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ADS Chapter 463 Foreign Service and Senior Foreign Service Promotion Eligibility Requirements and Procedures

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 ADS 463 - Foreign Service and Senior Foreign Service Promotion Eligibility
 Requirements and Procedures
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Table of Contents

<u>463.1</u>	<u>OVERVIEW.....</u>	<u>5</u>
<u>463.2</u>	<u>PRIMARY RESPONSIBILITIES.....</u>	<u>5</u>
<u>463.3</u>	<u>POLICY DIRECTIVES AND REQUIRED PROCEDURES.....</u>	<u>11</u>
<u>463.3.1</u>	<u>Policy and Procedures for the Foreign Service.....</u>	<u>11</u>
<u>463.3.1.1</u>	<u>Promotion Eligibility Requirements.....</u>	<u>11</u>
<u>463.3.1.2</u>	<u>Requirements and Exceptions or Waivers for Foreign Service Promotion Board Reviews.....</u>	<u>12</u>
<u>463.3.1.3</u>	<u>Promotion Package.....</u>	<u>14</u>
<u>463.3.1.4</u>	<u>Requests for Deadline Extensions.....</u>	<u>16</u>
<u>463.3.1.5</u>	<u>Failure to Meet Established Deadlines.....</u>	<u>17</u>
<u>463.3.1.6</u>	<u>Organization of Promotion Boards.....</u>	<u>18</u>
<u>463.3.1.7</u>	<u>Composition of the Promotion Boards.....</u>	<u>18</u>
<u>463.3.1.8</u>	<u>Promotion Board Materials.....</u>	<u>19</u>
<u>463.3.1.9</u>	<u>Performance Evaluation File (PEF).....</u>	<u>20</u>
<u>463.3.1.10</u>	<u>Promotion Boards' Process.....</u>	<u>20</u>
<u>463.3.1.11</u>	<u>Promotion Board Findings and Recommendations.....</u>	<u>21</u>
<u>463.3.1.12</u>	<u>Promotion Boards' Recommendation for Category A Employees.....</u>	<u>22</u>
<u>463.3.1.13</u>	<u>Promotion Boards' Recommendation for Category B Employees.....</u>	<u>22</u>
<u>463.3.1.14</u>	<u>Retention Consideration for Category C Employees.....</u>	<u>23</u>
<u>463.3.1.15</u>	<u>Reconstitution of a Board.....</u>	<u>23</u>

<u>463.3.1.16</u>	<u>Promotion Board Operations: Recusals</u>	<u>23</u>
<u>463.3.1.17</u>	<u>Information to be Considered in Promotion Board Reviews</u>	<u>24</u>
<u>463.3.1.18</u>	<u>Promotion Board Operations: Actions Based on Inadmissible Comments and Violations of this Policy</u>	<u>24</u>
<u>463.3.1.19</u>	<u>Appeals</u>	<u>24</u>
<u>463.3.1.20</u>	<u>Oath of Office - Promotion Boards</u>	<u>24</u>
<u>463.3.2</u>	<u>Policy and Procedures for the Senior Foreign Service</u>	<u>25</u>
<u>463.3.2.1</u>	<u>Consolidated Senior Foreign Service Performance Board (C/Board) – Coverage</u>	<u>25</u>
<u>463.3.2.2</u>	<u>Promotion Eligibility Requirements</u>	<u>26</u>
<u>463.3.2.3</u>	<u>Failure to Submit AEF by Established Deadlines</u>	<u>27</u>
<u>463.3.2.4</u>	<u>Composition of the C/Board</u>	<u>27</u>
<u>463.3.2.5</u>	<u>Recusals</u>	<u>28</u>
<u>463.3.2.6</u>	<u>The C/Board Evaluation Considerations and Review Process</u>	<u>28</u>
<u>463.3.2.7</u>	<u>Promotion Consideration and Recommendation</u>	<u>29</u>
<u>463.3.2.8</u>	<u>C/Board Operations and Materials</u>	<u>31</u>
<u>463.3.2.9</u>	<u>Information to be Considered in C/Board Reviews</u>	<u>32</u>
<u>463.3.2.10</u>	<u>Commendable Letters to Raters/Appraisal Committee Members</u>	<u>32</u>
<u>463.3.2.11</u>	<u>Critical and Advisory Letters</u>	<u>32</u>
<u>463.3.2.12</u>	<u>Limited Career Extensions (LCEs)</u>	<u>32</u>
<u>463.3.2.13</u>	<u>Performance Pay for the SFS</u>	<u>33</u>
<u>463.3.2.14</u>	<u>The C/Board Findings and Recommendations</u>	<u>33</u>
<u>463.3.2.15</u>	<u>Decision Rule for Employees Not Meeting the Standards of Their Class ..</u>	<u>34</u>
<u>463.3.2.16</u>	<u>Appeals</u>	<u>34</u>

