degree or equivalent experience. However, some groups in this category may have a positive education requirement that cannot be replaced with experience, such as a requirement for a particular type or level of academic degree.

g. Pay Setting on Appointment to a DCIPS Position. Initial pay setting shall be made in accordance with Volume 2006 of this Instruction.

10. CONDITIONS OF EMPLOYMENT

a. Applicants are required to sign a statement indicating they understand the conditions of employment or assignment unique to DCIPS positions and acknowledge the consequences of failing to meet required conditions. Applicants who do not meet applicable conditions of employment may not be appointed or assigned.

b. The DoD Components with DCIPS positions may deny employees who do not meet or maintain a condition of employment assignment to a position, or may remove them from a position requiring a condition of employment by reassignment, demotion, or removal from the Federal service in accordance with law and applicable DoD Component regulations.

c. Each non-DCIPS applicant selected for a DCIPS position must acknowledge in writing as early as is practicable that the position for which he or she has been selected is in the excepted service and covered by DCIPS. The time at which this acknowledgment is executed is at the discretion of the DoD Component, but must be signed before the appointment is effected.

d. Offers of employment, (e.g., initial, contingent, and final) once made are normally binding on the Government, subject to requirements and budget still existing for the position, conditions of employment being met by the candidate, and changes to law prohibiting the Government from meeting the intentions of the initial offer of employment.

11. INVESTIGATIVE STANDARDS AND GUIDELINES. When access to classified information is a condition of employment or assignment, the DoD Components with DCIPS positions shall follow common investigative standards and adjudicative guidelines established by Executive Order 12968 and, as applicable, IC Directive 704 (References (k) and (l)). The DoD Components with DCIPS positions shall practice reciprocity of security clearances for their employees.

12. SECURITY ELIGIBILITY AND SUITABILITY. Candidates must meet applicable eligibility and suitability standards in References (k) and (l). This includes completion of an appropriate background investigation on the candidate and a favorable adjudication by a determining authority in addition to completion of any related authorized examinations or security procedures. The DoD Components with DCIPS positions shall not appoint selectees to a position requiring a clearance without the approval of their servicing security office.

13. QUALITY IN EMPLOYMENT AND PLACEMENT OUTCOMES. Employment and placement activities of the DoD Components with DCIPS positions shall:

a. Incorporate quality goals and standards to measure recruitment and placement results in attracting and hiring highly-qualified, diverse candidates well suited to meet mission requirements. DoD Component quality standards shall state how they, through their employment and placement practices, will ensure the availability of qualified applicants from diverse backgrounds.

b. Use essential metrics in supporting the Office of the USD(I) (OUSD(I)) and ODNI assessment of employment and placement actions. Metrics shall be consistent with the requirements established in the USD(P&R) Memorandum (Reference (m)). Specific details and requirements for such metrics shall be published in a separate volume of this Instruction. At a minimum, these metrics shall include but shall not be limited to:

(1) Time-to-Fill Metric. The DoD Components with DCIPS positions shall measure the average time it takes to fill a position as determined by the ODNI and DoD methodology.

(2) Vacancy Rate Metric. The DoD Components with DCIPS positions shall track vacancy rates in key mission categories, work categories, work levels, pay bands (for those organizations operating under the DCIPS banded structure) or grades (for those organizations operating under the DCIPS graded structure). The OUSD(I) shall consult with the DoD Components on the appropriate vacancy rate percentages to allow for normal career growth and rotational development while maintaining opportunities for new hiring.

(3) Transparency Metric. The DoD Components with DCIPS positions shall measure employee and candidate perceptions of the fairness of Component selection processes through regular opinion surveys provided through the OUSD(I) and ODNI.

(4) Collaboration Metric. The DoD Components with DCIPS positions shall report annually, as determined by the USD(I), on critical indicators of IC collaboration in employment and placement. Such indicators shall be developed by the OUSD(I) in consultation with the Components.

(5) Quality Metrics. The DoD Components with DCIPS positions shall use surveys and other appropriate means as determined by the USD(I) to measure manager satisfaction with the hiring process and with the quality of selectees.

14. TARGETING RECRUITMENT. The DoD Components with DCIPS positions may limit consideration of applicants to the smallest group that will ensure that a sufficiently diverse pool of qualified applicants is available to meet mission staffing requirements in the minimum amount of time. Source groupings may be limited to the organization where the vacancy exists, to the local commuting area or may be regional, national, or worldwide. They may include DoD IC staff, other IC staff, or all sources.

15. VETERANS' PREFERENCE IN EXTERNAL RECRUITMENT

a. Candidates New to Federal Service. The DoD Components with DCIPS positions shall identify external candidates entitled to veterans' preference as identified in section 2108 of Reference (g). Preference-eligible candidates with a Military Service-connected disability of 30 percent or more must be specifically identified. When filling positions with external applicants, preference-eligible veterans shall be granted preference in selection over non-preference-eligible candidates with substantially equal qualifications. The procedures outlined in paragraph 15.e. of

this enclosure shall apply to the non-selection of a preference-eligible candidate with a Service-connected disability of 30 percent or more.

b. Candidates with Prior Federal Service. The determination and application of veterans' preference is not required when considering candidates with prior Federal competitive or excepted service who have completed a probationary or trial period and have not been separated for cause.

c. Candidates with Prior DCIPS Service. Former DCIPS employees who served on permanent appointments, completed a trial period, and were not separated for cause may be reappointed in DCIPS without application of veterans' preference.

d. Veterans' Preference Methodology and Documentation

(1) The criteria in section 2108 of Reference (g) for determining the preference eligibility of each applicant shall apply to DCIPS without change.

(2) DoD Component procedures shall ensure that, at a minimum:

(a) Selecting officials treat veterans' preference eligibility as a positive factor in all stages of the review process, when making a selection from external recruitment sources or where veterans' preference is otherwise applicable as required by law.

(b) When making final selections (i.e., at the point where those candidates under serious consideration for an offer have been identified), the selecting official, with the assistance of the Human Resources staff, should ascertain whether any of the candidates are preference eligible. If all relevant considerations for the position are deemed equal, the selecting official must offer the position to an equally qualified preference-eligible candidate as opposed to a non-preference-eligible candidate.

(c) If a non-preference-eligible candidate is selected, the reasons for non-selection of any equally qualified preference-eligible candidate must be documented in writing and made part of the selection record. Reasons for non-selection shall be provided to the preference-eligible candidate by the servicing human resources office.

e. Additional Procedures for Passing Over a Veteran with a Compensable Service-Connected Disability of 30 Percent or More. DoD Components must notify the USD(I) and receive approval before passing over of any preference-eligible candidate with a Service-connected disability of 30 percent or more including receiving approval prior to extending a final offer of employment to a non-preference eligible candidate. Reasons for non-selection and USD(I) approval of the passover must be made part of the selection record. Reasons for non-selection shall be provided to the preference-eligible candidate by the servicing human resources office.

16. TRIAL PERIODS. Except as noted in paragraphs 16.a. and 16.b., DCIPS employees shall serve DCIPS trial periods. Trial periods shall be 2 years in duration. During this trial period, an

employee may be separated with no right of appeal outside the DoD (except as provided for preference eligibles defined as “employees” in section 7511 (a)(1)(B) of Reference (g)) at any time if it is determined that the employee’s conduct or performance is unsatisfactory. Time served in a DCIPSa temporary appointment is not credited towards completion of a DCIPS trial period.

a. Employees who have previously completed a trial period in a DCIPS position shall not serve another trial period upon acceptance of or reappointment to another DCIPS position. Current DCIPS employees who are in a DCIPS trial period and transfer to another DCIPS Component shall finish their trial period in the new DCIPS position.

b. Employees who have completed a trial period in the National Intelligence Civilian Compensation Program (NICCP) within the IC shall not be required to complete another trial period upon appointment to a DCIPS position. Current IC employees who are in a trial period in NICCP when appointed to a DCIPS position shall finish their trial period in the DCIPS appointment.

c. In cases where organizational units or other groups of employees simultaneously convert to DCIPS, individual trial period status shall be determined in accordance with the criteria in paragraphs 16.a. and 16.b.

d. Supervisory and managerial probationary periods required by section 3321 of Reference (g) are not applicable to DCIPS.

17. SUPERVISORY AND MANAGERIAL ASSIGNMENTS. The DoD Components with DCIPS positions shall ensure that employees, newly-selected to DCIPS supervisory or managerial positions, possess the required supervisory or managerial competencies for the position. Development of the necessary supervisory or managerial competencies may be achieved via training, successful accomplishment of specific supervisory or managerial work objectives, individual coaching, and other development activities.

18. INTERNAL RECRUITMENT AND PLACEMENT. When the DoD Components with DCIPS positions deem that a sufficiently diverse and well-qualified applicant pool is available within their Components by recruiting from internal sources, they shall determine the size and scope of internal areas of consideration based on the availability of the skills and competencies required for the positions to be filled.

a. Veterans’ Preference. Veterans’ preference is not applicable to recruitment from internal candidate sources.

b. Internal Placement: Competitive

(1) Selection to a Position at a Higher Work Level, Pay Band, or Grade. When selecting employees for placement in a position at a higher work level, pay band (for those organizations

operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure) than that currently held by the employee, but within the same work category, the DoD Component with DCIPS positions generally will use a competitive process as documented in the Component's internal merit placement policy. When such competitive selection includes a promotion as defined in Volume 2006, the promotion will be handled in accordance with procedures contained in that Volume.

(a) Salary progression through the Entry/Developmental Work Level, and promotions to and salary progression through the Full Performance Work Level for (for those organizations operating under the DCIPS banded structure) and promotions through the Entry/Developmental Work Level, and promotions to and through the Full Performance Work Levels (for those organizations operating under the DCIPS graded structure), as part of developmental progression for the Professional work category may be treated as non-competitive career promotions or salary progression based on the demonstration of appropriate performance and competency requirements of the next pay band or grade. For the provisions of this subparagraph to apply, the program must be authorized in the DoD Component with DCIPS positions' merit placement policy, selection for the development progression path must have been conducted competitively, and such competition must have specified the end work level or grade of the developmental plan.

(b) Promotions to a higher pay band or grade made as a part of a documented DCIPS career program for employees in other work categories or occupations may be developed and implemented by DCIPS policy, if included in the DoD Component with DCIPS positions' merit placement policy.

(2) Reassignment. In reassigning employees within the same pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure) but to a work category with higher pay band or grade potential (e.g., from the Technician/Administrative Support work category to the Professional work category), the DoD Components with DCIPS positions will normally use a formal, competitive process as documented in the DoD Component with DCIPS positions' merit placement policy.

(3) Detail. The DoD Components with DCIPS positions will normally apply competitive procedures to details of more than 240 days to positions at a higher work level or pay band (for those organizations operating under the DCIPS banded structure) or higher work level or grade (for those organizations operating under the DCIPS graded structure), and to positions in a different work category with higher pay band or grade potential, as determined by the Component.

c. Internal Placement: Exceptions to Competition

(1) Lateral Transfer. The DoD Components with DCIPS positions may noncompetitively move an employee from one Component to another within the current work category, work level, pay band (for those organizations operating under the DCIPS banded

structure), or grade (for those organizations operating under the DCIPS graded structure). Qualification requirements associated with the new position must be met.

(2) Reassignment. The DoD Components with DCIPS positions may make the noncompetitive reassignment of an employee within their Component at the current work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure). Qualification requirements associated with the new position must be met.

(3) Detail. The DoD Components with DCIPS positions may detail employees to positions in the same or equivalent work category, work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure). Normally details should not exceed 1 year. The Components shall regularly review their use of details to ensure that principles of merit, employee equity, and proper work force management are not compromised.

(4) DoD Placement Programs. As applicable, the DoD Components with DCIPS positions shall, in accordance with appropriate security guidance and considerations for limiting access to classified national security information, satisfy the rights of employees who are entitled to priority consideration for continued employment or reemployment from local special placement programs, the DoD Priority Placement Program (PPP), and other mandatory placement programs including the Reemployment Priority List.

(5) Developmental Programs. With USD(I) approval, the DoD Components with DCIPS positions shall establish career development programs for employees in the Professional work category. Such programs may establish planned salary advancement programs for those organizations operating under the DCIPS banded structure, or career promotion programs for those organizations operating under the DCIPS graded structure. If provided for in Component policies, with USD(I) approval and in accordance with DCIPS policy that may be developed, the DoD Components with DCIPS positions may establish planned salary advancement programs, or career promotion programs, to support developmental goals for employees in certain occupations in other work categories. Such programs may include non-competitive salary advances or promotions up to the full performance work level for the work category.

(a) Career development programs will be developed in coordination with the USD(I) and approved by the Head of the DoD Component with DCIPS positions, or designee, and the USD(I) and will include:

1. Hiring guidance for the occupation.
2. Planned duration of the developmental program relative to experience at hire.
3. Developmental benchmarks, performance requirements, supporting criteria, and standards that must be met in order to receive a developmental salary progression or non-competitive promotion.

4. Salary advancement or promotion schedule associated with the program, if any.

(b) Selections for these programs are conducted through a formal competitive process as outlined in the DoD Components with DCIPS positions' internal merit placement policy.

(c) As part of an approved developmental program, an employee selected competitively for a position in the developmental program may be advanced noncompetitively to the established end work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure) included in the original competition for the developmental program upon meeting developmental benchmarks, performance requirements, and other requirements as applicable. Salary advancements or promotions within the program are not an entitlement, but are contingent on meeting all advancement criteria within the program.

(d) Employees in such programs remain eligible to compete in the pay pools, as applicable, and to apply for competitive promotion opportunities.

(e) If applicable, developmental progression programs developed for positions in other work categories will include information provided in subparagraphs 18.c.(5)(a)1. through 4. in addition to any information specific to the program.

(6) Realignment. If provided by DoD Component policy, as applicable, promotions resulting from the application of a new job grading standard or the correction of a position alignment (formerly known as classification) that assign a position to a higher work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure) shall be made noncompetitively. Realignment determinations shall be made within guidelines on the total number of allowable Senior and Expert work level positions expressed as a percentage of the total number of non-DISES/DISL DCIPS positions.

(7) Accretion of Duties. If provided by DoD Component policy, and at Component discretion, promotions to a higher pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure) in the same work category or occupation resulting from the accretion of additional duties and responsibilities may be made noncompetitively. Such promotions shall be rare occurrences in Components practicing effective position management. In meeting the standard for accretion of duties, the Components shall affirm that the additional duties do not adversely affect another position and that the employee meets all eligibility requirements for the higher work level, pay band, or grade. Promotions shall be made within guidelines on the total number of allowable Senior and Expert work level positions expressed as a percentage of the total number of non-DISES/DISL DCIPS positions.

(8) Previously Held Position. Placement of an employee into a pay band or grade that he or she previously held or to which the employee previously had promotion potential may be made noncompetitively.

d. Temporary Promotions. DCIPS does not authorize, through either a competitive or noncompetitive process, temporary promotions to a higher band or grade.

19. APPOINTMENT OF RETIRED SERVICE MEMBERS. Retired Service members shall be considered for Federal civilian employment in compliance with merit system principles and in accordance with DoD Instruction 1402.01 (Reference (n)).

20. APPOINTMENT OF FEDERAL ANNUITANTS. A Federal civilian annuitant under either the Civil Service Retirement System or the Federal Employees' Retirement System may be reemployed in any position for which he or she is qualified. Reemployed annuitants may be hired on a term, temporary, or indefinite basis in either a full-time or part-time status. Federal annuitants shall be reemployed and compensated subject to the criteria and delegations of authorities set forth in Volume 300 of this Instruction.

21. STUDENT PROGRAMS. The DoD Components with DCIPS positions may utilize and structure temporary and intermittent paid student employment, intern employment, and scholarship programs to provide students with temporary exposure to work environments, acquaint them with intelligence missions, and encourage student interests in new or developing occupations and professions. Use of student programs is limited to students who are enrolled at least half-time in an accredited educational institution as determined by that institution and who have the permission of that institution, where necessary, to work at the Component.

a. Converting Student Hires to Permanent Positions. Noncompetitive conversion to a permanent position is permitted for student program participants who have graduated or met other program requirements established by the DoD Component with DCIPS positions. In determining the appropriate work level and pay band or grade, as applicable, for student employees who are being placed in permanent positions, the Components shall consider all qualifications including the student's performance record as a student employee.

b. Inter-Component Conversion. The DoD Components with DCIPS positions may noncompetitively convert student program participants from other Components with the consent of the parent Component.

c. Scholarship Programs. The DoD Components with DCIPS positions may use scholarship programs, whether statutorily limited to individual Components or broadly applicable in the Government, the IC, or the DoD consistent with Component staffing requirements and governing statute and regulation.

22. UPWARD MOBILITY AND SIMILAR HIRING PROGRAMS. The DoD Components with DCIPS positions may establish special hiring programs designed to increase diversity or improve recruitment in specific work categories, occupations, geographic areas, or other areas of focus. In establishing such programs, Components shall consider all requirements of the positions, required qualifications of program participants and develop plans for development of employees to support success of the employees in the program.

23. TEMPORARY AND TERM APPOINTMENT. The DoD Components with DCIPS positions may make temporary or term appointments to meet short-term surge or other short-duration mission requirements. The Components may make such appointments without competition or through a competitive recruitment process. The circumstances under which a temporary appointment is appropriate include, but are not limited to, filling a position to address a temporary workload peak or to complete a project or meeting a staffing need that is anticipated not to exceed a 1-year timeframe for reasons such as abolishment, reorganization, or contracting out of a function. A temporary appointment may not be used as an unofficial trial period. A temporary appointment, generally, shall be more appropriate than a term appointment when management is unable to determine in advance exactly how long the temporary need shall exist and therefore anticipates releasing the temporary employee with little advance notice.

a. Duration of Temporary Appointments. Temporary appointments shall be made for periods of 1 year or less. Temporary appointments terminate automatically upon the expiration date unless approval has been granted for an extension or the employee resigns or is separated at an earlier date. These appointments may be terminated at any time by the DoD Component. A notice period of 30 days is desired before a termination action is accomplished. Temporary appointments may be extended for up to one additional year to a maximum of 2 years of total service.

b. Appointment Authority. Section 1601 of Reference (f) is the authority for all DCIPS appointments.

c. DCIPS Term Appointments

(1) DTAs may be made noncompetitively from any source for an initial period of at least 1 year and 1 day, but not more than 5 years. These appointments must have a pre-determined end date and may be extended after the initial period up to a total of 5 years. DTAs are used to meet legitimate non-permanent staffing needs as determined by the DoD Component. Reasons for making DTAs include, but are not limited to, project work, extraordinary workload surge, scheduled abolishment, reorganization or contracting out of a function, uncertainty of future funding, or the need to maintain permanent positions for placement of surplus employees otherwise subject to reduction.

(2) DTA appointments terminate automatically upon the expiration date unless approval has been granted for an extension or the employee resigns or is separated at an earlier date. These appointments may be terminated at any time by the DoD Component. A notice period of 30 days is desirable before effecting a termination.

(a) Trial Periods for Term Employees. Term appointees shall serve trial periods consistent with those for permanent appointments as prescribed in section 16 of this enclosure.

(b) Extensions. Term employees are eligible for an extension of their appointment, even if their eligibility for noncompetitive appointment expires or is lost during the period they are serving under term employment.

(c) Promotion, Reassignment, or Reduction in Work Level, Pay Band, or Grade. A term employee may be promoted, reassigned, or reduced in work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure), to another term position provided the total combined service under the term appointment does not exceed the maximum 5-year time limitation and the employee meets the qualification requirements of the position.

(d) Conversion From DCIPS Term to DCIPS Permanent Appointment. A DCIPS term employee may be eligible for non-competitive conversion to a DCIPS permanent appointment. To be converted non-competitively to such an appointment, the employee must:

1. Be initially selected from an announcement that specifically stated that the individual could be eligible for noncompetitive conversion to a permanent DCIPS appointment at a later date.

2. Have completed at least 2 years of continuous service with at least a “Successful” overall rating of record.

3. Be converted to a permanent DCIPS position in the same or lower work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure) for which hired, except that employees hired in special programs (e.g., students) may be converted to a higher work level, pay band, or grade, in accordance with established special program guidelines.

24. TEMPORARY ASSIGNMENTS TO OTHER DoD COMPONENTS WITH DCIPS POSITIONS. DCIPS employees shall be afforded every opportunity to develop skills and contribute their talents across the DoD and in other Federal intelligence agencies, in domestic and foreign field assignments. To that end, the DoD Components with DCIPS positions shall:

a. Fully utilize competitive and noncompetitive lateral transfers, details to other DoD Components, joint duty assignments, and any additional opportunities for employees to serve across organizational lines.

b. Facilitate such assignments through advertisement, including them in career planning, recognition during performance management deliberations, and providing appropriate rewards consistent with Volumes 2006, 2008, and 2012 of this Instruction.

c. Comply with DoD policy on prescribed tour lengths and rotations to DoD Components and provide employees, assigned to such rotations, administrative return rights within the parent Component upon completion of their tours.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Leader
DoDD	Department of Defense Directive
EEO	Equal Employment Opportunity
GS	General Schedule
IC	Intelligence Community
NICCP	National Intelligence Civilian Compensation Program
ODNI	Office of the Director of National Intelligence
OPM	Office of Personnel Management
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
PPP	Priority Placement Program
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, the following terms and their definitions apply to the DCIPS Volumes of this Instruction and serve as the basic employment and placement taxonomy for DoD Components with DCIPS positions.

alignment. The alignment of positions to the DCIPS occupational structure.

competitive service. Those organizations that use the Office of Personnel Management's competitive hiring processes to evaluate and rank candidates.

competition. The established process, as detailed in the DoD Component's merit staffing plan, by which candidates are considered for the purpose of determining the best qualified individual for specific career or advancement opportunities.

condition of employment. A requirement or precondition for holding a position that is in addition to knowledge, skills, abilities, or educational qualification requirements. Conditions of employment shall be imposed when required by law or regulation, when determined by appropriate management authority to be in the best interests of DCIPS or national security, or to be mandatory for effective performance in the position. Examples of conditions of employment include, but are not limited to, the requirement to obtain and maintain access to the level of classified information required for a position, undergo a periodic polygraph examination, meet physical or medical standards, or be mobile, including in support of contingency operations.

DCIPS employee. An individual appointed to an excepted position in DCIPS.

DCIPS transfer. Movement of a permanent employee without a break in service of one full workday from a DCIPS position in one DoD Component to a DCIPS position in another Component in accordance with the authority in section 1601 of Reference (f).

detail. A temporary assignment to a different position. During the period of detail, the employee is considered as permanently occupying his or her position of record for pay and strength purposes.

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

excepted service. Excepted service organizations are specifically excluded from the Office of Personnel Management's competitive service procedures. These organizations have their own hiring system which establishes the evaluation criteria used in filling vacancies.

external (non-Federal) recruitment. Recruitment of applicants not currently serving in permanent or DCIPS positions in the Federal service. Recruitment from external (non-Federal) sources requires application of veterans' preference as prescribed by Reference (f) and this Volume.

GG grades. Defined in Volume 2007 of this Instruction.

internal (Federal) recruitment. Recruitment of applicants currently serving in Federal service to appointments in the DoD Components with DCIPS positions.

internal placement. Movement of a DCIPS employee by a competitive or noncompetitive action within a DoD Component.

NICCP. The core principles and processes collectively established by the ODNI through publication of the 600 series of IC Directives that provide a common voluntary framework for the performance management and compensation of all IC employees. The NICCP was voluntarily adopted by the DoD.

occupational group. One or more functionally-related occupations, specialties, families, or classes of positions that share distinct, common technical qualifications; competency requirements; career paths; and progression patterns.

pay pool. An aggregation of employees within a DoD Component for the purpose of making annual performance-based compensation decisions. The organizing construct for a pay pool may include consideration of organization or region of assignment, occupation, or other organizing criterion involving a common mission focus.

permanent appointment. An appointment without time limitation.

PPP. The program established pursuant to DoD Instructions 1400.20 (Reference (o)) and Volume 1800 of this Instruction.

promotion. Movement to a higher work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure).

reassignment. The assignment of a DCIPS employee to another DCIPS position in the same work level, pay band (for those organizations operating under the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure), within his or her DCIPS Component.

temporary appointment. An appointment made initially for 1 year or less to meet short-term surge or other short-duration mission requirements.

term appointment. A DCIPS appointment to a position where the need for an employee's service is not permanent. A DTA shall be made for an initial specified period of more than 1 year, but fewer than 5 years. Initial appointments of fewer than 5 years may be extended to a maximum of 5 years.

transfer. The permanent appointment of a DCIPS employee involving the movement from one DCIPS Component to another without a break in service in accordance with the authority in section 1601 of Reference (f). Such appointments may be made noncompetitively or competitively. Noncompetitive transfers, i.e., lateral transfers, are made to the same work category, work level, pay band (for those organizations operating the DCIPS banded structure), or grade (for those organizations operating under the DCIPS graded structure). Movement of employees to higher work levels, pay bands, or grades or to work categories having higher promotion potential must be made competitively.

trial period. A period of 2 years following initial appointment during which employees have no appeal rights except for those preference eligibles as defined in section 7511(a)(1)(B) of Reference (g).

work category. Defined in Volume 2007 of this Instruction.

work level. Defined in Volume 2007 of this Instruction.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2006

March 3, 2012

Incorporating Change 2, Effective December 29, 2015

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Compensation Administration

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several Volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) This Volume. This Volume:

(a) Reissues DoD Instruction 1400.25-V2006 (Reference (e)) and, in accordance with Intelligence Community Directive Number 653 (Reference (f)), establishes core policies, definitions, responsibilities, procedures, and delegations for the design of the DCIPS compensation administration and supports the application of this structure to individual positions covered by DCIPS.

(b) Incorporates changes resulting from Title XIX, Subtitle B of Public Law 111-84 (Reference (g)).

2. APPLICABILITY

a. This Volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD that employ individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions.”

b. This Volume does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority. It does not apply to members of the Defense Intelligence Senior Executive Service (DISES) or the Defense Intelligence Senior Level (DISL), or other experts (e.g., highly qualified experts) who work at the DISES or DISL level, unless specifically addressed in other Volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that compensation practices for DCIPS-covered employees shall:

a. Be competitive to attract and retain a high-quality workforce dedicated to the intelligence mission, and consistent with practices issued by the Office of the Director of National Intelligence as agreed to by DoD.

b. Provide for the appropriate exchange of compensation information with other appropriate human resource or financial systems within the DoD Components.

c. Provide a basis for linking performance-based pay increases and bonuses to individual accomplishments, demonstrated competencies, and contributions to organizational results.

d. Provide for special demands created by unique working conditions and deployment requirements.

e. Comply with merit system principles in accordance with section 2301 of title 5, United States Code (U.S.C.) (Reference (h)).

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides procedures for the implementation of DCIPS compensation administration.

7. RELEASABILITY. ~~UNLIMITED. This instruction is approved for public release and Cleared for public release.~~ This volume is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE

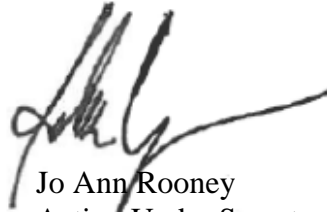
a. This Volume: *is effective March 3, 2012.*

~~——(1) Is effective March 3, 2012, pursuant to section 1613 of title 10, U.S.C. (Reference (i)).~~

~~——(2) Must be reissued, cancelled, or certified current within 5 years of its publication to be considered current in accordance with DoD Instruction 5025.01 (Reference (j)).~~

~~——(3) Will expire effective March 3, 2022 and be removed from the DoD Issuances Website if it hasn't been reissued or cancelled in accordance with Reference (j).~~

b. Change ~~1~~ 2 to this Volume is effective ~~January 17, 2014~~ December 29, 2015, pursuant to section 1613 of Reference (i).



Jo Ann Rooney
Acting Under Secretary of Defense
For Personnel and Readiness

Enclosures

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2. Responsibilities
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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” ~~November 23, 2005~~ *October 24, 2014, as amended*
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007, as amended
- (e) DoD Instruction 1400.25-V2006, “DoD Civilian Personnel Management System: Defense Intelligence Personnel System (DCIPS) Compensation Administration,” April 22, 2010, as amended (hereby cancelled)
- (f) Intelligence Community Directive Number 653, “Pay-Setting and Administration for the Intelligence Community Civilian Workforce,” May 14, 2008¹
- (g) Title XIX, Subtitle B of Public Law 111-84, “National Defense Authorization Act for Fiscal Year 2010,” October 28, 2009
- (h) Section 2301 and chapters 53, 55, 57, and 59 of title 5, United States Code
- (i) Sections 1596, and 1601-1614 of title 10, United States Code
- ~~(j) DoD Instruction 5025.01, “DoD Directives Program,” September 26, 2012, as amended~~
- ~~(k)~~ Parts 530 to 591, title 5, Code of Federal Regulations
- ~~(l)~~ Department of State Standardized Regulations, current version²
- ~~(m)~~ Section 201 et. seq. of title 29, United States Code (also known as “The Fair Labor Standards Act, as amended”)
- ~~(n)~~ Quadrennial Defense Review Report, *March 4, 2014* ~~February 1, 2010~~³
- ~~(o)~~ Director of National Intelligence, “*The National Intelligence Strategy of the United States of America*,” ~~October 2005~~ *September 18, 2014*⁴

¹ Available through the Internet at http://aoprals.state.gov/content.asp?content_id=286&menu_id=75

<http://www.dni.gov/index.php/intelligence-community/ic-policies-reports/intelligence-community-directives>

² Available through the Internet at <http://www.defense.gov/qdr/QDR%20as%20of%2029JAN10%201600.pdf>

http://aoprals.state.gov/content.asp?content_id=231&menu_id=81

³ Available through the Internet at <http://www.dni.gov/publications/NISOctober2005.pdf>

http://www.defense.gov/Portals/1/Documents/pubs/2014_Quadrennial_Defense_Review.pdf

⁴ Available through the Internet at http://www.dni.gov/files/documents/2014_NIS_Publication.pdf

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall:

a. In conjunction with the Under Secretary of Defense for Intelligence (USD(I)), develop DCIPS compensation administration policies and monitor their effects on DoD-wide personnel readiness.

b. Ensure, through the USD(P&R)-appointed Co-Chair of the Defense Intelligence Human Resource Board (DIHRB), that the DIHRB considers business cases for DCIPS compensation policy or changes to existing policy and advises the USD(I) of its positions and recommendations.

2. USD(I). The USD(I) shall:

a. In conjunction with the USD(P&R), prescribe policies governing the design and administration of the DCIPS compensation structure and practices in accordance with References (c), (d), and (f) and provide oversight to ensure compliance within the DoD Components with DCIPS positions.

b. Ensure, through the *USD(I)-appointed* Co-Chair of the DIHRB, that the DIHRB considers business cases for DCIPS compensation policy or changes to existing policy and advises the USD(I) of its positions and recommendations.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall establish guidance for implementing DCIPS compensation policies and practices to DCIPS-covered positions and be accountable for compliance with policies established in this Volume and any subsequent DoD guidance.

ENCLOSURE 3

DCIPS COMPENSATION ADMINISTRATION PROCEDURES

1. GENERAL STRUCTURE.

~~—a.~~ DCIPS shall implement a world-wide base compensation structure consistent with the goals and principles of the DCIPS compensation philosophy at Appendix 1 of this enclosure. For DCIPS-covered employees, the structure consists of 5 broad pay bands (for those organizations operating under the DCIPS banded structure), and 15 grades (for those organizations operating under the DCIPS graded structure), aligned to labor market factors in order to enable the DoD Components with DCIPS positions to effectively recruit, develop, and retain a high-quality workforce.

~~—b. Once the world-wide base compensation structure has been established, the USD(I) may authorize adjustments to the rate ranges for DCIPS pay bands and grades when such adjustments are necessary to maintain alignment to General Schedule pay ranges.~~

2. ESTABLISHING PAY SCHEDULES AND BAND RATE RANGES. In accordance with sections 1601 and 1602 of *title 10, U.S.C.* (Reference (i)), the USD(I), in conjunction with the USD(P&R), shall establish DCIPS pay band rate ranges and graded pay schedules based on the general schedule-(GS), other Federal schedule adjustments, and appropriate labor market data analyses. Consideration shall be given to the rate ranges established ~~by DoD~~ for other appropriate *DoD* human resources systems ~~within DoD~~.

a. DCIPS positions shall be assigned to the DCIPS occupational structure in accordance with Volume 2007 of this Instruction.

b. DCIPS pay band and grade rate ranges will correspond to the rate ranges for the GS-equivalent GG grades extended by the value of two steps pursuant to authorities granted in sections 1601 and 1602 of Reference (i). The pay band and grade rate ranges will correspond to work levels defined in Volume 2007 of this Instruction.

~~c. The USD(I), in conjunction with the USD(P&R), may adjust base pay band and grade rate ranges annually, or as necessary, to maintain parity with DoD GS structures for those in GS-equivalent GG grades. When GS pay rates are adjusted based on an Executive order or by an act of Congress, DCIPS grade rate ranges and pay bands will be adjusted automatically based on the applied percentage derived from the updated GS rates to ensure consistency among GS and DCIPS. Employees in organizations operating under the DCIPS banded structure may be precluded from receiving a base pay increase due to poor performance as specified in Volume 2012 of this Instruction.~~

~~d. Pay band and grade rate ranges will be reviewed for possible adjustment annually. New~~ Base pay rate ranges *adjusted in accordance with paragraph 2.c. of this enclosure* will be

effective the first full pay period beginning in January of each year. New or revised base pay ranges may also be issued with effective dates other than January, with the USD(I) approval and in conjunction with the USD(P&R), in response to specific recruiting and retention demands or in other circumstances that would warrant changes to DCIPS base pay rate ranges or pay structures.

3. LOCAL MARKET SUPPLEMENT (LMS). Pay band and grade rate ranges will be adjusted by LMSs that reflect the difference between the DCIPS base rate structure and the competitive requirements for the labor market in the DCIPS locality area. LMS rates will be set in accordance with section 1603 of Reference (i), based either on GS locality rates relative to the DCIPS base rate structure, or on targeted labor market analyses conducted in accordance with generally accepted compensation practices and approved by the USD(I), in conjunction with the USD(P&R). LMS rates are based on the location of the employee's official worksite as documented on the employee's Notification of Personnel Action (Standard Form 50 or equivalent).

a. LMS rates will be set based on rates established for the GS pay system pursuant to Reference (h), but will be determined separately from these rates.

b. LMSs will be established as additions to the DCIPS base rate for pay bands and grades, and will be considered basic pay for computation of all entitlements. LMS areas correspond to the Office of Personnel Management (OPM) locality pay areas, unless otherwise identified.

c. Additional or modified local market areas may be established by the USD(I), in conjunction with the USD(P&R), where a mission-based business case exists.

d. LMSs will be granted to employees otherwise eligible on the effective date of their permanent assignment to a specific locality area qualifying for an LMS. The LMS will be computed as a percentage of pay added to their base pay rate. Eligibility for a particular LMS rate ends on the date before permanent assignment out of that particular local market rate area. Assignment to a new local market area will normally begin on the first day of a new pay period.

e. The USD(I), in conjunction with the USD(P&R), may increase or decrease LMSs at any time in response to mission requirements. Regardless of the supplement authorized by this paragraph, an employee's adjusted basic pay may not exceed the rate for Level IV of the Executive Schedule. The LMS for the employee shall be reduced as necessary to comply with this limitation.

~~f. When an LMS is increased:~~

~~———(1) In accordance with Volume 2011 of this Instruction, employees who have a current evaluation of record of "minimally successful" or above will receive any applicable LMS increase for the geographic location to which they are assigned.~~

~~————(2) In accordance with Volume 2011 of this Instruction, an employee who has a current evaluation of record of “unacceptable” will not receive any applicable LMS increase for the geographic location to which the employee is assigned. If reassigned to another geographic location, employees with current evaluations of record of “unacceptable” shall not be eligible for the LMS increases for the new geographic locations, but shall be eligible for the LMSs in effect prior to the increase. If the employee’s evaluation of record for a subsequent appraisal period is above “unacceptable,” the employee will receive an increase in the LMS so that the supplement is equal to the supplement for the employee’s geographic location; this increase will not be retroactive.~~

~~————(3) Employees who do not have a current evaluation of record when a supplement is adjusted will receive any applicable LMS increase for the geographic location to which they are assigned.~~

f. When GS locality rates are adjusted based on an Executive order or by an act of Congress, corresponding DCIPS LMS rates based on GS locality rates will be adjusted automatically by the same percentage as the GS locality rates. Adjustments to DCIPS LMS rates based on GS locality rates will be effective the first full pay period beginning in January of each year. Any adjustments to LMS rates that have been created in accordance with paragraph 3.c. of this enclosure must be approved by the USD(I), in conjunction with the USD(P&R).

g. When an LMS is *increased or* decreased as a result of the annual market analysis or ~~other determination for other reasons (e.g., Executive order)~~, the ~~decrease adjustment~~ applies to all employees receiving the supplement regardless of current *performance evaluation* rating of record. Pay retention pursuant to this Volume does not apply in the case of a reduction in an employee’s pay that results from a reduction in an LMS. This reduction in an employee’s pay does not constitute an adverse action.

h. For an employee who is temporarily assigned to a different local market area, the official worksite remains unchanged (i.e., the location of the permanent assignment) and there is no change to the LMS unless the employee is authorized to receive relocation expenses by chapter 57 of Reference (h) in conjunction with a temporary change of station.

4. TARGETED LOCAL MARKET SUPPLEMENT (TLMS). TLMS is a type of local market supplement that may be implemented within the DCIPS pay band and grade structure in appropriate circumstances. TLMSs are established following the same principles as the LMSs in section 3 of this enclosure. However, TLMSs may be established for employees in specified local market areas (or worksites) that are a subset of or that cross established locality area boundaries. They may also be established for employees in specific occupations or specializations that require separate interventions to ensure that qualified employees can be hired and retained in support of the intelligence mission. They may cover one or more work levels, inclusive of the grades included in the work level(s). They are established in response to labor market conditions that are not fully addressed by the DCIPS pay band or grade rate ranges and LMSs. These TLMSs shall be established as additions to the standard DCIPS pay band and grade rate ranges.

a. The USD(I) may, in conjunction with the USD(P&R), set, modify, or eliminate, as needed, a TLMS. In determining the amount of the TLMS, mission staffing challenges, labor market conditions, availability of funds, and comparability with similarly-situated employees of the DoD and other Federal agencies, and any other relevant factors shall be considered.

b. Components operating under other market-based pay practices at the effective date of this regulation will be granted exceptions to continue with their current practices until a review and analysis of requirements is completed and a phased-in TLMS implementation plan is developed. The implementation plan will be approved by the USD(I) based on assessment of mission impact by the head of the affected component and DoD and Government-wide equity considerations.

c. TLMSs may not be paid in addition to an LMS. TLMSs include consideration of the total market situation with regard to the targeted situation.

d. DoD Components with DCIPS positions assigned to foreign locations are authorized to pay a common TLMS tied to the Washington-Baltimore-Northern Virginia, DC-MD-PA-VA-WV locality rate or LMS rate. This provision may be subject to such limitations as may be established by statute or changes made by the USD(I). This provision requires that Defense Intelligence Components currently paying special rates or allowances adopt the targeted local market authority established by this provision for their employees assigned to foreign and non-foreign outside the ~~continental~~ *contiguous* United States (~~OCONUS~~) locations.

~~—e. DoD Components with DCIPS positions assigned to non-foreign OCONUS locations are authorized to pay a common TLMS rate (formerly tied to the Washington-Baltimore-Northern Virginia, DC-MD-PA-VA-WV LMS rate) through the last day of the last pay period of 2014 to employees who had been permanently assigned to a DCIPS position in a non-foreign OCONUS location prior to January 2, 2011.~~

fe. Decrease in the amount or termination of a TLMS is not an adverse action.

gf. TLMSs will be established as additions to the DCIPS base rate for pay bands and grades, and will be considered basic pay for computation of all entitlements. TLMS areas correspond to the OPM locality pay areas, unless otherwise identified.

hg. Procedures for adjusting individual employee pay when a TLMS is increased or decreased, or when an employee is assigned to a different geographic area, will be handled in accordance with those established for LMSs in paragraphs 3.f., 3.g., and 3.h of this enclosure.

h. *When GS locality pay rates are adjusted based on an Executive order or by an act of Congress, any TLMS rate that is directly linked to a specific DCIPS local market area corresponding to a GS locality pay area, such as that described in paragraph 4.d. of this enclosure, will be adjusted automatically by the same percentage as the GS locality rates. Such TLMS rates will be effective the first full pay period beginning in January of each year.*

5. ESTABLISHMENT OF ADDITIONAL MARKET-BASED COMPENSATION RATE RANGES. If labor market conditions warrant, the USD(I), in conjunction with the USD(P&R), may establish new DCIPS base compensation rate ranges applicable to specific components, locations, occupational groups, or specialties. Generally, such action will be taken only when it has been demonstrated that other flexibilities within DCIPS policy are no longer sufficient to ensure Defense Intelligence ability to staff and retain a quality workforce in the targeted occupational or specialty groups required to execute the Defense Intelligence mission and would be required only when the market situation in the targeted workforce group is such that separate policy considerations are deemed necessary to maintain the integrity of the DCIPS compensation framework.

a. The establishment of new DCIPS base compensation rate ranges shall be supported by:

(1) Detailed analysis of recruiting or retention issues regarding the targeted occupational or specialty groups, and supporting evidence that other actions within the existing DCIPS policy framework, including recruitment, relocation, and retention incentives are insufficient to ensure successful maintenance of the required workforce.

(2) An accompanying plan for ongoing review of the effectiveness of the new base compensation structure and trigger indicators for phasing the new structure into the core DCIPS framework as conditions warrant.

b. All policies regarding LMSs, TLMSs, and base rate-range maintenance are applicable to any new DCIPS base compensation rate ranges.

c. When a new DCIPS rate range is created, the rate range applies to employees who are assigned to positions with the same occupation or specialization and at the band or grade for which the new rate range was created. Performance rating is not an indicator of whether or not an employee should be assigned to a particular rate range. Employees on DCIPS indefinite pay retention will remain on pay retention unless the employee's basic pay falls within the base pay band or grade ranges of the new rate range plus any applicable LMS or TLMS. In that case, the compensation administration guidelines for an employee not on pay retention will apply.

6. OTHER DCIPS TOOLS FOR MAINTAINING COMPENSATION MARKET COMPETITIVENESS. Local circumstances may suggest the need for pay flexibilities less significant than the establishment of a new compensation base schedule, LMSs, or TLMSs. Under DCIPS, an additional flexibility is available to address more subtle market pressures. This is the variable control point.

a. Variable Control Point. For those organizations operating under the DCIPS banded structure, or for progression within work levels for those organizations operating under the DCIPS graded structure, it may be appropriate, in certain circumstances, to establish control points that are above or below the midpoint of the work level. These control points are appropriate when market rates for a specific occupation or occupational specialty, or work level(s) within that occupation or occupational specialty, differ significantly from those other

occupations assigned to the work level. In such situations, the establishment of variable control points may be used to accelerate or moderate the rate of increase within the work level for the affected occupations sufficiently to preclude the need for additional TLMSs or a new base compensation structure. The variable control point applicable to an employee is determined by the employee's occupation, specialization, work category, work level or pay band, and official worksite. Control points in a graded structure shall be set to a specific grade within a work level, rather than a specific salary within the pay range associated with the work level.

b. Establishing Variable Control Points. The DoD Components with DCIPS positions may submit requests to establish variable control points to the USD(I). All requests must be accompanied by supporting market analysis and an assessment of the effects the additional control points are expected to have on recruitment and retention of the affected occupations, specialties, or locations. The USD(I) will determine whether such control points will be established applicable to a specific DoD Component with DCIPS positions or to all DCIPS employees in the affected occupation, specialties, or locations.

c. Funding Variable Control Points. No additional funding will be added to the pay pool of the DCIPS Component with DCIPS positions as a result of the establishment of additional control points.

d. Adjusting or Terminating Variable Control Points. Variable control points are established for a period of 1 year. Absent an action by the USD(I) to continue or modify an individual control point other than the standard range midpoint for pay bands, all variable control points will terminate prior to initiation of the annual compensation decision process for DCIPS employees. The DoD Components with DCIPS positions may submit requests to continue or modify individual control points, based on a supportive business case analysis, during the annual review of DCIPS compensation competitiveness. Based on the substance of the Component submission, the USD(I) will determine to continue, adjust, or terminate those control points in response to appropriate market analysis.

7. DETERMINING THE OFFICIAL WORKSITE. Implementation of some of the tools for maintaining compensation market competitiveness requires establishment of an official worksite for the employee.

a. The official worksite is the location where the employee regularly performs his or her duties. If the employee's work involves regular travel or the employee's work location varies on a daily basis, or if the employee is absent from the worksite for an extended period due to injury, military reserve service, or other reasons, the official worksite is the location where his or her work activities are based as determined by the employing DoD Component with DCIPS positions. The employing Component must document the employee's official worksite on Standard Form 50 (or equivalent) (located at DoD Forms Management Program Website at <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>).

b. For an employee serving on a Joint Duty Assignment (JDA) or other rotational assignment, the official worksite is the location where the employee regularly performs work

associated with the JDA. Documentation of rotational assignments such as JDAs will be accomplished in accordance with law and standard DoD Component practices.

c. For an employee covered by a telework agreement who is scheduled while in duty status to report at least once a week on a regular and recurring basis to the regular worksite for the employee's position of record, the regular worksite is the official worksite. However, for an employee whose work location varies on a daily basis, the employee need not report at least once a week to the established official worksite as long as the employee is performing work within the local market area for that worksite at least once a week on a regular and recurring basis. If an employee covered by a telework agreement does not meet the requirements of paragraph 7.a. of this enclosure, the employee's official worksite is the location of the employee's telework site. An authorized management official may make a temporary exception in appropriate situations, such as when an employee is recovering from an injury or medical condition that prevents the employee from commuting to the regular worksite.

8. BASE COMPENSATION LIMITATION. The DCIPS base compensation rate ranges, and any associated supplements that are included as basic pay for retirement and other benefit determinations, will comply with Federal compensation guidelines on compensation limitations contained in Reference (h).

9. OFFERS OF COMPENSATION FOR DCIPS POSITIONS. Compensation offers once made generally may not be reduced by the offering component, subject to requirements and budget still existing for the position and the applicant meeting all conditions of employment. Offers of employment are addressed in Volume 2005 of this Instruction.

10. SETTING PAY WITHIN DCIPS:

a. Setting Pay - General. Pay for DCIPS positions will generally be set between the minimum and step 10 of the applicable GG grade for organizations operating under the DCIPS graded structure, or between the band minimum and the rate that is equivalent to the step 10 rate for organizations operating under the DCIPS banded structure. ~~Pay for promotions is generally set using the rules specified under paragraphs 10.g.(1) and 10.g.(2) of this enclosure. Components may set pay higher than the step 10 rate and may apply alternative pay setting rules for promotions in order to align with federal organizations outside of DCIPS paying special salary rates or that otherwise have the authority to pay higher than the DCIPS step 10 rate, when authorized by the USD(I). Pay may not be set higher than the grade or band range maximum except as provided under section 12 of this enclosure. On initial appointment to a DCIPS position from a Federal position not covered by DCIPS, DoD Components may set pay higher than the step 10 rate or equivalent pay band rate, but not higher than the maximum for the DCIPS rate range or grade, when such rate is necessary because the losing entity has authority to pay rates higher than those authorized for the DCIPS position to which the appointment is being made. USD(I) authorization is required for each such appointment.~~

b. Setting Pay on Initial DCIPS Appointment From Outside of the Federal Service

(1) Newly-appointed DCIPS employees from outside of the Federal service shall be placed within the appropriate pay band (for those organizations operating under the DCIPS banded structure) or work level and grade (for those organizations operating under the DCIPS graded structure) based on the occupational structure set forth in Volume 2007 of this Instruction. Discretionary considerations may also include:

- (a) Previous salary received for work in a similar occupation or specialty;
- (b) Consideration of the individual's highest previous rate if a former Federal Government employee; or
- (c) Qualifying work or educational experience applicable to the work category, occupation or specialty, work level, band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure), and job title of work to be assigned.

(2) For those organizations operating under the DCIPS banded structure, initial individual salaries may be set anywhere between the band minimum and the rate equivalent to step 10 of the highest equivalent GG grade in the DCIPS graded structure, but are normally set at or below the midpoint of the band.

(3) For those organizations operating under the DCIPS graded structure, initial individual salaries generally are set to the work level and grade that most appropriately represents the individual's experience. Once the appropriate grade within the work level is determined salary is determined. Salary offers may not exceed step 10 of the grade, but generally are set at or below step 5 of the grade.

(4) Decisions on initial salaries shall consider work to be performed, specific labor market, salary history, and internal equity considerations, and such other considerations that comply with the merit system principles and guidelines established by the applicable DoD Component with DCIPS positions in accordance with paragraph 10.c. of this enclosure.

(5) Initial salary offers will be established from a total compensation perspective considering the combined DCIPS base compensation and any available LMSs or TLMSs.

c. Setting Pay on Initial Appointment to a DCIPS Position from the Federal Service Outside of the DoD or from the Federal Service Outside of the Intelligence Community (IC)

(1) Newly-appointed DCIPS employees from the Federal service outside of the DoD or from the Federal service outside of the IC shall be placed within the appropriate work category, work level, and pay band (for those organizations operating under the DCIPS banded structure) or work category, work level and grade (for those organizations operating under the DCIPS

graded structure) based on the occupational structure set forth in Volume 2007 of this Instruction.

(2) For those organizations operating under the DCIPS banded structure, except as provided under paragraph 10.a. of this enclosure, initial individual salaries may be set anywhere between the band minimum and the rate equivalent to step 10 of the highest GG grade in the DCIPS graded structure but are normally set at or below the midpoint of the band.

(a) For those employees whose appointment is not a promotion, specific consideration may be given to the period of time completed toward a periodic step increase in the previous position at the time of the DCIPS appointment. If a buy-in of the within-grade increase (WGI) is authorized, the employee's current base pay rate will be adjusted for the pro-rata share of their next WGI earned as of the date of DCIPS appointment. The pro-rata share adjustment will be computed by dividing the number of full calendar days completed toward the next due date by the number of calendar days in the waiting period and multiplying that number by the value of the WGI. Due dates for appointment computation purposes shall be adjusted in accordance with the requirements in part 531 of title 5, Code of Federal Regulations (Reference ~~(k)~~) for periods in non-pay status that would normally have affected the WGI due date. The annualized WGI buy-in amount will be added to the employee's base pay rate on the effective date of appointment to establish the initial salary rate under DCIPS. Employees at step 10 or higher of their GS grade at the time of DCIPS appointment shall not be eligible for a buy-in adjustment of base pay. Payment of a WGI buy-in resets the employee's date of last equivalent increase.

(b) Employees under a non-DCIPS pay banded system on the date of appointment into a DCIPS pay banded position who do not have WGI eligibility under their current system are not eligible for a WGI buy-in upon DCIPS appointment.

(c) For those employees whose appointment is a promotion, pay setting will be accomplished as noted in subparagraph 10.g.(1) of this enclosure.

(3) For those organizations operating under the DCIPS graded structure, there is no change in salary upon assignment to a DCIPS position for those employees whose appointment from the GS to the DCIPS graded structure is determined to be a lateral movement except as provided under paragraph 10.a. of this enclosure.

d. Establishing Guidelines for New Appointment Salary Setting. The Heads of the DoD Components with DCIPS positions shall establish pay setting guidelines for new DCIPS appointments in coordination with the USD(I). These guidelines will, at a minimum, include:

(1) Labor market indicators to be used to set salary offer ranges in the area for which the DoD Component is recruiting, by occupation or specialty, work level, band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure), and relationship to hiring experience during the previous year.

(2) Guidance for evaluating experience and work history in establishing the initial salary offer.

(3) Specific guidance for consideration of prior salary history and band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure) for which applicant is being considered.

(4) Guidance for consideration of internal equity in making a salary offer.

(5) Circumstances under which an appointment salary above the midpoint of the pay band rate range, or above step 5 of the grade for employees new to Federal Government, may be considered.

(6) Specific flexibility available to a hiring official within the salary range to negotiate initial salary, consistent with other guidance and merit system principles.

(7) Frequency of review of salary offer ranges.

e. Setting Pay on Appointment to a DCIPS Position From Another DoD Component or IC Organization. DCIPS authorities established in this Volume should not be used to provide competitive advantage in recruiting employees for DCIPS positions from other DoD Components or the IC. Pay-setting practices for DoD and IC employees shall comply with DCIPS policy as set forth in paragraph 10.c. of this enclosure except that:

(1) When an employee is assigned from another pay banded system to a DCIPS pay band and the two pay bands overlap, consideration may be given to experience and current pay levels in determining whether the DCIPS pay band placement is a promotion or a reassignment. If the employee is not otherwise eligible for a pay increase in either system upon DCIPS appointment, consideration may also be given to a performance-based pay increase the employee would have been likely to receive had he or she not been appointed to DCIPS.

(2) For GS or equivalent employees placed into a DCIPS pay banded position, consideration in determining the appropriate DCIPS salary may be given to:

(a) Time completed toward a WGI under the GS or equivalent pay system.

(b) A documented career ladder promotion expectation.

(c) The employee's highest previous salary rate if a former Federal employee.

(3) For GS or equivalent employees assigned to a DCIPS pay banded component, a WGI buy-in may be offered as part of the salary negotiation process if they are otherwise being offered a lateral transfer at their current salaries. The procedures in subparagraph 10.c.(2)(a) of this enclosure shall be applied to determine the amount of any such increase in salary.

(4) For GS or equivalent employees whose appointment to the DCIPS graded structure is determined to be a lateral movement, there is no change in salary upon assignment to a DCIPS position from the DoD or IC except as provided under paragraph 10.a. of this enclosure.

(5) For former National Security Personnel System (NSPS) employees who were placed on retained pay as a result of conversion out of NSPS, who have not otherwise lost eligibility for pay retention, will retain their pay retention status on appointment into DCIPS if the retained rate of pay cannot otherwise be accommodated within the DCIPS work level and grade to which the employee is appointed.

f. Setting Pay Upon Lateral Transfer Within and Between DoD Components With DCIPS Positions. DCIPS employees who accept a position, or are directed to move without a break in service, within the DoD Components with DCIPS positions, through competitive or non-competitive processes in accordance with Volume 2005 of this Instruction, will be moved at their current base salary as of the effective date of the move. Employees on retained pay laterally reassigning keep the retained pay rate.

(1) For an employee moving from an organization operating under the DCIPS banded structure to an organization operating under the DCIPS graded structure, the salary will be aligned to the closest step of the new grade that is not less than the employee's current salary, not to exceed step 10 of the new grade. If the employee's current salary in the DCIPS banded structure is over the step 10 rate of the applicable GG grade in the DCIPS graded structure, the employee will be transferred at their current rate of pay, to include a retained rate.

(2) For an employee moving from an organization operating under the DCIPS graded structure to an organization operating under the DCIPS banded structure, a WGI buy-in shall be offered as part of the salary negotiation process provided the employee is not currently at or above step 10 of their grade. The procedures in subparagraph 10.c.(2)(a) of this enclosure shall be applied to determine the amount of any such increase in salary.

(3) Employees who move from an organization operating under the DCIPS graded structure into a DCIPS organization operating under the DCIPS banded structure will be eligible for consideration in the gaining organization's pay pool process, in accordance with Volume 2012 of this Instruction.

(4) When an employee transfers from an organization operating under the DCIPS banded structure to another organization operating under the DCIPS graded structure, and the timing of the transfer will make the employee ineligible for a within-band developmental salary increase or performance-based salary increase for which they would otherwise have been eligible, the gaining DoD Component may, in consultation with the losing Component, adjust the employee's salary on the effective date of the transfer by an amount not greater than that which would have been received as a developmental salary increase or the expected performance-based salary increase. The new salary must align to a specific grade and step.

g. Setting Pay Upon Promotion for Movements Within and Between DoD Components with DCIPS Positions. A promotion occurs when an employee moves to a higher pay band or grade

within the DCIPS compensation structure either within his or her current DoD Component with DCIPS positions or to another DoD Component with DCIPS positions.

(1) Promotion to a Position in the DCIPS Banded Structure

(a) Upon the effective date of the promotion, an employee promoted to the next higher pay band, or promoted into a pay banded position, will receive a base pay increase of 6 percent of the base pay rate, or the minimum rate of the pay band to which the employee is being promoted, whichever is greater. In no case will an employee's rate of base pay be set higher than the rate equivalent to step 10 of the highest equivalent GG grade in the DCIPS graded structure.

(b) Promotions for employees under pay retention will be treated in the same manner as subparagraph 10.g.(1)(a) of this enclosure.

(2) Promotion Within the DCIPS Graded Structure

(a) Upon the effective date of the promotion, an employee promoted to the next higher grade will have their base pay increase calculated as equivalent to two steps in the employee's current grade aligned to the next highest step of the new grade, or the minimum rate for the grade to which the employee is being promoted, whichever is greater. In no case will an employee's rate of base pay be set higher than step 10 of the grade.

(b) Upon the effective date of the promotion, an employee promoted from a position in the DCIPS banded structure to a position in the DCIPS graded structure will receive an increase of 6 percent to their current base pay, aligned to the next highest step of the new grade, or the minimum rate for the grade to which the employee is being promoted, whichever is greater. In no case will an employee's rate of base pay be set higher than step 10 of the grade.

(c) When an employee under pay retention is promoted, he or she is entitled to the greater of basic pay at the lowest rate of the higher grade which exceeds the maximum rate (the equivalent of step 12) of the grade from which promoted by not less than two step increases of that grade; or his or her existing retained rate.

(d) If the employee's existing retained rate is the greater amount, the retained rate must be compared to the rate range of the position after promotion and the employee is entitled to the lowest step rate in the range that equals or exceeds the retained rate. If the retained rate exceeds the maximum of the rate range (the equivalent of step 12) after promotion, the employee is entitled to the retained rate.

h. Geographic Adjustment. When setting pay upon lateral transfer, reassignment, or promotion that involves a change in work location to a geographic area with a higher or lower LMS or TLMS rate, the previous LMS or TLMS rate shall cease to apply, and the new LMS or TLMS rate shall apply upon the effective date of the action.

11. ADVANCEMENT THROUGH THE RATE RANGE

a. Advancement Within the DCIPS Banded Structure. Employees will progress through the pay band structure based on performance and personal base rate level within the pay band. Guidance for performance-based pay increases is contained in Volume 2012 of this Instruction.

b. Advancement Within the DCIPS Graded Structure-

(1) Employees with an evaluation of record of “successful” or above in the DCIPS graded structure will advance through the steps of their grade in accordance with the provisions of 531 subpart D of Reference (kj), except that no employee will advance beyond step 10 of his or her grade except in accordance with procedures for granting awards resulting in salary increases contained in Volume 2008 of this Instruction.

(2) Employees within the DCIPS graded structure who are granted increases beyond step 10 of the pay grade (in accordance with Volume 2008 of this Instruction), or who are placed there through other means (such as setting pay at competitive rates in accordance with paragraph 10.a. of this enclosure) are not considered to be on pay retention.

c. Advancement Between Grades Included in a DCIPS Work Level in the DCIPS Graded Structure. DCIPS employees assigned to a grade within a work level will be advanced between grades in that work level in accordance with procedures detailed in subparagraph 10.g.(2) of this enclosure and Volume 2005 of this Instruction.

d. Employees in Developmental Programs. Employees in developmental programs will advance through the Entry/Developmental grades (or the Entry/Developmental pay band) in accordance with rules established at the DoD Component level, and in accordance with Volume 2005 of this Instruction.

(1) Developmental progression terminates in the Full Performance level once the employee has reached the termination point designated by the DoD Component with DCIPS positions.

(2) Employees may not be placed into a developmental progression program if hired into the position at the Full Performance level.

12. VOLUNTARY REDUCTION TO A LOWER PAY BAND OR GRADE

a. Voluntary Reduction to a Lower Pay Band. When an employee voluntarily requests and is approved to move to a lower pay band, the employee’s rate of pay in the new pay band will be set at his or her current rate, or the maximum rate for the new pay band if the current salary exceeds that new pay band. If an employee is placed in a lower pay band without a reduction in pay, or a reduction in pay of less than 6 percent in a banded system and is later promoted back to the higher band, the component will determine if there will be any salary increase associated with the promotion.

b. Voluntary Reduction to a Lower Grade. When an employee voluntarily requests and is approved to move to a lower grade, the employee's rate of pay in the new grade will be set at his or her current rate, except that for those employees whose current rate does not align directly with a step at the new grade, management will match the employee's current salary in the lower grade by rounding up to the next step. For those employees whose salary exceeds step 10 of the new grade, their pay will be set at that rate, not to exceed the equivalent of step 12 of the new grade. If an employee is placed in a lower pay grade without a reduction in pay, or a reduction in pay of less than the equivalent of 2 steps, and is later promoted back to the grade, the component will determine if there will be any salary increase associated with the promotion.

c. Pay Retention. Pay retention is not authorized under a voluntary reduction to a lower pay band or a lower grade.

13. INVOLUNTARY REDUCTION TO A LOWER PAY BAND OR GRADE

a. As a Result of Adverse Action. When an employee is involuntarily moved to a lower pay band (for those organizations operating under the DCIPS banded structure) or grade (for those organizations operating under the DCIPS graded structure) through adverse action procedures (as a result of poor performance and/or misconduct), the authorizing management official may reduce the employee's base pay rate by the amount directed in the adverse action decision in accordance with the guidelines in Volume 2009 of this Instruction and supplemental guidance established by the DoD Component with DCIPS positions. The employee's base pay may be reduced to an amount not less than the minimum for the pay band or grade. In no case may the employee's salary exceed the maximum for the pay band or the equivalent of step 12 of the grade. Salaries below the step 10 rate of the new grade must be aligned to an actual step. An employee's annual compensation may not be reduced under involuntary procedures more than once in a 12-month period. Pay retention is not authorized for employees who are moved to a lower pay band or grade through adverse action procedures.

b. As a Result of Adjustment-in-Force (AIF). When an employee is involuntarily moved to a lower pay band or grade through the AIF procedures outlined in Volume 2004 of this Instruction, the employee's salary will not be reduced. If the employee's salary at the time of reduction exceeds the maximum rate for the pay band or the equivalent of step 12 of the grade, he or she shall be entitled to indefinite pay retention. If the employee's banded salary at the time of the reduction does not exceed the maximum rate for the pay band, he or she shall be entitled to that salary within the band. For those graded employees whose salary does not exceed step 10 of the new grade, his or her salary will be aligned to the closest step of the new grade that is not less than the employee's current salary, not to exceed step 10 of the new grade. For those graded employees whose salary exceeds step 10 of the new grade, his or her salary may be set at that rate, not to exceed the equivalent of step 12 of the new grade. If an employee is separated as a result of adjustment-in-force and rehired as a result of a DCIPS Retention Program placement that was in process at the time the employee was separated, the employee's pay will be set at his or her rate of pay immediately prior to their separation.

c. As a Result of Management-directed Action. When an employee agrees to a reduction to a lower pay band or grade as a result of a management-directed reassignment that is not the result of adverse action, the reassignment will be treated as a reduction as a result of AIF. If the employee's salary at the time of reduction exceeds the maximum rate for the pay band or the equivalent of step 12 of the grade, he or she shall be entitled to indefinite pay retention. If the employee's banded salary at the time of the reduction does not exceed the maximum rate for the pay band, he or she shall be entitled to that salary within the band. For those graded employees whose salary does not exceed step 10 of the new grade, his or her salary will be aligned to the closest step of the new grade that is not less than the employee's current salary, not to exceed step 10 of the new grade. For those graded employees whose salary exceeds step 10 of the new grade, his or her salary may be set at that rate, not to exceed the equivalent of step 12 of the new grade.

14. CHANGE FROM A DISES OR DISL POSITION TO A DCIPS POSITION

a. Voluntary Change to a DCIPS Pay Banded Position. When an employee voluntarily requests and is approved to move from a DISES or DISL position to a DCIPS pay banded position, the employee's rate of pay in the new pay band may be set at a rate equal to his or her current rate, but may not exceed the maximum for the new pay band. Pay retention is not authorized under a voluntary change from a DISES or DISL position to a DCIPS pay band position.

b. Voluntary Change to a DCIPS Graded Position. When an employee voluntarily requests and is approved to move to a DCIPS graded position, the employee's rate of pay in the grade may be set at a rate equal to his or her current rate, subject to the maximum limitations set forth in this paragraph. For those employees whose salary does not exceed step 10 of the new grade, the employee's salary will be aligned, under DCIPS policy, to the closest step that does not result in a decrease to the employee's salary, not to exceed step 10 of the new grade. For those employees whose salary exceeds step 10 of the new grade, their pay may be set at that rate, not to exceed the equivalent of step 12 of the new grade. Pay retention is not authorized under a voluntary change from a DISES or DISL position to a DCIPS graded position.

c. Involuntary Change to a DCIPS Pay Banded or Graded Position. The pay setting rules of section 13 of this enclosure shall apply to involuntary changes from a DISES or DISL position to a DCIPS pay banded or graded position.

15. EMPLOYEES WITH STATUTORY RETURN OR REEMPLOYMENT RIGHTS TO A POSITION CONVERTED TO DCIPS DURING THEIR ABSENCE. Employees returning to a DCIPS position under a statutory entitlement shall have their initial DCIPS salary set such that they receive all entitlements to salary adjustments they would have received under governing DCIPS regulations, and may be eligible for a WGI buy-in in accordance with subparagraph 10.b.(2)(a) of this enclosure.

16. ADJUSTMENT OF RETAINED RATES AND TERMINATION OF PAY RETENTION.

a. When an increase to an employee's pay schedule is authorized, those employees on retained pay who have a current evaluation of record above "unacceptable" shall receive 50 percent of the increase to the maximum rate for the applicable grade or pay band of the employee's schedule to include any applicable LMS or TLMS. The USD(I) may authorize alternative methodologies for the adjustment of retained rates to address unique situations.

b. An employee's eligibility for pay retention terminates when any of the conditions are met as described in part 536.308(a) of Reference (~~k~~j).

17. OTHER COMPENSATION ADMINISTRATION AUTHORITIES AND LIMITATIONS.

Compensation authorities and limitations contained in Reference (f), sections 1601-1614 of Reference (i), ~~and~~ the Department of State Standardized Regulations (Reference (~~k~~)), *and other compensation-related DoD issuances* that apply to other than base and locality structure administration and are not otherwise addressed in this Volume, are applicable to covered DCIPS employees. Specific coverage includes:

a. Additional Compensation. DCIPS employees are eligible for:

(1) Premium pay including overtime, holiday pay, Sunday pay, night pay differential, and annual premium pay for administratively uncontrollable overtime, subject to the same requirements and limitations as in chapter 55 of Reference (h).

(2) Overtime pursuant to the chapter 8, section 201 et. seq. of title 29, U.S.C. (also known as "The Fair Labor Standards Act, as amended" (Reference (~~m~~l))) in accordance with the work and regional eligibility criteria in sections 1601-1614 of Reference (i).

(3) Compensatory time off in lieu of overtime, subject to the same requirements as in chapter 55 of Reference (h).

(4) Post differentials for environmental conditions at overseas posts as authorized by chapter 59 of Reference (h).

(5) Post differentials for non-foreign posts the same as authorized by chapter 59 of Reference (h).

(6) Danger pay in foreign areas the same as authorized by chapter 59 of Reference (h).

(7) Cost of living allowances the same as authorized by chapter 59 of Reference (h) for non-foreign areas and by part 591 of Reference (~~k~~j) for foreign areas.

(8) Hazard pay for unhealthful working conditions the same as authorized by chapter 59 of Reference (h).

(9) Physicians' comparability allowances the same as authorized by chapter 59 of Reference (h).

(10) Foreign language proficiency pay authorized by section 1596 of Reference (i) and DoD and DoD Component implementing instructions.

(11) Other special incentives authorized by sections 1603 and 1605 of Reference (i).

b. Recruitment, Retention, and Relocation Incentives. Payment of special incentives to attract, retain, and encourage the relocation of employees critical to the mission of an organization will be provided on the same basis as the implementing regulations in part 575 of Reference (~~kj~~). Those incentives are available to the DoD Components with DCIPS positions subject to the requirements that:

(1) The DoD Components with DCIPS positions shall develop recruitment, relocation, and retention incentive plans consistent with parts 575.107, 575.207, and 575.307 of Reference (~~kj~~) and forward those plans to USD(I) for review and approval.

(2) Proposals to offer incentives to categories of employees (e.g., a specific occupation) shall be submitted to the USD(I) for review of potential effects on other elements of the Defense Intelligence workforce prior to approval, in addition to the approval noted in section 18 of this enclosure.

c. Aggregate Compensation Limitation. The aggregate compensation limitation applies to the total amount of aggregate compensation actually received by an employee during the calendar year without regard to the period of service for which such compensation is received.

(1) Aggregate compensation is defined the same as in Reference (f) and other similar payments authorized in section 1603 of Reference (i), excluding back pay due to an unjustified personnel action authorized in chapter 55 of Reference (h) for payments that were due in a previous calendar year; overtime pay authorized in Reference (~~hk~~) and part 551 of Reference (~~kj~~); severance pay; non-foreign area cost-of-living allowances; lump-sum payments for accumulated and accrued annual leave on separation; and payments and adjustments authorized in this Volume as specified by DoD implementing issuances.

(2) Except as provided in subparagraph 17.a.(2) of this enclosure, no additional payment (premium pay, allowance, differential, bonus, award, or other similar cash payment) may be paid to an employee in a calendar year if or to the extent that, when added to the adjusted salary paid to the employee for service performed as a DoD or other Federal agency employee, the payment would cause the total to exceed the rate for Executive Level I in effect on the last day of that calendar year unless otherwise permitted by law.

(3) DoD Components with DCIPS positions shall defer authorized payments if they estimate that the payment will cause the employee's compensation to exceed the aggregate compensation limitation.

(a) At the time a payment (other than adjusted salary) is authorized for an employee, the employee may not receive any portion of such payment that, when added to the estimated aggregate compensation the employee is projected to receive, would cause the aggregate compensation actually received by the employee during the calendar year to exceed the limitation applicable to the employee at the end of the calendar year.

(b) Payments that are creditable for retirement purposes (e.g., law enforcement availability pay or standby premium pay) and that are paid to an employee at a regular fixed rate each pay period may not be deferred or discontinued for any period of time to make another payment that would otherwise cause an employee's pay to exceed any limitation described in or established by this section.

(c) If the estimated aggregate compensation to which an employee is entitled exceeds the applicable limitation for the calendar year, the DoD Component with DCIPS positions shall defer all authorized payments (other than adjusted salary) at the time when otherwise continuing such payments would cause the aggregate compensation actually received by any employee during the calendar year to exceed the applicable limitation. Any portion of a payment deferred as required by this paragraph shall become available for payment at the beginning of the next calendar year.

(d) If the DoD Component with DCIPS positions makes an incorrect estimate of aggregate compensation at an earlier date in the calendar year, the sum of an employee's remaining payments of adjusted salary (which may not be deferred) may exceed the difference between the aggregate compensation the employee has actually received to date in that calendar year and the applicable limitation. In this case, the employee will become indebted to the Component for any amount paid in excess of the aggregate limitation. To the extent that the excess amount is attributable to amounts that should have been deferred and would have been payable at the beginning of the next calendar year, the debt shall be nullified on January 1 of the next calendar year. As part of the correction of the error, the excess amount shall be deemed to have been paid on January 1 of the next calendar year (when the debt was extinguished) as if it were a deferred excess payment and must be considered part of the employee's aggregate compensation for the new calendar year.

(4) Any amount that is not paid to an employee because of the annual aggregate compensation limitation shall be paid in a lump-sum payment at the beginning of the following calendar year. Any amount paid the following calendar year shall be taken into account for purposes of applying the limitations with respect to such calendar year.

(a) If a lump-sum payment causes an employee's estimated aggregate compensation to exceed the applicable limitation, the DoD Components with DCIPS positions shall consider only the employee's adjusted salary and payments creditable for retirement purposes in determining the amount of lump-sum payment may be paid. The DoD Components with DCIPS positions shall defer all other payments, in order to pay as much of the excess amount as possible. Any payments deferred, including any portion of the excess amount that was not payable, shall become payable at the beginning of the next calendar year.

(b) If an employee moves to another Federal agency or to another DoD position not covered by DCIPS, and if at the time of the move the employee has received payments in excess of the aggregate limitation the same as is in chapter 53 of Reference (h), the employee's indebtedness for the excess amount received shall be deferred from the effective date of the transfer until the beginning of the next calendar year. Effective January 1 of the new calendar year, the debt shall be nullified and the excess amount shall be considered toward that year's aggregate limitation.

(c) If an employee transfers to another agency and at the time of the transfer has excess payments deferred to the next calendar year, the provisions of part 530.204(c) of Reference (kj) may apply, if the employee's new position is subject to part 530 subpart ~~DB~~ of Reference (kj).

(5) Payment of excess aggregate compensation is permitted without regard to calendar year limitation if an employee dies or separates from Federal service.

(a) If an employee dies, the excess amount is payable immediately as part of the settlement of accounts the same as authorized by chapter 55 of Reference (h).

(b) If an employee separates from Federal service, the entire excess amount is payable following a 30-day break in service. If the individual is reemployed in Federal service within the same calendar year as the separation, any previous payment of an excess amount must be considered part of that year's aggregate compensation for the purpose of applying the aggregate limitation for the remainder of the year.

d. Projecting the Lump Sum Leave Payment. Lump-sum leave payments for separating DCIPS employees will be computed in accordance with provisions contained in part 550 of Reference (kj).

18. APPROVAL AND OVERSIGHT. The USD(I) shall be the approving and oversight official for those actions that are the same as specified in parts 530, 551, and 575 of Reference (kj) requiring OPM approval or oversight, and other actions as appropriate.

Appendixes

1. DCIPS Compensation Philosophy
2. DCIPS Occupational Structure Reflecting DCIPS Work Levels: Pay Band and Grade Alignment

APPENDIX 1 TO ENCLOSURE 3

DCIPS COMPENSATION PHILOSOPHY

1. The DoD Components with DCIPS positions, as a community, will implement a compensation strategy as part of a human capital strategy and an integrated business process that aligns with and supports their individual and collective organizational mission, goals, and objectives. The DoD Components with DCIPS positions will share an overarching compensation architecture intended to support the DoD goal of facilitating interchange of personnel across the DoD Components with DCIPS positions in the interest of expanding individual perspective in solving intelligence problems. The shared compensation architecture will consider Director of National Intelligence and Department of Defense human capital initiatives, thereby facilitating the exchange of personnel within the larger IC and further increasing individual perspective in problem solving.
2. DCIPS recognizes that, while pay is not the only factor in the satisfaction of the DoD intelligence workforce, competitive compensation is the cornerstone for recruiting, retaining, and motivating the type of employees needed by the DoD Components with DCIPS positions. The management of compensation of individual employees under DCIPS will be consistent with the needs and objectives specified in the Quadrennial Defense Review (Reference (am)), Defense Intelligence guidance, and the National Intelligence Strategy (Reference (en)) regarding the disposition of funds for employee compensation, recognition, and reward. DCIPS endeavors to:
 - a. Provide employees with a total compensation package comprising both salary and benefits that recognizes and rewards performance and productivity, while maintaining internal equity and a market-competitive position, within the financial resources available.
 - b. Maintain a compensation system that is legally compliant, consistent with DoD and individual DoD Component policies and guidelines, and compliant with merit system principles.
 - c. Provide for a compensation system that is portable, scalable, operable, and sustainable and that supports the desired outcomes of collaboration, cooperation, information-sharing, personnel exchange, and shared mission awareness among the DoD Components with DCIPS positions.
 - d. Provide pay opportunities that enable the flexible and effective recruitment, management, and retention of a high-quality, high-performance workforce having the results-oriented competencies necessary to plan and accomplish the DoD intelligence mission.
 - e. Provide a reward system that motivates employees to increase performance contributions and results in levels of employee performance that are commensurate with total compensation.
 - f. Provide fair, equitable, and consistent salary treatment; provide for appropriate promotion, reassignment, transfer, and developmental opportunities.

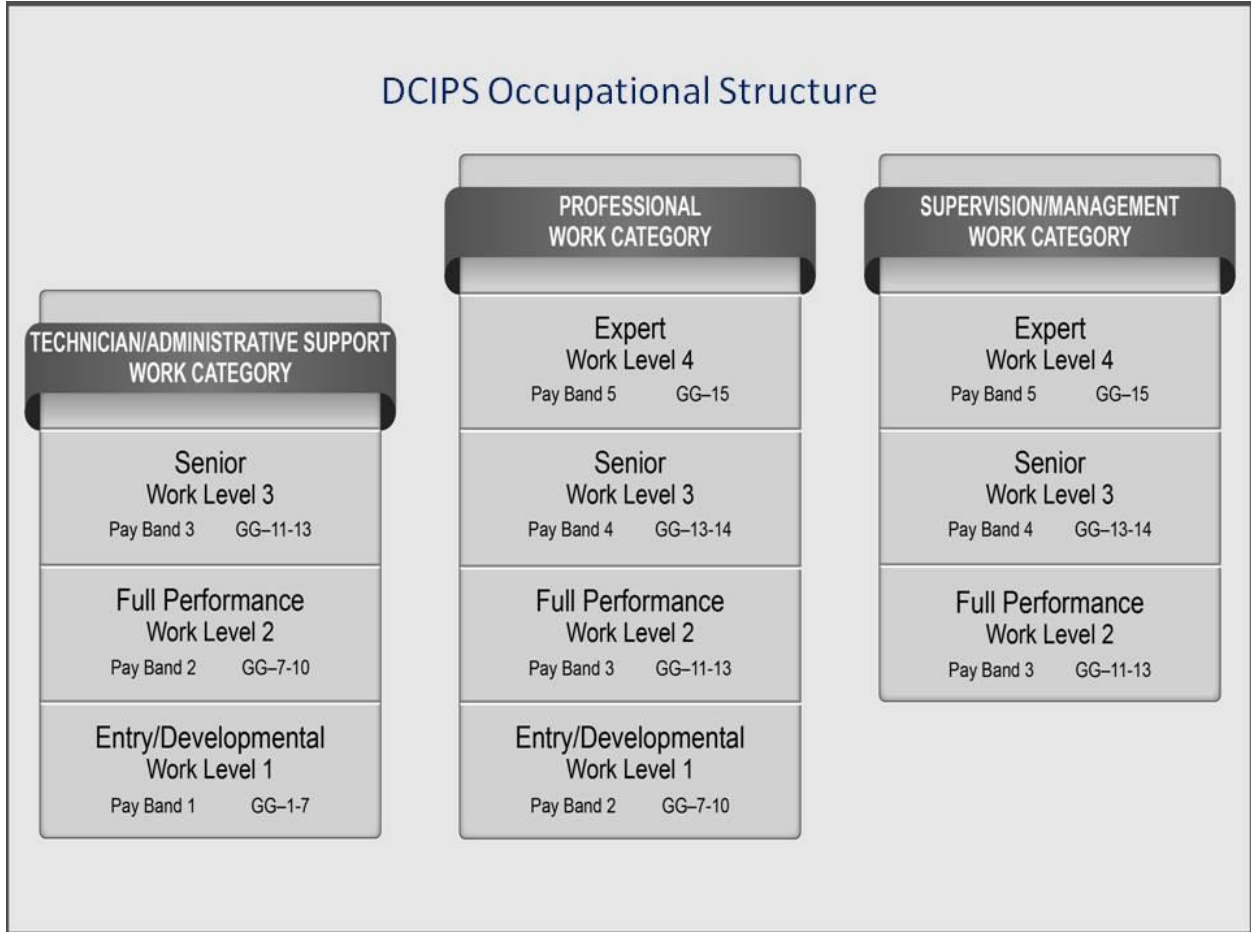
g. Promote a work environment that encourages employee productivity, innovation, and performance excellence through increased satisfaction, commitment, and engagement.

h. Optimize the delivery of reward and recognition to employees to maximize motivation and the accomplishment of organizational objectives.

APPENDIX 2 TO ENCLOSURE 3

DCIPS PAY BANDS AND GRADE ALIGNMENT

Figure. DCIPS Occupational Structure Reflecting DCIPS Work Levels: Pay Band and Grade Alignment



GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AIF	adjustment-in-force
DCIPS	Defense Civilian Intelligence Personnel System
DIHRB	Defense Intelligence Human Resource Board
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Level
DoDD	DoD Directive
GS	general schedule
IC	Intelligence Community
JDA	joint duty assignment
LMS	local market supplement
NSPS	National Security Personnel System
OCONUS	outside the continental United States
OPM	Office of Personnel Management
TLMS	targeted local market supplement
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
WGI	within-grade increase

PART II. DEFINITIONS

Unless otherwise noted, the following terms and their definitions apply to this Volume of this Instruction and serve as the basic compensation administration taxonomy for DoD Components with DCIPS positions.

adjusted basic pay. The sum of an employee's personal base pay rate plus any applicable LMS or TLMS.

base compensation structure. The worldwide pay structure applicable to all DCIPS employees unadjusted for local or market differences.

base pay. A rate of pay exclusive of additional pay of any kind such as LMSs or TLMSs.

base rate pay band. A single rate range within the DCIPS base compensation structure that establishes the range of pay for a work category, occupational group, and work level.

basic pay. A rate of pay including any applicable LMS or TLMS, and before any deductions and exclusive of additional pay of any other kind.

control point. A target point within a DCIPS pay band that serves both as a reference point for establishing the relationship between employee base compensation and the relevant labor market and for moderating the rate of progression of an employee through a pay band.

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

LMS. An addition to the base compensation of employees assigned to a geographic region or to an occupation within a geographic or range of geographic regions that reflects the competitive requirements for the applicable labor market. This amount generally will correspond to GS locality rates and is considered part of basic compensation. The LMS is considered basic pay for retirement purposes.

maximum pay rate for band or grade. The maximum rate of base pay for a grade is equal to the step 10 rate of the GS base pay schedule, plus two additional steps. The maximum rate of base pay for a DCIPS band is equal to the maximum rate of base pay for the highest DCIPS grade contained within the pay band in accordance with provisions in Volume 2007 of this Instruction.

midpoint. The point halfway between the minimum and maximum of a pay band. The midpoint is the default control point for all DCIPS pay bands and serves as the reference point for establishing the relationship between DCIPS band rate ranges and the applicable labor market.

rate range. A range of rates of basic pay for a pay band or a grade within an established pay schedule, excluding any retained rate. A rate range may consist of base pay rates, LMS rates, TLMS rates, or similar rates under other legal authority.

TLMS. An addition to the base compensation of employees assigned to a specific occupation or locality not appropriately recognized by an LMS. The TLMS is considered basic pay for retirement purposes.



Department of Defense INSTRUCTION

NUMBER 1400.25-V2007
April 17, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Occupational Structure

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several Volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the Department of Defense.

b. Volume.

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) This Volume. In accordance with the authority in References (a) and (c), and in accordance with Intelligence Community Directive 652 (Reference (e)) and pursuant to sections 1601-1614 of title 10, United States Code (U.S.C.) (Reference (f)), this Volume of this Instruction reissues DoD Instruction 1400.25-V2007 (Reference (g)) to update the policies and responsibilities for the design and administration of the DCIPS occupational structure and supports the application of the occupational structure to individual positions covered by DCIPS.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other

organizational entities within the Department of Defense that employ individuals under DCIPS (hereinafter referred to collectively as the “DoD Components with DCIPS Positions”).

b. Does not apply to:

(1) Employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority.

(2) Members of the Defense Intelligence Senior Executive Service (DISES) or the Defense Intelligence Senior Level (DISL), or other experts (e.g., Highly Qualified Experts (HQE)) who work at the DISES or DISL equivalent, unless specifically addressed in other Volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. DCIPS positions shall be categorized and aligned in accordance with the provisions of Appendixes 1 through 4 to Enclosure 3 of this Volume and within guidelines on the total number of allowable positions above the Full Performance Work Level of the Professional Work Category expressed as a percentage of the total non-DISES and non-DISL DCIPS positions.

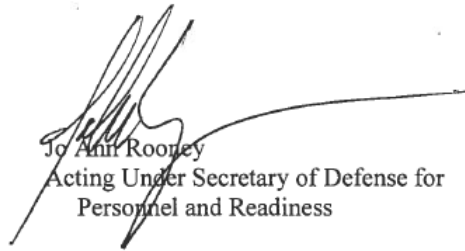
b. Each position and title shall be mapped to a series and title established by the Office of Personnel Management or this Volume.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides an overview of the DCIPS occupational structure and procedures for its implementation.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective on April 17, 2012, pursuant to section 1613 of Reference (f).



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
3. DCIPS Occupational Structure Procedures

Glossary

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)),” November 23, 2005
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007
- (e) Intelligence Community Directive Number 652, "Occupational Structure for the Intelligence Community Civilian Workforce,” April 28, 2008
- (f) Sections 1601-1614 of title 10, United States Code
- (g) DoD Instruction 1400.25-V2007, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Occupational Structure,” August 17, 2009 (hereby cancelled)
- (h) Chapter 23 and section 9903 of title 5, United States Code
- (i) Sections 201-219 of title 29, United States Code
- (j) U.S. Office of Personnel Management Standard, "Introduction to the Position Classification Standards,” August 2009

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R), in conjunction with the Under Secretary of Defense for Intelligence (USD(I)), shall develop and maintain DCIPS policies and monitor their effects on DoD-wide personnel readiness.

2. USD(I). The USD(I) shall, in conjunction with the USD(P&R), prescribe policies governing the design and administration of the DCIPS occupational structure in accordance with References (d) and (f) and chapter 23 of title 5, U.S.C. (Reference (h)), and monitor compliance with these policies within the DoD Components with DCIPS positions.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions:
 - a. Shall implement the provisions of this Volume within their Components as appropriate, and monitor Component programs for compliance with the provisions of this Volume by:
 - (1) Establishing procedures for evaluation of DCIPS positions using systematic application of DCIPS position alignment criteria to ensure an effective and efficient workforce alignment in support of the mission.
 - (2) Ensuring that each DCIPS position is reviewed for appropriate alignment as it becomes vacant or as mission requirements change.

 - b. May develop and implement supplemental guidance, in coordination with the USD(I), as required to address unique intelligence-related work performed within the Component, provided that such guidance is in compliance with the requirements of this Volume.

ENCLOSURE 3

DCIPS OCCUPATIONAL STRUCTURE PROCEDURES

1. GENERAL STRUCTURE

a. The DCIPS occupational structure is consistent with Office of the Director of National Intelligence (ODNI) guidance (Reference (e)). It aligns with the ODNI mission and work categories and work levels to ensure positions are established and maintained to accomplish the DoD intelligence mission.

b. The DCIPS occupational and position structure provides the basis on which organizations operating under either a rank-in-position or rank-in-person personnel management construct shall establish workforce requirements to structure their recruitment, retention, and development programs in support of the intelligence mission.

c. The DCIPS occupational structure provides the foundation for managing the DCIPS pay structure. It consists of the following elements: mission categories, occupational groups, work categories, work levels, pay band (for those DCIPS Components operating under the DCIPS pay banded structure using pay plan IA) and grades (for those DCIPS Components operating under the GG graded structure using pay plan GG), job titles, and competencies. (See Part II, Definitions.)

d. DCIPS graded positions shall be grouped in accordance with the work category and work level descriptors in Appendixes 2 and 3 to this enclosure. DoD Components with DCIPS positions shall regularly review positions in accordance with subparagraph 3.a.(2) of Enclosure 2 of this Volume to ensure they are properly aligned to mission category, occupational series and title, work category, work level, and pay band (for those DCIPS Components operating under DCIPS Pay Bands, or GG grade (for those DCIPS Components operating under the GG graded structure) based on work requirements.

2. MAINTAINING COMPONENT POSITION STRUCTURES

a. DoD Components with DCIPS positions will maintain an ongoing program to assign all DCIPS positions to the appropriate mission category, occupational series, title, work category, and work level in accordance with mission requirements of the Component. Those Components whose positions are also assigned to the GG graded structure will assign such grades to each position, as appropriate in accordance with the grading criteria contained in this Volume.

b. Prior to the assignment of an employee to a DCIPS position, Components will verify that the position is appropriately aligned to the DCIPS occupational structure in accordance with the guidance provided in this Volume.

c. Those Components operating under a rank-in-person personnel management construct are covered by the guidance contained in this Volume, but may assign personnel to their positions in accordance with staffing practices for rank-in-person organizations established under Volume 2005 of this Instruction.

d. Work level distributions for DoD Components with DCIPS positions will comply with such limitations on numbers of positions above the Full Performance Level of the Professional Work Category as may be established by the USD(I). Heads of the DoD Components with DCIPS positions may request exceptions to established Work Level position limitations if supported through mission-focused workforce analysis and evaluation of Component work against DCIPS criteria for aligning positions to the DCIPS occupational structure.

e. Until DoD or DCIPS guidance on individual occupational titling practices aligned to the requirements of this Volume is published, the DoD Components with DCIPS positions may continue to assign occupational series and titles to DCIPS positions in accordance with policies in effect within their respective Components on the date of publication of this Volume.

f. On publication of DoD or DCIPS occupational titling practices aligned to the requirements of this Volume, all DCIPS positions shall be realigned to occupational series and titles using the procedures established in this Volume.

Appendixes

1. DCIPS Mission Categories
2. Work Categories
3. Work Levels
4. DCIPS Grading Standard for GG Graded Positions
5. DCIPS Occupational Structure

APPENDIX 1 TO ENCLOSURE 3

DCIPS MISSION CATEGORIES

1. GENERAL. The mission categories in this appendix are derived from those in the National Intelligence Program budget structure. They shall be used to the extent practical to categorize DCIPS occupations or positions performing similar or related missions or functions. For the purposes of this Volume, the work performed by civilian employees or required by positions may be aligned to a mission category that is different from the funding source of the position. The occupational groups that map to these mission categories may be further defined by the appropriate functional community.

2. DCIPS MISSION CATEGORIES

a. Collection and Operations. This category includes occupations or positions whose incumbents engage in the collection and reporting of information obtained from intelligence sources by various means, including human and technical means, as well as occupations whose incumbents engage in intelligence and counterintelligence operations and in technical support of collection and operations.

b. Processing and Exploitation. This category includes occupations or positions whose incumbents engage in the conversion of information collected from various intelligence sources into a form that can be analyzed to produce an intelligence product.

c. Analysis and Production. This category includes occupations or positions whose incumbents engage in the preparation of a finished intelligence product from information obtained and processed from one or more intelligence sources in support of customer requirements.

d. Research and Technology. This category includes occupations or positions whose incumbents engage in basic, applied, and advanced scientific and engineering research and development.

e. Enterprise Information Technology. This category includes occupations or positions whose incumbents support an organization's information systems, such as telecommunications, network operations, operation and maintenance of common user systems, and computing infrastructure. Additionally, this category includes occupations or positions whose incumbents engage in assuring the security of DoD or national security systems and information by providing knowledge and technology to suppliers and clients (i.e., those engaged in information assurance).

f. Enterprise Management and Support. This category includes occupations or positions whose incumbents engage in sustaining activities that support an organization, to include human resources, finance, logistics, security, legal, acquisition, and other program areas.

g. Mission Management. This category includes occupations or positions whose incumbents engage in the coordination and integration of Intelligence Community-wide requirements, resources, and activities.

APPENDIX 2 TO ENCLOSURE 3

WORK CATEGORIES

1. GENERAL. Each DCIPS position shall be assigned to a work category according to the criteria in this appendix. These required work categories describe broad sets of related occupational groups characterized by common types of work within the DCIPS enterprise. In applying these criteria, the DoD Components with DCIPS positions shall base their decisions on the work category most applicable to the predominant type of work assigned to the position and performed by the incumbent (e.g., primary purpose of the work, required qualifications).