[463.3.2.17](#) [Oath of Office - C/Board](#)..... [34](#)

[463.4](#) [MANDATORY REFERENCES](#) [34](#)

[463.4.1](#) [External Mandatory References](#)..... [34](#)

[463.4.2](#) [Internal Mandatory References](#) [35](#)

[463.4.3](#) [Mandatory Forms](#) [35](#)

[463.5](#) [ADDITIONAL HELP](#) [36](#)

[463.6](#) [DEFINITIONS](#) [36](#)

ADS 463 - Foreign Service and Senior Foreign Service Promotion Eligibility Requirements and Procedures

463.1 OVERVIEW

Effective Date: 03/30/2020

This chapter establishes the policies and required procedures for USAID's Foreign Service (FS) and Senior Foreign Service (SFS) Promotion Boards. The FS Promotion Boards make promotion recommendations for FS career and career candidate employees from classes FS-04 to FS-01 who are eligible for promotion. The Consolidated SFS Performance Board (also known as the C/Board), assesses performance and makes promotion recommendations for those in the SFS. In addition, these Boards assign A, B, and C ratings based on the criteria in the precepts (see [ADS 463mai, Precepts for Foreign Service Promotion Boards](#) and [ADS 463mak, Precepts for the Senior Foreign Service Consolidated Performance Board](#)). Note: The policies and procedures are different for FS and SFS employees. In this ADS chapter, FS policies and procedures are covered first, followed by those for SFS employees.

This chapter applies to all career or career candidate FS and SFS employees of USAID appointed under Sections 302(a), 303, and 305 of the [Foreign Service Act of 1980](#), as amended, with the exception of FS/SFS employees assigned to Backstop 08 – Audits and Inspections, whose promotions are handled by the Office of the Inspector General (OIG). This includes FS and SFS employees assigned outside of the Agency who have reemployment rights to USAID, and other USAID officials (including Civil Service (CS) employees) who rate or review FS employees' performance as rating officials. This chapter is not applicable to non-career FS employees, including those appointed under Sections [301\(d\)\(1\) and 303 of the Foreign Service Act](#), Foreign Service Nationals (FSNs), or U.S. Personal Service Contractors (PSCs) unless the PSC supervises an FS employee pursuant to an exception from the Management Bureau. See [USAID Acquisition Regulation \(AIDAR\)](#), Appendix D. This chapter is not applicable to FS-05 and FS-06 career candidates who are covered by the Administrative Review Process described in [ADS 459, USAID's Foreign Service Career Candidate Program](#). Promotion Board review processes and decision criteria are included in [ADS 463mai, Precepts for Foreign Service Promotion Boards](#). Processes and decision criteria for Senior Foreign Service are included in [ADS 463mak, Precepts for the Senior Foreign Service Consolidated Performance Board](#).

463.2 PRIMARY RESPONSIBILITIES

Effective Date: 03/30/2020

The following responsibilities apply to the Foreign Service.