2. DCIPS WORK CATEGORIES

a. Technician/Administrative Support. This work category includes positions with duties and responsibilities that primarily involve support for the operations and functions of a particular type of work or organizational unit. Such support activities are technical or administrative, and qualifications generally are acquired through practical experience supplemented by on-the-job or skills-specific training. Such work tends to have fewer career progression stages and work levels. Positions in this category typically are covered by sections 201-219 of title 29, U.S.C. (Reference (i)), also known as the Fair Labor Standards Act).

b. Professional. This work category includes positions with duties and responsibilities that primarily involve professional or specialized work that requires the interpretation and application of concepts, theories, and judgment. At a minimum, all groups in this category require either a bachelor's degree or equivalent experience for entry. However, some occupations in this category have positive education requirements (i.e., a requirement for a particular type or level of academic degree). This work category features multiple career progression stages and work levels.

c. Supervision/Management. This category includes positions with duties and responsibilities that primarily involve planning, directing, and coordinating the operation of units within DoD Components; overseeing daily operations, managing material, financial or human resources; and developing and executing strategy, formulating and implementing policies.

APPENDIX 3 TO ENCLOSURE 3

WORK LEVELS

1. GENERAL. DoD Components with DCIPS positions shall use the work level descriptions in this appendix to describe and align DCIPS work in each of the work categories established in Appendix 2 of this enclosure. Positions at the Full Performance, Senior, or Expert Work Levels in the Professional Work Category may also be defined as supervisors or managers, if appropriate, based on the functional role the positions are designed to fulfill.

2. DCIPS WORK LEVELS

a. Entry/Developmental. In both the Professional and the Technician/Administrative Support Work Categories, work at this level includes learning and applying basic procedures and acquiring competencies through training or on-the-job experience. Positions in the Technician/Administrative Support Work Category at this level may involve independent performance of duties. Technician/Administrative Support positions should be placed in this work level when their primary function is the execution of established office procedures and standard program practices, and when typical career patterns for the occupation do not extend to the complexity, variety, and scope of the Full Performance Work Level.

b. Full Performance. Work at this level involves independently performing the full range of non-supervisory duties assigned to the employee. Employees at this level have successfully completed required entry-level training or developmental activities either within the employing organization or prior to joining the organization. Employees at this work level have a full understanding of the technical or specialty field, independently handle situations or assignments with minimal day-to-day instruction or supervision, and receive general guidance and direction on new projects or assignments. Within established priorities and deadlines, Full Performance employees exercise independent judgment in selecting and applying appropriate work methods, procedures, techniques, and practices in accomplishing their duties and responsibilities. Actions at this level may have impact beyond the work unit and, as a result, employees at this level typically collaborate internally and externally with their peers.

c. Senior. Work at this level involves a wide range of complex assignments and non-routine situations that require extensive knowledge and experience in the technical or specialty field. Receiving broad objectives and guidelines from the supervisor, Senior Work Level employees independently handle a wide range of complex assignments and non-routine situations and exercise independent judgment to identify and take alternative courses of action. Following broad objectives and guidelines, employees act independently to establish priorities and deadlines within expectations established by the supervisor and exercise individual judgment to choose alternative guidelines to complete assignments. Employees may lead and coordinate special projects, teams, tasks, and initiatives and may be required to build and utilize collaborative networks with key contacts within and outside of their immediate organization. Actions at this level are likely to have an impact beyond the employee's immediate organization.

d. Expert. Work at this level involves an extraordinary degree of specialized knowledge or expertise to perform highly complex and ambiguous assignments that normally require integration and synthesis of a number of unrelated disciplines and disparate concepts. Employees at this level set priorities, goals, and deadlines and make final determinations on how to plan and accomplish their work. DoD Components with DCIPS positions rely on employees at this level for the accomplishment of critical mission goals and objectives and, as a result, employees may lead the activities of senior and other expert employees, teams, projects, or task forces. Employees at this level create formal networks involving coordination among groups across the Intelligence Community and other external organizations.

3. APPLYING DCIPS WORK LEVELS TO THE SUPERVISION/MANAGEMENT WORK CATEGORY

a. Supervision. Work of this type involves planning, directing, assigning, leading, and monitoring the work of the unit; hiring or selecting employees; managing and appraising employee and organizational performance; disciplining employees; resolving employee complaints; and supporting the development of employees. Supervisors make decisions that impact the resources (people, budget, materials) of the work unit, ensure the technical quality and timeliness of the work produced by employees in the unit, and collaborate with supervisors across the organization in unstructured situations.

b. Management. Work of this type involves supervision of other subordinate managers or supervisors or direction of units, functions, or projects that may be staffed by civilian or military personnel. Managers are responsible for justification, direction, and allocation of resources (people, budget, material) across the organization through one or more levels of supervision and for setting organizational goals, objectives, and priorities. They handle highly complex, sensitive, or ambiguous challenges facing the organization; interact with, influence, and persuade high-ranking officials within and outside the organization, agency, and other external organizations; and make decisions that have an impact within and outside of the immediate organization and agency.

APPENDIX 4 TO ENCLOSURE 3

DCIPS GRADING STANDARD FOR GG GRADED POSITIONS

1. INTRODUCTION AND PURPOSE

a. DCIPS organizations using the GG graded structure shall use the guidance in this appendix to assign GG grades to nonsupervisory and supervisory/managerial positions following assignment of the DCIPS mission category, work category, and work level using guidance contained in Appendixes 1, 2, and 3 of this enclosure.

b. The DCIPS grading standard for GG positions is the standard for assigning grades in the alignment of all DCIPS positions in the GG grade structure, grades GG-1 through GG-15. The standard is derived from the Office of Personnel Management's Factor Evaluation System Primary Standard (Reference (j)) and has its origins in the standard previously used to classify positions under the Department of Defense Civilian Intelligence Personnel Management System that has been superseded by DCIPS. This standard consists of two parts. Part I provides grading criteria for nonsupervisory positions; Part II provides standards for assigning grades to supervisory and managerial positions.

2. PART I. GRADING CRITERIA FOR NONSUPERVISORY DCIPS POSITIONS. Grading criteria for nonsupervisory DCIPS positions assesses five job-content factors that when appropriately applied and summed allow for consistent placement of DCIPS positions into the DCIPS work level and GG structure across occupations and work categories. For each factor below, a degree of difficulty and its associated point total is assigned to a position. See Table 1 for DCIPS nonsupervisory grade conversion.

a. Factor A Essential Knowledge. This factor measures the nature and extent of information or facts that employees must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, theories, principles, and concepts) and the nature and extent of the skills needed to apply this knowledge.

(1) Degree A-1 – 5 Points. The work requires knowledge of simple, routine, or repetitive tasks or operations that typically include step-by-step instructions and require little or no previous training, experience; or skill to operate simple equipment requiring little or no previous training or experience.

(2) Degree A-2 – 15 Points. The work requires knowledge of basic or commonly used rules, procedures, or operations that typically require some previous training or experience; or basic skills to operate equipment requiring some previous training or experience, such as keyboard equipment or reproduction equipment.

(3) Degree A-3 – 20 Points. The work requires knowledge of a body of standardized rules, procedures, or operations requiring considerable training and experience in order to

perform the full range of standard clerical and non-clerical assignments and resolve recurring problems; or the skill, acquired through considerable training and experience, to operate and adjust varied equipment for purposes such as performing numerous standardized tests or operations.

(4) Degree A-4 – 30 Points. The work requires knowledge of an extensive body of rules, procedures, or operations requiring extended training and experience in order to perform a wide variety of interrelated or non-standard procedural assignments and resolve a wide range of problems; or practical knowledge of standard procedures in a technical field, requiring extended training or experience in order to perform such work as adapting equipment, when this requires considering the functioning characteristics of equipment; interpreting results of tests based on previous experience and observations (rather than directly reading instruments or other measures), or extracting information from various sources when this requires considering the applicability of information and the characteristics and quality of the sources.

(5) Degree A-5 – 40 Points. The work requires knowledge (such as would be acquired through a pertinent baccalaureate educational program or its equivalent in experience, training, or independent study) of basic principles, concepts, and methods of a professional or administrative occupation and skill in applying this knowledge in carrying out elementary assignments, operations, or procedures; or, in addition to the practical knowledge of standard procedures in Degree A-4, practical knowledge of technical methods to perform assignments such as carrying out limited projects which involve use of specialized, complicated techniques.

(6) Degree A-6 – 60 Points. The work requires knowledge of the principles, concepts, and methods of a professional or administrative occupation as previously described that has been supplemented either by:

(a) Skill gained through job experience to permit independent performance of recurring assignments;

(b) Expanded professional or administrative knowledge gained through relevant graduate study or experience, which has provided skill in carrying out assignments, operations, and procedures in the occupation that are significantly more difficult and complex than those covered by Degree A-5; or

(c) Practical knowledge of a wide range of technical methods, principles, and practices similar to a narrow area of a professional field and skill in applying this knowledge to such assignments as the design and planning of difficult, but well-precedented projects.

(7) Degree A-7 – 80 Points. The work requires knowledge of a wide range of concepts, principles, and practices in a professional or administrative occupation, such as would be gained through extended graduate study or experience and skill in applying this knowledge to difficult and complex work assignments; or a comprehensive, intensive, practical knowledge of a technical field and skill in applying this knowledge to the development of new methods, approaches, or procedures.

(8) Degree A-8 – 95 Points. The work requires a mastery of one or more professional or administrative fields. The employee at this level applies experimental theories and new developments to problems not susceptible to treatment by accepted methods or makes decisions or recommendations significantly changing, interpreting, or developing important policies and programs.

(9) Degree A-9 – 115 Points. The work requires a mastery of a professional or administrative field in order to generate and develop new hypotheses and theories. The employee at this level is a leading authority in the specialty not only within the Department or joint organization, but also throughout the Defense establishment and the Intelligence Community.

b. Factor B – Guidelines. This factor measures the nature of the guidelines used (e.g., regulations, procedures, precedents, methods, techniques, and forms of governance over the work) and the degree of interpretation required of these references, including judgment and originality.

(1) Degree B-1 – 10 Points. Specific, detailed guidelines covering all important aspects of the assignments are provided to the employee. The employee works in strict adherence to the guidelines; deviations must be authorized by the supervisor.

(2) Degree B-2 – 25 Points. Procedures for performing the work are established and a number of specific guidelines are available. The number and similarity of guidelines and work situations require the employee to use judgment in locating, selecting, and applying the most appropriate guidelines, references, and procedures for application and in making minor deviations to adapt the guidelines in specific cases. Adaptability and versatility are required to meet changing work situations.

(3) Degree B-3 – 50 Points. Guidelines are available, but are not completely applicable to the work or have gaps in specificity. The employee uses judgment in interpreting and adapting guidelines such as the policies, regulations, precedents, and work directions for application to specific cases or problems. The employee analyzes results and recommends changes.

(4) Degree B-4 – 70 Points. Administrative policies and precedents are applicable but are stated only in very general terms. Guidelines for performing the work are scarce or of limited use. The employee uses initiative and resourcefulness in deviating from traditional methods or researching trends and patterns to develop new methods, criteria, or proposed new policies.

(5) Degree B-5 – 95 Points. Guidelines are broadly stated and nonspecific, such as broad policy statements and basic legislation that require extensive interpretation. The employee must use judgment and ingenuity in interpreting the intent of guides that do exist and in developing applications to specific areas of work. Frequently, the employee is recognized as an authority in the development and interpretation of guidelines.

(6) Degree B-6 – 115 Points. Guidelines are virtually non-existent. Precedents are obscure or not available. Originality, creativity, or extensive experience are required to deal with or to plan theoretical, experimental, or complex programs of such advanced and novel character that new concepts and methods must be developed. The lack of guidelines requires the employee to develop definitive plans and head pioneering efforts to solve problems that require an extension of theory.

c. Factor C – Scope of Authority and Effect of Decisions. This factor covers the relationship between the nature of the work (e.g., purpose, breadth, and depth of assignments) and the effect of the work products or services within and outside the organizational element. Effect also measures such things as whether the work output facilitates the work of others, provides timely service of a personal nature, or impacts on the adequacy of research conclusions.

(1) Degree C-1 – 15 Points. The employee takes or recommends actions on routine assignments or portions of special assignments where errors in decisions or commitments can be readily detected and corrected. The primary consequence of error is localized loss of time.

(2) Degree C-2 – 30 Points. The employee makes decisions on the application of established procedures and initiates actions that affect various organizational units. Errors in decisions or commitments are not immediately apparent but are revealed in subsequent operations. An error may result in loss of time in other organizational units.

(3) Degree C-3 – 50 Points. The employee makes decisions based on the interpretation of regulations and practices and initiates actions that affect various organizational units. Commitments do not involve interpretation of policy or the setting of precedents, but may have an adverse effect upon the activities of the assigned element. Errors could prove costly in terms of delay and waste of time and resources within the element.

(4) Degree C-4 – 70 Points. The employee makes decisions and initiates actions that involve the interpretation of policy or the setting of precedents. The employee makes authoritative determinations and advises on technical problems. Decisions and commitments often involve large expenditures of resources and have a strong impact on important programs.

(5) Degree C-5 – 90 Points. The employee makes recommendations and decisions that materially affect the scope and direction of large, complex, and significant programs, or technical and scientific activities of crucial importance to the Activity's, Component's, Department's, or Intelligence Community's mission. Commitments may result in the initiation of major programs or the cancellation or modification of existing major programs.

d. Factor D – Work Relationships. This factor includes contacts with persons not in the supervisory chain and is based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the degree to which the employee and those contacted recognize their relative roles and authorities. Also considered by this factor are the purposes of the contacts, which range from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

(1) Degree D-1 – 5 Points. Person-to-person work relationships occur, but generally are of an incidental nature and do not constitute a significant part of the work.

(2) Degree D-2 – 15 Points. Person-to-person work relationships are a regular and necessary part of the job and are for the purpose of giving or obtaining factual information that is easy to convey and simple to understand.

(3) Degree D-3 – 35 Points. Person-to-person work relationships are for the purpose of giving or obtaining information on problems where some explanation or interpretation of facts is required in order to render service, implement regulations and policies, or maintain coordination.

(4) Degree D-4 – 55 Points. Person-to-person work relationships are for the purpose of giving or obtaining information on non-routine problems requiring not only explanation or interpretation of facts but also discussion and inferences in order to gain concurrence or persuade to action.

(5) Degree D-5 – 75 Points. Person-to-person work relationships are for the purpose of discussing policy matters and major changes in program emphasis in order to provide authoritative advice on their effect and feasibility, to gain necessary cooperation and support, or to persuade to action.

(6) Degree D-6 – 95 Points. Person-to-person work relationships are for the purpose of securing acceptance or indispensable support of or explaining and defending policies and programs that represent the most controversial or crucial phases of the DoD, , Intelligence Community, or joint organization's programs. Personal contacts are typically with high-ranking officials at national or international levels, with executives of large industrial firms or with specific policy makers and senior staff of other DoD, federal organizations, , joint organizations, or the Intelligence Community.

e. Factor E – Supervision Received. This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the method for reviewing completed work.

(1) Degree E-1 – 5 Points. The supervisor makes specific assignments that are accomplished by clear, detailed, and specific instructions. As the employee gains familiarity with the work, instructions are not detailed for repetitive tasks, but the employee's responsibilities remain clearly defined. The employee works as instructed and consults with the supervisor as required on matters not covered in the original instructions. The supervisor maintains control through review of the work for such things as accuracy, adequacy, and adherence to instructions and established procedures.

(2) Degree E-2 – 20 Points. The supervisor maintains control over work through checking for accuracy, adequacy, and adherence to instructions. Instructions given to the employee are well defined, but the employee may recommend modifications to those instructions if the assignment is new, difficult, or unusual. The employee carries out routine assignments but unforeseen problems and unusual situations may be referred to the supervisor for help or decisions.

(3) Degree E-3 – 35 Points. The supervisor makes assignments by defining objectives, priorities, and deadlines and assists the employee with unusual situations that do not have clear precedents. The employee plans and carries out successive steps and handles problems and deviations in the work assignment in accordance with instructions, previous training, or accepted practices in the occupation. Finished work is reviewed for accuracy, quality, and compliance with more complex instructions and guidelines.

(4) Degree E-4 – 55 Points. The supervisor sets the overall objectives and resources available. The employee and supervisor, in consultation, develop the deadlines and projects. The employee is responsible for planning and carrying out the assignment, resolving most of the conflicts that arise and interpreting policy in terms of established objectives. The supervisor is kept informed of progress and any controversial matters. Finished work and methods are reviewed for accuracy and effectiveness and for compliance with complex instructions and guidelines.

(5) Degree E-5 – 75 Points. The supervisor generally provides only administrative direction, with assignments made in terms of broadly defined missions or functions. The employee has responsibility for planning, designing, and carrying out programs, projects, studies, or other work independently. The supervisor is kept informed of significant developments. Completed work is reviewed only from an overall standpoint in terms of feasibility, compatibility, effectiveness, or expected results and for its contribution to the overall project or program.

(6) Degree E-6 – 95 Points. Assignments are made in terms of overall organization mission and policies. The employee selects objectives, plans, and methods independent of any review. Delegated authority is complete. Broad policy questions or major problems of coordination are resolved in conference with advisors or personnel of other activity or Component elements. Recommendations for new projects and alterations of objectives are usually evaluated for such considerations as availability of funds and other resources, broad program goals, or national priorities. Results of completed work are considered technically authoritative and are normally accepted without significant change.

(7) Degree E-7 – 115 Points. The employee is often the most authoritative professional in a particular field with the Department, Intelligence Community, or joint organization. The work is generally considered to be pioneering in a particular specialty. Supervision is virtually nonexistent. The independence of action inherent at this level is hampered only by the constraint on the availability of funds or other resources or major program goals and national priorities.

Table 1. DCIPS Nonsupervisory Grade Conversion

Total Points	GG Grade Level	DCIPS Work Category and Work Level Descriptor
< 45	1	Entry/ Developmental Work Level for the Technician/Administrative Support Work Category defined in Appendix 2
	2	
	3	
45-79	4	
80-104	5	
105-129	6	
130-159	7	
130-159	7	Entry/ Developmental Work Level for the Professional Work Category; Full Performance Work Level for the Technician/Administrative Support Category
160-179	8	
180-204	9	
205-224	10	
225-244	11	Senior Work Level for the Technician/Administrative Support Work Category; Full Performance Work Level for the Professional Work Category
245-294	12	
295-339	13	
295-339	13	Senior Work Level for the Professional Work Category
340-379	14	
380 and above	15	Expert Work Level for the Professional Work Category
When applying this grade conversion chart, all work is aligned first to the Work Category and Work Level using the guidance contained in this Volume, and then to the appropriate GG grade based on this chart.		

3. **PART II. DCIPS SUPERVISORY POSITIONS.** The following are the factor and degree descriptors for DCIPS Supervisory and Managerial positions. When applying the grading guidelines below, they should be applied in the context of the total job. For those positions with mixed supervisory and non-supervisory responsibilities, the position should be titled as a supervisor if the position meets the requirements for designation as a supervisor, but the final grade of the position should be assigned based on the highest level of work performed on a regular and recurring basis. See Table 2 for DCIPS supervisory and managerial positions grade conversions.

a. **Factor A – Guidelines.** This factor measures the degree to which judgment and originality play a role in the supervisor’s assignment. It is the availability and degree to which they apply,

or the degree to which guidelines are absent, that determines the level of independent judgment and initiative in a supervisory position.

(1) Degree A-1 – 15 Points. The supervisor works in strict adherence to guidelines, and deviations must be authorized by the immediate supervisor.

(2) Degree A-2 – 35 Points. The supervisor works in adherence to guidelines but may use some independent discretion in locating and selecting the most appropriate guidelines or references.

(3) Degree A-3 – 55 Points. The supervisor uses judgment, resourcefulness, and initiative in adapting and applying guidelines, and is responsible for analyzing results and recommending changes to deal with the more difficult or unusual assignments.

(4) Degree A-4 – 75 Points. Guidelines exist, but the supervisor must use judgment and ingenuity to interpret the intent of these guides. The supervisor may be required to make major or novel adaptations to existing guides in order to accomplish the mission.

(5) Degree A-5 – 95 Points. Guidelines have only limited application in the most significant areas of work supervised. The supervisor exercises a very high degree of originality and judgment in formulating, evaluating, and monitoring the organization's programs in instances where new concepts or technologies are developed, where there are no precedents or guidelines on which to base or predict expected results, and where few if any existing guidelines can be used to develop appropriate criteria, methods, procedures, and techniques. Inherent in a position at this level are the exercise of judgment and ingenuity in guiding personnel in the analysis of unique problems and the development of new and improved techniques and methods for accomplishing the organization's mission.

(6) Degree A-6 – 115 Points. The only available guidelines are broad statements of policy, and precedents are obscure or non-existent. A supervisor at this level has full and final technical responsibility for the work of the organization and is responsible for developing plans and programs related to pioneering efforts. The limited guidelines pose a significant and continuing requirement for a high level of ingenuity and originality in order to lead and supervise the organization.

b. Factor B – Scope and Variety of Operations. This factor is intended to measure the extent to which size, workload, and variety of functions of the organization supervised contribute to the difficulty of the supervisor's position.

(1) Degree B-1 – 25 Points. The supervisor is responsible for supervising the day-to-day work of an element in which the operations are well defined and work methods are firmly established. Only one kind of work is normally represented. The supervisor directs work-flow, guides employees in the application of established procedures, assigns new or additional work when required, trains new employees, and initiates personnel actions. The supervisor reviews work in progress or upon completion for compliance with instructions and overall quality.

(2) Degree B-2 – 65 Points. The supervisor is responsible for planning and supervising the work of a work unit for which the programs and objectives are clearly defined and the organizational structure fully established. At this level of supervision more than one kind of work may be present, requiring an additional body of knowledge, and moderate variations in workload may be imposed on the supervisor due to cyclic fluctuations. The supervisor plans work flow and makes work assignments, adjusting workloads and adapting or modifying procedures to alleviate backlogs or delays. The supervisor reviews completed work for technical adequacy and for compliance with instructions and is responsible for the quality and quantity of completed work.

(3) Degree B-3 – 95 Points. The supervisor is responsible, directly or through subordinate supervisors, for organizing, planning and directing the work program of an organization for which program objectives and limitations are established. At this level of supervision, a greater variety of work and activities requiring frequently shifting work assignments and diversified occupational specialties exists. The supervisor may be required to alter the organizational structure of the immediate organization under his or her control or work methods to meet changes in requirements and shifts in workload. The supervisor assigns and reassigns personnel and consults with superiors on major technical and administrative problems. He or she is responsible for the effective use of assigned personnel and for the quality and quantity of work produced.

(4) Degree B-4 – 125 Points. The supervisor is responsible for directing and coordinating diverse work programs through intermediate levels of supervision. Within the framework of policy, the supervisor determines organizational structure and approves work plans and methods in order to efficiently and economically manage personnel and material resources. At this level, additional supervisory problems may exist such as subordinates located in widely separate locales; frequent changes to assignments and deadlines; frequent, often abrupt and unexpected changes in work assignments and goals; a wide variety of distinct occupations; or supervision of shift operations, i.e., activities that are carried out over two or more shifts. Work at this level requires the supervisor to be constantly adjusting to the unpredictable consequences of added pressure.

(5) Degree B-5 – 150 Points. The supervisor is responsible for executing a primary mission of the organization by managing and administering a group of major work programs. The supervisor is fully accountable for the economy and efficiency of operations, for compliance with activity or Component policy, and for the attainment of program goals and objectives. The variety and nature of the work supervised is often at the technical frontier of not only the activity or Component, but the Intelligence Community and the Department.

c. Factor C – Work Relationships. This factor measures the difficulty of attaining work goals and objectives through personal contacts within and outside the organization and the nature, frequency, and purpose of person-to-person relationships required by the duties of the position.

(1) Degree C-1 – 15 Points. Contacts are with personnel in the supervisor's immediate organization and are either so highly structured or of such an incidental nature that they do not play a role in overall performance.

(2) Degree C-2 – 35 Points. Person-to-person work relationships are required but are not essential in the overall daily performance. Contacts at this level would normally be within the supervisor's organization to explain changes in work patterns or to explain deviations in work processes or methods. Occasional coordination with other organizations having a similar mission relationship may occur if guidelines or instructions require joint coordination to avoid backlogs or delays.

(3) Degree C-3 – 55 Points. Contacts are a regular and necessary part of the function and are generally to clarify or give facts or information in which the subject matter requires some interpretation. At this level, most contacts are within the supervisor's own assigned organization; however, occasional contacts may be with external organizations whose missions differ considerably from the supervisor's.

(4) Degree C-4 – 75 Points. Daily contact is required with personnel in a wide variety of organizations having mission-related activities and occasionally with operating personnel within the Intelligence Community. The purpose of contacts at this level is to resolve non-routine problems affecting the overall activities of the organization. At this level, the supervisor must persuade or influence others to gain concurrence on major issues that affect the supervisor's organization.

(5) Degree C-5 – 95 Points. Person-to-person work relationships are for the purpose of justifying, demanding, negotiating, or settling matters involving significant or controversial issues. Contacts are generally with high-ranking officials both within and outside the supervisor's organization. The supervisor is expected to provide authoritative advice and guidance, to be a spokesperson for the organization, and be able to win support for the organization's programs.

(6) Degree C-6 – 115 Points. Person-to-person work relationships are to negotiate or solve issues relating to the most significant programs of the organization. The supervisor must defend extremely controversial or critical long-range plans of the organization, frequently at the highest levels of the activity or Component, with ranking officials of other Intelligence Community or Government agencies, or with executives of corporations having dealings with the activity or Component.

d. Factor D – Supervision Exercised. This factor measures the degree to which the supervisor is responsible for the various facets of technical and administrative supervision or management; his or her involvement in such things as work planning and organization, work assignment and review, and the exercise of supervisory personnel functions. This is, in effect, an expression of the extent of supervision received from higher levels and the extent of the supervisor's own responsibility for the work produced.

(1) Degree D-1 – 25 Points. At this level, the supervisor performs only basic supervision, such as ensuring that work schedules are met, staffing is adequate to accomplish assigned tasks, and adequate equipment and supplies are available for employees. The supervisor reviews work in progress or upon completion, explains any special instructions, and ensures that new employees are given proper training to perform the work. The supervisor also oversees attendance and leave, approves sick and annual leave and vacation schedules, and evaluates the performance of subordinates through the DCIPS or other appropriate Intelligence Community performance appraisal systems. Any controversial or disciplinary measures are referred to higher level supervisors for adjudication.

(2) Degree D-2 – 65 Points. At this level of supervision, the supervisor typically:

(a) Plans work schedules and sequences of operations for assigned personnel, ensuring that deadlines are met and that there is even flow of work.

(b) Revises work schedules to meet changes in workload, including use of overtime or alternate work schedules.

(c) Gives special instructions on difficult or different operations, answering technical questions about the work.

(d) Informs higher level supervisors of anticipated vacancies, increases in workload, or other circumstances requiring replacement or additional staff.

(e) Informally recommends promotions, reassignments, and recognition and rewards outstanding performance.

(f) Resolves employees' informal complaints that are within his or her jurisdiction, contacting higher levels of supervision for information and correction of unsatisfactory conditions.

(g) Directs on-the-job training for employees and provides back-up skills by cross training.

(h) Advises employees of the performance requirements of their positions and provides ongoing feedback on progress toward meeting requirements.

(i) Holds correcting interviews with employees and refers disciplinary problems to higher level supervisors in the chain of command in accordance with local policies and procedures.

(j) Prepares formal evaluations of employee performance and provides feedback on the evaluation.

(k) Explains to employees the main features and general procedures of promotion plans, training programs, and other opportunities, and seeks answers to more technical questions from higher level supervisors or staff specialists.

(l) Informs employees about the policies, procedures, and goals of management as they relate to the work of the organization.

(3) Degree D-3 – 95 Points. The supervisor at this level has authority to plan for and make changes in the organization of work in order to achieve efficient and economical operations within allowable budget, staffing levels, and policies established by higher organizational levels. While the normal work situation typically provides sources to which the supervisor can turn for advice and assistance on particularly difficult and out-of-the-ordinary technical problems, the supervisor does have substantial responsibility for the technical soundness of work, including the authority to define work quality standards and to prepare and issue internal instructions and procedures for work accomplishment. In addition to responsibilities for keeping employees and higher level supervisors informed of administrative, budgeting, and personnel matters that affect them, the supervisor at this level has authority to prepare formal and follow-up actions for most supervisory personnel functions, including providing the primary input for promotions and award recommendations.

(4) Degree D-4 – 125 Points. At this level, the supervisor has full technical responsibility for the work of the organization and oversees an organization through one or more levels of subordinate supervisors. In addition to the authority to make changes in the organization of work within allowable budget and established policy, the supervisor has the authority to develop plans and schedules that guide subordinate supervisors in meeting program goals, objectives, and broad priorities established by higher level management. The supervisor establishes quality standards and internal instructions and procedures, and establishes operating guidelines to coordinate activities of subordinate supervisors in all substantive and management areas. The supervisor at this level approves, modifies, or rejects personnel actions initiated by subordinate supervisors.

e. Factor E – Complexity of Work Supervised. This factor measures the nature, level, and difficulty of the nonsupervisory work being supervised or managed. The degree level selected for this factor should represent the highest full-performance level of nonsupervisory work found in the subordinate work unit.

(1) Degree E-1 – 35 Points. Supervises grades GG-1 through GG-4.

(2) Degree E-2 – 40 Points. Supervises grades GG-5 and GG-6.

(3) Degree E-3 – 45 Points. Supervises grades GG-7 and GG-8.

(4) Degree E-4 – 50 Points. Supervises grades GG-9 and GG-10.

(5) Degree E-5 – 55 Points. Supervises grade GG-11.

- (6) Degree E-6 – 60 Points. Supervises grade GG-12.
- (7) Degree E-7 – 65 Points. Supervises grade GG-13.
- (8) Degree E-8 – 70 Points. Supervises grade GG-14.
- (9) Degree E-9 – 75 Points. Supervises grade GG-15.

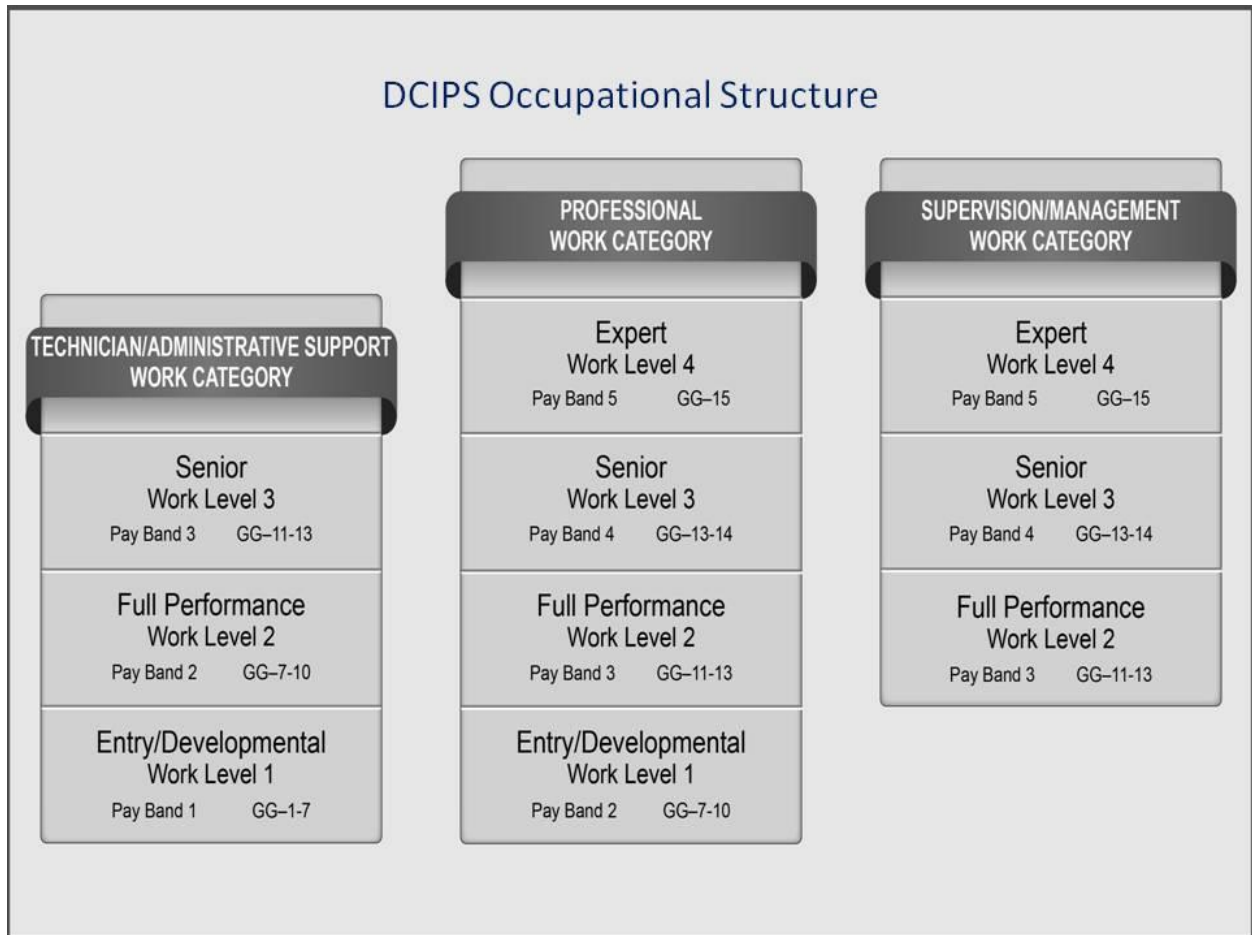
Table 2. Grade Conversion Chart for DCIPS Supervisory and Managerial Positions

Total Points	GG Grade Level	DCIPS Work Category and Work Level Descriptor
228-249	11	DCIPS supervisory and managerial work is considered to be professional work, and begins at the Full Performance Work Level (2) in the Professional Work Category. Positions that are found to have point totals less than the minimum shown on this chart are to be aligned using the DCIPS nonsupervisory grading criteria.
250-289	12	
290-344	13	Senior Work Level for the Supervision/Management Work Category.
290-344	13	
345-394	14	Expert Work Level for the Supervision/Management Work Category.
395 and above	15	
When applying this grade conversion chart, all work is aligned first to the Work Category and Work Level using the guidance contained in this Volume, and then to the appropriate GG grade based on this conversion chart.		

APPENDIX 5 TO ENCLOSURE 3

DCIPS OCCUPATIONAL STRUCTURE GRAPHIC

Figure. DCIPS Occupational Structure



GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Leader
DoDD	Department of Defense Directive
ODNI	Office of the Director of National Intelligence
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

These terms and their definitions apply only to this Volume and serve as the basic occupational structure taxonomy for DCIPS positions.

activity. Independent organizational entities subordinate to a DoD component.

competencies. The measurable or observable knowledge, skills, abilities, behaviors, and other characteristics needed to perform a type of work or function.

component. The principal organizational elements within the DoD Defense Intelligence framework that include the Defense Agencies, the Military Departments, the Defense Security Service, and the Office of the Under Secretary of Defense for Intelligence.

DCIPS elements. The elements that comprise the DCIPS occupational structure, as follows. Elements are listed in the order most useful for understanding each and its relationship to the others, beginning with the broadest designation of mission categories and moving downward through occupational groups, work categories and levels, job titles, and competencies that encompass individual positions.

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

DoD intelligence mission. Those activities that fall within the responsibility of the USD(I) as defined in Reference (b).

GG. The pay plan used for DCIPS positions in the graded structure.

grade. The numerical designation, GG-1 through GG-15, grouped by work levels, which differentiate within the work level qualifications required, difficulty, and responsibility.

IA. The pay plan used for DCIPS positions in the pay banded structure.

job titles. The labels applied by the Defense Intelligence Components to systematically defined sets of work activities that identify specialized tasks and competencies needed to perform a specific job.

mission categories. Broad classifications of work that reflect the various Defense Intelligence Component missions and functions, and that align to designated budget categories for the National Intelligence Program and the Military Intelligence Program.

occupational groups. One or more functionally related occupations, specialties, families, or classes of positions that share distinct, common technical qualifications, competency requirements, career paths, and progression patterns.

occupational series. Classes of positions that share distinct, common technical qualifications, competency requirements, career paths, and progression patterns.

pay band. A single rate range within the DCIPS compensation structure that establishes the range of pay for a work category, occupational group, and work level.

work categories. Broad sets of related occupational groups that are characterized by common types of work (i.e., Technician/Administrative Support; Professional; and Supervision and Management).

work levels. General descriptions that define work in terms of increasing complexity, span of authority and responsibility, level of supervision (received or exercised), scope and impact of decisions, and work relationships associated with a particular work category.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2008
September 12, 2012

Incorporating Change 1, Effective October 4, 2015

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Awards and Recognition

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume.

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a), DoDD 5143.01 (Reference (b)), DoD Instruction 1400.25 (Reference (c)), and DoDD 1400.35 (Reference (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) Volume. This Volume reissues DoD Instruction 1400.25-V2008 (Reference (e)) and, ~~in accordance~~ *consistent* with Intelligence Community Directive Number 655 (References (f)), establishes policy, assigns responsibilities, and prescribes guidance for DCIPS awards and recognition programs.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the DoD (hereinafter referred to collectively as the “DoD Components with DCIPS positions”).

b. Does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees or foreign national employees. It does not apply to members of the Defense Intelligence Senior Executive Service or the Defense Intelligence Senior Level unless specifically noted in this Volume or addressed in other Volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. DCIPS awards and recognition programs serve as important components of the overall DCIPS compensation philosophy by creating a positive work environment and a culture of recognition that continually identifies and rewards contribution to mission. Properly applied, awards and recognition programs provide management a continuous means of communicating important organizational and mission values. Awards programs will be monitored to ensure they do not inadvertently encourage or provide incentives for actions detrimental to another Component.

b. DCIPS awards programs shall complement but not duplicate or undermine the annual performance-based bonus or performance-based pay processes, described in Volume 2012 of this Instruction, for DoD Components with DCIPS positions operating under the DCIPS pay banded structure or tenure-based performance increases for those Components operating under the DCIPS graded structure.

c. DCIPS awards are discretionary.

d. DCIPS awards programs shall promote the overall efficiency and effectiveness of the DoD Components with DCIPS positions.

e. Heads of DoD Components with DCIPS positions may approve lump-sum monetary awards in amounts up to \$25,000 to a single employee, with appropriate amounts determined by the Component commensurate with the contribution being awarded. Awards more than \$25,000 require Presidential approval.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

7. RELEASABILITY. ~~UNLIMITED. This Volume of this Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.~~ *Cleared for public release. This volume is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.*

8. EFFECTIVE DATE. ~~This Volume of this Instruction:~~

a. ~~This volume of this instruction~~ *is* effective October 22, 2012.

b. ~~Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DoD Instruction 5025.01 (Reference (g)). If not, it will expire effective October 22, 2022 and be removed from the DoD Issuances Website. Change 1 of this volume (all text in red) is effective October 4, 2015, 60 days from the date Congress was notified of the change.~~



Erin C. Conaton
Under Secretary of Defense for
Personnel and Readiness

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," ~~November 23, 2005~~ *October 24, 2014*
- (c) DoD Instruction 1400.25, "DoD Civilian Personnel Management System," ~~current edition~~ *dates vary by volume*
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007, *as amended*
- (e) DoD Instruction 1400.25-V2008, "DoD Civilian Personnel Management System: Defense Intelligence Personnel System (DCIPS): Awards and Recognition," January 15, 2010 (hereby cancelled)
- (f) Intelligence Community Directive Number 655, "National Intelligence Awards Program," May 23, 2007, as amended
- ~~(g) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007~~
- ~~(h)~~ Sections 1603 and 1612 of title 10, United States Code
- ~~(i)~~ Sections 2301, 2302, and 4502 of title 5, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall coordinate with the *Under Secretary of Defense for Intelligence* (USD(I)) on DCIPS awards and recognition policies.

2. USD(I). The USD(I) shall:
 - a. ~~Establish policies, in consultation with the USD(P&R), governing awards programs for DCIPS employees.~~ *Establish policies governing awards programs for DCIPS employees in conjunction with the USD(P&R) in accordance with Reference (d).*

 - b. Ensure that DCIPS awards and recognition programs comply with sections 1603 and 1612 of title 10, United States Code (U.S.C.) (Reference (h)).

 - c. Monitor compliance with this Volume within the DoD Components with DCIPS positions through USD(I) established reporting requirements and in accordance with Volume 2013 of this Instruction.

3. ~~ASD(R&FM) ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA))~~. The ~~ASD(R&FM) ASD(M&RA)~~, under the authority, direction and control of the USD(P&R), shall coordinate on and forward all requests for awards *of* more than \$25,000, through appropriate channels, to the Secretary of Defense for further action.

4. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:
 - a. Distribute regulations and guidance implementing DCIPS awards policy for the DCIPS positions and personnel within their Components. Such regulations and guidance shall recognize the important role that acknowledging accomplishments and achievements serves for individuals and teams at all levels of a component in supporting the DCIPS performance culture and mission success.

 - b. Monitor compliance with this Volume and respond to reporting requirements established by the USD(I).

 - c. Ensure their awards programs do not inadvertently encourage or provide incentives for actions detrimental to another Component.

d. Endorse proposed awards *of* more than \$25,000 to the USD(I) following procedures in Enclosure 3 of this Volume. Provide a copy of nominations for Intelligence Community awards made in accordance with Reference (f) to the USD(I) through the Director, Human Capital Management Office.

ENCLOSURE 3

PROCEDURES FOR DCIPS AWARDS AND RECOGNITION PROGRAMS

1. GENERAL. In setting budgets for monetary awards, the DoD Components with DCIPS positions shall ensure that awards programs do not potentially reduce the impact of payouts made through, or undermine the processes used by, the DCIPS performance-based compensation system set forth in Volume 2012 of this Instruction. Awards budgets shall be determined in consideration of the goals of DCIPS performance-based compensation and are intended to use bonuses rather than monetary awards to reward performance under the DCIPS performance management system detailed in Volume 2011 of this Instruction.

a. The DoD Components with DCIPS positions may establish length of service awards to recognize employees as they pass meaningful career milestones. Such programs shall consist of non-monetary forms of recognition such as certificates, pins, letters, or other commemorative items, and shall not be paired with monetary awards intended to recognize specific achievements or outcomes. Length of service awards shall normally be presented soon after the employee attains eligibility. However, the date of presentation may be set within a reasonable period of time after the date of eligibility to arrange presentation ceremonies for employees or groups of employees.

b. Awards and recognition programs and practices, including those for suggestions and inventions being implemented and honorary and time-off awards, shall generally conform to Volume 451 of this Instruction. Other than the specific limitations in section 2 of this enclosure, nothing in this Volume should be construed to limit an employee's eligibility under DoD, Intelligence Community, or Federal Government awards and recognition programs.

c. Employees may not be rewarded more than once for the same effort or accomplishment. When considering awards and recognition, receipt of other awards or recognition should be considered to ensure the same or related efforts or accomplishments are not the basis for the proposed award or recognition. Previous awards and recognition must also be considered during the annual pay pool process in considering what bonus may be appropriate.

2. EXCEPTIONS TO VOLUME 451 OF THIS INSTRUCTION. Specific exceptions to Volume 451 of this Instruction for DCIPS awards are:

a. Monetary awards payable to employees assigned to the DCIPS pay-banded structure pursuant to this Volume shall consist only of lump-sum monetary awards. Base-pay increase awards shall only be paid to employees in the DCIPS graded structure.

b. DCIPS employees are eligible for lump-sum monetary awards for special one-time acts and efforts, but are not eligible for lump-sum monetary awards designed to recognize annual performance under Volume 2011 of this Instruction. DCIPS employee performance under Volume 2011 of this Instruction shall be recognized in the annual bonus process provided

through the DCIPS performance-based compensation provisions of Volume 2012 of this Instruction.

c. A lump-sum monetary award paid to a DCIPS employee shall be an appropriate amount relative to the special act or effort, shall not exceed \$2,000 without an exception to policy approved by the Head of the DoD Component with DCIPS positions, and shall be consistent with the DCIPS compensation philosophy.

d. Time-off awards shall be consistent with the policy in Volume 451 of this Instruction, except that a time-off award cannot be used in lieu of or as a supplement to a DCIPS performance-based salary increase or bonus payout to an employee in a Component operating under the DCIPS pay banded structure, or a performance-based bonus for an employee in a Component operating under the DCIPS graded structure. However, a time-off or other incentive award may be considered at any time during the performance cycle to recognize the employee for a specific accomplishment or act.

e. Proposed awards more than \$25,000 must be submitted by the Head of the DoD Component with DCIPS positions to the Under Secretary of Defense for Intelligence (USD(I)) (Attn: Director, Human Capital Management Office) for coordination with the ~~Assistant Secretary of Defense for Readiness and Force Management (ASD(R&FM))~~ *ASD(M&RA)* prior to forwarding through appropriate channels to the Secretary of Defense who must approve them before submission to the President of the United States for final approval.

3. LUMP-SUM MONETARY AWARDS. Lump-sum monetary awards shall be used to reward special one-time acts or other extraordinary efforts, and may be used to acknowledge an individual or team contribution or exceptional accomplishment at any time. Lump-sum monetary awards shall not be used to reward performance based on an evaluation of record. Recognition of such performance may be made through non-monetary awards and performance-based pay increases or bonuses provided in Volumes 2012 of this Instruction for Components operating under the DCIPS pay banded structure, and through non-monetary awards and performance-based bonuses provided in Volume 2012 of this Instruction for Components operating under the DCIPS graded structure.

4. BASE-PAY INCREASE MONETARY AWARDS. Base-pay increase monetary awards may be used by Components operating under the DCIPS graded structure to reward the highest levels of performance based on an evaluation of record for a single performance cycle for a DCIPS Quality Increase (DQI), or evaluations of record for multiple consecutive performance cycles for DCIPS Sustained Quality Increase (SQI) awards. Base-pay increase monetary awards can be used, at Component discretion, to provide recognition for the highest levels of performance by granting a base-pay increase in the amount of one or two step increases at the employee's current grade. An annual process will be established to assess the use of these awards, determine fiscal restraints and guidance, and determine appropriate caps on the numbers of base-pay increase monetary awards that a Component can grant. Receipt of a base-pay increase monetary award does not preclude an employee from receiving other forms of recognition provided for in this

Volume or Volume 2012 of this Instruction, to include but not limited to non-monetary awards, lump-sum monetary awards, time-off awards, and performance bonuses through the pay pool process. Receipt by an employee of a base-pay increase monetary award may restrict the receipt of the same or similar base-pay increase monetary awards for a period of time.

a. General. Components may provide base-pay increase monetary awards, with consideration of budgetary constraints and aligned to this Volume and any additional Component-specific processes and practices. Components providing base-pay increase monetary awards will determine the initial pool of eligible employees through one of the two methodologies provided in paragraph 4.b. of this enclosure and will apply the chosen methodology Component-wide.

b. Eligibility Criteria. Each year, Components awarding base-pay increase monetary awards shall choose one of two available methodologies to determine initial eligibility for a base-pay increase monetary award; this methodology will apply consistently across the entire Component. Eligibility does not imply that such an award will be given; it serves only to identify the initial pool of employees eligible for initial consideration, and to whom additional criteria will be applied. There are two available methodologies to choose from. The first is to choose employees with a current evaluation of record of “Outstanding.” Second, Components may choose from employees whose performance evaluations of record identify them as top performers by being in a percentage of top scores for the components, which shall not exceed 10 percent.

c. Awards Beyond Step 10 of the Employee’s Grade. A base-pay increase monetary award may be given when the employee’s base-pay rate is at or exceeds step 10 of the current grade by increasing the employee’s rate of pay to a rate equivalent to the value of one or two steps (as appropriate for the type of award). A one-step increase or a two-step increase may not result in a salary that exceeds the top of the extended pay range (i.e., the equivalent of the virtual step 12 rate of the employee’s grade) nor may it result in basic pay exceeding the statutory limitation of the level IV rate of the Executive Schedule.

d. Employees on Retained Pay, or Those Otherwise At or Above the Equivalent of the Step 12 Rate of Their Grade. Employees on retained pay, or those otherwise at or above the equivalent of the step 12 rate of their grade, are not eligible for base-pay increase monetary awards.

e. Data Requirements for Base-Pay Increase Monetary Awards. Components shall maintain data and provide information on their use of base-pay increase monetary awards in accordance with Volume 2013 of this Instruction.

f. Types of Base-Pay Increase Monetary Awards and Specific Criteria. Base-pay increase monetary awards available to Components are the DQI and SQI. While these are the only options for base-pay increase monetary awards available to those operating under the DCIPS graded structure, Components may choose to award any, all, or none of these awards on an annual basis.

(1) DQI. DQI is a base-pay increase monetary award in the form of an increase in an employee's pay from one step of the grade of his or her position to the next higher step of that grade. Components may use a DQI to reward employees deemed initially eligible under the provisions of paragraph 4.b. of this enclosure and who have not received a base-pay increase monetary award of any type within the preceding 52 consecutive weeks. Component discretion may be used to provide additional criteria for this award.

(2) DCIPS SQI. DCIPS SQI provides the highest base-pay increase monetary award available to employees of Components operating under the DCIPS graded structure. The DCIPS SQI is a sustained performance award reserved to recognize truly exemplary sustained performance. The award consists of a base-pay increase monetary award in the form of an increase in an employee's pay of two steps at their current grade. Components may use the SQI to reward employees who were deemed initially eligible for consideration (under the criteria provided in paragraph 4.b. of this enclosure) for a base-pay increase monetary award for 3 consecutive years, the current and two preceding performance evaluation cycles. Employees need not have received a DQI during the preceding 2 years. Employees to be awarded an SQI must have been under the DCIPS Performance Management system and in the same DCIPS grade for the last 3 years. Time spent under DCIPS bands may be considered if the employee's current grade was encompassed in the prior band in the same work category. An employee may not receive more than one SQI during any 3-year period.

5. TIME-OFF AWARDS. Time-off awards may be used at any time to provide employees with time off without loss of pay or charge to leave in recognition of special one-time acts or other extraordinary efforts, except that time-off awards cannot be included in the pay pool process executed under Volume 2012 of this Instruction. Time-off awards may be used to acknowledge an individual or team contribution. Time off granted as an award must be used within 1 year after the effective award date and will not transfer with an employee to a new DCIPS Component or other government organization. Time-off awards must be commensurate with the individual's contribution or accomplishment and may not exceed 40 hours for any one contribution or accomplishment and may not exceed 80 hours for any one employee in any leave year. Limitations for time-off awards for part-time employees and those with an uncommon tour of duty are explained in Volume 451 of Reference (c).

6. NON-MONETARY AWARDS. Non-monetary awards, commonly referred to as honorary awards, shall be used to recognize and reward superior or sustained accomplishments and achievements, and may be used to acknowledge an individual or team contribution or exceptional accomplishment at any time. Team recognition awards are encouraged as a mechanism to support collaboration goals and unified efforts to support mission accomplishment. Component awards programs shall include Team Recognition Awards. ~~and shall provide guidance that includes restrictions on including contractor personnel DoD-level non-monetary awards are provided in Volume 451 of Reference (e).~~

7. SUGGESTION AND INVENTION AWARDS. DoD Components with DCIPS positions will follow guidance provided in Volume 451 of Reference (c) on these awards when awarding or establishing Component-specific programs for these awards.

8. ELIGIBILITY FOR AWARDS

a. Impact of Employee Evaluations of Record. Awards shall be granted only to employees with current overall performance evaluations of record of “Successful” or higher, in accordance with the DCIPS performance management system. Employees with current evaluations of record of “Unacceptable” or “Minimally Successful” are not eligible for awards. If an employee does not have an evaluation of record from the DCIPS performance management system at the time an award is contemplated, the DoD Component with DCIPS positions shall determine that the latest rating is equivalent to “Successful” or above under the DCIPS system and relevant prior to granting an award. DoD Components with DCIPS positions shall exercise discretion in determining award eligibility for new employees and others who have not received an evaluation of record from any system.

b. Demotions, Suspensions, and Removals. Employees who have been demoted or suspended in the past 12 months for performance or conduct reasons, or who have been issued a final decision for removal, demotion, or suspension after a finding by a deciding official as addressed in Volume 2009 of this Instruction, are not eligible for awards or recognition under this Volume.

c. Merit Principles. Awards and recognition programs shall be implemented consistent with the merit principles identified in section 2301 of title 5, U.S.C. (Reference (*ih*)).

d. Prohibited Practices. Awards and recognition programs shall be implemented free of the unlawful discrimination and prohibited personnel practices identified in section 2302 of Reference (*ih*).

e. Grievances. The grievance procedures of the DoD Components with DCIPS positions aligned to Volume 2014 of this Instruction shall include the provision that non-receipt, type, or amount of a DCIPS award or recognition shall not be grievable.

f. Contractors. ~~Contractors are not employees covered under this Volume. As a general rule, and as noted in Volume 451 of Reference (c), persons or organizations having a commercial or profit-making relationship with the DoD or with a DoD Component with DCIPS positions shall not be granted recognition through the DCIPS awards and recognition program. A limited exception is authorized for non-monetary awards (i.e., honorary awards that do not require expenditure of appropriated funds) when the contribution is substantially beyond that specified in the terms of the contract establishing the relationship, or the recognition is clearly in the public interest. Simply performing on a team carrying out contract requirements is not sufficient to provide an award to contractor personnel. Contractor personnel can never be given monetary awards. Prior to awarding any non-monetary honorary award to contractor personnel, the nomination must be coordinated with the appropriate contracting officer’s representative,~~

~~contracting officer, and Office of the General Counsel to ensure it does not adversely impact contract administration or ongoing business issues with the particular contractor (e.g., does not raise preferential treatment concerns). Contractors and their employees are not eligible for monetary awards, non-monetary awards and other recognition, except in the rare instances allowed for by Volume 451 of Reference (c).~~

9. AWARDS AND RECOGNITION PROGRAM PLANS. The DoD Components with DCIPS positions shall develop awards and recognition program plans that:

- a. Specify the organizational goals that the awards and recognition program are intended to further.
- b. State the awards and recognition program budget.
- c. Clearly distinguish the awards and recognition program budget and procedures from DCIPS performance-based compensation processes and payouts.
- d. Ensure that monetary awards are used judiciously as a form of recognition for employees that complements the performance-based compensation processes. Monetary awards shall not in any way detract from, reduce the impact of, or undermine the impact of these processes, nor serve as a part of the expected compensation of employees or a substitution for premium pay.
- e. Ensure the delegation of authorities to the lowest practical levels.
- f. Identify roles and responsibilities for developing, planning, communicating, executing, and evaluating the success of the awards and recognition program.
- g. ~~Restriet Prohibit~~ inclusion of contractors ~~to~~ and their employees for monetary awards, non-monetary ~~team~~ awards ~~when appropriate and applicable criteria is met., and other recognition, except in the rare instances when allowed by Volume 451 of Reference (c).~~

10. PROGRAM REVIEW. The USD(I) shall review the awards and recognition plans and the execution of the awards and recognition programs of the DoD Components with DCIPS positions as part of the USD(I) assessment of DCIPS. Specific details, requirements, and metrics will be provided in Volume 2013 of this Instruction. The USD(I) shall assess Component awards and recognition programs for their success in:

- a. Appropriately complementing the DCIPS compensation philosophy so as not to undermine the impact of performance-based compensation.
- b. Motivating, recognizing, and rewarding eligible employees.
- c. Exhibiting a close demonstrable link between the accomplishment or contribution to DoD Component and Defense Intelligence Enterprise goals and the receipt of an award or recognition.

- d. Providing awards and recognition commensurate with the value of the contribution or accomplishment.
- e. Delivering awards and recognition in a timely fashion.
- f. Being perceived by employees, supervisors, and managers to be effectively administered, equitable, and to have a positive impact on mission.

11. DoD AND PRESIDENTIAL AWARDS. This Volume does not limit use of DoD and Presidential awards. DCIPS employees are eligible for DoD and Presidential awards in accordance with the policies, procedures, and rules applicable to those awards, as specified in Volume 451 of Reference (c).

12. DEFENSE INTELLIGENCE ENTERPRISE AWARDS. The USD(I) may establish DoD awards for individuals, teams, or groups for especially meritorious conduct in service to the Defense Intelligence Enterprise. Awards may be honorary or monetary and amounts for individuals shall be in accordance with section 4502 of Reference (~~ih~~). Upon establishment of a Defense Intelligence Enterprise Awards Program, the USD(I) shall provide guidance for the criteria, nomination, and approval processes for such awards.

13. NATIONAL INTELLIGENCE COMMUNITY AWARDS PROGRAMS. The DoD Components with DCIPS positions may participate in Intelligence Community awards programs as provided by Reference (f) to recognize distinguished service or exceptional contributions to the Intelligence Community within and beyond the DoD in accordance with the policies, procedures, and rules applicable to those awards. A copy of nominations for these awards should be provided by the DoD Component with DCIPS positions to the USD(I) through the Director, Human Capital Management Office.

14. AWARDS FOR NON-DCIPS EMPLOYEES. DoD Components with DCIPS positions must comply, as applicable, with the criteria established in this Volume when granting awards to non-DCIPS employees.

15. COMPONENT-SPECIFIC AND OTHER AWARDS PROGRAMS. At Component Head discretion, DoD Components with DCIPS positions may participate in additional awards and recognition programs (e.g., those specific to a Component, Service, or community of interest) as applicable, with appropriate approvals from the Component's Office of General Counsel; ~~and ethics officials.~~ ~~, and contracting officers if contractors are involved.~~

GLOSSARY

PART I: ACRONYMS AND ABBREVIATIONS

ASD(R&FM)	Assistant Secretary of Defense for Readiness and Force Management
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
DCIPS	Defense Civilian Intelligence Personnel System
DoDD	Department of Defense Directive
DQI	DCIPS Quality Increase
SQI	Sustained Quality Increase
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II: DEFINITIONS

Unless otherwise noted, these terms and their definitions apply to this Volume of this Instruction.

award. An item of value bestowed or action taken to recognize and reward individual or team achievement that contributes to meeting organizational goals or improving the efficiency and effectiveness of the Government, or is otherwise in the public interest.

awards program. The specific procedures and requirements established in a DoD Component with DCIPS positions for granting awards pursuant to this Volume.

base-pay increase monetary award. An award in which the means of recognition is a salary increase in the equivalent of one or two steps at the employee's current grade.

DCIPS bonus. A lump-sum monetary award awarded through the DCIPS pay pool process provided in accordance with Volume 2012 of this Instruction.

lump-sum monetary award. An award in which the means of recognition is a lump-sum cash payment. No lump-sum monetary award shall increase the employee's rate of pay.

non-monetary award. An award in which the means of recognition has a purely honorific value, such as a letter, certificate, medal, plaque, or other item of nominal cash value.

time-off award. An award in which time off from duty is granted without loss of pay or charge to leave and for which the number of hours granted is commensurate with the employee's contribution or accomplishment.

60 day Congressional notification is required before the changes noted will go into effect.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2009

May 20, 2012

Incorporating Change 2, Effective March 10, 2017

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Disciplinary, Performance-Based, and Adverse Action Procedures

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several Volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the Department of Defense.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction ~~shall~~ *will* be referred to as “the DCIPS Volumes.”

(2) This Volume. This Volume establishes core principles and policies applicable to the administration of DCIPS disciplinary, performance-based, and adverse action procedures and appeals of such actions for all ~~DCIPS~~ *Defense Intelligence* employees *covered by DCIPS*.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other

organizational entities within the Department of Defense that employ individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions.”

b. Does NOT apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, employees serving DCIPS trial periods, or foreign national employees. It does not apply to members of the Defense Intelligence Senior Executive Service (DISES) or the Defense Intelligence Senior Level (DISL) unless specifically addressed in other volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that the DoD Components with DCIPS positions ~~shall~~ *will* execute disciplinary, performance-based, and adverse actions equitably and impartially. All persons involved in these processes ~~shall~~ *will* be free from restraint, interference, coercion, discrimination, or reprisal.

5. RESPONSIBILITIES

a. Under Secretary of Defense for Personnel and Readiness (USD(P&R)). The USD(P&R), in conjunction with the Under Secretary of Defense for Intelligence (USD(I)), ~~shall~~ *will* establish and maintain DCIPS policies and monitor their effects on DoD-wide personnel readiness.

b. USD(I). The USD(I), in conjunction with the USD(P&R), ~~shall~~ *will* prescribe policies governing the design and administration of DCIPS disciplinary, performance-based, and adverse action programs and monitor compliance with these policies within the DoD Components with DCIPS positions through reporting requirements as necessary.

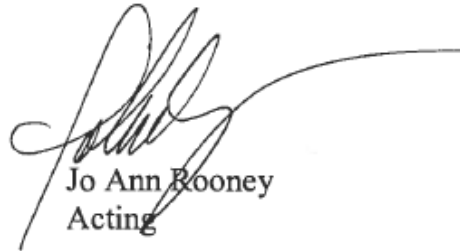
c. Heads of the DoD Components with DCIPS Positions. The Heads of the DoD Components with DCIPS positions ~~shall~~ *will* provide any necessary guidance implementing DCIPS policy within their Components, monitor compliance with this Volume and internal implementing guidance, and respond to reporting requirements established by the USD(I).

6. PROCEDURES. Enclosure 2 provides DCIPS disciplinary, performance-based, and adverse action procedures. Enclosure 3 provides special termination authority procedures and Enclosure 4 provides post-employment assistance procedures for certain terminated intelligence employees.

7. RELEASABILITY. ~~UNLIMITED~~. *Cleared for public release*. This Volume is ~~approved for public release and is~~ available on ~~the Internet from~~ the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. ~~a.~~ This Volume is effective May 20, 2012, pursuant to section 1613 of title 10, United States Code (U.S.C.) (Reference (e)).

~~b. If this Volume is not otherwise reissued or cancelled in accordance with DoDI 5025.01 (Reference (f)), it will expire effective May 20, 2022 and be removed from the DoD Issuances Website.~~



Jo Ann Rooney
Acting

Enclosures

1. References
2. DCIPS Disciplinary, Performance-Based, and Adverse Action Procedures
3. Special Termination Authority
4. Post Employment Assistance: Certain Terminated Intelligence Employees

Glossary

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” November 23, 2005
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007
- (e) Sections 1609, 1611, 1612, and 1613 of title 10, United States Code
- ~~(f) DoD Instruction 5025.01, “DoD Directives Program,” September 26, 2012~~
- (g) Sections 2105, 2302, 7532 and 7701 of title 5, United States Code
- (g) Section 752.404(d)(2) of Title 5, Code of Federal Regulations*
- (h) Intelligence Community Policy Guidance 704.1, “Personnel Security Investigative Standards and Procedures Governing Eligibility for Access to Sensitive Compartmented Information and Other Controlled Access Program Information,” October 2, 2008
- (i) Intelligence Community Policy Guidance 704.2, “Personnel Security Adjudicative Guidelines for Determining Eligibility for Access to Sensitive Compartmented Information and Other Controlled Access Program Information,” October 2, 2008

ENCLOSURE 2

DCIPS DISCIPLINARY, PERFORMANCE-BASED, AND ADVERSE ACTION
PROCEDURES

1. GENERAL

a. To promote the efficiency of the Federal service, DoD Components with DCIPS positions ~~shall~~ *will* take disciplinary, performance-based, and adverse actions in accordance with this Volume, in the event of employee misconduct or unacceptable performance.

b. Except in situations involving national security matters or serious misconduct where progressive discipline would not be appropriate as determined by the DoD Component with DCIPS positions, DoD Components with DCIPS positions ~~shall~~ *will* normally employ progressive discipline in the event an employee continues to engage in misconduct after having been disciplined. DoD Components with DCIPS positions ~~shall~~ *will* develop and maintain a recommended table of penalties for various offenses.

2. DISCIPLINARY ACTIONS. DoD Components with DCIPS positions ~~shall~~ *will* establish policies to carry out disciplinary actions based on employee misconduct.

a. At a minimum, such policies ~~shall~~ *will*:

(1) Include standards and guidelines for the specific actions to be taken (e.g., written reprimands, or suspensions for 14 days or less) to address an employee's delinquency or misconduct.

(2) Adhere to the basic merit principles identified in section 1612 of Reference (e).

(3) For proposed written reprimands, include specifics regarding the offense and note that the written reprimand may be grieved pursuant to Volume 2014.

(4) For proposed suspensions for 14 days or less, include provisions for:

(a) Advanced written notice to the employee of the proposed action stating the specific reason(s) for the proposed action.

(b) The opportunity to review the documentation upon which the proposed suspension is based.

(c) The opportunity to respond within a timeframe of not less than 24 hours.

(d) A right to representation as outlined in subparagraph 3.c.(2) of this enclosure.

(e) A final written decision.

b. Disciplinary actions may not be further appealed, but may be grieved pursuant to Volume 2014 of this Instruction.

3. PERFORMANCE-BASED ACTIONS. The DoD Components with DCIPS positions ~~shall~~ *will* establish policies that, at a minimum, meet the requirements in paragraphs 3.a. through 3.c. of this enclosure to address unacceptable performance.

a. Actions to address unacceptable performance ~~shall~~ *will* be taken according to the procedures of this Volume, in compliance with Volume 2011 of this Instruction, and in accordance with the merit principles identified in section 1612 of Reference (e).

b. DoD Components with DCIPS positions may reduce an employee's rate of base pay, reduce an employee's work level, reduce an employee's pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure), and/or remove an employee from employment as a consequence of performance that fails to meet established standards. Such performance must be of a level that it is, or will be, documented as unacceptable performance in accordance with Volume 2011 of this Instruction.

(1) DoD Components with DCIPS positions may determine that an employee's overall performance is unacceptable at any time during the performance evaluation period. Supervisors and managers ~~shall~~ *will* notify the employee of the performance objectives and elements for which performance is unacceptable, and inform the employee of the performance requirements or standards that must be attained to demonstrate acceptable performance in his or her position and provide the employee a reasonable opportunity to improve and demonstrate acceptable performance.

(2) If, in the rating official's judgment, an employee's performance is unacceptable, the rating official ~~shall~~ *will* document feedback sessions with the employee. Documentation ~~shall~~ *will* be provided to the employee and ~~shall~~ *will* include, at a minimum, a statement of the performance requiring improvement, the performance improvement actions that the supervisor and employee have agreed to implement, and the consequences of failure to demonstrate acceptable performance improvement within an established period of time.

(3) Once an employee has failed to demonstrate acceptable performance after a reasonable opportunity, a DoD Component with DCIPS positions may propose a reduction in an employee's work level, pay band (for organizations operating under the DCIPS banded structure), grade (for organizations operating under the DCIPS graded structure), or base pay rate; or removal on the basis of unacceptable performance.

(4) When an employee is moved involuntarily to a lower work level, pay band (for organizations operating under the DCIPS banded structure), grade (for organizations operating under the DCIPS graded structure), or base pay rate as a result of unacceptable performance, the

authorizing management official may reduce the employee's base salary to an amount not less than the minimum for the pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure) to which the employee is reduced. In no case may the employee's salary exceed the maximum for the pay band (for organizations operating under the DCIPS banded structure) or grade (for organizations operating under the DCIPS graded structure) to which the employee is reduced. An employee's annual compensation may not be reduced under involuntary procedures more than once in a 12-month period.

c. An employee whose removal or reduction in work level, pay band (for organizations operating under the DCIPS banded structure), grade (for organizations operating under the DCIPS graded structure), or base pay rate on the basis of unacceptable performance is entitled to:

(1) A 30 calendar-day advance written notice of the proposed action. This notice ~~shall~~ *will* identify the specific performance objectives and/or performance elements against which performance has been found to be unacceptable, and cite specific examples of unacceptable performance. This advance notice may be made at any time during the performance evaluation period.

(2) Request to have a representative assist in preparing and/or presenting a reply to the notice of proposed action. If such representative is desired, an employee must advise the DoD Component with DCIPS positions in writing, providing such information as the Component requires. An employee's choice of a representative may be declined by the Component when such representation would result in a conflict of interest or position; conflict with the priority needs of the Component, compromise classified activities of the Government, or give rise to additional cost to the Government.

(3) A reasonable period (typically 7 to 15 calendar days) to reply to the notification orally or in writing.

(4) A written final decision that specifies the instances of unacceptable performance on which the decision is based and, unless proposed by the head of the agency, includes statement that the action has been concurred with by a manager who is in a higher position than the manager who initiated the action.

(5) Notification of the right to appeal the final decision in accordance with section 5 of this enclosure.

4. ADVERSE ACTIONS.

a. DoD Components with DCIPS positions ~~shall~~ *will* issue policies for effecting adverse actions consistent with the requirements of this Volume. At a minimum, such policies ~~shall~~ *will* entitle the employee to:

~~a~~(1) At least 30 calendar-days' advance written notice of the proposed action unless the component has reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment may be imposed and is proposing a removal or suspension, including indefinite suspension. This notice ~~shall~~ *will* identify the specific reasons for the proposed action and include specific examples, where applicable.

~~b~~(2) Request to have a representative assist in preparing and presenting a reply to the notice of proposed action. If such representation is desired, an employee must advise the DoD Component with DCIPS positions in writing, providing such information as the Component requires. An employee's choice of a representative may be declined by the Component when such representation would result in a conflict of interest or position, conflict with the priority needs of the Component, compromise classified activities of the Government, or give rise to additional cost to the Government.

~~e~~(3) A reasonable period (typically 7 to 15 calendar days) to reply to the notification of the proposed action orally and in writing.

~~d~~(4) A written final decision that specifies the instances of unacceptable conduct or behavior on which the decision is based, the effective date of the action, and unless proposed by the head of the agency, ~~includes~~ a statement that the action has been concurred with by a manager who is in a higher position than the manager who initiated the action.

—~~e~~(5) Notification of the right to appeal the final decision. Employees have the right to appeal an adverse action based on conduct or behavior in accordance with section 5 of this enclosure.

~~f~~ b. If the adverse action is a suspension and removal in the interests of national security a Component may immediately suspend an employee in accordance with section 7532 of reference (~~g~~f), and at a minimum, Component implementing guidance ~~shall~~ *will* include the following requirements:

(1) Within 30 calendar days from the date of notification of suspension, the employee has a right to submit documentation to show why he or she should be restored to duty.

(2) If the employee has a permanent or indefinite appointment, has completed his or her trial period, and is a United States citizen, the employee is entitled, after suspension and before removal to:

(a) Within 30 calendar days, a written notice of the charges against him or her, which ~~shall~~ *will* be stated as specifically as security considerations permit. This notice may be amended within 30 days after the original notice.

(b) Thirty calendar days to respond to the charges and submit documents, and an additional 30 calendar days if the charges are amended.

(c) A hearing if requested by the employee.

(d) A review of his or her case by the head of the agency or his designee, before a decision adverse to the employee is made final.

(e) A written final decision.

c. The advance written notice and opportunity to respond are not required for furloughs without pay due to unforeseeable circumstances, such as sudden breakdowns in equipment, acts of God, or sudden emergencies requiring immediate curtailment of activities, pursuant to Section 752.404(d)(2) of Title 5, Code of Federal Regulations (Reference (g)).

5. APPEALS.

a. Except for terminations under section 1609 of reference (e) and Enclosure 3 of this Volume, employees to whom this Volume applies who have successfully completed a DCIPS trial period and who are employed under other than a temporary appointment of 2 years or less may appeal adverse or performance-based actions within their Component in accordance with this Volume. Such appeals must be based upon a final written decision issued by the Component. Appeals in which an employee alleges illegal discrimination cannot be brought through a Component appeals process and should be processed through the Component's equal employment opportunity office. Generally, disputes regarding performance evaluations of record should be addressed only through the administrative reconsideration process provided in Volume 2011 of this Instruction, except as to adverse or performance-based actions resulting from the performance evaluation of record, which may be appealed under this Volume. Disciplinary actions cannot be appealed but may be grieved under Component grievance procedures pursuant to Volume 2014 of this Instruction.

b. Preference-eligible employees may appeal adverse actions within their DoD Component with DCIPS positions prior to the completion of their trial period provided they have completed 1 year of current continuous service in the same or similar positions.

c. DoD Components with DCIPS positions appeals procedures ~~shall~~ *will* provide for equitable treatment, high standards of integrity and efficiency, and freedom from favoritism and arbitrary action.

d. DoD Components with DCIPS positions ~~shall~~ *will* apply the standard of "substantial evidence" in section 7701(c)(1)(A) of title 5, U.S.C. (Reference (g)) in adjudicating employee appeals of actions resulting from unacceptable performance.

e. DoD Components with DCIPS positions ~~shall~~ *will* apply the standard of "preponderance of the evidence" in section 7701(c)(1)(B) of Reference (g) in adjudicating employee appeals of actions resulting from unacceptable conduct.

f. Preference-eligible employees who have completed 1 year of current continuous service in the same or similar positions may appeal adverse and performance-based actions to the U.S.

Merit Systems Protection Board (MSPB). However, if the employee bypasses the DoD Component with DCIPS position's appeals process and appeals directly to the MSPB, the employee may not subsequently appeal the same action in the Component process.

g. Employees covered by section 1612(b) of Reference (e) may appeal adverse or performance-based actions to the MSPB. However, if the employee bypasses the DoD Component with DCIPS position's appeals process and appeals directly to the MSPB, the employee may not subsequently appeal the same action in the Component process.

h. In a case in which the employee alleges that an action taken against him or her was the result of a prohibited personnel practice as defined in section 2302(b) of Reference (g), the employee may either appeal the action; make a complaint to the DoD Component's Inspector General; or take other appropriate actions in accordance with section 5.a. of this enclosure, which in the case of an employee who is not in the Defense Intelligence Agency, National Geospatial-Intelligence Agency, or National Security Agency, includes filing a complaint with the U.S. Office of Special Counsel.

i. The employee may request to have a representative assist in preparing and presenting an appeal. If such representation is desired, an employee must advise the DoD Component with DCIPS positions in writing, providing such information as the Component requires. An employee's choice of a representative may be declined by the Component when such representation would result in a conflict of interest or position; conflict with the priority needs of the Component, compromise classified activities of the Government, or give rise to additional cost to the Government.

j. There is no entitlement to a hearing.

ENCLOSURE 3

SPECIAL TERMINATION AUTHORITY

Notwithstanding any other provisions, pursuant to section 1609 of Reference (e) and consistent with Reference (d):

a. The Secretary of Defense, Deputy Secretary of Defense, the Heads of the DoD intelligence components with respect to their employees, and the Secretaries of the Military Departments, as delegated, may terminate the employment of their ~~DCIPS~~ *Defense Intelligence* employees *covered by DCIPS* only if they consider the action to be in the interests of the United States and determine that the procedures prescribed in other provisions of law that authorize termination of employment of such an employee cannot be invoked in a manner consistent with the national security. This authority ~~shall~~ *will* not be further delegated. These officials ~~shall~~ *will*:

(1) Determine the appropriate delegation procedures within their DoD Components with DCIPS positions for proposing such termination actions for ~~DCIPS~~ *Defense Intelligence* employees *covered by DCIPS*.

(2) Conduct a thorough and timely incident or case investigation including review by their General Counsels and with their DoD Component with DCIPS positions human resources specialists before requesting authority to issue a proposed notice to terminate employment pursuant to this authority.

(3) Prior to invoking the extraordinary authority of section 1609 of Reference (e), the proposing official will notify the USD(I) of the intended use of this authority and request authority to proceed. An action officer should be identified by the USD(I) for related actions, as needed.

(4) Provide the employee written notification of the decision to terminate. This notification ~~shall~~ *will* be signed by the appropriate official listed in paragraph a. of this enclosure and ~~shall~~ *will*:

(a) Specify the effective date of termination.

(b) Inform the employee of the DoD Component with DCIPS positions' exit process and points of contact pertinent to the termination.

(c) When the decision to terminate is made by an official other than the Secretary of Defense, advise the employee of the right to appeal to the Secretary of Defense following procedures outlined in paragraph e. of this enclosure.

(5) Maintain all documentation and all communication with the employee consistent with applicable security and counterintelligence standards.

- (6) Where determined to be warranted by the DoD Component with DCIPS positions, request authorization for postemployment assistance from the USD(I).
- b. The decision to terminate the employment of an employee under the Special Termination Authority is final and may not be appealed or reviewed outside the Department of Defense.
- c. The Secretary of Defense, through the Director, Human Capital Management Office in the Office of the USD(I), ~~shall~~ *will* promptly notify the congressional oversight committees of any termination using this authority.
- d. Termination of employment does not affect the right of the removed employee to seek or accept employment with any other department or agency of the United States if the Director of the Office of Personnel Management declares the employee eligible for such employment.
- e. The following procedures apply to appeals of such actions to the Secretary of Defense:
- (1) The employee, or his or her designated representative, may present information in support of his or her case.
- (2) Appeals must be in writing and state specific reasons why the termination action should not have been taken and should include all matters the employee wishes the Secretary to consider in deciding the appeal including, but not limited to, copies of any documents in the employee's possession related to the termination decision. The appeal must state the specific relief requested.
- (3) Appeals must be submitted to the Secretary of Defense through his or her designated representative at the address and fax number that will be provided for this purpose within 30 calendar days of the termination decision, and must be signed and dated. An appeal submitted after the 30 calendar-day deadline ~~shall~~ *will* be considered untimely unless good cause is shown as to the reason such appeal could not be submitted within the time provided.
- (4) If the employee requires an extension to the time limit for filing an appeal, he or she directly, or through their representative, may make a written request to the designated point of contact at the address or fax number provided. The request must include the basis for the extension and the period of additional time requested. The request for an extension to the time limit must be received within the 30 calendar-day period provided for the employee to submit the appeal.
- (5) Appeals ~~shall~~ *will* provide the written address to which the Secretary's decision should be sent. After the Secretary of Defense considers the employee's appeal, the employee will be notified of the Secretary's decision, in writing, at the address identified in his or her appeal.

ENCLOSURE 4

POST-EMPLOYMENT ASSISTANCE: CERTAIN TERMINATED INTELLIGENCE
EMPLOYEES

1. As provided by section 1611 of Reference (e), the Secretary of Defense may provide post-employment assistance to certain terminated employees when such assistance is essential to maintain the judgment and emotional stability of the qualified former intelligence employee and is essential to avoid circumstances that might lead to the unlawful unauthorized disclosure of classified information. This authority is intended to address highly unusual personnel situations where the national security is demonstrably threatened, and is not meant as authority, for example, to provide monetary assistance to former employees solely because they are experiencing personal difficulties once they leave employment. The DoD Components with DCIPS positions ~~shall~~ *will* request such assistance from the USD(I) through the Director, Human Capital Management Office.
2. In the request for such post-employment assistance on behalf of the former employee, the Head of the DoD Component with DCIPS positions ~~shall~~ *will* certify to the USD(I) that such assistance is essential to maintain the judgment and emotional stability of the qualified former intelligence employee and to avoid circumstances that might lead to the unlawful disclosure of classified information and the threat to national security is demonstrable.
3. In making the certification, the Head of the DoD Component with DCIPS positions ~~shall~~ *will* consider and provide to the USD(I):
 - a. Assessment(s) by appropriate psychological and/or psychiatric medical professional(s) of the judgment and emotional stability of the former employee.
 - b. Assessment by DoD Component with DCIPS positions security and counter-intelligence professionals of the threat to national security if the former employee were to unlawfully disclose classified information. In weighing the risk of unlawful disclosure, Components ~~shall~~ *will* apply the principles and elements of Intelligence Community Policy Guidance 704.1 (Reference (h)) and the standards and adjudicative guidelines of Intelligence Community Policy Guidance 704.2 (Reference (i)).
 - c. Assessment of any documentation, correspondence, or statements provided by the former employee, for credible evidence that such assistance is essential to avoid circumstances that may threaten national security.
 - d. The nature, duration (not to exceed 5 years from the date of the termination of the qualified former intelligence employee), and funding required for such post-employment assistance.
 - e. The plan for assuring appropriate follow-up and monitoring of former employee progress.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Level
DoDD	DoD Directive
MSPB	Merit Systems Protection Board
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise stated, the following terms and their definitions apply to this Volume of this Instruction and serve as the basic disciplinary, performance-based, and adverse action taxonomy for DoD Components with DCIPS positions.

acceptable performance. Performance that meets an employee's objectives, requirements, or standards at a level of performance above the unacceptable level.

adverse action. A removal, suspension for more than 14 calendar days, furlough of 30 calendar days or less, or involuntary reduction in work level, pay band (for organizations operating under the DCIPS banded structure), grade (for organizations operating under the DCIPS graded structure), or base pay taken by management. These actions do not include those resulting from adjustments in force pursuant to Volume 2004 of this Instruction, to furloughs of more than 30 days, or performance-based actions taken consistent with section 2 of Enclosure 2; or separations consistent with section 1609 of Reference (e), which are not adverse actions.

disciplinary action. A management action taken to correct improper or inappropriate behavior or conduct and intended to be corrective in nature.

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

employee. Any Federal civilian employee as defined in section 2105 of Reference (ef) who is *covered by DCIPS*, except for DISES and DISL employees.

performance-based action. A removal, reduction in base pay, or reduction in work level, pay band (for organizations operating under the DCIPS banded structure), or grade (for organizations operating under the DCIPS graded structure) as a consequence of performance that fails to meet established standards and has been properly documented as unacceptable.

progressive discipline. A series of actions ranging from counseling, oral admonishment, letter of caution, and written reprimand, to suspension designed to correct repeated acts of inappropriate behavior or misconduct.

unacceptable performance. Performance of an employee that fails to meet established performance standards or requirements, and would result in an evaluation of “Unacceptable” (“1”) under DCIPS performance management.



Department of Defense INSTRUCTION

NUMBER 1400.25-V2010

December 9, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Professional Development

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) Volume. This Volume establishes core policies, definitions, responsibilities, procedures, and delegations for the design and support of professional development programs for positions covered by DCIPS.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense that employ individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions”.

b. Applies to members of the Defense Intelligence Senior Executive System and the Defense Intelligence Senior Level.

c. Does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees or foreign national employees.

d. Does not apply to DoD civilian attorneys and civilian attorney positions including, without limitation, those in the Office of the General Counsel of the Department of Defense and the Defense Legal Services Agency and those in the Military Departments (hereinafter referred to inclusively as “DoD civilian attorneys” and “DoD civilian attorney positions”). DoD civilian attorneys may be permitted to participate in programs established by this Volume on a voluntary basis, and in compliance with DoD Instruction (DoDI) 1442.02 (Reference (e)).

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that training, education, learning, and professional development programs and practices for employees covered under DCIPS shall be strategic, joint, and integral to intelligence careers. To that end, such programs and practices shall:

a. Improve organizational results by increasing the job proficiencies and expanding the career-long contributions of DCIPS employees.

b. Create opportunities for vertical and horizontal movement of employees across the Defense Intelligence Enterprise and across the Intelligence Community (IC), sustaining a culture of continuous learning vital to attracting, retaining, and expanding the intellectual capital of the Defense Intelligence Enterprise.

c. Leverage DoD Components with DCIPS positions and the IC’s centers of functional, subject-matter, and instructional expertise; avoid duplication of effort; align with best practices and tools promulgated by the Office of the Director of National Intelligence (ODNI) to which the DoD has agreed; and provide appropriate integration with ODNI and DoD policies.

d. Be provided at the highest possible quality and cost-effectiveness, while responding to the special demands on Defense Intelligence employees created by unique missions, working conditions, and deployment requirements.

e. Comply with applicable laws, regulations, and DoD issuances.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides procedures for the implementation of DCIPS professional development policies.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction:

a. Is effective 60 days from the date congressional notice is provided pursuant to section 1613 of title 10, United States Code (U.S.C.) (Reference (f)).

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DoDI 5025.01 (Reference (g)). If not, it will expire effective December 9, 2022 and be removed from the DoD Issuances Website.



Erin C. Conaton
Under Secretary of Defense for
Personnel and Readiness

Enclosures

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2. Responsibilities
3. DCIPS Professional Development Procedures

Glossary

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ENCLOSURE 1

REFERENCES

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- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," November 23, 2005
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007, as amended
- (e) DoD Instruction 1442.02, "Personnel Actions Involving Civilian Attorneys," September 30, 2010
- (f) Section 1613 of title 10, United States Code
- (g) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012
- (h) Sections 2301 and 2302 of title 5, United States Code
- (i) DoD Instruction 3305.01, "National Intelligence University (NIU)," December 22, 2006, as amended
- (j) DoD Instruction 3305.02, "DoD General Intelligence Training," November 28, 2006, as amended
- (k) DoD Instruction 3305.09, "DoD Cryptologic Training," December 22, 2006
- (l) DoD Instruction 3305.10, "DoD Geospatial Intelligence (GEOINT) Training," December 22, 2006
- (m) DoD Instruction 3305.11, "DoD Counterintelligence (CI) Training," March 19, 2007, as amended
- (n) DoD Instruction 3305.12, "Intelligence and Counterintelligence (I&CI) Training of Non-U.S. Persons," October 25, 2007, as amended
- (o) DoD Instruction 3305.13, "DoD Security Training," December 18, 2007
- (p) DoD Instruction 3305.14, "Joint Intelligence Training (JIT)" December 28, 2007, as amended
- (q) DoD Instruction 3305.15, "DoD Human Intelligence (HUMINT) Training," February 25, 2008
- (r) DoD Instruction 3305.16, "DoD Measurement and Signature Intelligence (MASINT) Training," June 12, 2008
- (s) DoD Manual 3305.13-M, "DoD Security Accreditation and Certification," March 14, 2011
- (t) Intelligence Community Directive 610, "Competency Directories for the Intelligence Community Workforce," September 1, 2008
- (u) DoD Directive 5160.41E, "Defense Language Program (DLP)," October 21, 2005, as amended
- (v) DoD Instruction 1400.36, "DoD Implementation of the Joint Intelligence Community Duty Assignment (JDA) Program," June 2, 2008
- (w) Executive Order 12333, "United States Intelligence Activities," December 4, 1981, as amended
- (x) DoD Instruction 1322.26, "Development, Management, and Delivery of Distributed Learning," June 16, 2006
- (y) DoD Instruction 3115.11, "DoD Intelligence Human Capital Management Operations," January 22, 2009, as amended

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall coordinate with the Under Secretary for Defense for Intelligence (USD(I)) on professional development for employees in DCIPS positions and monitor any effects on DoD-wide personnel readiness.

2. USD(I). The USD(I), in conjunction with the USD(P&R), shall:
 - a. Provide policy, direction, and oversight for the training, education, learning, and professional development of employees in the DoD Components with DCIPS positions.

 - b. Develop the DCIPS professional development strategy.

 - c. Establish policies governing the design and administration of the DCIPS learning programs.

 - d. Oversee and evaluate compliance with policy within the DoD Components with DCIPS positions.

 - e. In coordination with the Heads of the DoD Components with DCIPS positions:
 - (1) Establish and implement the accreditation process for DoD training, education, learning, and professional development institutions throughout the DoD Components with DCIPS positions.

 - (2) Standardize the certification process for all intelligence employees throughout the DoD Components with DCIPS positions.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:
 - a. Establish DoD Component guidance for implementing DCIPS training, education, learning, and professional development policies.

 - b. Assess DCIPS organizational, occupational, and individual learning needs annually.

 - c. Incorporate needs assessments into a learning and professional development strategy that prioritizes learning requirements, structures learning opportunities, identifies collaboration opportunities, and establishes measurements of success.

- d. Establish, operate, and evaluate training, education, learning, and professional development for DCIPS employees.
- e. Integrate DCIPS employee training, education, learning, and professional development with DoD Component strategic plans.
- f. Ensure training, education, learning, and professional development programs for DCIPS employees are cost effective and free of unlawful discrimination in accordance with section 2301 of title 5, United States Code (Reference (h)).
- g. Integrate the mandatory training elements of the DCIPS community-wide training curriculum, identified by and provided through the USD(I) DCIPS Program Executive Office.

ENCLOSURE 3

DCIPS PROFESSIONAL DEVELOPMENT PROCEDURES

1. FUNCTIONAL MANAGERS. Functional managers shall develop training, education, learning, and professional development content, standards, and requirements for their respective functional area in accordance with DoDIs 3305.01, 3305.02, 3305.09, 3305.10, 3305.11, 3305.12, 3305.13, 3305.14, 3305.15, 3305.16, and DoD Manual 3305.13-M (References (i) through (s)).

2. EMPLOYEES. Employees are responsible for their professional development, for successfully completing and applying authorized training, and for fulfilling all obligations relative to the training. Employees share with their supervisor the responsibility to identify training, education, learning, and professional development needed to improve individual and organizational performance and identify methods to meet those needs effectively and efficiently.

3. NEEDS ASSESSMENTS

a. Use of Competency Directories. DoD Components with DCIPS positions shall use competency directories in accordance with IC Directive 610 (Reference (t)) as the basis for the needs assessment. Assessments shall be based on the validated knowledge, skills, and competencies required to meet mission requirements, and will be integrated into the DoD Component's strategic planning and strategic human capital planning.

b. Coordination of Needs Assessments. DoD Components with DCIPS positions shall coordinate their annual needs assessments with other DoD Components with DCIPS positions in order to identify opportunities for collaboration and fully leverage design and delivery capabilities across Components.

4. PRIORITIZING LEARNING REQUIREMENTS. In prioritizing learning requirements, DoD Components with DCIPS positions shall follow the general hierarchy:

a. Priority I. Learning and professional development opportunities must be provided during the current year or training cycle. Deferment will adversely affect the mission.

b. Priority II. Learning and professional development opportunities are necessary as part of the systematic replacement of skilled employees through career management or other anticipated work force events. Deferment may adversely affect the mission over the next 3 to 5 years (i.e., the intermediate term).

c. Priority III. Learning and professional development opportunities should be designed to increase the efficiency and productivity of employees who are already competent. Deferment

beyond the current year or even beyond the intermediate term is expected to have little adverse mission effect but may delay improving mission accomplishment.

5. STRUCTURING LEARNING OPPORTUNITIES

a. Learning Opportunities. Learning opportunities must be:

- (1) Developed and prioritized in response to a valid, competency-based needs assessment.
- (2) Shared across the DoD Components with DCIPS positions when they meet common standards, to reduce duplication and maximize resources.
- (3) Integrated into the DCIPS performance management processes.
- (4) Evaluated for impact on human capital goals, including the effect of the programs on the DoD Component's intellectual capital relative to mission requirements.
- (5) Assessed for measurable impacts on the mission.
- (6) Aligned with competency directories in accordance with Reference (t).

b. Collaborative Training. Collaborative training must be:

- (1) Identified in DoD Component strategies.
- (2) Open to DoD Components with DCIPS positions and IC elements when the training would result in better training, improved mission accomplishment, or other benefits or savings to the Government.
- (3) Coordinated through the DoD Intelligence Chief Learning Officer to promote enterprise-wide awareness of training programs and opportunities.

c. Continued Service Agreements. Heads of DoD Components with DCIPS positions may, at their policy discretion, require continued service agreements with employees for learning and development programs and activities when circumstances, in the judgment of the DoD Component, warrant such agreements.

d. Linkage to Performance Management. DCIPS employees and rating officials shall identify learning opportunities to improve employee performance, as part of the annual performance planning phase delineated in Volume 2011 of this Instruction. Such learning opportunities may relate to performance objectives, performance elements, or both and shall be documented in the employee's individual development plan (IDP). Rating officials shall document that such learning opportunities were accomplished when completing the annual rating.

6. OCCUPATIONAL LEARNING AND JOB SKILLS PROGRAMS. DoD Components with DCIPS positions shall make job skill training available to all employees. Such training shall be occupation or job-specific and designed to complement on-the-job learning.

7. EDUCATIONAL (NON-ACADEMIC) PROGRAMS. DoD Components with DCIPS positions shall establish educational programs and professional certification programs, if appropriate, that do not result in accredited academic achievements, and shall establish policy for eligibility and selection of attendees. When such an educational opportunity is a prerequisite for a specific position or responsibility resulting in higher pay, or to an assignment resulting in higher career potential, selection for the training or learning shall be made on a merit basis in accordance with Reference (h).

8. FUNCTIONAL INTELLIGENCE AND SECURITY TRAINING. DoD Components with DCIPS positions shall provide intelligence and security training in accordance with References (i) through (s).

9. LANGUAGE TRAINING. DoD Components with DCIPS positions shall manage language training in accordance with DoDD 5160.41E (Reference (u)) and any additional guidance from the USD(I) or the DoD.

10. LEADERSHIP DEVELOPMENT. DoD Component leadership development programs shall be sufficiently formal to justify an appropriate degree of selectivity in choice of participants and to organize the mix of learning approaches that constitutes Defense Intelligence Enterprise leadership development.

a. Minimum Requirements. At a minimum, DoD Component leadership development program designs shall contain:

(1) Content that is based on competency directories in accordance with Reference (t), which provide the principal sources for definitions of competencies required by leaders in the Defense Intelligence Enterprise.

(2) Functional learning opportunities, where appropriate.

b. Joint Duty Assignment (JDA). Joint IC duty certification shall be a prerequisite for appointment to senior executive, senior professional, and senior technical DCIPS positions classified above pay band 5 or grade 15 in accordance with DoDI 1400.36 (Reference (v)).

c. Optional Elements. DoD Components with DCIPS positions may augment minimal leadership development programs through:

(1) Academic requirements met through accredited institutions or other U.S Government organizations that have accredited programs on leadership. If a DoD Component with DCIPS positions uses an academic institution as part of its leadership development program, the institution must be accredited.

(2) Planned assignments including JDA and other details or rotational assignments.

(3) Self assessment of 360 degree assessment.

(4) Performance coaching (through IDPs and other DoD Component specific processes).

11. PROFESSIONAL DEVELOPMENT PROGRAMS. DoD Components with DCIPS positions shall ensure that professional development programs target validated competencies and disciplines necessary to meet mission requirements. Professional development designs, such as leadership development programs, shall also adapt to and leverage workforce demographics and existing learning-focused staffing strategies.

a. Minimum Requirements. At a minimum, Component professional development programs shall contain:

(1) Content that is based on competency directories and/or is consistent with standards developed by the relevant functional manager designated by Executive Order 12333 (Reference (w)) or the Director of National Intelligence.

(2) Educational programs, depending on the functional area. However, if academic programs are used, they must be accredited.

(3) Planned assignments.

(4) Performance coaching (through IDPs or other DoD Component-specific processes).

(5) Regular participant feedback into evolving designs.

b. Details and Rotational Assignments. Details and rotational assignments will be used as professional development opportunities in accordance with Volume 2005 of this Instruction. DoD Components shall ensure that employees who complete details and rotational assignments are afforded opportunities to apply their expanded capabilities upon return to their parent organization or DoD Component.

c. Professional Developmental Programs. All DoD Components with DCIPS positions shall establish professional developmental programs for positions in the professional work category in order to advance employees systematically from the entry or developmental work levels to the full performance level in accordance with Volume 2007 of this Instruction.

(1) Professional Developmental programs shall meet the design criteria in Volume 2005 of this Instruction.

(2) Professional Developmental programs may include planned salary advancements in accordance with Volume 2006 of this Instruction.

(3) Upon meeting the approved criteria for completion of the established course of learning, and upon demonstrating mastery of the knowledge, skills, and abilities and competencies necessary for successful job performance, employees in professional developmental programs shall be advanced noncompetitively to the full performance work level.

(4) Employees in professional developmental programs are eligible for performance-based compensation in accordance with Volume 2006 of this Instruction.

d. Distance and Distributed Learning. DoD Components with DCIPS positions shall publish guidelines on distance, distributed, or e-learning programs that address how such training is approved, scheduled, credited to the employee, and incorporated into career-long learning.

(1) Except where limited by law, policy, or security classification, DoD Components with DCIPS positions shall share training resources and access to distributed learning with other Components. Resource collaboration and sharing shall be managed within guidelines on architecture, standards, and integration issued by the USD(P&R).

(2) DCIPS employees will not be compensated through compensatory time, overtime, or credit hours for voluntarily participating in distance or distributed training beyond their regular tour of duty.

12. INTEGRATING TRAINING, EDUCATION, LEARNING, AND PROFESSIONAL DEVELOPMENT WITH PERFORMANCE MANAGEMENT. The integration of training, education, learning, and professional development with performance management is a critical element of the DCIPS design. Integration at the enterprise level is achieved through the DoD training councils established in References (i) through (s). Integration at the Component level is achieved by Component leadership's planning and management. At the employee level, the principal tool for integrating learning with performance management is the IDP, completed as part of the annual performance planning and evaluation cycle.

a. Preparation of IDPs. All DCIPS employees shall prepare annual IDPs as part of the performance management cycle delineated in Volume 2011 of this Instruction.

b. Functions of the IDP. An IDP shall serve as:

(1) A tool for the supervisor or rating official (and by extension, the DoD Component with DCIPS positions) to estimate resources legitimately needed for employee development and training.

(2) A record of a reciprocal commitment between the employee and the DoD Component with DCIPS positions, within funds available, to work together to meet the employee's developmental objectives.

(3) A tool for an organization to communicate a continuous learning philosophy to its DCIPS employees.

c. IDP Content. The specific design, appearance, level of detail, and software support for the IDP may vary according to Component requirements.

d. Mandatory IDP Elements. All IDPs shall include:

(1) A statement of the employee's career goals.

(2) A statement of the employee's immediate and long-range developmental needs.

(3) A specific statement of the training, education, individual coaching, work assignments, or other activities designed to improve the employee's capability within his or her career field.

(4) An action plan for the individual to develop the specific competencies, knowledge, and skills needed to improve performance in the employee's present position and to prepare the employee for new responsibilities.

(5) A written plan, approved by immediate management, for scheduling and managing the employee's developmental activities.

13. PROGRAM EVALUATION. DoD Components with DCIPS positions shall regularly monitor DCIPS learning programs in order to report to the USD(I) through established forums on critical intellectual capital metrics. These metrics are provided in Volume 2013 of this Instruction.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DoDD	DoD Directive
DoDI	DoD Instruction
IC	Intelligence Community
IDP	Individual Development Plan
JDA	Joint Duty Assignment
ODNI	Office of the Director of National Intelligence
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this Instruction.

continuous learning. The deliberate process of systematically acquiring knowledge, skills, or competencies over the course of a lifetime or career.

Defense Intelligence Enterprise. Defined in Reference (d).

distance learning. Defined in DoDI 1322.26 (Reference (x)).

distributed learning. Defined in Reference (x).

functional manager. Defined in Reference (w).

IDP. Defined in Volume 2011 of this Instruction.

JDA. Defined in Reference (v).

leadership development. The collective term for programs providing a mix of academic, educational, and subject-matter and assignment-oriented learning and experience that results in increased capacity in leadership competencies.

professional development. Defined in DoDI 3115.11 (Reference (y)).



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2011
May 7, 2016

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Performance Management

References: See Enclosure 1

1. PURPOSE

a. Instruction. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction, in accordance with the authority in DoD Directive 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volumes

(1) 2000 Volume Series. In accordance with the authority in Reference (a) and DoD Directives 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), the 2000 volume series of this instruction establishes policy, assigns responsibilities, and provides guidance for DCIPS. The 2000 volume series of this instruction will be referred to as “the DCIPS volumes.”

(2) This Volume. Pursuant to section 1601 of Title 10, United States Code (Reference (e)), this volume reissues Volume 2011 of this instruction (Reference (f)) to establish performance management policies, assign responsibilities, and prescribe procedures for the DCIPS performance management system. Policies regarding performance pay pool structure and funding, performance-driven pay-decision processes, and calculations related to performance payouts are established in Volume 2012 of this instruction (Reference (g)).

2. APPLICABILITY. This volume:

a. Applies to:

(1) OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other

organizational entities within the DoD (referred to collectively in this volume as the “DoD Components”).

(2) Members of the Defense Intelligence Senior Executive System and the Defense Intelligence Senior Level as rating officials, performance review authorities, or when performing other similar functions, unless specifically addressed in other volumes of this instruction.

b. Does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees.

3. POLICY. It is DoD policy that:

a. DCIPS is an essential tool supporting the transformation of the Defense Intelligence Enterprise.

b. The DCIPS performance management system will:

(1) Ensure the alignment of individual performance objectives to the intelligence goals and objectives of the DoD Components with DCIPS positions.

(2) Ensure ongoing feedback between employees and supervisors on progress toward accomplishment of those objectives.

(3) Provide a basis for measuring and assigning accountability for individual and organizational performance for accomplishment of those objectives.

(4) Provide a fair and equitable process for appraising and evaluating DCIPS employee performance within and across the DoD Components with DCIPS positions, and will not permit a forced distribution of evaluations.

(5) Identify the developmental needs of DCIPS employees.

(6) Be consistent with the merit system principles set out in Chapter 23 of Title 5, United States Code (Reference (h)).

4. RESPONSIBILITIES

a. Under Secretary of Defense for Personnel and Readiness. In conjunction with the Under Secretary of Defense for Intelligence, the Under Secretary of Defense for Personnel and Readiness coordinates on the development of DCIPS performance management policies and monitors their effects on DoD-wide personnel readiness.

b. Under Secretary of Defense for Intelligence. In conjunction with the Under Secretary of Defense for Personnel and Readiness, the Under Secretary of Defense for Intelligence establishes

a common performance management system for DCIPS employees and positions that is in accordance with the core requirements of the Intelligence Community (IC) performance management framework in Intelligence Community Directive Number 651 (Reference (i)).

c. DoD Component Heads With DCIPS Positions. The DoD Component heads with DCIPS positions may issue internal policy, procedures, and guidance to supplement this volume. Such supplemental material must be in accordance with References (c), (d), and (e) and Volume 2001 of this instruction (Reference (j)).

5. PROCEDURES. Enclosures 2 through 10 provide procedures for DCIPS performance management. Enclosure 11 provides specific guidance for preparing supervisory and managerial objectives.

6. RELEASABILITY. **Cleared for public release**. This volume is available on the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This volume is effective May 7, 2016.



Brad Carson
Acting Under Secretary of Defense
for Personnel and Readiness

Enclosures

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2. General Roles and Duties
3. The Performance Management Process
4. Performance Planning
5. Managing Performance
6. Developing Performance
7. End-of-Year Performance Evaluation
8. Interim Periods of Performance during the Performance Evaluation Period
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Glossary

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REFERENCES

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- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)," October 24, 2014, as amended
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007, as amended
- (e) Section 1601 of Title 10, United States Code
- (f) DoD Instruction 1400.25, Volume 2011, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Performance Management," August 14, 2009, as amended (hereby cancelled)
- (g) DoD Instruction 1400.25, Volume 2012, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Performance-Based Compensation," April 28, 2012
- (h) Chapter 23 of Title 5, United States Code
- (i) Intelligence Community Directive Number 651, "Performance Management System Requirements for the Intelligence Community Civilian Workforce," November 28, 2007, as amended
- (j) DoD Instruction 1400.25, Volume 2001, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Introduction," December 29, 2008, as amended
- (k) The National Intelligence Strategy, "The National Intelligence Strategy of the United States of America," September 18, 2014¹
- (l) DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
- (m) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (n) Executive Order 13526, "Classified National Security Information," December 29, 2009
- (o) DoD Instruction 1400.25, Volume 2010, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Professional Development," December 9, 2012
- (p) DoD Instruction 1400.25, Volume 2009, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Disciplinary, Performance-Based, and Adverse Action Procedures," May 20, 2012, as amended
- (q) Section 531.405 of Title 5, Code of Federal Regulations
- (r) DoD Instruction 1400.25, Volume 2006, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Compensation Administration," March 3, 2012, as amended
- (s) DoD Instruction 1400.25, Volume 2008, "DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Awards and Recognition," September 12, 2012, as amended
- (t) Chapter 43 of Title 38, United States Code

¹Available at http://www.odni.gov/files/documents/2014_NIS_Publication.pdf

ENCLOSURE 2

GENERAL ROLES AND DUTIES

1. OVERVIEW. Performance management has one primary purpose: to achieve organizational results and mission objectives through the effective management of individual and organizational performance.

a. To achieve that purpose, performance management will be a priority for all Defense Intelligence executives, managers, supervisors, and employees.

b. The performance expectations of organizations and their senior leaders will be linked to the Director of National Intelligence Strategy (Reference (k), referred to in this volume as the “National Intelligence Strategy” and applicable strategies of the DoD and the DoD Components with DCIPS positions.

c. Performance expectations will cascade from the senior levels of the organization through subordinate managers and supervisors to individual employees.

d. Successful performance management requires commitment to performance planning, measurement, and management practices. All participants in the performance management process must invest adequate time and effort throughout the evaluation period to ensure performance management is effective.

e. All levels of participants in the performance management process must ensure that the collection, use, maintenance, and dissemination of personally identifiable information is in accordance with DoD Directive 5400.11 (Reference (l)) and DoD 5400.11-R (Reference (m)).

2. PERFORMANCE MANAGEMENT PERFORMANCE REVIEW AUTHORITY (PM PRA).

The PM PRA is responsible and will be held accountable for:

a. Oversight of the performance management process to ensure the consistency of DCIPS performance management practices within the DoD Components with DCIPS positions.

b. Final approval of all performance evaluations of record under his or her purview, directing changes when necessary to ensure compliance with merit system principles and policy requirements.

c. Review of employee performance evaluation of record when challenged by an employee through a reconsideration process (either informal or formal) and approval of any changes. See Enclosure 10 of this volume for information on challenging the performance evaluation of record.

3. **REVIEWING OFFICIALS.** Reviewing officials are responsible and will be held accountable for:

a. Approval of each individual performance plan, performance evaluation of record, and individual development plan (IDP) within their purview. This includes the requirement to direct or make changes to proposed performance evaluations of record when there is disagreement between the rating official and the reviewing official. In cases where the PM PRA directs changes to the rating and reviewing officials, the reviewing official is responsible for ensuring those directed changes from the PM PRA are accomplished and approved.

b. The accuracy of performance management within the subordinate organizations and units for which they are responsible. This includes but is not limited to ensuring that:

(1) Performance plans and IDPs are approved and in place in accordance with DoD Component guidance within established timelines for all employees.

(2) Subordinate rating officials and supervisors are trained on their roles, when the supervisor is not the rating official. (See sections 4 and 5 of this enclosure for rating official and supervisor responsibilities).

(3) Subordinate rating officials provide performance feedback throughout the evaluation period and rating officials document at least one midpoint performance review feedback session with each employee.

(4) Subordinate rating officials, when not the immediate supervisor of employees for whom they are the rating official, maintain ongoing dialogue with the immediate supervisors of those employees regarding employee performance.

(5) All evaluations of record within subordinate organizations and units are completed within established timelines.

(6) Performance standards are consistently applied among those rating officials for whom they are the reviewing official.

(7) Subordinate rating officials execute their responsibilities consistent with merit system principles and DCIPS policy.

4. **RATING OFFICIALS.** Rating officials are responsible and will be held accountable for effectively managing the performance of assigned employees. Generally, the same person will not serve as both the rating official and reviewing official for an employee or set of employees. However, in cases where this is not feasible due to organizational structure or because the rating or reviewing official leaves before the end of the evaluation period, the same person may serve in both roles for a given employee or set of employees in accordance with DoD Component guidance. Rating official responsibilities include, but are not limited to:

- a. Executing the requirements of this volume in accordance with the merit system principles in Reference (h).
- b. Ensuring employees are trained in the performance management system.
- c. Developing and communicating performance objectives and expectations within the established timelines and holding employees accountable for accomplishing them.
- d. Preparing jointly with employees, to the extent practicable, development objectives for the performance year and recording them in an IDP.
- e. Aligning performance objectives and employee development with organizational goals and objectives.
- f. Discussing with employees the relevance of performance elements to individual performance objectives.
- g. Providing employees meaningful, constructive, and candid feedback relative to progress against performance expectations, including at least one documented midpoint review.
- h. Ensuring employees are aware of the requirement to document their accomplishments at the end of the evaluation period.
- i. Fostering and rewarding exceptional performance.
- j. Addressing poor performance as soon as it occurs or as soon as it becomes apparent.
- k. Making meaningful distinctions among employees based on performance and contribution; forced distribution of scores or ratings is not permitted.
- l. Completing performance evaluations as required within established timelines.
- m. Ensuring eligible employees are assigned a performance evaluation of record as prescribed by this volume.
- n. Collaborating with reviewing officials to complete evaluations of record.
- o. Ensuring consistency of ratings with DCIPS performance standards.

5. SUPERVISORS WHEN NOT THE RATING OFFICIAL. Supervisors normally will be the rating official for employees under their direct supervision. However, in unusual circumstances, such as when the rating official responsibilities are assigned to an official in the chain of supervision above the immediate supervisor, the supervisor is responsible and will be held

accountable for collaborating with the rating official in his or her performance management responsibilities. This includes the responsibility to:

- a. Ensure he or she maintains ongoing dialogue with the rating official regarding the employee's performance during the evaluation period.
- b. Participate with the rating official in the completion of the employee's performance plan, performance evaluation of record, and IDP.
- c. Participate with the rating official in the completion of closeout or interim performance evaluations on employees under their supervision for whom they are not the rating official.

6. EMPLOYEES. Employees are responsible and will be held accountable for:

- a. Engaging in dialogue with rating officials and supervisors, when the supervisor is not the rating official, to develop performance objectives and their IDP at the beginning of each evaluation period.
- b. Identifying and recording their accomplishments and results throughout the evaluation period.
- c. Preparing their midpoint and end-of-year employee's self-report of accomplishments as input to their midpoint and annual performance evaluations in accordance with DoD Component policy.
- d. Participating in midpoint performance reviews and end-of-year performance evaluation discussions with their rating officials.
- e. Understanding the link between their performance objectives and the organizational mission and goals.

ENCLOSURE 3

THE PERFORMANCE MANAGEMENT PROCESS

1. PHASES OVERVIEW. The DCIPS performance management process consists of three distinct phases: performance planning, managing performance throughout the evaluation period, and evaluation of performance at the end of the performance evaluation period.

2. STANDARD EVALUATION PERIOD

a. The standard evaluation period for DCIPS runs from October 1 through September 30 of each year unless an exception has been granted by the Under Secretary of Defense for Intelligence. The performance evaluation period officially begins on October 1 of each year with the performance planning process.

b. Employees starting a position with fewer than 90 calendar days remaining in the evaluation period will have these additional calendar days added to the next evaluation period, resulting in an extended initial evaluation period.

3. PERFORMANCE PLANNING PROCESS. During the performance planning process, rating officials, in collaboration with the supervisor when the supervisor is not the rating official, and employees will engage in dialogue to establish performance objectives that they will be expected to accomplish during the performance evaluation period. The objectives set the expectations for “what” specifically each employee is expected to accomplish during the evaluation period. The rating official and employee planning process will also include discussion of the six behaviorally-based DCIPS performance elements (the “how” of performance) described in paragraph 2b(3) of Enclosure 4. These six elements are evaluated independently, in relation to the performance objectives.

4. DIALOGUE. Rating officials, in collaboration with the supervisor when the supervisor is not the rating official, and employees will engage in continuing dialogue throughout the performance evaluation period to manage performance.

a. Dialogue should focus on progress against performance objectives and events or obstacles that may occur during the evaluation period that could prevent successful achievement of those objectives.

b. Any resulting modifications or formal changes in the objectives against which the employee is working should be documented at the time they are identified up to the final 90 calendar days of the evaluation period.

c. Additional dialogue should also be ongoing throughout the evaluation period, focused on the developmental needs of the employee to increase effectiveness and on other factors within the control of the employee or supervisor that may contribute to the success of the employee and the organization.

d. At least once during the performance evaluation period, generally at the midpoint of the period, a midpoint review will be performed, in accordance with DoD Component guidance, which may include a self-report of accomplishments by the employee and an evaluation by the supervisor, in conjunction with the rating official when the supervisor is not the rating official. This review will document formally the performance discussion with the employee.

5. EMPLOYEE SELF EVALUATION. At the end of the performance evaluation period, the employee will document his or her accomplishments (referred to as the employee's self-report of accomplishment) and submit them to the rating official (through the supervisor when the supervisor is not the rating official) as an element of the formal evaluation of performance for the year.

a. Employee self-evaluations will include an evaluation of the extent to which the employee achieved his or her performance objectives, an evaluation of how the employee performed against the six performance elements that contribute to success, and a performance evaluation of record.

b. The employee's self-report of accomplishments must be considered by the rating official and included in the evaluation to document the employee's input, but the rating official is not required to agree with it or adopt the language or the recommended ratings from the employee, if provided.

c. Employees' self-evaluations of their performance against performance elements will consider the extent to which the employee fulfilled his or her accountabilities in accordance with section 6 of Enclosure 2.

ENCLOSURE 4

PERFORMANCE PLANNING

1. ELEMENTS OF PERFORMANCE PLANNING. Performance planning will include dialogue between the rating official, in collaboration with the supervisor when the supervisor is not the rating official, and the employee to:

a. Establish at least one and generally three to six performance objectives that are aligned to the goals and objectives of the National Intelligence Strategy, the DoD, and the employee's organization and that set specific performance targets for the individual. DoD Components with DCIPS positions may standardize the number of objectives for an entire Component, or subset of a Component, according to Component guidance.

b. Ensure employee understanding of the relationship between the performance elements discussed in paragraph 2b(3) of this enclosure and the performance objectives.

c. Establish specific developmental objectives in an IDP that are keyed to attaining competencies and skills critical to success in the job and the employee's career field, but that may not have been required qualifications for selection to the position.

d. Establish the criteria against which the employee's success will be measured.

2. ANNUAL PERFORMANCE PLAN

a. Purpose and Requirements. The annual performance plan will be prepared as a record of the performance planning process in accordance with these requirements:

(1) Every employee will be issued a written performance plan and IDP by the rating official and approved by the reviewing official, in collaboration with the supervisor when the supervisor is not the rating official, at the beginning of the annual evaluation period each year. These should be developed in consultation with the employee.

(2) Employees assigned to a position at the beginning of the evaluation period will have approved performance plans and IDPs not later than 30 calendar days after the beginning of the evaluation period.

(3) Employees newly-appointed, newly-assigned, or newly promoted to a position will have approved performance plans and IDPs not later than 30 calendar days from the date of appointment to the position.

(4) Reviewing officials will review and approve each performance plan to ensure its consistency with organizational goals and objectives; appropriateness to employee experience,

developmental needs, and work level; and equity with other plans within the purview of the reviewing official.

b. Performance Objectives and Elements. The performance plan must include both performance objectives and performance elements. Performance objectives may be used for multiple employees in situations where the specific objectives directly applies to the performance expectations for multiple employees at the same work category, work level, and grade or pay band.

(1) Non-Supervisory Performance Objectives

(a) Each non-supervisory employee will be assigned performance objectives appropriate to the employee's work level, work category, pay band or grade, occupational category, and work assigned. Each objective will be derived from organizational goals and objectives and will be a critical element of the employee's job. Each objective will also be structured such that it is specific, measurable, achievable, relevant, and time-bounded (SMART) in accordance with guidance provided in Enclosure 11.

(b) Each performance objective will focus on the quality of the work and include specific information on how achievement of the objective will be measured.

(c) Objectives must be written at the "successful" level of performance, thereby establishing the standard of expected performance for that particular objective.

(2) Supervisory and Managerial Performance Objectives

(a) Supervisors and managers under a DCIPS performance plan are accountable for achieving work results through subordinates. Therefore, performance objectives for supervisors and managers will be prepared to reflect their progressively more demanding leadership role. Individual objectives will be appropriate to the employee's work level, work category, pay band or grade, occupational category, work assigned, and the level of supervisory or managerial responsibility.

1. Objectives for the first-level supervisor should reflect responsibility for leading and managing the work and professional development of his or her direct report employees.

2. Objectives for second- or higher-level managers should reflect their responsibility for setting the goals and direction of the unit, acquiring resources necessary for success, engaging in ongoing evaluation of results, and implementing necessary course corrections in pursuit of results. Enclosure 11 provides specific guidance for preparing supervisory and managerial objectives.

(b) Rating officials will provide subordinate supervisors and managers specific information on how achievement of objectives will be measured.

(3) Performance Elements for All Employees. All employees, both non-supervisory and those holding supervisory or managerial positions, will be rated against the six behaviorally-based performance elements described in paragraphs 2b(3)(a) through 2b(3)(f) of this enclosure. For supervisors and managers, the focus of each performance element shifts from the behaviors inherent in non-supervisory positions to those required of supervisors and managers responsible for leading the work of the organization, including compliance with DCIPS performance management requirements and the execution of other responsibilities in support of DCIPS. Performance expectations, even if not stated in a specific performance objective, include certain behavioral expectations that are related to an employee's conduct in the workplace and his or her approach to accomplishing specific performance objectives, including carrying out performance management responsibilities of this volume. These aspects of an employee's performance are captured in the performance elements against which all employees will be rated.

(a) Accountability for Results. DCIPS employees are expected to take responsibility for their work, setting and meeting priorities, and organizing and utilizing time and resources efficiently and effectively to achieve the desired results, consistent with their organization's goals and objectives. In addition, DCIPS supervisors and managers are expected to use these same skills to accept responsibility for and achieve results through the actions and contributions of their subordinates and their organization as a whole.

(b) Communication. DCIPS employees are expected to effectively comprehend and convey information with and from others in writing, reading, listening, and verbal and non-verbal action. Employees are also expected to use a variety of media in communicating and making presentations appropriate to the audience. In addition, DCIPS supervisors and managers are expected to use effective communication skills to build cohesive work teams, develop individual skills, and improve performance.

(c) Critical Thinking. DCIPS employees are expected to use logic, analysis, synthesis, creativity, judgment, and systematic approaches to gather, evaluate, and use multiple sources of information to effectively inform decisions and outcomes. In addition, DCIPS supervisors and managers are expected to establish a work environment where employees feel free to engage in open, candid exchanges of information and share diverse points of view.

(d) Engagement and Collaboration. DCIPS employees are expected to responsibly and proactively provide, discover, and request information and knowledge to achieve results, and in that regard are expected to recognize, value, build, and leverage diverse collaborative networks of coworkers, peers, customers, stakeholders, and teams within an organization and across the IC. In addition, DCIPS supervisors and managers are expected to create an environment that promotes engagement, collaboration, integration, and the responsible sharing of information and knowledge.

(e) Personal Leadership and Integrity. DCIPS employees are expected to demonstrate personal initiative and innovation as well as integrity, honesty, openness, and respect for diversity in their dealings with coworkers, peers, customers, stakeholders, teams, and collaborative networks across the IC. DCIPS employees are also expected to demonstrate core organizational and IC values, including selfless service, a commitment to excellence, and the

courage and conviction to express their professional views and to constructively address or seek assistance to properly address concerns related to the protection of classified information in accordance with Executive Order 13526 (Reference (n)).

(f) Technical Expertise. DCIPS employees are expected to acquire and apply the knowledge, subject matter expertise, tradecraft, or technical competence necessary to achieve results. This includes the proper handling and protection of classified information in accordance with Reference (n).

(4) Performance Elements for Supervisors and Managers. DCIPS supervisors and managers will be evaluated on the elements in paragraphs 2b(3)(a) through 2b(3)(d) of this enclosure. In addition, in place of those elements in paragraphs 2b(3)(e) through 2b(3)(f) of this enclosure, they will be covered by paragraphs 2b(4)(a) and 2b(4)(b) of this enclosure:

(a) Leadership and Integrity. DCIPS supervisors and managers are expected to exhibit the same individual personal leadership behaviors as all DCIPS employees. In their supervisory or managerial role, they are also expected to achieve organizational goals and objectives by creating shared vision and mission within their organizations; establishing a work environment that promotes equal opportunity, integrity, diversity (of both persons and points of view), critical thinking, collaboration, protection of classified information in accordance with Reference (n) and information sharing; mobilizing employees, stakeholders, and networks in support of their objectives; and recognizing and rewarding individual and team excellence, enterprise focus, innovation, and collaboration.

(b) Managerial Proficiency. DCIPS supervisors and managers are expected to possess the technical proficiency in their mission area appropriate to their role as supervisors or managers. They are also expected to leverage that proficiency to plan for, acquire, organize, integrate, develop, and prioritize the human, financial, material, information (including classified), and other resources to accomplish their organization's mission and objectives. In so doing, all supervisors and managers are also expected to focus on the development and productivity of their subordinates by setting clear performance expectations; providing ongoing coaching and feedback; constructively addressing or seeking assistance to properly address concerns related to the protection of classified information in accordance with Reference (n); evaluating the contributions of individual employees to organizational results; and linking performance ratings and rewards to the accomplishment of those results.

c. Communicating the Performance Plan. Communications between rating officials, in collaboration with the supervisor when the supervisor is not the rating official, and employees are critical to the success of the performance management process; therefore, communication between the employee and the supervisor regarding the content and expectations contained in the performance plan is critical to setting the tone for the annual performance management process. The initial dialogue between the employee and the supervisor sets the stage for follow-up midpoint and evaluation reviews throughout the evaluation period.

(1) Performance objectives will be communicated to the employee in writing within 30 calendar days of the beginning of the evaluation period, within 30 calendar days from the date

of appointment to the position or a supervisory change, or whenever there is a need to modify an existing objective or add new objectives as a result of changes in mission priorities.

(2) Performance plans must be updated to document new rating or reviewing officials, with objectives selected or validated by the new rating official and approved by the reviewing official. Performance objectives may continue from previous performance plans at the discretion of the new rating official in the updated performance plan.

(3) Dialogue on the performance plan will include but not be limited to:

(a) The relationship between the employee's performance objectives, the goals and objectives of the local work unit, and the broader strategic objectives for the current and future years contained in the National Intelligence Strategy, Defense Intelligence guidance, and the goals and objectives of the employee's organization.

(b) Examples of how the supervisor will assess employee accomplishments against performance objectives (e.g., quantitative and qualitative).

(c) The relationship between the performance elements and standards against which the employee will be assessed and the accomplishment of performance objectives.

3. ANNUAL IDP

a. Every employee will develop a written IDP with the rating official, and in collaboration with the supervisor when the supervisor is not the rating official, at the beginning of the annual evaluation period.

b. Employees assigned to a position at the beginning of the evaluation period will have approved IDPs not later than 30 calendar days after the beginning of the period.

c. Employees newly-appointed, newly-assigned, or newly promoted to a position will have approved IDPs not later than 30 calendar days from the date of appointment to the position.

d. Rating officials, in collaboration with the supervisor when the supervisor is not the rating official, will establish IDPs in consultation with their employees.

e. Reviewing officials will review and approve each IDP to ensure its consistency with organizational goals and objectives; appropriateness to employee experience, developmental needs, and pay level; and equity with other IDPs within the purview of the reviewing official.

f. Volume 2010 of this instruction (Reference (o)) will contain guidance for the development of IDPs.

4. APPROVAL OF PERFORMANCE PLANS. The performance plan and IDP are considered approved when the rating official, in collaboration with the supervisor when the supervisor is not the rating official, has communicated the plan to the employee in writing following approval by the reviewing official. The rating official will record the employee's receipt of the performance plan and IDP and the manner in which it was communicated (e.g., face-to-face, e-mail, fax) to the employee.

ENCLOSURE 5

MANAGING PERFORMANCE

1. MONITORING. Rating officials are responsible for managing the performance of subordinates to achieve the goals and objectives of the organization. To be effective in their role, rating officials should, in collaboration with the supervisor when the supervisor is not the rating official:

a. Engage in dialogue throughout the evaluation period with their employees concerning their progress toward achieving performance objectives, behaviors related to successful performance, and their individual development.

b. Hold one or more formal performance review with each employee during the evaluation cycle, and document at least one review conducted at the midpoint of the evaluation period.

c. Maintain performance and development information on their employees to be used to provide feedback and conduct the end-of-year performance evaluation.

d. Update performance objectives in consultation with the employee when changing priorities or conditions beyond the control of the employee or when the supervisor indicates a need for change.

e. Anticipate and address performance deficiencies as they appear.

f. Acknowledge and reinforce effective behaviors demonstrated by the employee in the accomplishment of his or her job objectives.

2. ACTIVE ENGAGEMENT. Actively managing employee performance during the evaluation period serves to increase the productivity and morale of the work unit by reinforcing the effective behaviors of the most productive employees and ensuring early intervention to address performance deficiencies when they may occur.

3. DIALOGUE AND FEEDBACK

a. Rating officials, in collaboration with the supervisor when the supervisor is not the rating official, should provide regular and timely feedback to all employees throughout the evaluation period regarding their performance.

(1) Regular dialogue regarding performance is the primary means by which rating officials and employees ensure optimal accomplishment of organizational objectives. Feedback should be provided in the form of a two-way dialogue during which the employee and rating

official identify what is going well, how performance may be improved, and whether performance objectives require adjustment.

(2) Face-to-face is the preferred method of rating official and employee dialogue. However, where geographic or other forms of separation make routine face-to-face meetings difficult or impossible, other means such as telephone or e-mail exchanges should be used to ensure that ongoing dialogue takes place.

b. Although rating officials are primarily accountable for ensuring that dialogue regarding employee performance takes place, employees also have a responsibility to ensure that they receive continuing feedback on their performance. Employees may and should request periodic feedback from their rating officials to ensure there is a common understanding of expectations and progress against performance objectives.

4. MINIMUM PERIOD OF PERFORMANCE

a. The minimum rating period of 90 calendar days is met when the employee is assigned to a DCIPS position and performs under an approved DCIPS performance plan, with the same rating official, for at least 90 calendar days during the current evaluation period.

b. Only continuous performance in a DCIPS position or in an approved detail or assignment to a non-DCIPS position may be used to satisfy the 90-day minimum rating period.

c. Employees who have met the minimum period of performance requirement and have an approved performance plan in place will be issued a performance evaluation of record at the end of the evaluation period or other appropriate time in accordance with the procedures prescribed by this volume.

d. When an employee joins an organization with less than 90 calendar days remaining in the current evaluation period, that period of performance will be covered in the subsequent evaluation period. Employees who have not completed the minimum period of performance during the applicable evaluation period will not be rated, and therefore generally will not be eligible for a performance payout except as specifically authorized by the policies and procedures in Reference (g). Employees who are not ratable because they have not or will not have performed the minimum required period of performance will be advised by the rating official during the initial performance planning session.

5. ADJUSTMENT OF PERFORMANCE OBJECTIVES DURING THE EVALUATION PERIOD

a. Performance objectives should be reviewed regularly by the employee and the rating official and adjusted when necessary to reflect changes in the employee's responsibilities; changing priorities of the organization; change in position for the employee, including moving from supervisory to non-supervisory or vice versa; a major new responsibility; or when

unanticipated events beyond the control of the employee and rating official make the performance objective unachievable.

b. When adjusting performance expectations, supervisors and employees must follow the requirements for planning, communicating, monitoring, and assessing expectations established in this volume. Adjustments to or changes in performance objectives will be approved by the reviewing official before effecting any change. An employee must have been assigned a modified or new objective for at least 90 calendar days to be rated on that objective.

6. ADJUSTMENT OF PERFORMANCE ELEMENTS DURING THE EVALUATION PERIOD. Performance elements should be reviewed regularly by the employee and the rating official and adjusted when necessary to reflect the employee's change from a supervisor or manager to a non-supervisor or non-manager, and vice versa.

7. ADDING PERFORMANCE OBJECTIVES. When new performance objectives are assigned to an employee during the evaluation period (e.g., due to a job change, additional duties, promotion, change in organizational objectives), the new objectives must be structured such that they can be accomplished during the remaining portion of the evaluation period. New objectives must be added to the performance plan at least 90 calendar days before the end of the evaluation period to be included in the annual evaluation of performance.

8. MANDATORY MIDPOINT PERFORMANCE REVIEW. Feedback between the rating official and employee should be continuous throughout the evaluation period. However, in addition to ongoing feedback, rating officials will conduct and document at least one formal performance review for each of his or her employees at or near the midpoint of the evaluation period.

a. During this review, the rating official and employee should discuss achievements to date against performance objectives; any areas for improvement; and examples in support of the performance elements and any areas for improvement. Both the supervisor and employee should examine the current performance plan to determine whether adjustments are necessary, and should formally document any required changes to the objectives for the remainder of the year in accordance with the instructions in section 5 of this enclosure. DoD Component guidance may include narrative write-ups from the employee, the rating official, or both, at Component discretion.

b. For employees who are on track to meet or exceed expectations for their performance objectives, the rating official will document and retain for the record the outcome of the midpoint review including the date on which the session took place and any changes in objectives or other summary information regarding the conversation. Any documentation will be maintained as a part of that employee's official performance record in accordance with DoD Component policy.

c. For employees who are experiencing difficulties in achieving their objectives or are otherwise at risk of receiving a performance evaluation of record lower than “Successful,” the rating official should document and retain for the record all performance deficiencies and all actions the rating official and employee will take during the period leading to the performance evaluation of record to improve performance to the “Successful” level.

(1) The period of time, generally not less than 90 days, provided to the employee to improve performance is determined by the rating official. In doing so, the rating official should consider the type of work and grade or band level of the employee and the expected time period when such improvement could be noted.

(2) Documentation for the record will be maintained as part of the official performance record in accordance with DoD Component guidance. This documentation should take place at the point the difficulties are noted; rating officials should not wait until the midpoint review or the end of the performance period to initiate feedback and documentation.

(3) Rating officials must also consult Volume 2009 of this instruction (Reference (p)) for employees who are experiencing difficulties in achieving their objectives or who are otherwise at risk of receiving an “Unacceptable” rating. In all cases where there is a risk of an employee receiving a performance evaluation of record of less than “Successful,” rating officials should consult their employee relations staff or other appropriate advisors for guidance.

d. The employee will be given a copy of the midpoint review document. The rating official will record in the performance evaluation system the employee’s receipt of the midpoint review and the manner in which the review was communicated.

e. If the rating official is not available to conduct the mandatory midpoint review, the reviewing official or other more senior management official in the employee’s direct chain of supervision with knowledge of the employee’s performance will conduct the review.

ENCLOSURE 6

DEVELOPING PERFORMANCE

1. EMPLOYEE DEVELOPMENT. Developing employee skills and abilities to contribute to the intelligence mission is an integral part of the performance management process. Rating officials, in collaboration with the supervisor when the supervisor is not the rating official, are responsible for including in performance management dialogue the individual developmental needs of each of their employees.

2. MONITORING PROGRESS AGAINST THE IDP

a. Rating officials, in collaboration with the supervisor when the supervisor is not the rating official, and employees will jointly review progress against the objectives of the IDP as part of the ongoing dialogue process during the evaluation period. Reference (o) provides specific guidance on the IDP process.

b. During the formal midpoint performance review, rating officials, in collaboration with the supervisor when the supervisor is not the rating official, will address progress against the IDP and its relationship to the employee accomplishing performance objectives. Rating officials should make specific reference to the relationship between IDP objectives and improving competence in areas addressed by the performance elements, and to other career-group-specific and occupational-category-specific competencies from which the performance elements were derived. The performance elements and related competencies form the basis for supervisors to assist their employees with the individual development required for continued improvements in their ability to contribute to the intelligence mission.

c. Rating officials are responsible for ensuring that employees have access to resources including internal and external training, mentoring, and assignments throughout the IC; individual coaching by the rating official, and the supervisor when the supervisor is not the rating official; and other resources that contribute to the success of employees when measured against their performance plans and IDPs and to improved productivity of the organization. Reference (o) provides additional guidance on development and the IDP process.

3. ADDRESSING REQUIREMENTS FOR PERFORMANCE IMPROVEMENT. Rating officials are accountable for early identification of employee performance issues that may lead to a performance evaluation of record of less than “Successful.” They are also accountable for early identification of employees who are not on track to meet their performance expectations. Early action is essential to improving performance or setting the stage for further action when performance does not improve to the “Successful” level or higher, including adverse personnel action in accordance with procedures prescribed in Reference (p).

a. Early Action.

(1) At the first indication that an employee is not on track to meet his or her performance expectations for the evaluation period, the rating official, in collaboration with the supervisor when the supervisor is not the rating official, should schedule a feedback session with the employee to explore the performance issues and set a documented course of action for improving performance during the remainder of the evaluation period. The rating official must address performance issues through feedback sessions and documentation as soon as employee performance falls below, or threatens to fall below, the “Successful” level.

(2) Rating officials should engage employees in feedback sessions, begin to document performance, and provide specific actions for an employee to take in order to improve at any point in the evaluation period. There is no prohibition against these activities at any point during the evaluation period.

b. Early and Frequent Dialogue. Feedback must include:

(1) Discussion of the specific areas in which performance improvement is required including restatement of the expectations for specific results and behaviors, exploration of barriers to success, and specific actions that the employee and supervisor must take to improve performance.

(2) Identification of resources available to improve performance including offering the employee the support that is most likely to contribute to performance improvement, such as additional job-specific training, performance coaching, frequent follow-up performance review sessions, or such other support as may be indicated.

c. Documentation. In the rating official’s judgment, if an employee’s performance is such that failure to improve could result in a performance evaluation of record of “Unacceptable” or “Minimally Successful” at the end of the evaluation period, the rating official must document feedback sessions with the employee throughout the remainder of the evaluation period.

(1) Rating officials should document the performance concerns and issues, the feedback session and the course of action for improving performance. The format for this documentation is at the discretion of the DoD Component (e.g., memorandum for the record, documented in the performance management automated evaluation system). When appropriate, documentation such as supervisory review of work products or feedback sessions, should be provided to the employee and must include, at a minimum, a statement of the performance requiring improvement, the performance improvement actions that the supervisor and employee have agreed to implement, and the consequences of failure to demonstrate acceptable performance improvement.

(2) Rating officials are encouraged to review the information provided in Reference (p) regarding performance-based actions for information that could support such actions, if required later in the process.

d. Sustained “Minimally Successful” Performance. As a result of early engagement between the rating official and the employees, performance below or at risk of falling below “Successful” is expected to improve to the “Successful” level. If the employee’s performance remains at the “Minimally Successful” level for more than one evaluation period, rating officials must document efforts by both the employee and the rating official to improve the employee’s performance. A review of the objectives should be completed by the rating and reviewing officials to ensure that the description of the performance at the “Minimally Successful” level is not more appropriately defined as “Unacceptable.”

e. Performance-Based Action. If the rating official believes an employee’s performance may warrant adverse action at or before the end of the evaluation period, he or she must follow the procedures in Reference (p). Rating officials should seek advice from their servicing human resources professional on the appropriate actions to be followed in accordance with Reference (p).

ENCLOSURE 7

END-OF-YEAR PERFORMANCE EVALUATION

1. OVERVIEW. The end-of-year performance evaluation prepared by the rating official, in collaboration with the supervisor when the supervisor is not the rating official, provides the official documentation of the performance evaluation period. If done in the manner prescribed in this volume, the performance evaluation of record provides an official record of the ongoing performance dialogue between the rating official and employee that has taken place over the course of the evaluation period. The written evaluation captures for the record the employee's accomplishments against agreed-on performance objectives and his or her performance against the standards for the six performance elements, and provides an official performance evaluation of record that will inform the annual performance-based and pay pool process.

2. RATING PERFORMANCE OBJECTIVES

a. Employee Self-Report of Accomplishments

(1) Employees are the most knowledgeable source of their individual accomplishments against their objectives. To continue the performance dialogue between supervisors and employees into the performance evaluation process, employees are expected to submit a personal report of their accomplishments for the evaluation period. The report will address accomplishments against each performance objective. The employee's self-report of his or her accomplishments should also address performance elements. It will become a part of the performance record and will be used by the rating official as input to his or her evaluation of the employee's accomplishment in the end-of-year performance evaluation. When employees and rating officials differ in their perceptions of accomplishments, the rating official will address the differences in the end-of-year performance dialogue.

(2) To facilitate completion of the self-report of accomplishments, employees are encouraged to maintain a record of their accomplishments throughout the evaluation period.

(3) Employees will complete their self-report of accomplishments and forward it to the rating official according to a schedule determined by the DoD Component, but not later than 15 calendar days after the end of the evaluation period. DoD Component guidance may require that self-reports be completed before the end of the evaluation period, but will ensure that all performance during the period is documented and considered in the evaluation process.

b. Rating Official Evaluation of Performance. The rating official, in collaboration with the supervisor when the supervisor is not the rating official, will prepare a proposed narrative and numerical evaluation for each eligible employee in accordance with guidelines prescribed in this volume. The rating official's proposed input is not finalized until after it has been approved by the reviewing official and the PM PRA, including any changes they direct or make.

(1) The rating official will prepare a brief narrative evaluation of the employee’s accomplishments for each performance objective with appropriate consideration of the employee’s self-report. The effects of the employee’s accomplishments on the organizational goals and objectives should also be addressed.

(2) Accomplishment of performance objectives will be rated using a 5-point rating scale, as described in Table 1, applied in the context of the employee’s work category, work level, and grade or pay band.

Table 1. Performance Objectives and Element Rating Descriptors

GENERAL STANDARDS		
Performance Rating	Objectives Descriptors	Element Descriptors
Outstanding (5)	<p>The employee far exceeded expected results on the objective such that organizational goals were achieved that otherwise would not have been.</p> <p>As an overall performance objective rating, the employee far exceeded expected results on all performance objectives such that organizational goals were achieved that otherwise would not have been.</p> <p>Such exemplary achievements serve as a role model for others.</p>	<p>The employee consistently performed all key behaviors at an exemplary level on the element.</p> <p>As an overall performance element rating, the employee consistently performed at an exemplary level on all performance elements.</p> <p>The employee served as a role model for others.</p>
Excellent (4)	<p>The employee surpassed expected results in a substantial manner on the objective.</p> <p>As an overall performance objective rating, the employee surpassed expected results overall and in a substantial manner on most of the objectives with an average rating within the “Excellent” range in Table 2.</p>	<p>The employee demonstrated mastery-level performance of the key behaviors on the element.</p> <p>As an overall performance element rating, the employee demonstrated mastery-level performance on most key elements with an average rating within the “Excellent” range in Table 2.</p>
Successful (3)	<p>The employee achieved expected results on the assigned objective.</p> <p>As an overall performance objective rating, the employee achieved expected or higher results overall and on most assigned objectives with an average rating within the “Successful” range in Table 2.</p>	<p>The employee fully demonstrated effective, capable performance of key behaviors for the performance element.</p> <p>As an overall performance element rating, the employee demonstrated effective, capable performance or higher on key behaviors on most performance elements with an average rating within the “Successful” range in Table 2.</p>
Minimally Successful (2)	<p>The employee only partially achieved expected results on the performance objective.</p> <p>As an overall performance objective rating, the employee only partially achieved expected results for assigned objectives with an average rating within the “Minimally Successful” range in Table 2.</p>	<p>The employee’s performance requires improvement on one or more of the key behaviors for the objective.</p> <p>As an overall performance element rating, the employee’s behavior requires improvement with an average rating that falls within the “Minimally Successful” range in Table 2.</p>

Table 1. Performance Objectives and Element Rating Descriptors, Continued

Performance Rating	Objectives Descriptors	Element Descriptors
Unacceptable (1)	The employee failed to achieve expected results in one or more assigned performance objectives.	The employee failed to adequately demonstrate key behaviors for the performance element. As an overall performance element rating, the employee received a rating of “Unacceptable” on average for the performance elements.
Not Rated (NR)	The employee did not have the opportunity to complete the objective because it became obsolete due to changing mission requirements or because of extenuating circumstances beyond the control of the employee and supervisor (e.g., resources diverted to higher-priority programs, employee in long-term training, deployed, on leave without pay).	Not used for performance elements.

(3) Separate numerical ratings will be assigned to each performance objective. Each numerical rating will take into account the degree to which the objective was achieved in accordance with the guidance in Table 1. A rating of “Unacceptable (1)” on any performance objective will result in an overall performance objective rating of “Unacceptable” and an performance evaluation of record rating of “Unacceptable.” However, the rating official must rate each objective and element in the event that later action changes the rating of “1.”

(4) An overall performance objective rating will be assigned by computing the arithmetic average of all assigned performance objective ratings. The overall performance objective rating will be rounded to the nearest tenth of a point using standard rounding procedures.

(5) Objective ratings of “Not Rated” will not be included in the computation of performance evaluation of record average ratings.

3. RATING PERFORMANCE ELEMENTS

a. Each performance element for an employee will be rated using the 5-point rating scale in Table 1. Performance against each element will be rated by comparing employee performance against the narrative behavioral descriptors for each element contained in the performance standards applied in the context of the employee’s work category, work level, and grade or pay band. DoD Components can review other information to support the rating decision, as long as Table 1 is applied.

(1) The rating for an element will be the highest level within the standard descriptors for which the employee fully meets the letter and intent of the element rating. If the employee does not fully meet the behavioral descriptor, the rating will be assigned to the next lower level.

(2) The “Not Rated” rating may not be used for performance elements. Any employee who has met the minimum requirements for receiving a performance rating will be rated on all performance elements.

b. The rating official will prepare a brief narrative summary of the employee’s performance against each of the six DCIPS performance elements. The narrative will highlight brief examples of employee actions that support the numerical rating assigned in accordance with Table 1 applied in the context of the employee’s work category, work level, and grade or pay band.

c. An employee’s overall performance element rating against the six performance elements will be computed by taking the arithmetic average of the individual ratings for all of the performance elements. The overall performance element rating will be rounded to the nearest tenth of a point using standard rounding procedures.

4. PERFORMANCE EVALUATION OF RECORD

a. All employees will receive a performance evaluation of record that reflects the combined accomplishments against objectives and performance against the six performance elements. The performance evaluation of record will be computed by calculating the arithmetic average of the overall performance objective rating, which will account for 60 percent of the performance evaluation of record, and the overall performance element rating, which will account for 40 percent of the performance evaluation of record, except when the employee has received an overall rating of “1” for accomplishment of performance objectives. The average rating, known as the overall rating, will be rounded to the nearest tenth of a point and converted to a performance evaluation of record rating and descriptor using the standards in Table 2 as a guide. Evaluations of record will be converted to and recorded as a whole number using Table 2.

Table 2. Converting Average Rating to Evaluation of Record

Overall Rating Range	Evaluation of Record Rating/Descriptor	General Standard
4.6-5.0	Outstanding (5)	The employee’s overall contribution, both in terms of results achieved and the manner in which those results were achieved, has had extraordinary effects or impacts on mission objectives that would not otherwise have been achieved.
3.6-4.5	Excellent (4)	The employee’s overall contribution, both in terms of results achieved and the manner in which those results were achieved, has had a significant impact on mission objectives.
2.6-3.5	Successful (3)	The employee’s overall contribution, both in terms of results achieved and the manner in which those results were achieved, has made a positive impact on mission objectives.
2.0-2.5	Minimally Successful (2)	The employee’s overall contribution to mission, although positive, has been less than that expected.
< 2 on any objective	Unacceptable (1)	The employee received an “Unacceptable” rating on one or more performance objectives or the employee has an average rating of less than 2.0 based on the overall performance objective rating and overall performance element rating.

b. Any employee who receives an overall performance objective rating of “Unacceptable (1)” will receive a performance evaluation of record of “1” or “Unacceptable;” however, each objective and element must be rated in the event the rating of “1” is changed.

c. Rating officials will complete their evaluation of employee performance within 30 calendar days following the end of the evaluation period.

5. REVIEWING OFFICIAL’S REVIEW AND APPROVAL OF THE EVALUATION OF PERFORMANCE

a. The proposed performance evaluation of record must be approved by the reviewing official and PM PRA before discussing the evaluation with the employee. The inclusion of the reviewing official in the performance evaluation process before providing feedback to the employee is not intended to limit ongoing dialogue between the rating official and the employee regarding ongoing performance. Rather, it is to ensure that the rating official has considered the perspective of the reviewing official from his or her vantage point over several organizational units to ensure there is common understanding and interpretation of expectations and standards across the organizational units, and any changes directed by the reviewing official or PM PRA are adopted before sharing with the employee.

b. The reviewing official normally will be the rating official’s rater; however, it may also be another official in the management chain above the rating official, and in some unusual circumstances, the reviewing and rating officials may be the same official in accordance with DoD Component guidance and this instruction.

c. Reviewing officials will review numerical and narrative ratings provided by the rating official for consistency with guidance provided by the DoD Component and the reviewing official at the beginning of the evaluation period; congruence between numerical ratings assigned and supporting narrative; consistency across rating officials within the reviewing official’s organizational elements; compliance with merit system principles; and adherence to DCIPS and other relevant policy.

d. On completion of his or her review, if the reviewing official agrees with the evaluation provided by the rating official, he or she will provide concurrence and, if the DoD Component’s performance management automated evaluation system supports, may provide additional narrative based on first-hand knowledge of the employee’s work and impact that would further clarify the employee’s contributions for consideration during the pay pool decision process.

e. If the reviewing official does not agree with the narrative or numerical ratings provided by the rating official, the reviewing official will return the evaluation to the rating official and direct that changes be made. The rating official and reviewing official will discuss the areas of disagreement, preferably in a face-to-face conversation; however, if that is not possible, the reviewing official should provide written feedback to the rating official on the areas of disagreement and the recommended remediation. If the rating official does not accept the reviewing official’s suggested changes, the reviewing official may direct a change in the rating,

or if necessary, make changes to ensure consistency in the application of standards and guidance within the reviewing official's purview. The basis for the directed changes will be documented and maintained by the reviewing official until all actions relative to the annual performance evaluation and pay-decision processes are completed and closed.

f. The reviewing official will complete his or her review of all performance evaluations within his or her purview within 45 calendar days of the end of the evaluation period but must not submit his or her final approval until after the PM PRA review and approval process is completed and he or she is advised to do so under DoD Component implementing guidance.

g. Reviewing officials are encouraged to consider support of and actions throughout the performance management process when evaluating the work performance of rating officials under their purview.

6. PM PRA REVIEW AND APPROVAL OF PERFORMANCE EVALUATIONS OF RECORD. Concurrent with the reviewing official's action, all evaluations of record are forwarded to the PM PRA for final review and approval to ensure consistency across supervisors and reviewing officials, and compliance with applicable laws and regulations.

a. When the PM PRA determines that there are inconsistencies requiring action, the PM PRA will seek to resolve the apparent discrepancies with the accountable reviewing officials.

b. The PM PRA must withhold completion of this review and approval, for entire groups or individual evaluations, if ratings, narratives, or both do not support the proposed performance evaluation of record or closeout, or if there is concern regarding the merit of the proposed performance evaluation of record. The PM PRA must send back proposed evaluations of record where there is a disparity between the narrative and the proposed evaluation of each performance objective or performance element, or any indication that policy was not followed, and direct or take corrective action, as appropriate.

c. The PM PRA should initially encourage rating and reviewing officials to resolve the issues identified, but may direct that specific action be taken if the rating or reviewing officials, or both, are unwilling or unable to take the directed action to ensure the integrity of the performance evaluation process. If the rating or reviewing officials are unavailable or unwilling to make changes, the PM PRA may direct changes to ensure compliance.

d. The PM PRA will complete the performance evaluation review and approval process not later than 45 calendar days following the end of the evaluation period.

e. Evaluations of record cannot be finalized until the PM PRA completes the review of the evaluations of record, approves them, and informs the reviewing officials that the review is complete, the evaluations of record have been approved, and that reviewing officials may proceed in finalizing the evaluations of record.

f. PM PRAs are encouraged to consult with legal counsel if there are any concerns with conformance to law related to the performance management process.

7. COMMUNICATING THE PERFORMANCE EVALUATION OF RECORD TO THE EMPLOYEE

a. Rating officials are responsible for providing feedback to employees on their performance evaluation of record on receipt of approval of evaluations from the reviewing official and the PM PRA. The dialogue on the formal performance evaluation document should represent the culmination of year-long ongoing feedback between the supervisor and employee regarding performance.

b. Feedback provided to the employee should include a discussion of the accomplishments during the year and how work-related behaviors captured in the performance elements may have contributed to or inhibited overall success. The discussion should also focus on achievements against developmental goals for the year and what additional developmental objectives may contribute to continued improvements in employee performance.

c. If an employee disagrees with the ratings on the performance evaluation, employees should follow the reconsideration process outlined in Enclosure 10 of this volume.

d. Proposed evaluations of record must not be shared with employees until after completion of the review and approval by the reviewing official and the PM PRA and the DoD Component has advised that the evaluations of record are final and can be shared.

8. PERFORMANCE MANAGEMENT AND WITHIN-GRADE INCREASES (WGIS).

WGIS are awarded to employees in the GG pay series and serve to reward employees with a step increase for sustained performance at the “Successful” level or above. DCIPS awards WGIS to employees based on the evaluations of record provided for in this volume, with “Successful” level and above evaluations of record equating to the required acceptable level of competence determination. WGIS are awarded up to and including the Step 10 at each grade level, following waiting periods provided for in section 531.405 of Title 5, Code of Federal Regulations (Reference (q)). WGIS are not awarded to permit employee salaries to be set in the DCIPS extended pay range provided for in Volumes 2006 and 2008 of this instruction (References (r) and (s)). Rating officials should seek advice from their servicing human resources professional.

a. To earn a WGI, the employee’s performance must be at an acceptable level of competence. To meet this requirement, an employee’s most recent performance evaluation of record must be at least a “Successful.” Employees who have not had sufficient time to earn a performance evaluation of record will be presumed to have performed at least at the “Successful” level, unless the rating official has documented that performance appears to be at a level below “Successful.”

b. DoD Components will establish a process for identifying and withholding the next scheduled WGI based on performance being observed or documented as being at a level below “Successful.” In all cases where there is a risk of an employee receiving a performance evaluation of record of less than “Successful,” rating officials should consult their employee relations staff or other appropriate advisors for guidance.

c. Employees will be informed when a negative determination regarding acceptable level of competence has been made and his or her WGI has been or will be delayed in accordance with DoD Component timelines. This notification to the employee will include necessary actions for the employee to take to improve performance to an acceptable level of competence and the timeline for the review to determine if the employee has raised the level of competence, as measured against the performance standards, for a sustained period of time to justify granting the WGI.

d. DoD Components will establish a process for reviewing employee performance and determining if the performance has reached the “Successful” level and is being sustained at that level. DoD Component processes will include the requirement that an evaluation should occur within 90 calendar days of the date the WGI was withheld and subsequent reevaluations at 90 day intervals, if needed. If an employee’s performance remains below “Successful” for 52 weeks from the original eligibility date for the WGI, a new withholding determination will be made, including new notification to the employee as noted in paragraph 8c of this enclosure.

e. When it is determined that the employee’s performance has improved and is sustained at the “Successful” level, DoD Components must grant the WGI for the employee. Sustained performance in this context is performance documented and observed in accordance with DoD Component guidance as the norm, vice a single episode of improvement. The effective date of the WGI is the first day of the first pay period after the acceptable determination is made.

ENCLOSURE 8

INTERIM PERIODS OF PERFORMANCE DURING THE PERFORMANCE EVALUATION PERIOD

During the annual performance evaluation period, events may occur that result either in a change of the rating official or a reassignment of the employee, or that remove an employee temporarily from direct supervision of the rating official as a result of temporary assignments or deployments that do not result in a change in the rating official. The procedures intended to address these situations are:

a. Closeout Performance Evaluation. When the rating official has been the employee's rater for at least 90 calendar days and there are at least 90 calendar days remaining in the performance period but the rating official will no longer be the employee's rater, the rating official will complete a brief narrative description of the employee's performance, accomplishments, and contributions during the current evaluation period and assign numerical evaluations to the performance elements, objectives, and an overall rating in accordance with the end-of-year performance evaluation process. Closeout performance evaluations will be approved by the reviewing official and the PM PRA as with the performance evaluation of record. Generally, this situation exists on reassignment or separation of either the employee or rating official.

(1) A closeout performance evaluation is required only when the rating official and employee relationship has existed with an approved performance plan for a period of at least 90 calendar days.

(2) Closeout performance evaluations will be completed on all employees detailed to another organization for periods of 90 calendar days or more whose assignments or deployments end with at least 90 calendar days remaining in the evaluation period. Such evaluations will be completed by a supervisor or manager responsible for the employee's work while on detail or deployment. The completed closeout evaluation will be forwarded to the employee's rating official for consideration in the preparation of the performance evaluation of record. DoD Components are responsible for developing and sharing guidance with gaining supervisors for providing closeouts, including for those employees on deployments.

(3) Rating officials will consider information contained in all closeout performance evaluations when determining the performance evaluation of record.

(4) A closeout performance evaluation will become the final performance evaluation of record, rather than input in developing the final performance evaluation of record, in circumstances where the final performance evaluation of record cannot be completed. When such occurs, employees must be informed and must be advised of the process to resolve disputed ratings in accordance with paragraph 7c of Enclosure 7 and Enclosure 10 of this volume, as applicable. Timelines begin the date the employee has been informed that the closeout performance evaluation has become the performance evaluation of record.

b. Interim or Temporary Assignment Report of Performance. Many employees within the DoD Components with DCIPS positions are called on to accept temporary or interim assignments and deployments in support of the national and Defense Intelligence missions. Often these assignments may be for periods of less than 90 calendar days, but during which time the employee is making significant contributions to the mission of the DoD or the IC.

(1) For such assignments, and for reassignments, realignments, and supervisor changes for periods of less than 90 calendar days, it is important that the contributions of the employee be officially documented for consideration during the end-of-year performance evaluation process. The format for this narrative is at the discretion of the DoD Component (e.g., email, memorandum, documented in the performance management automated evaluation system).

(2) For periods of deployment or temporary assignment for 90 calendar days or less or that otherwise do not require a closeout performance evaluation, the supervisor at the location of deployment or temporary assignment who is knowledgeable of the employee's contributions to that organization will complete a brief narrative of the employee's contributions during the deployment for submission to the employee's rating official.

(3) In their submission of accomplishments for either the full annual or closeout evaluation period, employees should include a brief summary of their accomplishments during any deployments or temporary assignments completed during the current performance evaluation period.

(4) Rating officials are responsible for ensuring that all periods of deployment or temporary assignment in support of the DoD and IC mission are considered and documented during the end-of-year performance evaluation.

ENCLOSURE 9

SPECIAL CIRCUMSTANCES

1. EMPLOYEES ABSENT TO PERFORM MILITARY SERVICE. Employees who are absent from their positions to perform military service will be entitled to all protections of Title 38, United States Code (Reference (t)), commonly referred to as the Uniformed Services Employment and Reemployment Rights Act).

a. Employees who leave their positions during an evaluation period to serve a period of active military service, and who have completed at least 90 calendar days under their performance plan, will be entitled to a closeout performance evaluation in accordance with paragraph a(2) of Enclosure 8.

b. Employees who return to their positions following a period of military service who do not have the required 90 calendar days of civilian service under a performance plan during the current evaluation period at the close of the evaluation period will be assigned a presumptive performance evaluation of record. The presumptive evaluation will be their last performance evaluation of record before departure for military service. If the employee's last performance evaluation of record before his or her departure is not available, or if it is below "Successful," the employee must be assigned a presumptive performance evaluation of record of "Successful" with a numerical value of 3.0 (with each Performance Element and Performance Objective receiving individual ratings of "3"), for the evaluation period that has closed. Presumptive ratings may not be submitted for informal or formal administrative reconsideration.

2. EMPLOYEES ABSENT ON WORKERS' COMPENSATION. Employees absent from their positions on workers' compensation will be handled in accordance with the procedures in section 1 of this enclosure.

3. EMPLOYEES ABSENT DUE TO OTHER SPECIAL CIRCUMSTANCES. Employees absent from their positions on long-term training or other special circumstances will be handled in accordance with the policies established by their DoD Components.

ENCLOSURE 10

CHALLENGING THE PERFORMANCE EVALUATION OF RECORD

This enclosure describes the DoD reconsideration process for DCIPS performance evaluations of record. The administrative reconsideration process described is the exclusive formal process by which DCIPS employees may challenge their performance evaluation of record or content of the performance evaluation of record pursuant to this volume. Employees may not challenge a midpoint review or an interim assignment report of performance. Raters, reviewing officials, PM PRAs and DoD Component heads must consult with legal counsel if an employee raises an allegation that a performance evaluation of record was based on prohibited considerations such as race, color, religion, sex, including sexual orientation, national origin, age, physical or mental disability; on reprisal; on prohibited personnel practices; or on protections against whistleblower reprisal.

a. Alternative Dispute Resolution. Alternative dispute resolution may be pursued at any time during the reconsideration process consistent with DoD Component policies and procedures.

b. Relationship to Compensation. In the event of a decision to adjust a performance evaluation of record, all compensation decisions that have been made with regard to the individual based on the adjusted performance evaluation of record must be reviewed for adjustment, as appropriate. Any adjustments to compensation will be retroactive to the effective date of the original compensation decision. Decisions made through this process will not result in recalculation of the payout made to other employees in the pay pool.

c. Procedures for Informal Administrative Reconsideration

(1) If an employee disagrees with the ratings on the performance evaluation, the employee should first contact the rating and reviewing officials within 5 calendar days of the employee's receipt of the rating to resolve the disagreement informally. DoD Components may, at their discretion, require that informal reconsideration be a required first step in the reconsideration process.

(2) The rater and reviewing officials are expected to respond to the employee within 5 calendar days from the day the employee raises the disagreement.

(3) All changes made to the performance evaluation of record based on informal reconsideration must be reviewed and approved by the PM PRA.

(4) If the employee, rater, and reviewer are unable to resolve the employee's issue through informal reconsideration, the employee may pursue the formal administrative reconsideration process delineated in paragraph d of this enclosure within 10 calendar days of receipt of the response to his or her informal reconsideration request.

d. Procedures for Formal Administrative Reconsideration. If after using the informal reconsideration process as provided by paragraph c of this enclosure, or in lieu of such discussion (if the DoD Component does not require that informal reconsideration be pursued), the employee continues to disagree with the ratings, the employee may seek formal reconsideration of the rating by the PM PRA. DoD Components may, at their discretion, develop formal reconsideration procedures that provide for reconsideration by a PM PRA outside of the employee's immediate chain of supervision who was not involved in the initial assignment of the rating.

(1) An employee seeking reconsideration of the performance evaluation of record, including the rating of any individual performance objective or performance element, the overall rating, or the narrative, must submit a written request for reconsideration to the PM PRA with a copy to the rating official, the reviewing official, if different from the PM PRA, and the servicing human resources office. The request for reconsideration must state the basis for the disagreement about the ratings and explain how any informal procedure has not resolved the matter. Typographical errors or other administrative edits may be corrected outside of the administrative reconsideration process.

(a) An employee who has attempted to resolve the disagreement informally as described in paragraph c of this enclosure will have 10 calendar days from the date he or she receives a decision from the rater and reviewing officials about the disagreement to initiate the formal administrative reconsideration process.

(b) For DoD Components who do not require the procedures in paragraph c of this enclosure, an employee who has not pursued an informal resolution of the performance evaluation of record disagreement will have 10 calendar days from the receipt of the performance evaluation of record to initiate the formal administrative reconsideration process.

(2) An employee seeking administrative reconsideration may identify someone to act as his or her representative to assist in pursuing the reconsideration request. The employee representative may not have any conflict of interest with regard to the employee's request for reconsideration. The PM PRA will determine whether there is any potential conflict of interest that may affect the reconsideration process.

(3) The request for reconsideration must be in writing and may include a request to personally address the PM PRA. The request must include a copy of the performance evaluation of record being challenged, state what change is being requested, and provide the employee's basis for requesting the change.

(4) Failure to comply with the procedures in paragraph d of this enclosure may result in the PM PRA issuing a written cancellation of the reconsideration request. In this case, a copy of the cancellation will be furnished to the servicing human resources office, the employee's rating official, and the employee.

(5) The PM PRA will review the request and confer with the rating official and reviewing official when the reviewing official is not the PM PRA. He or she may conduct

further inquiry as he or she deems appropriate. Should the PM PRA direct such additional inquiry, the employee will be offered the opportunity to review documentation and findings developed during the course of the further inquiry.

(6) If the employee has requested an opportunity to personally address the PM PRA and the PM PRA approved the request, the PM PRA will set the date, time, location, and method of communication. To the extent practicable, such events will be held during the scheduled working hours of the employee.

(7) Within 15 calendar days of the PM PRA's receipt of the employee's written request for reconsideration, the PM PRA must render a written decision. The PM PRA may extend the deadline if necessary by another 15 calendar days. The decision must include a brief explanation of the basis for the decision, and notification that the employee may request further and final reconsideration of the decision by the DoD Component head. A copy of the decision will be provided to the servicing human resources office, the rating official, the reviewing official, when the reviewing official is not the PM PRA, and the employee.

(8) If an employee chooses to request further and final reconsideration of the performance evaluation of record, a request for reconsideration must be submitted to the DoD Component head, in accordance with internal Component guidelines within 7 calendar days of receipt of the notice of the PM PRA decision. A DoD Component head may, at his or her discretion, designate another official he or she deems appropriate to conduct the further and final reconsideration.

(9) Within 15 calendar days of receipt of a request for further and final reconsideration, the DoD Component head, or designee, will issue a final decision unless he or she determines that further inquiry is required. In such cases, the DoD Component head will advise the employee that a final decision will be rendered on completion of the inquiry, but not later than 30 calendar days from the date of such notification. A decision by the DoD Component head on the request for reconsideration is final.

(10) If the final decision is to change the performance evaluation of record, the corrected evaluation will take the place of the original one. A revised performance evaluation of record will be prepared and entered into all appropriate records and a copy will be provided to the employee, the servicing human resources office, and the rating official. The revised performance evaluation of record will be retroactive to the effective date of the original performance evaluation of record.

(11) When calculating time limits under the administrative reconsideration procedure, the day of an action or receipt of a document is not counted. The last day of the time limit is counted unless it is a Saturday, Sunday, federal holiday, or a day on which the employee is not regularly scheduled to work. In those cases, the last day of the time limit will be moved to the employee's next regularly scheduled workday. All time limits are counted in calendar days.

(12) If the PM PRA or DoD Component head grants the employee's request for reconsideration after the annual pay-decision process, the employee's pay decision will be

reconsidered and, if the change in rating so indicates, will be changed to be consistent with the pay decisions for other similarly situated employees within the employee's pay pool. The new pay decision will be made retroactive to the effective date of pay pool decisions that have been made within the employee's pay pool in accordance with Reference (g).

(13) The formal reconsideration process, once it is initiated, must continue until a final decision has been made and has been communicated to the employee, unless it has been withdrawn by the employee or rejected in accordance with DoD Component procedures. This includes instances where the employee transfers, resigns, or his or her employment terminates during the reconsideration process.

ENCLOSURE 11

GUIDELINES FOR WRITING PERFORMANCE OBJECTIVES

1. OVERVIEW. Individual performance objectives against which employees work are critical to linking the individual employee to the mission, goals, and objectives of an organization.

a. From the perspective of the organization, each individual performance objective assigned to an employee, if prepared thoughtfully, accomplishes one element of the organization's strategic goals and objectives. Taken in sum, the aggregate accomplishment of goals assigned to the organization's workforce, from the file clerk who ensures organizational records are properly accounted for and retrievable to the senior executive responsible for leadership of a major mission area, produce mission success for the organization.

b. From the perspective of the personnel management system, the performance objective as an element of the performance system provides the means by which the individual employee understands his or her role in the organization. It also provides the means by which the supervisor is able to observe, measure, and intercede as necessary as employees work against their individual and collective performance objectives. As accomplishments are aggregated upward through the organization, the collective accomplishments against all performance objectives provide organizational leaders with direct measures of the achievements of their organizations.

2. THE SMART OBJECTIVE

a. For DCIPS employees, performance objectives are the most important element in the pay-decision process and also influence the promotion and assignment selection processes. Consequently, employees and managers must have confidence that performance objectives are written and evaluated in a manner that ensures equity and fairness within every organization and across all career groups. DCIPS does this through objectives that are specific, measurable, achievable, relevant and time-bound.

b. DCIPS employees and rating and reviewing officials will judge both the quality and fairness of objectives in an employee's performance plan in terms of how each objective is structured in accordance with sections 3 and 4 of this enclosure, and the appropriateness of the objective to the employee's position, including work category, work level, and pay band or grade.

3. WRITING SMART OBJECTIVES FOR EMPLOYEES. For there to be a common understanding between the supervisor and employee on what the employee is expected to achieve during the performance evaluation period, individual employee objectives must be clearly identified.

a. Performance Objectives are Not Duty Statements. A performance objective is significantly different from a duty statement in a position description. The duty statement sets boundaries within which an employee is expected to carry out his or her responsibilities. It is intentionally vague with regard to individual assignments because it is designed to provide a durable framework within which employees will be assigned work over time.

(1) For example, a duty statement might specify that an employee will “conduct substantive analyses of the economies of the Middle Eastern countries, providing written predictive analyses of leadership responses to existing or changing economic conditions within the region.”

(2) Such a statement provides sufficient information to judge the experience and qualifications of the type of analyst who might hold the position. It also establishes the types of work assignments that the employee in the position should expect to be assigned.

(3) However, it does not provide specificity on the priorities of the organization or on the manner in which specific analytic assignments are to be selected, carried out, or assigned. It also does not provide conditions under which the assignment will be undertaken (e.g., as a member of a team, as leader of a team, as an individual contributor, or other conditions) or other details necessary to establish clear understanding of expectations between the supervisor and employee.

b. Performance Objectives are Specific. Performance objectives must be more specific than general duty statements. However, they should also be durable. Supervisors should strive to provide employees with at least one and generally three to six performance objectives for the evaluation period, with fewer generally being more effective. For example, an objective derived from the duty statement in the example in paragraph 3a of this enclosure would be sufficiently specific for an experienced analyst to understand the expectations for one of his or her work products during the evaluation period. The restated objective might read: “The employee will complete an analysis of the effects of U.N.-imposed sanctions on Country X’s industrial sector by August 31 and present the results of that analysis in a finished and appropriately coordinated intelligence report for release to the policy-making community.”

c. Performance Objectives are Measurable. Employees must be provided the criteria against which their accomplishments will be evaluated.

(1) In the example in paragraph 3b of this enclosure, the work product has been described in terms sufficiently specific for an experienced analyst to understand.

(2) However, the supervisor has not yet described the criteria against which the completed work product will be reviewed to determine the extent to which it is responsive to the requirement (i.e., whether the employee has achieved or exceeded expectations). The supervisor might expand on the objective above by stating: “To achieve expectations on this objective, the completed product will make use of available intelligence from all relevant sources; will reflect engagement with other analysts, customers, and stakeholders in the subject of the analysis; will have incorporated the coordinated views of those other analysts and collectors throughout the IC; will be presented in the product style appropriate to the question; and will be timely.”

(3) For an experienced employee, the standards outlined should be sufficient to establish the standard review methods that will be applied and any extraordinary expectations that may be added.

(4) During the planning discussion of the performance objective with the employee, it is appropriate that the supervisor discuss the specific relationship between the evaluation of the extent to which the employee has met or exceeded expectations on the objective and relevant performance elements. In this example, critical thinking, communication, engagement and collaboration would all be significant in the achievement of the objective.

(5) Employees should be advised that the performance elements will be rated in their own right but will also affect the rating official's judgment of the degree to which expectations have been met for the objective.

d. Performance Objectives are Achievable

(1) All performance objectives should be appropriate to the experience, skill, and pay level of the employee. In the example in paragraph 3b of this enclosure, the objective may be appropriate to a full-performance or senior analyst. Supervisors may refer to duties described in employee job descriptions or other documentation describing responsibilities for analysts, or in other employee occupational categories, as the basis for establishing the appropriate difficulty for a performance objective.

(2) The employee must also have access to the necessary resources to complete the work product. For example, the analyst assigned this objective would require access to the appropriate intelligence on the issue including translation support, if applicable, other analysts working the issue, supervisory guidance and feedback as appropriate to his or her experience, and appropriate production support resources.

(3) During the performance-planning phase of the evaluation period, the supervisor and employee should establish the level of support necessary to ensure that the objective is achievable.

e. Performance Objectives are Relevant. To be relevant, DCIPS performance objectives must be derived from the National Intelligence Strategy, Defense Intelligence guidance, and the mission objectives of the employee's organization.

f. Performance Objectives are Timely or Time-Bound. Performance objectives must specify the period during which the objective is expected to be achieved. In the example in paragraph 3b of this enclosure, the period has been specified as requiring completion and delivery of the work product by August 31, within the evaluation period.

4. WRITING SMART OBJECTIVES FOR SUPERVISORS AND MANAGERS

a. The underlying principles for writing objectives for supervisors and managers are the same as those for non-supervisory employees. However, the objectives themselves differ because the work products of the supervisor or manager are the work products of the unit, produced through the leadership of subordinate non-supervisory employees, increased workforce capability through supervisory development of subordinates and marshalling of the resources necessary to the success of the unit, and the strategic integration of the work unit into the broader Defense Intelligence and IC leadership activities.

b. Supervisory and managerial objectives are specific to the leadership roles of those holding these types of positions. The objectives for supervisors also differ from those of managers, with supervisors being more intimately involved in shaping individual work products in the unit and developing the skills of the subordinate workforce through individual interactions and coaching. At the managerial level, work activities are more focused on developing the leadership skills of subordinate supervisors, integrating the work of the unit into broader organizational contexts, and obtaining the resources (e.g., people, money, equipment) necessary to perform the mission of the work unit.

(1) Using the example for the individual analyst contributor developed in section 3 of this enclosure, the complete SMART objective for the analyst, following from the managers' objectives through the unit supervisor to the individual employee analyst, would be: "The employee will complete an analysis of the effects of U.N.-imposed sanctions on Country X's industrial sector by August 31 and present the results of that analysis in a finished and appropriately coordinated intelligence report for release to the policy-making community. To achieve expectations on this objective, the completed product will make use of available intelligence from all relevant sources, will reflect engagement with other analysts and stakeholders in the subject of the analysis, will have incorporated the coordinated views of those other analysts and collectors throughout the IC, will be presented in the product style appropriate to the question, and will be timely."

(2) For the manager of this unit, the objectives would follow from the current version of the National Intelligence Strategy in Reference (k).

(3) If the analyst in the example in paragraph 4b(1) of this enclosure were located in a joint intelligence operations center (JIOC) responsible for Middle Eastern intelligence operations, his or her objectives would follow from Defense Intelligence guidance and from the JIOC manager's objectives, which might include such leadership objectives as: "Develop and implement a strategy for accessing all-source intelligence relating to the JIOC area of operations, integrating the military and civilian workforce within the JIOC, and establishing JIOC objectives that will drive individual performance against the joint national and military intelligence mission; establish success measures against all JIOC objectives; and complete an initial assessment of progress against those measures by the end of the evaluation period."

(4) At the supervisory level, the employee's objectives would again follow from Defense Intelligence guidance but also from managerial objectives. For the supervisor of the analyst in the example in paragraph 3a of this enclosure, an objective might include such supervisory objectives as: "Develops the annual operating plan for the unit; develops and communicates

specific performance objectives to all subordinate employees; establishes success measures for each objective; and provides ongoing feedback throughout the evaluation period such that all organizational objectives are met, end-of-year performance feedback is provided to all subordinates in accordance with established guidelines, and reports of accomplishment are provided to JIOC management by the completion of the evaluation period.”

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
GG	pay series for DCIPS employees in the graded structure
IC	Intelligence Community
IDP	individual development plan
JIOC	Joint Intelligence Operations Center
NR	not rated
PM PRA	Performance Management Performance Review Authority
SMART	specific, measurable, achievable, relevant, time-bound
WGI	within-grade increase

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions apply to this volume and serve as the basic performance management taxonomy for DoD Components with DCIPS positions.

closeout performance evaluation. A narrative description and numeric evaluation of an eligible employee's performance under an approved performance plan when there is a change in the rating official. The closeout performance evaluation is completed by the supervisor or rating official who has supervised the employee for a minimum of 90 calendar days, and conveys information regarding the employee's progress toward completion of performance objectives and performance against the performance elements. A closeout performance evaluation is not a performance evaluation of record, but will be used to inform the rating official of employee accomplishments or needed improvement for the period covered by the evaluation. A closeout performance evaluation may become the performance evaluation of record where the performance evaluation of record cannot be completed.

days. All time limits are counted in calendar days.

evaluation period. The annual period from creation of the employee performance plan through completion of the annual performance evaluation and performance evaluation of record. For DCIPS, the evaluation period covers the period from October 1 through September 30 each year. The effective date of the performance evaluation of record will be the date on which the reviewer approves the rating, following PM PRA approval, but not later than November 15 each calendar year.

IDP. A document prepared jointly by the supervisor and employee as part of the annual performance planning process that outlines development objectives for the employee. IDPs may include training, education, individual coaching, work assignment, or other activities designed to improve the employee's capability within his or her career field.

interim assignment report of performance. A narrative description of an employee's accomplishments prepared by a supervisor other than the rating official during an employee's interim or temporary assignment or deployment, generally for periods of less than 90 calendar days.

midpoint performance review. A formal performance review at or near the midpoint of the evaluation period. During this review, the rating official and employee should discuss achievements to date against performance objectives; any areas for improvement; and examples in support of the performance elements and any areas for improvement.

overall performance element rating. The rating, expressed as a number rounded to the nearest tenth, derived from averaging the employee's performance element ratings, assigned during the annual evaluation of employee performance.

overall performance objective rating. The rating, expressed as a number rounded to the nearest tenth, derived from averaging the employee's performance objective ratings, assigned during the annual evaluation of employee performance.

overall rating. The rating, expressed as a number rounded to the nearest tenth, derived from the arithmetic average of the overall performance objective rating, which will account for 60 percent of the overall rating, and the overall performance element rating, which will account for 40 percent of the overall rating, assigned during the annual evaluation of employee performance.

performance element. A standard set of behaviors for all DCIPS positions, derived from analysis of the work being performed by employees, that are necessary for successful performance of that work.

performance element rating. The rating, expressed as a whole number, assigned to a performance element, assigned during the annual evaluation of employee performance.

performance evaluation of record. The performance rating derived from the employee's overall rating rounded to the nearest whole number, assigned during the annual evaluation of employee performance. The performance evaluation of record is used for official purposes including decisions on pay increases as part of the DCIPS annual pay-decision process, along with the written or otherwise recorded evaluation of performance and accomplishments rated against DCIPS performance elements and objectives.

performance feedback. Management or supervisory communication with an employee throughout the evaluation period to convey employee performance levels and progress against the employee's performance plan.

performance objective. Information that relates individual job assignments or position responsibilities or accomplishments to performance elements and standards and to the mission, goals, and objectives of the DoD Component.

performance objective rating. The rating, expressed as a whole number, assigned to a performance objective, assigned during the annual evaluation of employee performance.

performance plan. All of the written or otherwise recorded performance elements, standards, and objectives against which the employee's performance is measured.

performance standards. Descriptors by performance element of "successful" performance thresholds, requirements, or expectations for each work level.

personally identifiable information. Defined in Reference (1).

PM PRA. A senior employee or panel within an employee's chain of supervision, responsible for oversight of performance management processes. The PM PRA provides merit system oversight of the ratings under its purview, ensures compliance with merit principles, and resolves individual employee requests for reconsideration of ratings. Except where the PM PRA is the DoD Component head, the PM PRA should be at a level higher within the organizational hierarchy than the most senior reviewing official participating in the performance decision process. Where separation is not possible, the PM PRA will be established as a senior employee or panel not in the chain of supervision for the performance evaluations under consideration. A DoD Component may have more than one PM PRA.

rating official. The official in an employee's chain of supervision, generally the supervisor, responsible for conducting performance planning, managing performance throughout the evaluation period, and preparing the end-of-year performance evaluation of record on an employee.

reviewing official. An individual in the rating official's direct chain of supervision designated by the DoD Component head with DCIPS positions to assess supervisor preliminary performance ratings for accuracy, consistency, and compliance with policy. The reviewing official is the approving official for each performance evaluation within his or her purview.

self-report of accomplishments. A written report by an employee of that employee's achievements during the evaluation period that should address each performance objective and provide examples regarding performance elements. The self-report is a part of the performance record and is used by the rating official as input to the employee's end-of-year performance evaluation. Also called a "self-assessment."



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2012
April 28, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Performance-Based Compensation

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management of intelligence positions and employees within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS.

(2) This Volume. This Volume reissues Volume 2012 of this Instruction (Reference (e)) to establish the policies and responsibilities governing performance-based compensation for DCIPS in accordance with Intelligence Community (IC) Directive 654 (Reference (f)) to the extent practicable, and pursuant to sections 1601-1614 of title 10, United States Code (U.S.C.) (Reference (g)).

2. APPLICABILITY

a. This Volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the DoD that employ individuals under DCIPS (hereinafter referred to collectively as the "DoD Components with DCIPS positions").

b. This Volume does not apply to:

(1) Employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority.

(2) Members of the Defense Intelligence Senior Executive Service (DISES) or the Defense Intelligence Senior Level (DISL) or other experts (e.g., highly qualified experts who work at the DISES or DISL equivalent-level), unless specifically addressed in other Volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that DCIPS shall:

a. Provide a basis for differentially linking employee performance-based salary increases and bonuses for those organizations operating under the DCIPS banded structure, and bonuses for those organizations operating under the DCIPS graded structure, to individual accomplishments, demonstrated competencies as measured by the performance criteria in Volume 2011 of this Instruction, and contributions to organizational mission and results, such that the greatest rewards go to those who make the greatest contributions, consistent with both performance and competitive pay administration principles.

b. Allow for individual compensation decisions to be made locally, using valid, merit-based criteria common to all the DoD Components with DCIPS positions and adapted to Component missions.

c. Establish a common pay pool process and structure as the mechanism by which the performance-based salary increase and bonus processes will be administered.

d. Provide for transparency in all decision processes.

e. Provide for ongoing performance-related feedback between managers and employees.

f. Provide for continuous review and evaluation of decision processes and results to identify and examine any anomalies suggesting issues of equity or adverse impact.

g. Provide for appropriate employee protections through fair and consistent application of the provisions of this Volume and provide avenues for employee redress.

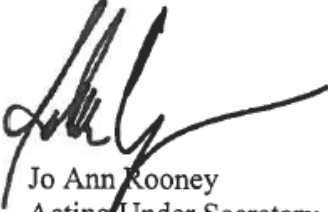
h. Promote the merit system principles in chapter 23 of title 5, U.S.C. (Reference (h)), and prevent prohibited personnel practices.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. Enclosure 3 provides an overview of DCIPS performance-based compensation procedures.

7. RELEASABILITY. UNLIMITED. This Volume is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective April 28, 2012, pursuant to section 1613 of Reference (g).



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

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REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” November 23, 2005
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007
- (e) DoD Instruction 1400.25, Volume 2012, “DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Performance-Based Compensation,” September 15, 2009 (hereby cancelled)
- (f) Intelligence Community Directive Number 654, “Performance-Based Pay for the Intelligence Community Civilian Workforce,” April 28, 2008
- (g) Sections 1601-1614 of title 10, United States Code
- (h) Chapter 23 of title 5, United States Code
- (i) DoD Instruction 1400.36, “DoD Implementation of the Joint Intelligence Community Duty Assignment (JDA) Program,” June 2, 2008
- (j) Sections 4301-4335 of title 38, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R), in conjunction with the Under Secretary of Defense for Intelligence (USD(I)), shall:

a. Develop and maintain DCIPS performance-based compensation policies and practices and monitor their effects on DoD-wide personnel readiness.

b. Ensure, through the USD(P&R)-appointed co-chair of the Defense Intelligence Human Resource Board (DIHRB), that the DIHRB considers business cases for DCIPS compensation policy or changes to existing policy, and advises the USD(I) of its positions and recommendations.

2. USD(I). The USD(I), in conjunction with the USD(P&R), shall:

a. Develop and prescribe policies governing DCIPS performance-based compensation practices within the DoD in accordance with References (d) and (g), and oversee compliance with these policies within the DoD Components with DCIPS positions.

b. Ensure, through the USD(I)-appointed co-chair of the DIHRB (Reference (d)), that the DIHRB considers business cases for DCIPS compensation policy or changes to existing policy, and advises the USD(I) of its positions and recommendations.

c. Review and approve or disapprove requests by the Heads of the DoD Components with DCIPS positions to exceed the aggregate performance budget for their Component, based on specific business cases.

d. Establish the floor payout for performance-based salary increases.

e. Establish a common and consistent method for setting the budget for permanent performance-based salary increases and bonuses for all DoD Components with DCIPS positions.

f. Establish the algorithm that will be used by all DCIPS pay pools to allocate performance-based salary increases and bonuses each year.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:

a. Establish guidance for administering DCIPS performance-based compensation policies and practices within their Components.

- b. Be accountable for compliance with policies established in this Volume and any subsequent DoD guidance.
- c. Establish and publish standard operating procedures (SOP) for pay pools within their Components. Provide these SOPs to the USD(I) for oversight purposes prior to use.
- d. For those organizations operating under the DCIPS pay banded structure, exercise the authority to set and adjust rates of pay for individual employees under the performance-based salary decision policies and procedures in this Volume.
- e. Establish and use pay pools to decide upon and distribute performance-based salary increases and bonuses among employees assigned to the pay pool. Individual salary increase and bonus decisions will be made such that they provide higher rewards for higher performance, recognize greater contribution to mission and organizational results, and contribute to overall salary equity within the pay pool.
- f. Designate pay pool managers or pay pool panel members in writing as early in the performance evaluation period as is practical, or on assignment to a position with pay pool management responsibility, but generally not later than 90 days prior to the end of the evaluation period.
- g. Serve as the Pay Pool Performance Review Authority (PP PRA), in which capacity they:
 - (1) Shall provide final approval for pay pool recommendations.
 - (2) Shall perform a summary review prior to effecting results of all performance-based compensation decisions for pay pools for which the PP PRA is responsible to assess conformance to policy guidance and equity across pay pools.
 - (3) May return a pay pool's payout decision results to the pay pool manager for remediation if the situation warrants, consistent with applicable law and the provisions of this Volume.
- h. Communicate aggregate pay pool results in accordance with USD(I) guidance.

ENCLOSURE 3

DCIPS PERFORMANCE-BASED COMPENSATION PROCEDURES

1. GENERAL. The DCIPS compensation system is designed to link annual performance-based salary increases and bonuses for those organizations operating under the DCIPS pay banded structure, and bonuses for those organizations operating under the DCIPS graded structure, to individual accomplishments, demonstrated competencies, and contributions to organizational results. Volume 2011 of the Instruction provides policies regarding setting and communicating performance expectations, monitoring performance, developing performance plans, addressing poor performance, and rating performance. Volume 2008 of the Instruction provides policies regarding awards and recognition available for recognizing employees through both monetary and non-monetary awards.

2. PAY POOLS

a. Pay Pool Structure. Pay pool structure is discretionary within the DoD Components with DCIPS positions and based on such considerations as:

- (1) Organizational structure and geographic distribution.
- (2) Number of employees and their occupational composition, work levels, and work categories.
- (3) Size and manageability of the pay pool.
- (4) "Line-of-sight" to the work of the pay pool members.

b. Pay Pool Management. Pay pool management may, at the discretion of the DoD Component with DCIPS positions, be conducted by a single "pay pool manager" who is in the supervisory chain of those employees assigned to the pay pool, or by a "panel" of managers who have line management responsibility for those assigned to the pay pool. If a Component elects to use pay pool panels, the panel will be chaired by a pay pool manager who may exercise decision authority on behalf of the pay pool panel. Pay pool managers or pay pool panel members need not be DCIPS members.

(1) Pay pool managers and pay pool panel members shall be designated in writing by the Head of the DoD Component with DCIPS positions as outlined in paragraph 3.f. of Enclosure 2 of this Volume.

(2) Pay pool managers and pay pool panel members will be trained in their responsibilities annually prior to commencement of the pay pool decision activities. Training shall, at a minimum, teach the respective roles and functions, the use of decision support tools, and the responsibilities for equity and diversity. Training may be structured, at the discretion of

the DoD Component with DCIPS positions, to differentiate initial pay pool training requirements from sustainment training requirements.

(3) Components shall provide a report to the USD(I) annually on completion of required pay pool training.

c. Assignment of Employees to Pay Pools. Employees will be assigned to pay pools as early in the evaluation period as is practicable, or on assignment to a new position, in conjunction with annual performance planning.

(1) Employees will be notified of their pay pool assignment as early as is practicable during the performance planning process, but in advance of commencement of pay pool deliberations. Employees should also be advised of their pay pool management.

(2) Employees who change pay pools within a DoD Component with DCIPS positions or who move to another DoD Component with DCIPS positions within 90 days of the annual evaluation close-out will be considered with the new pay pool to which they are assigned using the DCIPS evaluation of record from the previous DCIPS organization.

(3) Employees detailed to another DoD Component with DCIPS positions under a joint duty assignment (JDA) will be assigned to a pay pool in the gaining organization that will consider them for bonuses in accordance with DoD Instruction 1400.36 (Reference (i)) and paragraph 5.h. of this enclosure; employees of organizations operating under the DCIPS pay banded structure will also be assigned to a pay pool in the parent organization that will consider them for salary increases.

(4) DCIPS employees shall not be assigned to pay pools with non-DCIPS employees other than in accordance with Reference (i).

d. Pay Pool Administration

(1) Each pay pool must have SOPs. SOPs shall contain, at a minimum, requirements for initial and annual sustainment training for all pay pool managers and panel members, including procedures for conducting mock pay pool exercises as appropriate. Mock pay pools are mandatory in the first year that pay pools will be conducted, and optional in other years.

(2) Pay pools shall begin their annual deliberations as soon as is practical following the close of the evaluation period and the finalization of evaluations of record, but in sufficient time to complete pay pool deliberations and payout processing before the effective date of the payouts.

(3) Supervisors and managers shall ensure that evaluations of record are available for each employee eligible for consideration, as established in Volume 2011 of this Instruction, during the annual pay pool process.

(4) DoD Components with DCIPS positions shall institute processes for ensuring that all performance evaluations are completed and provided to the pay pools prior to initiation of pay pools.

(5) Employees who have not received an approved DCIPS performance evaluation of record shall not be considered for an annual performance-based salary increase or bonus except:

(a) Employees absent to perform service in the uniformed services and subject to the protections of sections 4301-4335 of title 38, U.S.C. (Reference (j)), will be considered for bonuses, and in organizations operating under the DCIPS pay banded structure will also be considered for performance-based salary increases and shall, at a minimum, retain their relative position in band relative to what would have occurred had they not been called to active duty.

(b) Employees will be considered for bonuses, and in organizations operating under the DCIPS pay banded structure will also be considered for performance-based salary increases and shall, at a minimum, retain their relative position within their pay band if they are on:

1. Workers' compensation.

2. Leave without pay.

3. Long-term training.

(c) Employees on other long-term absences or in other special circumstances for other than disciplinary reasons may be considered for bonuses, and for performance-based salary increases in organizations operating under the DCIPS pay banded structure, and shall retain their relative position within their pay band.

(d) New employees of organizations operating under the DCIPS pay banded structure who do not have 90 days in the rating period and therefore do not have an evaluation of record shall maintain their relative position in the band. Such employees shall receive the minimum (hereinafter referred to as the "floor") performance payout established by the USD(I) for the performance year. In cases where the floor payout is not sufficient to keep pace with the band increase, the employee shall receive an additional adjustment in order to maintain their relative position in the band.

e. Pay Pool Decision Process

(1) Preliminary performance-based salary increase and bonus recommendations will be made based on the outcome of USD(I)-approved compensation formulas.

(2) Preliminary base salary increase and bonus recommendations based on the evaluation of record may be adjusted by pay pool management based on guidance provided in SOPs established under the requirements of subparagraph 2.d.(1) of this enclosure. Considerations that may be included in SOPs are:

(a) DoD Component Head guidance on priorities for the performance year.

(b) Comparative evaluation of performance of like-situated employees within the pay pool.

(c) Adjustments for partial year performance in the pay pool.

(d) Other performance-based considerations included in the DoD Component SOP.

(3) Organizations operating within the DCIPS graded structure may, at the discretion of the Head of the DoD Component with DCIPS positions, grant base-pay increase monetary awards resulting in salary increases during the pay pool process in accordance with Volume 2008 of this Instruction.

(a) Granting base-pay increase monetary awards during the pay pool process does not preclude DoD Components with DCIPS positions from granting such awards at other times throughout the year.

(b) Granting base-pay increase monetary awards does not reduce the pay pool funding amount as described under section 4 of this enclosure, nor does it count toward the 50 percent bonus distribution limitation as described under section 5f of this enclosure.

(c) Components may, at their discretion, award individual employees with both a base-pay increase monetary award and a bonus during the pay pool process.

(4) Documentation will be used and retained (consistent with applicable records schedules) in support of the pay pool decision processes, to include:

(a) Evaluation of record information used for each employee.

(b) Consolidated worksheets for all employees in the pay pool, including decision justification for payouts that are outside the recommended range established in the annual DoD Component with DCIPS positions' guidance.

(c) Actual recommended payouts (i.e., performance-based salary increases and bonuses for organizations operating under the DCIPS pay banded structure; and bonuses and base-pay increase monetary awards, if applicable, for organizations operating under the DCIPS graded structure) for each employee.

(d) Certification of the applicable payments by the PP PRA who serves as the authorizing official.

(e) Guidance on the basis for, and range of, managerial discretion that may be exercised in the decision processes.

(f) Guidance for considering employees absent to perform uniformed service or on Workers' Compensation, leave without pay, long-term training, or other special situations, consistent with the guidance in this Volume and Volume 2011 of this Instruction.

(g) Guidance on documentation and feedback to employees required for performance decisions.

(h) Documentation related to any decision support tools used in addition to the approved common tools, (e.g., the Compensation Work Bench), and rules for their use.

(i) Budget available to the pay pool and guidance on budget management.

(j) Schedules and deadlines.

(k) Review and approval procedures for pay pool results to include:

1. Summary review by the PP PRA of all performance-based salary and bonus decisions for the purpose of identifying any potential issues with regard to merit and consistency.

2. Approval of decisions by the PP PRA.

3. Retention schedules for all pay pool documentation.

(5) Pay pool results shall be available and approved such that performance-based salary increase and bonus payments shall be made to employees to coincide with the annual Federal General Schedule (GS) pay increase, which is normally effective on the first day of the first pay period following January 1 of the new calendar year.

(6) Analyses of performance evaluations of record or pay pool results by demographic characteristics that identify protected classes of individuals are prohibited prior to conclusion of the pay pool processes. Analyses by organizational and position-related characteristics are permitted.

3. AGGREGATE COMPONENT PERFORMANCE-BASED SALARY INCREASE AND BONUS BUDGETS

a. The annual planned Defense Intelligence budget for DCIPS performance-based salary increases and bonuses for organizations operating under the DCIPS pay banded structure, and for bonuses for organizations operating under the DCIPS graded structure, will be established by September 30 of the performance year. The annual performance budget recommendation will be developed in accordance with the guidance in this section and will be approved by the USD(I) in consultation with the USD(P&R).

b. Subordinate activities, elements, and commands will fund performance-based salary increases and bonuses at the same level as the aggregate funding level set by the DoD Component with DCIPS positions.

c. Separate budget recommendations shall be established annually for permanent salary increases, where applicable, and bonuses. The permanent salary increase budget for those organizations operating under the DCIPS pay banded structure will be consistent with that which would have been available for step increases, quality step increases, and within-band promotions (but not including funds that are set aside to provide salary advancements for developmental increases).

d. The Heads of the DoD Components with DCIPS positions:

(1) May not exceed the aggregate performance budget for their Component, except on approval of the USD(I), that is based on a specific business case pursuant to paragraph 2.c. of Enclosure 2 of this Volume.

(2) May allocate their pay pool budget to individual pay pools in the manner that best supports the DoD Component mission, provided that, in organizations operating under the DCIPS pay banded structure, no eligible individual in the Component receives a performance-based salary increase lower than the floor payout for performance established by the USD(I) for the performance year.

(3) May hold aside a portion of their pay pool budget as a reserve for unanticipated pay pool requirements based on exceptional organizational performance, other mission-driven performance recognition requirements, and additional payouts resulting from changes resulting from approved requests for reconsideration providing such reserve does not result in any eligible employee in organizations operating under the DCIPS pay banded structure receiving a performance payment lower than the floor payout established by the USD(I) for the performance year.

(4) Will provide information to the USD(I) on the conduct and results of their pay pool activities, including any use of their authority to allocate funds to pay pools on other than a pro-rata proportional or fair-share basis.

(5) Will provide a report or out-brief to employees of their organization regarding pay pool processes and aggregate results.

4. INDIVIDUAL PAY POOL BUDGETS

a. The sum of individual pay pool budgets may not exceed the aggregate pay pool budget established for the DoD Component with DCIPS positions.

b. The sum of individual pay pool expenditures for permanent performance-based salary increases in DoD Components with DCIPS positions operating under the DCIPS pay banded

structure may not exceed the aggregate amount budgeted for permanent salary increases at the DoD Component level, including any budget augmentation approved by the USD(I).

c. The sum of individual pay pool expenditures for bonuses in DoD Components with DCIPS positions operating under the DCIPS pay banded structure may exceed the aggregate amount budgeted at the DoD Component level for bonuses to the extent that the sum of the aggregated permanent performance-based salary increases and bonus payments does not exceed the Component's authorized performance-based compensation budget for permanent performance-based base salary increases and bonus payments combined.

d. The sum of individual pay pool expenditures in DoD Components with DCIPS positions operating under DCIPS graded structure may not exceed the aggregate amount budgeted at the Component level for bonuses.

e. The budget for each pay pool in the DoD Components with DCIPS positions will be set as of the date pay pool membership is frozen following the end of the performance evaluation period. To the maximum extent practicable, membership should not change following the establishment of the pay pool budget.

(1) The preliminary budget for the pay pool will be established according to a method determined by the USD(I) in consultation with the DoD Components with DCIPS positions. The USD(I) shall communicate the agreed-upon method to the DoD Components with DCIPS positions in a memorandum that identifies it as the sole method for determining the permanent salary increase budget and bonus budget for the pay pool and for adjusting the pay pool budget when employees are added to or removed from the pool.

(2) If, at the time decisions are made for the pay pool, an employee is added to or removed from the pay pool, the pay pool budget will be adjusted according to the method in the USD(I) memorandum described in subparagraph 4.e.(1) of this enclosure.

(3) The preliminary budget for bonuses for the pay pool will be established by multiplying the approved percentage times the total base salaries of the eligible employees assigned to the pay pool.

(4) If, at the time decisions are made for the pay pool, an employee is added to or removed from the pay pool, the pay pool budget for bonuses will be adjusted by the salary of the employee, times the bonus percentage allocated for the DoD Component with DCIPS positions. This amount will be summed for all employees added to or removed from the pool.

5. PERFORMANCE-BASED SALARY INCREASE AND BONUS ALGORITHMS AND GUIDANCE. The USD(I), on the recommendation of the DIHRB, will establish the algorithm that will be used by all DCIPS pay pools to allocate performance-based salary increases and bonuses for organizations operating under the DCIPS pay banded structure, and bonuses for organizations operating under the DCIPS graded structure. The algorithm will take into consideration the following factors:

a. Employees rated as unacceptable will be ineligible for any performance-based salary increase or bonus, and in organizations under the DCIPS pay banded structure, will not receive the performance payout floor established by the USD(I) for the performance year. However, their salaries will be included in the computation of pay pool budgets.

b. Employees rated as minimally successful will be ineligible for any performance-based salary increase or bonus, but will, in organizations operating under the DCIPS pay banded structure, receive the performance payout floor established by the USD(I) for the performance year. Salaries of employees rated as minimally successful will be included in the computation of pay pool budgets.

c. Employees in organizations operating under the DCIPS pay banded structure who are rated as successful or higher, and whose current salary falls within the range for their band level, will, under any algorithm approved by the USD(I), receive at least the floor adjustment approved for the performance year unless they reach the top salary limit of the band.

d. Algorithms approved by the USD(I) shall ensure that the performance-based salary increases are computed using the “midpoint principle” (i.e., the rate of salary increase shall decline as the ratio of the employee’s salary to the midpoint of the range increases). Algorithms shall incorporate the employee’s current weighted overall average rating for performance objectives and elements rounded to the nearest tenth of a point, in accordance with the procedures in Volume 2011 of this Instruction, and shall produce increases proportionally larger for higher performance. No performance-based salary increase recommendation or decision may result in a salary that exceeds the maximum for the band range.

e. For organizations operating under the DCIPS pay banded structure, variable control points that have been approved and established under Volume 2006 of this Instruction may be used in conjunction with the performance-based salary increase process to moderate pay progression through the work level.

f. The purpose of a bonus is to provide meaningful reward for the highest levels of performance and work accomplishments within the context of the work level. Algorithms shall separately compute initial recommended bonuses for employees based on the employee’s evaluation of record in accordance with the procedures in Volume 2011 of this Instruction. Employees whose performance was evaluated to be at the “successful” level or above, are eligible for bonus consideration. Bonus algorithms will compute recommended bonus amounts based on the midpoint of the work level to which the employee is assigned. The number of employees who receive bonuses generally shall not exceed 50 percent of the eligible population of a DoD Component with DCIPS positions.

g. Recommended performance-based salary increases and bonus recommendations generated by the algorithm shall serve as the starting point for making annual performance-based salary increase and bonus decisions in accordance with the guidance in SOPs for the DoD Components with DCIPS positions. No adjustment may be made that result in payouts

exceeding either the permanent performance-based salary increase budget for the pay pool, or the aggregate pay pool budget for either bonuses or performance-based salary increases.

h. DCIPS processes for awarding bonuses to employees detailed on JDA include the following:

(1) Employees detailed on a JDA to another IC Component with 90 days or less remaining in the performance cycle will be considered for a bonus by the employee's home element.

(2) Employees detailed on a JDA to another IC Component with more than 90 days remaining in the performance cycle will be considered for a bonus (or similar monetary award in accordance with Component practices) in the gaining element. The home element may consider the employee for an award according to Volume 2008 of this Instruction for performance during the performance cycle prior to commencement of the JDA.

6. REVIEW AND OVERSIGHT OF PERFORMANCE-BASED SALARY INCREASES AND BONUS DECISIONS

a. On completion of pay pool action, the pay pool manager will submit the pay pool results to the PP PRA for the DoD Component with DCIPS positions for final review.

b. The PP PRA will conduct a summary review of the results of all the pay pools for which the PP PRA is responsible to identify potential anomalies such as lack of differentiation or inconsistencies in application of policy across pay pools.

c. The PP PRA, on review of the results, may approve all results as submitted, request additional justification for specific issues identified, return the pay pool results to the pay pool manager for remediation, or appoint a new pay pool manager to conduct a new decision review of the pay pool.

d. On completion of PP PRA review, the PP PRA will authorize the results of the pay pools for processing and payment in accordance with the timelines established by this Volume and SOPs for the DoD Components with DCIPS positions.

e. If any PP PRA action results in a delay in effecting the results for a pay pool, all such pay pool decisions will be retroactive to the effective date of other pay pool results for the DoD Component with DCIPS positions.

f. On completion and execution of all pay decisions for the performance year, each DoD Component with DCIPS positions will conduct a formal analysis of the decision process and develop an action plan for the next performance period and pay year that considers the results of that analysis. The results of the Component review will be forwarded to the USD(I) by March 31 of the year in which the review is conducted. Reviews will include:

(1) Statistical analysis of all performance decisions consistent with applicable guidance, to identify, examine, and remove unlawful barriers; to prevent unlawful discrimination; and to ensure pay decisions are based on performance.

(2) Analysis of performance differentiation by pay pool and organization to identify conformance to guidance.

(3) Other analysis or data requested by the USD(I).

g. Following the completion of the annual pay decision process by the DoD Components with DCIPS positions, the USD(I) staff will conduct, in consultation with Component compensation staffs, an analysis of the results of the pay pool decisions.

h. The DIHRB will review the results of the USD(I) staff analysis and make recommendations to the USD(I) on the budget and process for the upcoming performance year.

7. DEVELOPMENTAL PROGRAMS

a. Employees in approved developmental programs as defined in Volume 2005 of this Instruction may be considered for performance-based salary increases and bonuses, as appropriate, in accordance with this Volume.

b. Salary increases received under the developmental program may be considered in determining eligibility for additional increases or bonuses.

8. COMMUNICATING PERFORMANCE-BASED COMPENSATION DECISIONS TO THE EMPLOYEE

a. Rating officials are responsible for communicating performance-based compensation decisions (e.g., pay pool results) to their employees. Communication shall provide a breakdown of performance-based salary increases (including base-pay increase monetary awards awarded as part of the pay-pool process), any increases to local market supplements or any other supplemental pay, and any performance bonuses granted.

b. Such communication should occur in person with each employee unless circumstances preclude this (e.g., geographic separation).

c. Performance-based compensation decisions shall not be communicated to employees until the PP PRA has approved the payouts for the employee's pay pool.

9. EMPLOYEE CHALLENGES TO PAYOUT DECISIONS. Employees may not challenge an individual performance-based payout decision; however, employees may use the grievance

system of the DoD Component with DCIPS positions to address specific concerns regarding failure to properly follow pay pool processes that may have affected their payout.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DIHRB	Defense Intelligence Human Resource Board
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Level
DoDD	DoD Directive
GS	General Schedule
IC	Intelligence Community
JDA	joint duty assignment
PP PRA	Pay Pool Performance Review Authority
SOP	standard operating procedure
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

The following terms and their definitions apply to this Volume of this Instruction and serve as the basic employment and staffing taxonomy for the DoD Components with DCIPS positions.

authorizing official. A management official who has been delegated authority to certify payments resulting from pay pool deliberations. For the purposes of approving the results of the DoD Component pay decision process, the authorizing official will be the PP PRA.

DCIPS floor. See “performance payout floor.”

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

eligible employee assigned to a pay pool. An employee who has received a DCIPS performance evaluation of record for the most recent performance evaluation period.

IC. A coalition of 17 agencies and organizations within the executive branch that work both independently and collaboratively to gather the intelligence necessary to conduct foreign relations and national security activities.

like-situated. Refers to employees of identical or similar work category, work level, DCIPS band or grade and occupational category.

line-of-sight. A term used to specify that those in the employee pay decision chain must have insight into the employee's performance and contributions through direct observation of the employee's work.

pay pool. An aggregation of employees within a DoD Component with DCIPS positions for the purpose of making annual performance-based compensation decisions. The organizing construct for a pay pool may include consideration of organization or region of assignment, occupation, or other organizing criterion involving a common mission focus.

pay pool manager. An individual typically in the chain of command for employees assigned to a pay pool, designated by the Head of the DoD Component with DCIPS positions to conduct the decision-making process for annual performance-based compensation decisions for employees assigned to the pay pool.

pay pool panel. A group of managers who typically share chain-of-command responsibility for employees assigned to a pay pool who are designated by the Head of the DoD Component with DCIPS positions to participate in the annual performance-based compensation decision-making process under the leadership of a pay pool manager for the employees assigned to the pay pool.

PP PRA. The Head of the DoD Component with DCIPS positions, in his or her capacity of providing oversight of pay pool processes. The PP PRA provides oversight of the pay pool processes of an entire DoD Component with DCIPS positions to ensure consistency in the application of principles and criteria, and approves payouts.

performance payout floor. For organizations operating under the DCIPS pay banded structure, the minimum performance increase in base salary that an employee performing at a "successful" level and otherwise eligible for a performance payout may receive during the annual performance decision process. This amount will be established annually by the USD(I) based on the recommendation of the DIHRB. Initially this amount will be equal to the annual Congressional General Pay Increase authorized for Federal GS employees. Employees rated minimally successful will receive a percentage of the payout floor.

uniformed services. The uniformed services are the Army; the Navy; the Air Force; the Marine Corps; the Coast Guard; the Commissioned Corps of the U.S. Public Health Service, Department of Health and Human Services (DHHS); and the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA). Proposed issuances that apply to the Commissioned Corps of DHHS and NOAA must be coordinated with those organizations.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2013
April 17, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Program Evaluation

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS.

(2) This Volume. This Volume of this Instruction, in accordance with the authority in References (a) and (b), the guidance in References (c) and (d), and pursuant to section 1601 of title 10, United States Code (Reference (e)), implements policies and assigns responsibilities for evaluating the effectiveness of DCIPS.

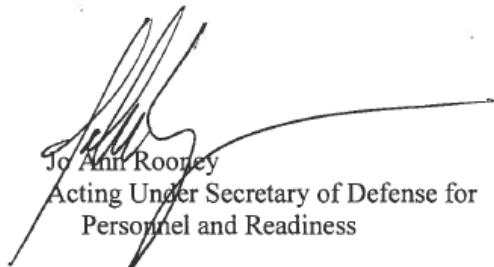
2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

b. Does NOT apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees. It does not apply to members of

the Defense Intelligence Senior Executive System or the Defense Intelligence Senior Level unless specifically addressed in other volumes of this Instruction.

3. POLICY. It is DoD policy that the DCIPS shall be evaluated on a regular basis as a collective responsibility of DoD Components with DCIPS positions and the Under Secretary of Defense for Intelligence (USD(I)). Evaluations will address progress in achieving human capital goals and examine human capital trends in the Defense Intelligence Enterprise. In addition, evaluations will be designed to determine the effectiveness of DCIPS in contributing to the DoD human capital strategy. Evaluations shall address the specific application and results of DCIPS policies, procedures, and programs in addition to the more general dynamics and responsiveness of DCIPS to the mission and strategic goals of the Defense and Intelligence Communities.
4. RESPONSIBILITIES. See Enclosure 2.
5. PROCEDURES. See Enclosure 3.
6. INFORMATION REQUIREMENTS. Each DCIPS evaluation reporting requirement described in this issuance shall be assigned a report control symbol in accordance with the procedures in DoD 8910.1-M (Reference (f)).
7. RELEASABILITY. UNLIMITED. This Volume is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.
8. EFFECTIVE DATE. This Volume is effective April 17, 2012, pursuant to section 1613 of Reference (e).



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
3. Procedures

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness USD(P&R)," June 23, 2008
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)),", November 23, 2005
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
- (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007
- (e) Sections 1601-1614 of title 10, United States Code
- (f) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998
- (g) DoD Instruction 1100.13, "Surveys of DoD Personnel," November 21, 1996

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall:

- a. Consult with the USD(I) on the establishment and implementation of human capital system metrics and analytical methodologies.
- b. Coordinate with the USD(I) on the development of DCIPS policies and practices and monitor their effects on DoD-wide personnel readiness.

2. USD(I). The USD(I) shall:

- a. Design and implement a program for regular enterprise-wide evaluation of mission impacts and operational effectiveness of DCIPS.
- b. Establish and utilize human capital metrics and methodologies for the evaluation of DCIPS effectiveness.
- c. Revise DCIPS policy in conjunction with the USD(P&R) based on regular and special evaluations of DCIPS.

3. CHAIR, DEFENSE INTELLIGENCE HUMAN RESOURCES BOARD (DIHRB). The DIHRB Chair, under the authority, direction, and control of the USD(I), shall:

- a. Advise and provide recommendations to the USD(I) on the development of DCIPS evaluation metrics, methodologies, plans, and schedules and identify areas of focus for evaluation.
- b. Review evaluation reports and provide recommendations to the USD(I) on the implications of DIHRB findings on enterprise-wide management of DCIPS.

4. DIRECTOR, HUMAN CAPITAL MANAGEMENT OFFICE (HCMO). The Director, HCMO, under the authority, direction, and control of the USD(I) , shall:

- a. Plan, lead, and provide reports on all DCIPS evaluations.
- b. Develop, coordinate, and approve metrics and methodologies for DCIPS evaluations in coordination with the Heads of the DoD Components, DIHRB Chair, and the USD(P&R).

c. Consult with the Heads of the DoD Components with DCIPS positions on internal evaluations of DCIPS policy and practices.

5. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:

a. Conduct internal evaluations of the effectiveness of DCIPS in coordination with the USD(I).

b. Maintain a program that provides required reporting in support of enterprise-wide evaluations initiated by the USD(I).

c. Take appropriate actions in response to the results of internal and enterprise-wide evaluations.

d. Consult with the USD(I) and USD(P&R) on the establishment and implementation of human capital metrics and relevant analytical methodologies.

ENCLOSURE 3

PROCEDURES

1. EVALUATION PROGRAM OBJECTIVES. Evaluations of DCIPS shall:

a. Determine the degree to which DCIPS policy, programs, and responsibilities are known, understood, and carried out equitably and effectively by DCIPS managers, supervisors, and employees.

b. Confirm that all applicable laws, Executive Orders, rules, and regulations are being followed.

c. Support collective efforts by the DoD Components with DCIPS positions to set and prioritize human capital goals, determine progress in achieving goals, and examine the contribution made by human capital programs to the missions of the enterprise.

d. Provide the DoD and Defense Intelligence Enterprise with information to aid in the development of strategic human capital planning initiatives and identify opportunities for the development of new policy, procedures, or designs to improve mission results, enterprise-wide equity, and operational efficiency.

e. Identify DCIPS best practices management and foster their application across the Defense Intelligence Enterprise.

2. PLANNING FOR EVALUATIONS

a. Annual Evaluations. The USD(I), in consultation with the Heads of DoD Components with DCIPS positions, shall develop an overall DCIPS evaluation plan. This plan shall:

(1) Be developed on an annual basis and published in March of each calendar year.

(2) State the scope and coverage of the evaluation and, if applicable, identify areas of specific interest to the DIHRB or USD(I) (e.g., recruiting effectiveness, attrition).

(3) Define evaluation team membership and leadership roles (may include external sources); identify how the evaluation will be organized and conducted, including requirements and schedules for on-site visits and interviews; define data requirements, processes, and procedures; and specify any additional steps or requirements necessary to the conduct of the evaluation.

b. Special Purpose Evaluations. The USD(I) may initiate ad hoc or special-purpose evaluations in response to issues identified in human capital management across the Defense Intelligence Enterprise.

(1) The USD(I) will consult with the DIHRB on issues warranting evaluation.

(2) The Director, HCMO, shall lead all special purpose evaluations and shall engage the USD(P&R), DoD Component human capital staffs, external consultants, and others as necessary to conduct the evaluations.

(3) The Director, HCMO, shall plan such evaluations to provide findings to the DIHRB in a timely manner by ensuring focus, brevity, and validity.

3. CONDUCTING EVALUATIONS

a. Required Features in all DCIPS Evaluations. All DCIPS evaluations shall:

(1) Follow a published project management plan that identifies key research questions, assessment criteria, critical milestones, responsible parties, primary and secondary information and data sources, coordination, reporting and dissemination requirements, and delivery schedule.

(2) Assess employee and manager satisfaction with the efficiency and effectiveness of DCIPS policies, processes, and outcomes.

(a) Such assessments shall be integral parts of the annual evaluations required in section 2 of this enclosure and shall be based on gathering and sampling qualitative and quantitative data.

(b) The HCMO shall incorporate findings from the annual Intelligence Community (IC) climate survey or other Government-wide satisfaction surveys, as appropriate, in the analysis.

(3) Utilize core metrics identified in section 4 of this enclosure.

b. Data Sources. DCIPS evaluations shall, wherever possible, be based on existing reporting data readily available within the human resource information systems of the DoD Components participating in the evaluation.

(1) Evaluations shall incorporate existing or standard external data sets, including those developed within the Office of the Director of National Intelligence (ODNI), elsewhere in the Federal Government, or commercially.

(2) The HCMO shall determine the need for the development of specialized data sets.

c. Methodologies in DCIPS Evaluations. All DCIPS evaluations shall undertake a rigorous, state-of-the-art, multi-method approach that includes gathering and sampling workforce data; applying human capital metrics; utilizing surveys, focus groups, and interviews; and gathering and analyzing other specialized program performance data.

(1) The HCMO may use surveys, interviews, data calls, and data base reports for annual and special purpose evaluation requirements.

(2) The HCMO will be the focal point for development and approval of evaluation methodologies.

d. Required Features in all DCIPS Evaluation Reports. All DCIPS evaluation reports shall provide a summary of key findings and recommendations; a narrative that examines and interprets DCIPS data against benchmarks or metrics; an assessment of the implications on mission success of the findings and trends; and recommendations for remedial actions.

(1) Reports shall be developed for the USD(I) and the DIHRB as principal customers.

(2) Dissemination beyond the DIHRB shall be at USD(I) and DIHRB Chair discretion.

e. Coordination with ODNI

(1) USD(I) shall coordinate with the ODNI on data calls, evaluation methodologies, and evaluations and reports having applicability to the IC beyond the DoD.

(2) DoD Components with DCIPS positions shall refer to the USD(I) all requests from the ODNI for DCIPS-related data and analysis.

4. METRICS. DCIPS program evaluations shall measure system performance against core functional metrics across the Defense Intelligence Enterprise.

a. Core Metrics. The following core metrics were established by the USD(I) to be applied in regular annual DCIPS evaluations. DoD Components with DCIPS positions shall incorporate these core metrics into their regular DCIPS management. DoD Components with DCIPS positions may utilize additional metrics, as necessary.

(1) Core Staffing Metrics

(a) Time-to-Fill. The DoD Components with DCIPS positions shall measure the average time it takes to fill a position as determined by the Office of Personnel Management, ODNI, and DoD methodology.

(b) Vacancy Rate. The DoD Components with DCIPS positions shall track vacancy rates in key mission categories, work categories, and work levels, as appropriate. The USD(I) shall consult with the DoD Components with DCIPS positions on the appropriate vacancy rate percentages to allow for normal career growth and rotational development while maintaining opportunities for new hiring.

(c) Transparency. The DoD Components with DCIPS positions shall measure employee and candidate perceptions of the fairness of DoD Component selection processes through regular opinion surveys provided through the USD(I) and ODNI in accordance with DoD Instruction 1100.13 (Reference (g)).

(d) Collaboration. The DoD Components with DCIPS positions shall report regularly, as determined by the USD(I), on critical indicators in employment and placement. Such indicators shall be developed by the USD(I) in consultation with the DoD Components.

(e) Quality Metrics. The DoD Components with DCIPS positions shall use surveys and other appropriate means as determined by the USD(I) to measure manager satisfaction with the hiring process and the quality of selectees.

(f) Workforce Distribution. DoD Components with DCIPS positions shall maintain data on the distribution of their DCIPS workforces by mission category, work category, and work level.

(g) Separation Rate. DoD Components with DCIPS positions will measure the separation rate for the quarter and fiscal year using a common formula provided by the USD(I). This calculation will be made for key workforce elements including tenure group, mission category, occupation, work category, work level, and overall performance rating.

(h) Diversity. DoD Components with DCIPS positions shall continuously monitor their workforce distribution according to demographic elements as promulgated by the DoD.

(2) Core Compensation Metrics

(a) Competitiveness of Pay Scale and Structure. USD(I) shall measure the competitiveness of the DCIPS pay scale in relation to the appropriate labor market, in collaboration with the DoD Components as described in Volume 2006 of this Instruction. In order to support this responsibility, DoD Components with DCIPS positions shall systematically collect and maintain data for use in enterprise-wide examinations of the competitiveness of the DCIPS pay plans. Such data shall include

1. The differences in pay and compensation received by individuals who rejected a DoD Component's offer of employment for pay reasons.

2. The pay and compensation accepted by employees who separate from the DoD Component, if it can be determined (e.g., through exit interviews).

3. At the DoD Component's discretion, market survey data reflecting the market alignment of the DoD Component's core occupations' pay and compensation.

(b) Differential Performance-based Payouts. The USD(I) and DoD Components shall annually examine the differences in performance-based payouts received by employees with different ratings of record, positions in pay range, work categories, work levels, gender,

ethnicity, age, and other factors. For the National Geospatial-Intelligence Agency (NGA), these analyses shall examine performance-based base pay increases and bonuses. For all DoD Components other than NGA, these analyses shall examine performance-based bonuses or other forms of recognition that result in permanent increases to pay, such as the quality step increase provided pursuant to Volume 2012 of this Instruction.

1. The data from these analyses will be analyzed by comparison to historical and benchmark data developed by the HCMO.

2. The HCMO will analyze the data from these analyses from both the individual DoD Component and enterprise-wide perspective.

(c) Awards. The USD(I) and DoD Components with DCIPS positions shall maintain and report data on the amount of monetary awards and the cost of non-monetary awards, including comparative data on spot award amounts, award amounts compared to pay pool payouts, distribution of awards by mission category, work category, work level, gender, ethnicity, age, and other factors.

(3) Core Performance Management Metrics

(a) Rating Distribution. DoD Components with DCIPS positions shall maintain and report data on performance rating distribution by percentage of population in each rating level by organizational unit, mission category, work category, work level, position in pay range, demographics, and other factors as determined by the USD(I).

(b) Promotion Rates. DoD Components with DCIPS positions shall calculate and report a per capita annual promotion rate by mission category, work category, work level, position in pay range, rating level, demographics, and other factors as determined by the USD(I).

(c) Reassignment Rates. DoD Components with DCIPS positions shall calculate and report a per capita annual reassignment rate for each mission category, work category, and work level.

(d) Impact of Unacceptable Ratings. In addition to statistics maintained and reported on ratings distributions, DoD Components with DCIPS positions shall track and report disposition of cases where employees have received an overall rating of 1, "Unacceptable."

(e) Impact of Outstanding Ratings. In addition to promotion rates calculated in accordance with subparagraph 4.a.(3)(b) of this enclosure, DoD Components with DCIPS positions shall calculate and report the annual rate of promotion, reassignment, and assignment to long-term training made for employees with overall ratings of 5, "Outstanding." This calculation shall provide data by mission category, occupation, work category, and work level.

(4) Core Employee Relations Metrics. For input in the annual DCIPS evaluations, DoD Components with DCIPS positions shall record and report:

(a) Adverse Actions. The rate of adverse actions (separating performance-based from conduct-based) per 1,000 population.

(b) Grievances. The rate of grievances per 1,000 population.

(c) Reconsiderations of Evaluation of Record. The number of requests per 1,000 population for administrative reconsiderations of evaluations of record initiated in accordance with Volume 2011 of this Instruction.

(5) Core Professional Development Metrics. DoD Components with DCIPS positions, through their Chief Learning Officers, shall, in addition to reporting provided to the Intelligence Training and Education Board, provide the USD(I) with information on the mission effectiveness of learning and development programs by:

(a) Participating in biennial USD(I) Professional Development Staff Assist Visits to Defense Intelligence training and learning facilities that collaboratively measure accomplishments against enterprise learning and development goals.

(b) Maintaining data for biennial reporting on the numbers of employees possessing certifications from approved programs, by certification and mission category.

(6) Additional Core Metrics. The HCMO and DoD Components with DCIPS positions shall recommend changes or additions to core metrics to the DIHRB.

b. Other Human Capital Measurements. The USD(I), in collaboration with DoD Components, may develop and utilize other calculations deemed appropriate for the examination at hand. Such metrics may be developed within the HCMO or the DoD Components.

5. INCOPORATING FINDINGS INTO POLICY

a. The HCMO shall incorporate into DCIPS policy the results of annual and biennial enterprise-wide evaluations, the results of special evaluations, the findings of internal DoD Component evaluations and, as appropriate, the findings of external evaluations.

b. Recommendations for policy changes will be developed by the HCMO in coordination with DoD Components and approved by the DIHRB.

c. DoD Components with DCIPS positions shall incorporate enterprise-wide data in future training of DCIPS employees, managers, pay pool panel members, and pay pool managers.

GLOSSARY

ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DIHRB	Defense Intelligence Human Resources Board
DoDD	DoD Directive
HCMO	Human Capital Management Office
IC	Intelligence Community
NGA	National Geospatial-Intelligence Agency
ODNI	Office of the Director of National Intelligence
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness



Department of Defense INSTRUCTION

NUMBER 1400.25-V2014

March 20, 2012

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Employee Grievance Procedures

References: See Enclosure 1

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the Department of Defense.

b. Volume.

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as “the DCIPS Volumes.”

(2) This Volume. This Volume of this Instruction establishes core principles and policies applicable to the administration of DCIPS employee grievance programs.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense that employ individuals under DCIPS, hereinafter referred to collectively as the “DoD Components with DCIPS positions.”

b. Does NOT apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority. It does not apply to members of the Defense Intelligence Senior Executive System (DISES) or the Defense Intelligence Senior Level (DISL), or other experts (e.g., highly qualified experts) who work at the DISES or DISL equivalent, unless specifically addressed in other volumes of this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that the DoD Components with DCIPS positions shall consider matters and disputes presented to them by employees equitably and impartially, and resolve them quickly. All persons involved in the dispute resolution process shall be free from restraint, interference, coercion, discrimination, or reprisal.

5. RESPONSIBILITIES

a. Under Secretary of Defense for Personnel and Readiness (USD(P&R)). The USD(P&R), in conjunction with the Under Secretary of Defense for Intelligence (USD(I)), shall develop DCIPS employee grievance policies and monitor their effects on DoD-wide personnel readiness.

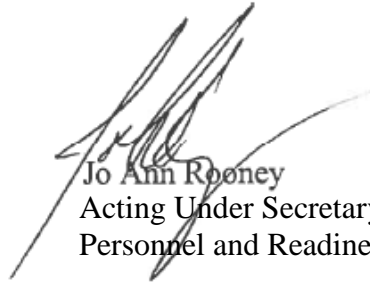
b. USD(I). The USD(I), in conjunction with the USD(P&R), shall prescribe policies governing the design and administration of DCIPS employee grievance resolution programs and shall monitor compliance with these policies within the DoD Components with DCIPS positions.

c. Heads of DoD Components with DCIPS Positions. The Heads of DoD Components with DCIPS positions shall develop DoD Component regulations and guidance implementing DCIPS policy, monitor compliance with this Volume and internal implementing guidance, and respond to reporting requirements established by the USD(I).

6. PROCEDURES. Enclosure 2 provides DCIPS employee grievance procedures.

7. RELEASABILITY. UNLIMITED. This Volume is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective March 20, 2012, pursuant to section 1613 of title 10, United States Code (U.S.C.) (Reference (e)).



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. DCIPS Employee Grievance Procedures

Glossary

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” November 23, 2005
- (c) DoD Directive 1400.25-M, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007
- (e) Section 1613 of title 10, United States Code
- (f) DoD Directive 5145.5, “Alternative Dispute Resolution (ADR),” April 22, 1996
- (g) Section 2105 of title 5, United States Code

ENCLOSURE 2

DCIPS EMPLOYEE GRIEVANCE PROCEDURES

1. REQUIREMENTS. All DoD Components with DCIPS positions shall establish an employee grievance procedure that, at a minimum, includes the following elements:

a. The provision that all employees have the right to present grievances to the appropriate authority for prompt and equitable consideration without fear of restraint, interference, coercion, discrimination, or reprisal.

b. A list of subjects that may not be grieved (see section 2 of this enclosure).

c. A program for alternative dispute resolution (ADR), using practices and techniques (such as mediation, facilitation, or ombudsman investigation) as alternatives to formal administrative proceedings or litigation to resolve disputes consistent with the requirements of this Volume and DoDD 5145.5 (Reference (f)). ADR techniques should be used to resolve disputes consistent with the requirements of this Volume. To the extent permitted by national security concerns, DoD Components with DCIPS positions should use existing Government ADR resources to avoid unnecessary expenditure of time and money.

d. DCIPS employees are entitled under the DCIPS employee grievance procedures to present grievances. Employees may represent themselves or be represented by someone of their choice. The choice of representative may be denied if it would result in a conflict of interest, a conflict with mission priorities, a conflict with national security, or unreasonable costs. Employees and their representatives shall have full access to relevant information and shall be given copies of such information unless to do so would be unduly burdensome, e.g., manhours or cost, or contrary to law or regulation. Employees shall be permitted a reasonable amount of official duty time, if otherwise in a duty status, to present grievances and to communicate with management and personnel officials. Employees may also be given a reasonable amount of official time to prepare a grievance.

e. Informal dispute resolution procedures and formal grievance procedures.

(1) Informal Disputes. The procedures of DoD Components with DCIPS positions' for addressing informal disputes shall include:

(a) Initial Informal Problem Solving. The DoD Components shall provide for initial informal problem solving during which an employee may informally present a work-related matter to his or her immediate supervisor, or other informal procedure established by the component, before filing a formal grievance.

(b) Timely Presentation of the Matter. DoD Components shall specify in problem-solving processes the timeliness with which matters are to be raised with management considering applicable mission, geographic, and communications imperatives.

(c) Timely Response to the Matter. A supervisor, or other designated official, in a component's informal procedure must consider the matter raised by the employee and attempt to resolve it within 30 calendar days from the date the matter is first presented. This time may be extended by mutual consent of the parties or in exigent circumstances.

(d) Third Parties. Where appropriate and feasible from a security, mission, geographic, or communications point of view, the DoD Components may use a neutral party (such as a conciliator, facilitator, or mediator). A body of neutrals is available through the DoD ADR Coordinator in accordance with Reference (f).

(e) Documentation. Matters presented by employees and the resolution of these matters shall be documented according to DoD Component procedures.

(2) Formal Grievances. The DoD Components shall establish and maintain formal grievance procedures consistent with the provisions of Subchapter 771 of this Instruction for processing employee grievances unless otherwise provided for in this Volume. All DoD Components shall follow these principles in managing formal grievance programs:

(a) Timely Filing. An employee may file a formal, written grievance on matters not excluded under section 2 of this enclosure with the designated deciding official when a matter is not resolved during the informal problem-solving process, or when the employee chooses to bypass that process and invoke the formal grievance process. If the employee used the informal grievance procedure, the employee must file a grievance no later than 15 calendar days from the conclusion of that procedure. Where the employee does not use the informal grievance procedure but raises the matter initially as a formal grievance, the employee must present the formal grievance within 15 calendar days following the date of the act or event that the employee believes created the problem, or within 15 calendar days following the date the employee became aware of (or reasonably should have become aware of) the act or event. The employee may present a formal grievance regarding a continuing practice or condition at any time as long as the practice or condition is continuing at the time of the filing of the grievance.

(b) Documentation. An employee's formal grievance must be signed and dated and must contain a detailed statement of the issue(s) and the specific personal remedy sought; copies of any documents in the employee's possession related to the grievance; and the name, address, and telephone number of the employee's representative, if any.

(c) Focus. The remedy sought by the grievant in a formal grievance must be personal to the employee and may not include a request for disciplinary or other action affecting another employee. An employee may not grieve the same matter that he or she has raised in any other formal grievance, appeal, complaint, or other dispute resolution process.

(d) Deciding Official Responsibilities. Formal grievance processes shall state the responsibilities of the deciding official. Among these are the responsibilities to determine whether to join similar or identical grievances; whether to require, and how to conduct an investigation; whether to allow the grievant's requested representative; and how much official

time shall be granted to the employee and the employee's representative. The deciding official may also designate an impartial individual to examine a formal grievance and, when authorized, to make recommendations concerning its disposition.

(e) Timely Decisions. Formal grievance processes shall stipulate the time frame from the filing of the formal grievance by which the deciding official shall issue the decisions. A decision should be rendered no more than 90 calendar days from the filing of the formal grievance, absent mutual agreement to extend this time limit to accommodate resolution of the dispute or exigent circumstances. Processes should allow for extensions as needed and when warranted by exigent circumstances, for example, by special mission considerations or geographically dispersed participants.

(f) Cancellation Provisions. Formal grievance processes shall specify the conditions under which the deciding official may cancel or temporarily suspend a formal grievance or the appropriate portion of a formal grievance, and shall allow for employee cancellation.

(g) Grievance File. A separate file shall be established and maintained for each written formal grievance and retained for 4 years or as provided for in accordance with applicable laws, regulations, and records retention schedules. The file shall contain all documents or copies of documents related to the formal grievance.

2. GRIEVABLE MATTERS. Employees may present grievances relative to any employment matter except for:

- a. The content of regulations and policy of DoD Components with DCIPS positions.
- b. The content of position alignment (classification) and qualification standards.
- c. The substance of an employee's performance elements, standards, or work objectives.
- d. A rater or reviewing official's determination of ratings against performance objectives and elements.
- e. Adverse performance- or conduct-based actions (such as reductions in work level, pay band or pay, suspensions of more than 14 calendar days, furloughs of 30 calendar days or less, or removal). Such actions are not grievable but may be appealed under DoD Component appeals processes, if applicable, in accordance with Volume 2009 of this Instruction.
- f. Nonselection for a position or promotion as the result of an approved candidate evaluation process, or failure to receive a noncompetitive assignment or promotion
- g. Determinations concerning additional compensation including the denial or non-receipt of monetary and non-monetary awards, performance-based payouts, recruitment or relocation bonuses, retention incentives or allowances, additional pay allowances or differentials, critical position pay, or dual compensation waivers.

- h. Any matter already the subject of a formal review and adjudication by an internal or external authority, or any matter that the employee has filed under another review or reconsideration procedure or dispute resolution process within the DoD.
- i. Preliminary notice of an action that, if executed, would be covered under the grievance system or be the subject of formal review and adjudication by an internal or external authority.
- j. Any action taken under a voluntary, formal agreement entered into by an employee involving geographic relocation or return from an overseas assignment.
- k. Termination of an employee during a trial period.
- l. Termination or expiration of a term or temporary appointment on the date specified as a condition of employment at the time the appointment was made.
- m. Any action taken under adjustment in force (AIF) proceedings. Employees may file appeals of AIF actions according to the procedures in Volume 2004 of this Instruction.
- n. Any action taken pursuant to national security requirements including determinations regarding eligibility for access to classified, compartmented, or other controlled access information.
- o. Any additional exclusions requested by a DoD Component and approved by the USD(I).
- p. The terms of any mediated agreement that an employee is a party to resulting from participation in the ADR Program.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

ADR	alternative dispute resolution
AIF	adjustment in force
DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive Service
DISL	Defense Intelligence Senior Level
DoDD	Department of Defense Directive
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise stated, the following terms and their definitions apply to this Volume of this Instruction and serve as the basic grievance taxonomy for DoD Components with DCIPS positions.

ADR. Defined in Reference (f).

Defense Intelligence Components. Defined in Reference (d).

DoD Components with DCIPS positions. Defined in Volume 2001 of this Instruction.

employee. Any Federal civilian employee, as defined in section 2105 of title 5, U.S.C. (Reference (g)), who is covered by DCIPS, except for DISES and DISL employees.



Department of Defense INSTRUCTION

NUMBER 1400.25-V2015
November 17, 2011

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Defense Civilian Intelligence Personnel System (DCIPS) Special Categories of Personnel

- References:
- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
 - (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," November 23, 2005
 - (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
 - (d) DoD Directive 1400.35, "Defense Civilian Intelligence Personnel System (DCIPS)," September 24, 2007
 - (e) Section 1613 of title 10, United States Code

1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in Reference (a), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the Department of Defense.

b. Volume.

(1) 2000 Volume Series. The 2000 Volume series of this Instruction, in accordance with the authority in Reference (a) and References (b), (c), and (d), establishes policy, assigns responsibilities, and provides guidance for DCIPS. Hereinafter the 2000 Volume series of this Instruction shall be referred to as "the DCIPS Volumes."

(2) This Volume. This Volume establishes policy, assigns responsibilities, and provides guidance for managing special categories of personnel arising from requirements of national security and operations of the Defense intelligence enterprise.

2. APPLICABILITY. This Volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereinafter referred to collectively as the “DoD Components”).

b. Does NOT apply to members of the Defense Intelligence Senior Executive System (DISES) or the Defense Intelligence Senior Level (DISL) unless specifically addressed in other Volumes of this Instruction.

3. DEFINITIONS. See Glossary.

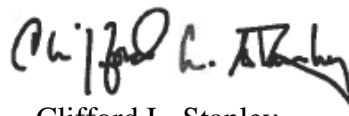
4. POLICY. It is DoD policy that DoD Components with DCIPS positions shall set internal policy for special categories of personnel necessitated by national security operations and requirements, that these policies align to DCIPS policy, and that these policies be provided to the Under Secretary of Defense for Intelligence (USD(I)).

5. RESPONSIBILITIES. See Enclosure 1.

6. PROCEDURES. See Enclosure 2.

7. RELEASABILITY. UNLIMITED. This Volume is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Volume is effective January 8, 2012, pursuant to section 1613 of title 10, United States Code (Reference (e)).



Clifford L. Stanley
Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. Responsibilities
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Glossary

ENCLOSURE 1

RESPONSIBILITIES

1. USD(I). The USD(I) shall:

a. Provide policy guidance, in conjunction with the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), to DoD Intelligence Components in aligning DCIPS policy to the human capital management requirements of special categories of personnel.

b. Oversee the implementation and management of the DCIPS policy, including policies for the management of special categories of personnel.

c. Resolve questions of applicability and coverage surfaced in the implementation of DCIPS and in the management of DCIPS within the broader DoD and Federal human capital management structures.

d. Approve exceptions to DCIPS policy.

2. USD(P&R). The USD(P&R) shall:

a. Coordinate with the USD(I) on the development of policies and practices affecting special categories of personnel in DoD Intelligence Components and monitor the effects of such policies on DoD-wide personnel readiness.

b. Consult with the USD(I) on questions of policy and special categories of personnel that arise from requirements of national security operations and that arise in relation to the integration of DCIPS within the broader DoD and Federal human capital management structures and the DoD human capital strategy.

3. HEADS OF THE DoD COMPONENTS WITH DCIPS POSITIONS. The Heads of the DoD Components with DCIPS positions shall:

a. Identify special categories of personnel that are not addressed in DCIPS policy resulting from requirements of national security operations.

b. Develop internal policy consistent with DCIPS policy and this Volume to address special categories of personnel.

c. Notify the USD(I), through the Office of the USD(I), Human Capital Management Office (OUSD(I) HCMO), of internal policy to address special categories of personnel resulting from requirements of national security operations.

d. In cases where exceptions to DCIPS policy or procedures are warranted, requests will be submitted to the OUSD(I) HCMO for written approval of the proposed exceptions.

ENCLOSURE 2

PROCEDURES

1. SPECIAL CATEGORIES OF PERSONNEL. DoD Components with special categories of personnel, as defined in this Volume, whose positions or employees are not covered by DCIPS policy in their entirety (excluding DISES and DISL personnel) shall address such special categories of personnel consistent with this Volume and with DCIPS policy, to the extent practicable. Such circumstances may occur when:

a. Implementing the U.S. Federal Wage System for job classification, compensation, adjustment in force, and position management for hourly-rate employees.

b. Developing and implementing DoD Component-specific remuneration plans for local foreign nationals and employing local foreign nationals outside the continental United States in accordance with such plans and other governing local agreements.

c. Developing and implementing DoD Component-specific policy for employment of foreign nationals within the continental United States.

d. Encountering other DoD Component-specific human capital management issues not addressed in established DCIPS policy.

2. POLICIES, PROCEDURES, REGULATIONS, AND OTHER GUIDANCE

a. Policies, procedures, regulations, and other guidance pertaining to personnel administration of special categories of positions and employees may be developed by Defense Intelligence Components.

b. Any policies, procedures, regulations, or other guidance developed in accordance with paragraph 2.a of this enclosure must be provided to the OUSD(I) HCMO not less than 30 days prior to the effective date of the guidance.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

DCIPS	Defense Civilian Intelligence Personnel System
DISES	Defense Intelligence Senior Executive System
DISL	Defense Intelligence Senior Level
HCMO	Human Capital Management Office
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

These terms and their definitions apply only to this Volume and serve as the basic occupational structure taxonomy for DCIPS positions.

national security operations. Activities that are mobilized to respond to a national security requirement for an indeterminate period of time.

special categories of personnel. An individual or a group of individuals not covered elsewhere in Volumes 2001 to 2014 of this Instruction mobilized to perform national security operations for an indeterminate period of time.



Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 2016
April 28, 2015

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Administration of Foreign Language Pay for Defense Civilian Intelligence Personnel System (DCIPS) Employees

References: See Enclosure 1

1. PURPOSE

a. Instruction. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction, in accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume

(1) 2000 Volume Series. The 2000 volume series of this instruction, in accordance with the authority in Reference (a) and DoDDs 5143.01, 1400.25, and 1400.35 (References (b), (c), and (d)), establishes policy, assigns responsibilities, and provides guidance for DCIPS. The 2000 Volume series of this instruction is referred to as “the DCIPS Volumes.”

(2) This Volume. This volume:

(a) Establishes policy, assigns responsibilities, and provides procedures for administering DCIPS foreign language pay.

(b) Incorporates and cancels Under Secretary of Defense for Personnel and Readiness (USD(P&R)) Memorandum (Reference (e)).

2. APPLICABILITY. This volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other

organizational entities in the DoD that employ individuals under DCIPS (referred to collectively in this volume as the “DoD Components with DCIPS positions”).

b. Does not apply to employees covered by the Federal Wage System or equivalent, non-appropriated fund employees, or foreign national employees employed under other than DCIPS authority.

3. POLICY. It is DoD policy that:

a. Foreign language proficiency is a critical competency of the DoD mission, and is managed to maximize the accession, development, maintenance, enhancement, and utilization of these critical skills appropriate to the mission of the DoD and its Components. The needs for these capabilities are derived from National Intelligence priorities and Combatant Command intelligence requirements. These foreign language requirements guide the recruitment, development, and retention of the foreign language workforce. The recruitment, development, and retention of individuals with proficiency in multiple foreign languages are encouraged.

b. The study, maintenance, and employment of skills by DCIPS employees in languages on the Defense Intelligence Foreign Languages of Interest (DILI) list, or in languages otherwise approved for pay, will be encouraged, with provision for special pay and time for self-managed, classroom maintenance, and immersion training.

c. The minimum qualifying language skill level will not be less than Interagency Language Roundtable (ILR) Level 2 proficiency.

d. The processes and procedures for administering foreign language pay for DCIPS employees must be complementary to DoD Instruction (DoDI) 1340.27 (Reference (f)) and DoDI 5160.70 (Reference (g)) in that there are payments for those employees using languages in their duties, and structured programs to determine the appropriate payments.

e. Foreign language proficiency and utilization will be compensated at a rate and in the manner best suited to attract and retain a qualified cadre of foreign language professionals necessary to accomplish the mission of the Defense Intelligence Enterprise.

f. The total amount of language pay made to a DCIPS employee will be determined by the individual DoD Component providing the language pay in accordance with this volume, and may not exceed \$55,000 per calendar year. Existing programs with DCIPS positions that exceed this limitation will be brought into compliance in a phased manner. When necessary to support mission requirements, DoD Components may request exceptions to the calendar year limitation in accordance with this volume.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. INFORMATION COLLECTION REQUIREMENTS. The DCIPS Foreign Language Program Annual Report, referred to in paragraphs 2b and 3b of Enclosure 2, and section 2 of Enclosure 3 of this instruction, has been assigned report control symbol DD-INT(A)2570 in accordance with the procedures in Volume 1 of DoD Manual 8910.01 (Reference (h)).

7. RELEASABILITY. **Cleared for public release**. This volume is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This volume is effective June 15, 2015.


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Under Secretary of Defense for
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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)),” October 24, 2014
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) DoD Directive 1400.35, “Defense Civilian Intelligence Personnel System (DCIPS),” September 24, 2007, as amended
- (e) Under Secretary of Defense for Personnel and Readiness Memorandum, “Revision of Foreign Language Proficiency Pay for Department of Defense (DoD) Civilian Employees Performing Intelligence Duties,” July 26, 2005 (hereby cancelled)
- (f) DoD Instruction 1340.27, “Military Foreign Language Skill Proficiency Bonuses,” May 21, 2013
- (g) DoD Instruction 5160.70, “Management of DoD Language and Regional Proficiency Capabilities,” June 12, 2007
- (h) DoD Manual 8910.01, Volume 1, “DoD Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014
- (i) DoD Instruction 5160.71, “DoD Language Testing Program,” January 26, 2009, as amended
- (j) Title 10, United States Code
- (k) Sections 5551 or 5552 of Title 5, Code of Federal Regulations
- (l) Section 530.203 of Title 5, Code of Federal Regulations

ENCLOSURE 2

RESPONSIBILITIES

1. USD(P&R). In accordance with References (a) and (b), the USD(P&R) works in conjunction with the Under Secretary of Defense for Intelligence (USD(I)) on the administration of and rates of pay for demonstrated proficiency and ability to perform tasks in foreign languages for DoD Components with DCIPS positions.

2. USD(I). The USD(I):

a. In conjunction with the USD(P&R), and consistent with Reference (f) and DoDI 5160.71 (Reference (i)), establishes and maintains policies regarding foreign language pay within the Defense Intelligence Enterprise; monitors the effects on the readiness of DCIPS personnel to perform tasks that require foreign language skills.

b. Oversees the implementation of policies and monitors practices for foreign language proficiency pay within the DoD Components with DCIPS positions through annual reporting consistent with section 2 of Enclosure 3 of this volume.

c. Reviews and approves:

(1) DCIPS Component foreign language pay programs.

(2) Requests for exceptions to the calendar year limitation when the DoD Component heads with DCIPS positions submit such requests. Exceptions are granted for 1-year periods to support mission requirements.

3. DoD COMPONENT HEADS WITH DCIPS POSITIONS. The DoD Component heads with DCIPS positions:

a. Develop Component foreign language pay programs based upon mission needs, and ensure that program implementing guidance is consistent with this volume.

b. On an annual basis, submit to the USD(I) for review a report consistent with section 2 of Enclosure 3 of this volume.

c. When necessary, submit exception requests, in writing, for DCIPS employees exceeding the calendar year pay limitation to the USD(I). Exceptions may be granted for 1-year periods to support mission requirements. Such requests must be accompanied by a statement that includes:

(1) The amount by which the limit will be exceeded.

(2) Justification as to why the exception is necessary.

(3) Either the names or identifying numbers for the DCIPS employees for whom the exceptions are being requested.

e. Provide opportunities for DCIPS employees receiving language pay to use their foreign language skills during the period in which the employees are receiving such pay.

f. Are accountable for compliance with this volume and any applicable or subsequent DoD guidance.

g. Monitor the effectiveness of foreign language pay practices within the DoD Component toward the goal of attracting and retaining a qualified cadre of foreign language professionals.

ENCLOSURE 3

PROCEDURES

1. GENERAL. Section 1596 of Title 10, United States Code (Reference (j)) authorizes the Secretary of Defense to approve special pay for civilian employees with foreign language proficiency who are:

a. Employed by the DoD.

b. Certified as being proficient in a foreign language identified by the Secretary of Defense as being a language in which proficiency by DoD civilian personnel is important for the effective collection, production, or distribution of foreign intelligence information.

c. Serving in a position or subject to assignment to a position in which proficiency in that language facilitates performance of officially assigned intelligence or intelligence-related duties.

2. ELIGIBILITY FOR FOREIGN LANGUAGE PAY

a. In addition to meeting any other requirements, to be eligible for foreign language pay, DCIPS employees must be certified at a minimum qualifying language skill level of not less than ILR Level 2 proficiency in one or more foreign languages identified on the DILI list or otherwise approved for pay by the Component. Certification will occur in accordance with the Foreign Language Proficiency Certification Schedule set forth in the Appendix to this enclosure.

b. Components will consider the following factors, at a minimum, in developing their foreign language pay programs:

(1) Language, modality and skill level, including whether compensation is appropriate for proficiency in multiple languages.

(2) The extent to which the employee performs mission-related tasks requiring the language.

(3) Strategic or contingency operational needs for the specific language in support of the Component mission.

(4) The difficulty of recruiting or retaining employees with specific language skills.

(5) Any need to retain critical language skills, even if the employee does not use those skills on a regular basis.

3. FOREIGN LANGUAGE PAY REPORTING

a. Annually, each DoD Component with DCIPS positions will submit to the USD(I), through the Director, Human Capital Management Office, a report on its foreign language pay program.

b. Annual reports must be submitted in writing, in accordance with the timelines and formats the USD(I) establishes and distributes.

c. Annual reports must:

(1) Include a copy of the Component's current foreign language pay policy or guidance, and copies of any related documents or communications issued on foreign language pay since the previous report was submitted.

(2) Identify the total number of language-coded authorizations and official tasking that requests language and proficiency in support of mission requirements.

(3) Identify the total number of DCIPS employees receiving foreign language pay, and whether or not they are assigned to designated foreign language positions. Include a break-out of the number of DCIPS employees identified as receiving foreign language pay by each language.

(4) Identify the total amount of foreign language payments made in the past calendar year and a break-out of the amounts by language.

(5) Identify for ILR Level 3 proficiency and above (combined), the percentage of recipients paid, by language.

(6) Discuss the current state of recruitment and fill of foreign language positions, including overages, trends, shortfalls, recommendations regarding foreign language pay policy, trends in payments (by language and amount of payment) from the previous year, and a brief statement reflecting the effectiveness of incentive pay in the recruitment, retention, and enhancement in the foreign language workforce.

(7) Include other information requested by the USD(I).

4. COMPONENT FOREIGN LANGUAGE PAY PROGRAMS

a. Within 30 days of the effective date of this volume, each DoD Component with DCIPS positions will submit to the USD(I) for approval, through the Director, Human Capital Management Office, a copy of the Component's current foreign language pay policy. Each DoD Component with DCIPS positions will also submit any implementing guidance and related documents or communications it has issued on foreign language pay.

b. Thereafter, DoD Components with DCIPS positions will submit to the USD(I) for approval, through the Director, Human Capital Management Office, any proposed changes to the Component's programs along with supporting justification for the proposed change. Any

proposed changes must be submitted to the USD(I) for approval at least 60 days in advance of planned implementation.

d. Justification submitted in support of proposed changes must:

- (1) Include the issues or challenges the proposed changes were designed to address.
- (2) Discuss the current state of recruitment and fill of foreign language positions, including overages, trends, shortfalls, recommendations regarding foreign language pay policy, trends in payments (by language and amount of payment) from the previous year, and a brief statement reflecting the effectiveness of incentive pay in the retention and enhancement of skills in the foreign language workforce.
- (3) Identify any change in the number of employees receiving foreign language pay as a result of the proposed changes, with a break-out of the number of employees by each language.
- (4) Identify the total costs of the proposed changes.
- (5) Address the factors listed in paragraph 2b of this enclosure.
- (6) Include other information requested by the USD(I).

e. If the USD(I) does not approve a proposed change, the USD(I) Human Capital Management Office will work with the Component to resolve the issue(s).

5. PAYMENT

a. Foreign language pay may be paid in addition to any compensation authorized in accordance with section 1602 of Reference (j) for which an employee is eligible. However, foreign language pay is not considered part of an employee's rate of basic pay for any purpose, and therefore is not counted towards retirement, insurance, or other benefits related to basic pay.

b. Foreign language pay will not be included in calculating any lump-sum payments to compensate for unused leave pursuant to sections 5551 or 5552 of Title 5, United States Code (Reference (k)).

c. Foreign language pay is considered a discretionary continuing payment for purposes of calculating the aggregate pay limitation pursuant to part 530.203 of Title 5, Code of Federal Regulations (Reference (l)).

d. Foreign language pay will not be paid if the employee is in a leave without pay or other unpaid status in excess of 10 consecutive work days, or in an extended paid absence in excess of 30 consecutive work days.

e. For employees on external rotational assignments (e.g., joint duty assignments, including those that are reimbursable), the authorization of foreign language pay will be at the discretion of the employing DoD Component in accordance with Reference (j).

f. An employee's foreign language pay may be terminated at any time when the:

(1) Employee no longer meets the eligibility requirements, in accordance with section 1 of this enclosure;

(2) Employee's most recent performance evaluation (e.g., closeout, early annual) was less than "successful;" or

(3) USD(I) or the DoD Component head with DCIPS positions use their discretion to terminate the foreign language pay.

g. The termination of foreign language pay may not be grieved pursuant to Volume 2014 of this instruction, or appealed pursuant to Volume 2009 of this instruction. However, the preceding sentence must not be construed to extinguish or lessen the right or remedy an employee might have under other laws or regulations.

6. DOCUMENTATION REQUIRED

a. DoD Components with DCIPS positions will use the Defense Civilian Personnel Data System (DCPDS), or other official human resources information system if not DCPDS, to document foreign language proficiency levels required for positions, and the proficiency levels, foreign language pay amounts, and languages in which employees are proficient.

b. DoD Components with DCIPS positions will maintain records of employee eligibility determinations, as described in section 1 of this enclosure.

Appendix

Foreign Language Proficiency Certification Schedule

APPENDIX TO ENCLOSURE 3FOREIGN LANGUAGE PROFICIENCY CERTIFICATION SCHEDULE

1. To be approved for foreign language pay, employees must demonstrate proficiency in the language according to the certification schedule in the Table. Employees must have the approval of their supervisors in order to be tested for foreign language proficiency.

Table. Certification Schedule

ILR	Certification Schedule
Level 3 or above in Listening and Reading Modalities	No later than 36 months and no earlier than 6 months from last administration of test in that foreign language
Level 3 or above in Speaking Modality	No later than 24 months and no earlier than 6 months from last administration of test in that foreign language
Level 2 and 2+ in Listening, Reading, and Speaking Modalities	No later than 12 months and no earlier than 6 months from last administration of test in that foreign language

2. The recertification requirement timeframe for DCIPS employees whose recertification schedule is interrupted by deployment in support of a contingency operation may be extended for a period of 180 days starting on the date on which the employee is released from the assignment or, on a case-by-case basis, to comply with applicable law or to accommodate extraordinary circumstances. Such exceptions will be provided to the USD(I) within 30 days of the DoD Component having granted the exception.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCIPS	Defense Civilian Intelligence Personnel System
DCPDS	Defense Civilian Personnel Data System
DILI	Defense Intelligence Foreign Languages of Interest
DoDD	DoD Directive
DoDI	DoD Instruction
ILR	Interagency Language Roundtable
USD(I)	Under Secretary of Defense for Intelligence
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this volume.

calendar year. A period starting from the first day of the first pay period of the year to the last day of the last pay period of that year.

DILI. A comprehensive list of languages of interest, as articulated by the Defense Intelligence Components. This list is maintained and distributed by USD(I)'s Human Capital Management Office, and updated on an as-needed basis per input from the DoD Components with DCIPS positions.

DoD Components with DCIPS positions. Defined in Volume 2001 of this instruction.

foreign language pay. A periodic payment made to civilians who maintain the required proficiency in foreign language(s) authorized for such pay by the DoD Component heads with DCIPS positions, in support of the Component's and DoD's mission needs and in compliance with this volume. The purpose is to increase foreign language capabilities across the Defense Intelligence Enterprise in support of the DoD mission.

immersion. Structured foreign language training conducted abroad or through isolation from the English language at a continental United States facility. The goal is to enhance the learning experience of students by allowing them to apply their language skills while immersed in the target culture.

Lesson 4: Position Alignment Exercise—Answer Key

Example 1: Security Assistant

Mission Category: Enterprise Management and Support

Work Category: Technical/Administrative Support

Work Level: Entry/Developmental

Band: 1

Grade: 6

Suggested Factor Decisions:

A-3 20 points

B-2 25 points

C-2 30 points

D-3 35 points

E-1 5 Points

115 Points = GG-6

Discussion: This position descriptions talks to the general nature of work being performed as following guidance and procedures, with some support provided to others and limited independent judgment in making suggestions and revisions. As with most positions, it doesn't align word for word with one work level, or even the factors used to determine the appropriate grade. This exercise shows the challenge of reviewing and understanding the position description to enable you to determine the best fit for the alignment of positions. Holistically looking at the work that is being described helps. In this case, while some of the work could be interpreted to be at the Full Performance Level and/or be considered for higher factors, the purpose of the work and the bulk of the work is not at the Full Performance Level. The work is closely supervised, another indicator of limited independent judgment more appropriate for the Entry/Developmental Work level. It is also important to keep in mind that Entry/Developmental as the title of Work Level 1 for Technician/Administrative Work may not be the best title (in fact, we may not agree that it's the appropriate name for the work level it is describing), but the description of the work in this position description fits comfortably in the Entry/Developmental work level, and does not fit comfortably in the Full Performance work level. On mission category, Component decisions on mission categories could align positions to other mission categories that the one chosen as the best fit in this class. Since mission categories may be determined outside of the Human Capital arena, following component process for this determination is the best answer in real life, for this exercise we make the best selection we can based on the information we have. In looking at the Supervision Received Factor ("E") an alternative determination of factor E-2, vice E-1, would result in 130 points and align to GG-7. Some participants might get this result, and it could be an acceptable decision. While the grade could be higher, the work level is still appropriate at Entry/Developmental.

Example 2: Secretary

Mission Category: Enterprise Management and Support

Work Category: Technician/Administrative Support

Work Level: Entry/Developmental

Band: 1

Grade: 7

Suggested Factor Decisions:

A-3 - 20 Points

B-2 - 25 Points

C-2 - 30 Points

D-3 - 35 Points

E-2 - 20 Points

130 Points = GG-7

Discussion: The reason this position fits best in the Entry/Developmental work level is that it is largely routine work and the primary function is execution of established office procedures. Doing two different types of work, in this case, secretarial work and payroll, does not make the work more complex, as both are work that require some independent performance of duties but at the same level and following established procedures. Some participants could determine that it is GG-6 work. There are some components where this would be a GG-6 position, and participants interpreting any factor at a lower level than the suggested decisions would have results reflecting the GG-6. This is because the position is only 1 point from a GG-6 with the suggested factor decisions. While the GG-7 is suggested, the GG-6 would be acceptable. If participants identified the work level as Full Performance, we encourage revisiting this decision with an eye to holistically determining the best fit. The restrictions on this individual applying independent judgment and notes that they follow policy and procedures in almost everything they do point to Entry/Developmental work level.

Example 3: Budget Analyst

Mission Category: Enterprise Management and Support (others could be used also)

Work Category: Professional

Work Level: Full Performance

Band: 3

Grade: 12

Suggested Factor Decisions:

A-6 - 60 points

B-3 - 50 points

C-4 - 70 points

D-3 - 35 points

E-5 - 75 points

290 = GG-12

Discussion: This position description reflects the full range of independence, collaboration and budget tasks and requirements expected at the Full Performance work level. The description is framed within parameters that infer it is not of the broader scope and depth as expected at the Senior Work Level (Band 4/Grades 13/14). Depending on frame of reference, participants may see the factors aligning to the GG-12 (as shown), or possibly to the GG-13. Knowing the size of the organization and the budget range (how much money we are talking about?) would probably help those on the fence on some of the factors. In the real world, in the position alignment process we could go back and ask for this information if not included in the position description. In this case we can't and we need to make the best decision possible with the information provided.

Example 4: Program Analyst

Mission Category: Enterprise Mission Support or Mission Management

Work Category: Professional

Work Level: Senior

Band: 4

Grade: 13

Suggested Factor Decisions:

A-7 - 80 points

B-4 - 70 points

C-3 - 50 points

D-5 - 75 points

E-4 - 55 points

330 Points GG-13

Discussion: This position is useful in showing that the broad scope of the Senior Level Work Level can apply at the GG-13 level. This position description is challenging to review because scope and importance of the work are referenced repeatedly and the inclination may be to assign higher factor levels. This is an excellent position to encourage the review of the higher and lower factor levels to grow confidence in the factor levels selected. For example, Factor C, level 3 was selected. Looking at Factor C, level 4, it is clear that Scope of Authority and Effect of Decisions does not meet that level. Knowing that the higher level doesn't apply, makes the application of level 3 a clear fit.

Example 5: Management Analyst

Mission Category: Enterprise Management and Support

Work Category: Professional

Work Level: Full Performance

Band: 3

Grade: 13

Suggested Factor Decisions:

A-6 60 points

B-3 50 points

C-3 50 points

D-5 75 points

E-5 75 points

310 points = GG-13

This one is pretty straightforward and no discussion points are included here.

Example 6: Intelligence Officer

Mission Category: Collection and Operations

Work Category: Professional

Work Level: Entry Developmental

Band: 2

Grade: 7

Suggested Factor Decisions:

A-3 20 points

B-2 25 points

C-2 30 points

D-3 35 points

E-2 20 points

130 points = GG-7

Discussion could focus on GG-7/low in the pay band 2 as entry level developmental and description of the work is purely learning as a brand new analyst would initially focus on.

Example 7: Intelligence Officer (General Military Analysis)

Mission Category: Analysis and Production

Work Category: Professional

Work Level: Senior

Band: 4

Grade: 14

Suggested Factor Decisions:

A-7 80 points

B-4 95 points

C-4 70 points

D-5 75 points

E-4 55 points

375 points = GG-14

Discussion: Attention to the entire narrative when reviewing this example will direct the position alignment action to the 14. Some parts of this narrative could be interpreted in multiple ways. For example, "advising national security agencies and others on military threats and trends" could be anything from preparing a weekly report to actually sitting down one-on-one with agency directors. This highlights the importance of looking at the entire position description, in its entirety and each part of it, in context with the full description.

Example 8: Human Resources Specialist (Generalist)

Mission Category: Enterprise Management and Support

Work Category: Professional

Work Level: Full Performance

Band: 3

Grade: 12

Suggested Factor Decisions:

A-6 60 points

B-3 50 points

C-4 70 points

D-3 35 points

E-4 55 points

270 points = GG-12

Discussion: The position description describes a lot of work in different categories that are interrelated. From the description, this position appears to be one of a set of consultants who is assigned specific client organizations. This leads us towards the Full Performance Work Level because of the general feel that this position shares information with customers, answers questions and provides recommendations. The person assigned to this position must have extensive knowledge but from the description is not stepping out into areas with no precedence or responding to issues that are exceptionally complex. The perspective of the participants, partnered with the lack of some clarity in the description has led to varied results for the grade on this example. All classes have agreed with the Full Performance Work level decision, and while most have the result end at GG-12, results have also included the GG-11 and the GG-13. Because it is Human Resources and participants have personal knowledge in this area they are bringing their passion into the decision. With more information as we would have in real life, all would get the same result.

Example 9: Electronics Engineer (Missile Systems/Intelligence)

Mission Category: Analysis and Production

Work Category: Professional

Work Level: Senior

Band: 4

Grade: 14

Suggested Factor Decisions:

A-8 95 points

B-5 95 points

C-4 70 points

D-4 55 points

E-4 55 points

370 points = GG-14

Discussion: This position description provides an example of the struggle that those performing position alignment often have. The words read individually seem to imply a higher level of work, and therefore the alignment to a higher work level and higher factors, but reading the narrative in its entirety puts into context that while the position has broad scope and important work, there are some clear lines drawn that prevent it from being a description of work of the most complex level with the most independence in that there are guidelines and the supervisor remains engaged at more than the lowest levels.

Example 10: Financial Manager

Mission Category: Mission Management

Work Category: Supervision/Management

Work Level: Expert

Band: 5

Grade: 15

Note: Must use alignment factors and points for DCIPS Supervisory Positions

Suggested Factor Decisions:

A-6 115 points

B-5 150 points

C-6 115 points

D-4 125 points

E-9 75 points

580 points = GG-15

Discussion: This position description provides an opportunity to consult the supervisory/managerial factors (called supervisory in DCIPS Volume 2007). Some groups may not notice that they need to use these factors, and even though they may end up with the correct result, they should be encouraged to revisit this example and apply the correct factors. For Factor E, we are assuming that since the individuals are other leaders that they (or at least one of them) are 15s.

In a real life example we would ask for more information but in this case, it doesn't really matter since there are so few points distinguishing between the levels.

Example 11: Computer Engineer

Mission Category: Enterprise Information Technology

Work Category: Professional

Work Level: Senior

Band: 4

Grade: 14

Suggested Factor Decisions:

A-7 80 points

B-4 70 points

C-4 70 points

D-5 75 points

E-5 75 points

370 = GG-14

Discussion: Establishing this position at the Senior Work Level based on the broad range of complex assignments and non-routine situations first helps the alignment process when it comes to assigning factor levels to determine the appropriate grade. The Full Performance Work Level does not as a good fit because the work is broader in scope and complexity and describes the work of an independent SME in a broad and complex field.

Example 12: Administrative Support Assistant

Mission Category: Enterprise Management and Support

Work Category: Technician/Administrative Support

Work Level: Entry/Developmental

Band: 1

Grade: 5

A-3 20 points

B-2 25 points

C-1 15 points

D-2 15 points

E-1 5 points

80 points -- GG-5

Discussion: This is another example of a position where the perspective of the person performing the alignment may try to influence the decisions in the alignment process. The language of the position description implies an assistant who manages multiple routine tasks, some independently but is following established guidelines, even those areas where the person acts independently. It is similar to example number 2 in that it has a wide variety of important functions necessary to keep the office running which may lead to an initial conclusion that this is work at higher level than the description supports.

Lesson 5: Veterans' Preference **Answer Key**

- Veterans' preference applies when filling DCIPS positions _____ (*Answer: that are open to external sources*).
- Conditions under which a determination of Veterans' preference is **not required**:
 - If the position is advertised only to _____ (*Answer: internal*) candidates.
 - When considering candidates with prior Federal competitive or excepted service who have completed a _____ (*Answer: probationary or trial period*) and have not been separated for cause.
 - When reappointing candidates with prior DCIPS service who have served on permanent appointments, completed a trial period, and were not separated for cause.
- When advertising externally, lists of candidates, e.g., certificates of eligibles or registers must identify candidates as _____ (*Answer: internal or external*). Preference-eligible candidates with a Military Service-connected disability of 30% or more must be specifically identified.
- When external applicants are being considered, _____ (*Answer: preference-eligible*) veterans shall be granted preference in selection over _____ (*Answer: non-preference-eligible*) candidates with substantially equal qualifications.

Veterans' preference eligibility will be treated as a _____ (*Answer: positive*) factor in all stages of the review and selection process.

Lesson 5: DCIPS Competitive Actions Game Possible Questions and Answers

- A GG-11 analyst position in the professional work category and full performance work level has increased dramatically in scope. Now, the work is aligned to GG-12. Is moving the employee to this new position competitive and why or why not? (**Answer:** Non-competitive because it is an accretion of duties, which is an exception to competition).
- An accounting technician in the Tech/Admin support work category, full performance work level at the band 2 in NGA, is moving to a staff officer position in the professional work category, at work level 2, the full performance work level. Is this competitive and why or why not? (**Answer:** Competitive; changing work category that is not equivalent to the current work category).
- A student program employee graduates from college and moves to a permanent professional work category position at work level 1, the entry/developmental work level, at grade 7. Is this action competitive and why or why not? (**Answer:** Non-competitive; it is an exception to competitive action to move from a student program to a permanent position).
- Lateral transfer from NSA to NGA. Competitive? Why or why not? (**Answer:** Non-competitive because a lateral transfer, by definition, means to stay in the same work category, work level and grade or pay band. A lateral transfer does not have to be competitive; it is an exception to policy).
- Term employee (announcement said selection for the position could make the individual eligible for non-competitive permanent appointment) moves from professional work category, full performance work level at the GG-11 to a permanent position in the same work category and work level, but at GG-12. Is this competitive? Why or why not? (**Answer:** Competitive. Non-competitive is an exception to policy only if at the same or lower work category, work level and grade).
- GG-13 at the full performance work level in the professional work category goes to a GG-13 position at the senior work level in the professional work category. Is this competitive? Why or why not? (**Answer:** Competitive. Moving to a work level with higher promotion/grade potential so it's competitive, even though it's the same grade).

Lesson 6 Exercise 6-1: Setting Pay—Answer Key

1. How will you recommend setting the pay of each selectee?
 1. *Selectee 1 just graduated with a BA in public administration (GPA of 4.0).* Selectee 1 would be hired at 7/3 (\$45,024) based on the guidelines.
 2. *Selectee 2 just graduated with an MA in operations research (GPA 3.0).* Selectee 2 has a master's degree in a program that is directly relevant to the job requirements; following the hiring guidelines, you could offer between 8/3 and 9/3. While most components do not use single grade intervals for professional work category positions, a component could choose to. Components in the two grade interval progression following the guidelines would offer between 9/1 and 9/3.
 3. *Selectee 3 has a BA in management information systems and two years of directly related experience. Selectee 3 is currently making \$58,000 and is being hired to work in Washington, DC.* Selectee 3 has a bachelor's degree and 2 years of experience. His current salary is \$58,000. The guidelines allow you to go up to 9/5, which is \$58,511, because it is directly related experience. However, with only two years of experience, the grade 9 at a lower step might be more appropriate. Depending on your assessment of the quality of experience, you could go with the higher offer, lower offer, or perhaps pair a lower offer with a recruitment incentive of \$3000 - \$5000.
 4. *Selectee 4 has four years of directly related experience and a BA in public policy. Selectee 4 is currently making \$66,000.* Selectee 4 has four years' experience, and currently makes \$66,000. You could match that at GG-10/6, which is within the hiring guidelines. Alternatively, you could go with a lower offer that is below the midpoint of the grade and offer a hiring bonus. You would not offer higher than grade 10 because the person is being hired for entry/developmental work level.
 5. *Selectee 5 received a BA in business administration about five years ago, but experience has limited application to the position being filled. Selectee 5 is currently earning \$55,000.* Selectee 5 has a bachelor's degree, but work experience is not qualifying for the current position. Consequently, the offer would be a GG-7 step 3
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(\$45,024). In this case, the applicant's current salary would not come into play, because the qualifications for the job are limited to the entry level. You could potentially consider a recruitment incentive, if appropriate.

6. *Selectee 6 is employed in a non-DCIPS agency performing related work in a support position, has three years of experience, and has completed two years toward a BA in business administration. The selectee is currently a GS-7 step 3.* Selectee 6 is a government employee, and could be offered either a lateral transfer at 7/3 or a promotion to 9 based on assessment of qualifications.
2. How will you advise Adam to respond if Selectee 2 asks him to consider a higher salary offer? Selectee 5?
 - a. You could consider a salary up to the 9/3 salary which is \$55,070; however, if that does not satisfy the selectee, there is no further appropriate negotiation. At that point, Adam could discuss other benefits of employment, including such things as work-life balance programs, the quality of the work, or long-term potential within the field.
 - b. For Selectee 5, there is no room to negotiate further based on the requirements of the job and the experience contained in the resume. The selectee will need to consider other factors in his/her employment decision, including future career potential and desire to join the intelligence mission.
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Lesson 6 Exercise 6-2: Pay Setting Examples—Answer Key

Scenario 1

Robin's base salary should be set at her existing rate of pay (i.e., same grade and step). In addition, Robin will no longer get LMS for the Atlanta area; instead, her LMS will be recalculated to reflect the rate in Washington, DC. If Atlanta is a lower LMS area than DC, her LMS would increase but decrease if the reassignment was reversed.

Scenario 2

Because Roger is on pay retention, he cannot receive a salary increase until the rate range of his pay band or grade of the new position encompasses his retained rate, or until Roger is assigned to a pay band or grade where pay can be set.

Specific to this example, Roger's salary cannot be increased through this reassignment because it is a reassignment within the same work level at the same grade. Roger will be considered for a performance-based bonus through the pay pool process. Pay pool decisions are not a part of the pay setting process. Roger cannot receive a base-pay increase monetary award because he is on pay retention.

Scenario 3

Because this is a voluntary change to a lower grade, in this case because Doug wants to change his career path, pay retention does not apply. His salary would be set at the maximum rate for the grade of the position to which he will be assigned that does not exceed his current rate. Because he will be reassigning from a GG 13/5 to a GG-10 position, the maximum pay setting for him is at the GG-10/12. Roger's pay will be reduced through this reassignment. Pay setting in the position should consider his experience and education, in light of the contributions he will bring in the new position when setting his pay.

Scenario 4

1. Indefinitely until his pay band rate range catches up with his current salary.
2. Examples: Involuntary reduction resulting from a management-directed action or after an Adjustment in Force or NSPS conversion out.
3. No.
4. Yes, if the adjustment places his current pay lower than the maximum of his new grade.

Scenario 5

No, she cannot get a salary increase because she is taking a reassignment at the same work category and work level; however, because she is moving from a graded position to a pay banded position, she is permitted to receive a within-grade-increase buy-in prorated to represent time served towards her next regularly scheduled step increase, if applicable. It's important to remember that if she is already at the step 10, she is at the highest step and this buy-in would not apply. A reassignment is defined as a movement within a pay band, which does not qualify for a salary increase.

Lesson 13: Retention Register Exercise Explained

Step 1a

- The four “Mission B” positions are being eliminated; therefore any position labeled as “Mission B” on the retention register will be affected.
- This affects positions 2, 4, 7, and 8.

Step 1b

- The vacant position will be eliminated immediately since it is Mission B and there is no individual impacted.
- Allison will be separated next since she is Tenure Group III (lowest retention standing) and Mission B, even though she is in subgroup AD.
- Remember, Tenure Group IIIs do not even need to be included in the AIF; they can be separated prior to the AIF at the Component’s discretion. If included, they have the lowest retention standing and are likely the first to be separated.

Step 2

- Of those employees who are remaining in positions to be eliminated, who has the highest retention standing and will be analyzed first? The employees in those positions are Tim and Sela. Let’s look at their retention factors:
 - Tenure- same.
 - Veterans Preference- same.
 - Performance rating- Tim has a higher performance rating (4); therefore, he has the higher retention standing so we will review his position first.

Step 3

- Review the position that is the lowest on the retention register to determine the following:
 - Does Tim qualify for that position?
 - Is it the best offer or match for Tim?
 - Move up the list to identify the best offer, if possible.
- The first position on the retention register for which Tim can be considered is the Accountant GG-7, occupied by Kendra.
 - Tim is not qualified because he does not have an accounting degree, a requirement for the position.
- The next position to consider is the Budget Analyst GG-11 occupied by Michelle.
 - Based on a review of his resume, Tim has some Budget Analyst experience, but is this the best position to offer Tim?
 - If there is more than one position lower in the retention register than the position being analyzed and for which a displaced employee is qualified, the best offer must be made.
 - To determine the best offer, consider the following factors in this order: higher grade, closer occupational series, most similar to current position.
 - If a better offer for Tim is identified, document on the retention register that he is qualified for the Budget Analyst position, but that you offered a better position.
- Move up to the next position, which is Sela’s position, the Information Technology Specialist GG-9.
 - Sela’s position is being abolished and therefore cannot be considered.

- Move up to Bill's position, which is the highest position we can review that is occupied by someone of lower retention standing than Tim.
 - Based on a review of his resume, Tim is qualified for Bill's position, which is at the same or lower grade, thereby meeting the Volume 2004 requirement that the position be within 3 grades lower of the position he currently occupies.
- Tim is placed in Bill's position and now the displacement process is used to place or release Bill.

Step 4

- Review the position that is the lowest on the retention register to determine the following:
 - Does Bill qualify for that position?
 - Is it the best offer or match for Bill?
 - Move up the list to identify the best offer, if possible.
- The first position is the Accountant GG-7 that is occupied by Kendra.
 - Accountant positions have a positive education requirement, for which Bill does not qualify.
- The next position is the Budget Analyst GG-11 that is occupied by Michelle.
 - A review of Bill's resume reveals he has no experience that would qualify him for this position.
- The next position is Sela's position, the Information Technology Specialist GG-9.
 - Since the Information Technology Specialist position is being abolished, that is not a possible placement for Bill so the review continues up the register.
- Since there are no more positions with employees with lower retention standing than Bill that he is qualified for, Bill will be separated by AIF.
- This separation will match the abolishment of one of the positions (position #2) with an employee (Bill).

Step 5

- There is one remaining position to be abolished and it is occupied by Sela.
- Once again, review the position that is the lowest on the retention register to determine the following:
 - Does Sela qualify for that position?
 - Is it the best offer or match for Sela?
 - Move up the list to identify the best offer, if possible.
- The first position would be Kendra's accounting role.
 - Sela also does not have an accounting degree, so she cannot be considered for Kendra's role due to the positive education requirement.
- The only other position where the employee has lower retention standing than Sela is the Budget Analyst 11 occupied by Michelle.
 - Based on a review of the position and Sela's resume, she has no experience to qualify her for a Budget Analyst position.
 - She also cannot gain a promotion through AIF, so she is not able to be offered that position.
- Sela will be separated by AIF.
- This separation will account for the fourth and final position to be abolished as a result of this AIF.

HR Elements for HR Practitioners

Retention Register Exercise Worksheet

Chapter 13: Adjustment In Force

The Retention Register scenario:

Due to Congressional budget cuts, all positions in a defined competitive area supporting Mission B are scheduled to be abolished. Following Volume 2004 guidelines, the Component has identified the competitive area as:

Local Commuting Area 1234903
Organizational Code GC 24
Professional Work Category A



Your task:

Follow AIF procedures from Volume 2004 to determine which positions will be abolished, as well as which employees will be impacted and how

What steps do you need to take?

1. Identify on the retention register which positions will be eliminated based on the competitive area, which has been announced by the Component.
2. Analyze the positions identified for abolishment starting with the one currently filled by the employee with the highest retention standing.
3. Review his/her resume and all positions that will remain that are encumbered by employees with lower retention standing to determine if that employee should be offered another position or released and documented on the retention register. Start at the bottom of the retention register and work up to determine the best offer.
4. Determine if there is an impact on another employee. If so, review the employee's resume and all remaining positions encumbered by employees with lower retention standing to determine if the displaced employee should be offered another position or released. Again, start at the bottom of the retention register and work up.
5. Repeat this process until the number of abolished positions equals the number of originally announced abolished positions.
6. Check your work to ensure Volume 2004 policy was followed.

The retention register used in this exercise is a condensed snapshot of a typical retention register and is used for example purposes only.

For the purpose of this exercise:

- Accounting has a positive education requirement.
- Professional work category positions are 2-grade interval positions, mean that employees progress two steps at a time (i.e. GG-7 to GG-9 to GG-11).

Resume Highlights:

- All experiences listed are professional work level.
- All military experience is officer level.

Employee Name	Past Experience
Franklin	<ul style="list-style-type: none"> • Intelligence Analyst (8 years) • Intelligence Analyst for US Navy (2 years) • Information Technology Specialist for US Navy (8 years)
Tim	<ul style="list-style-type: none"> • Intelligence Analyst (15 years) • Management Analyst (8 years) • Budget Analyst (3 years)
Bill	<ul style="list-style-type: none"> • Intelligence Analyst (29 years) • High school AP World History teacher (5 years)
Sela	<ul style="list-style-type: none"> • Information Technology Specialist (11 years) • Intelligence Analyst (6 years)
Michelle	<ul style="list-style-type: none"> • Budget Analyst (16 years) • Intern at private federal consulting firm (1 year)
Kendra	<ul style="list-style-type: none"> • Accountant (2 years) • CPA at private accounting firm (6 months) • (Accounting degree)
Allison	<ul style="list-style-type: none"> • Intelligence Analyst (1 year) • Researcher at public policy think tank (3 years) • Intelligence Analyst for US Army (4 years)

Note: General Rules in an AIF apply and requires that Volume 2004 be reviewed in its entirety when reviewing the Retention Register and making displacement determinations.																	
														Retention Factors			
Position Number	Employee Name	Pay Plan	Occupational Series	Grade	Position Title/Work Role	Supervisor Y/N	Mission	Work Level	Work Category	Org Code	Duty Station Code	Work Schedule	Tenure	Veterans' Preference Y/N	Sub-group for Veterans' Preference	Performance Rating (avg last 3)	AIF SCD (adj for add'l civ/mil time)
1	Franklin	GG	132	13	Intelligence Analyst	N	A	3	A	GC-24	1234903	F	I	Y	A	4.2	03/14/05
2	Tim	GG	132	11	Intelligence Analyst	N	B	2	A	GC-24	1234903	F	I	N	B	4.1	11/10/87
3	Bill	GG	132	11	Intelligence Analyst	N	A	2	A	GC-24	1234903	F	I	N	B	3.6	07/03/84
4	Sela	GG	2210	9	Information Technology Specialist	N	B	1	A	GC-24	1234903	F	I	N	B	3.5	08/09/96
5	Michelle	GG	0560	11	Budget Analyst	N	A	2	A	GC-24	1234903	F	I	N	B	3.3	06/04/97
6	Kendra	GG	0510	7	Accountant	N	A	1	A	GC-24	1234903	F	I	N	B	3.2	02/11/11
7	Allison	GG	132	7	Intelligence Analyst	N	B	1	A	GC-24	1234903	F	III	Y	AD	3.2	04/17/12
8	Vacant	GG	132	9	Intelligence Analyst	N	B	1	A	GC-24	1234903	F	NA	NA	NA	NA	NA