- a. The **Principal Officer of an Operating Unit (PO)** ensures that all promotion-eligible employees within their Operating Unit (OU) submit promotion packages and that the OU Context Statement is prepared and shared with FS Officers (FSOs) no later than March 1st annually. The PO is also responsible for setting deadlines within the OU to ensure that completed promotion packages are submitted to USAID's Office of Human Capital and Talent Management (HCTM) by established deadlines.

b. Promotion Boards review the FS performance evaluation files submitted for their consideration and determine which candidates are ready for immediate promotion (A rating), which candidates are meeting the standards of performance of their class but are not ready for promotion (B rating), and which candidates are failing to meet the standards of performance of their class (C rating), in accordance with this ADS chapter and [ADS 463mai, Precepts for Foreign Service Promotion Boards](#).

c. Employees are responsible for completing their required sections of the Promotion Input Form (PIF) and the Annual Accomplishment Record (AAR) for inclusion in their promotion package by the due date, ensuring that required documents are completed by established deadlines, and verifying that the information contained in their Employee Data Record and Electronic Official Personnel Folder (eOPF) is accurate and current. In addition, employees are required to provide input to their rating officials when assessing which potential Multisource Ratings (MSRs) raters meet the criteria outlined in the MSR rater selection guidance and instructions published by HCTM.

d. Rating Officials are responsible for reviewing, writing a narrative, and signing an employee's PIF; making the final determination about which individuals meet the rater selection criteria for MSRs, and soliciting MSRs from selected raters.

e. Reviewing Officials (Second-Level Reviewers) are responsible for reviewing and signing the completed PIF and AAR when required to do so and providing comments that address their own perception of the accuracy of the information provided by both the employee and the rating official.

f. Individuals selected to provide MSRs are responsible for completing the required training and completing the requested MSR surveys by the published due date each year for inclusion in the promotion package. Note that responding to peer and subordinate MSR surveys is encouraged but not mandatory.

g. Executive Officers (EXOs) and Administrative Management Services (AMS) Officers notify employees and rating officials of the deadlines for completing all required forms, assist employees who encounter difficulties in getting forms signed or submitted, and submit to HCTM's Center for Performance Excellence (HCTM/CPE) any documents that cannot be submitted electronically.

h. The Chief Human Capital Officer (CHCO) is responsible for the following:

- 1) Approving the FS performance management program, including changes to policies and precepts for the FS Promotion Boards;
- 2) Overseeing administration of the promotion program; and
- 3) Exercising authority to make exceptions to policies, except those prohibited by law and negotiated agreement, hold actions in abeyance, or waive actions based on the needs of the Agency and in accordance with this ADS chapter.

i. The Office of Human Capital and Talent Management, Office of Employee and

Labor Relations (HCTM/ELR) is responsible for fulfilling the Agency's labor obligations with the exclusive representative of FS and SFS employees, the American Foreign Service Association (AFSA), concerning changes to the conditions of employment. HCTM/ELR also provides copies of all relevant disciplinary actions in accordance with [3 FAM 4300](#) to HCTM/CPE for promotion-eligible employees by March 31 annually and again immediately prior to the FS Promotion Boards convening.

j. The Office of Human Capital and Talent Management, Center for Performance Excellence, Performance Management Division (HCTM/CPE/PM) is responsible for:

- 1) Formulating policies and procedures for FS performance management and promotion;
- 2) Managing and administering the FS performance management program, including the FS promotion process; and
- 3) Establishing and facilitating the work of FS Promotion Boards by:
 - a. Working with the HCTM's Foreign Service Center to identify the membership of these Boards;
 - b. Executing the process for obtaining MSR's and compiling AARs, PIFs, the Annual Performance Evaluations (APEs), MSR class summary and individual reports, and the other elements of each FSO's promotion package for the Boards;
 - c. Monitoring the operations of assigned Boards and providing advice and staff assistance to Board activities and members;
 - d. Determining FS employee eligibility for promotion;
 - e. Making MSR class summary reports available to the workforce;
 - f. Providing FS employees with rating reports; and
 - g. Communicating Promotion Board results.

k. The Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC) is responsible for:

- 1) Recommending members to HCTM/CPE for the FS Promotion Boards, and directing assignments to the FS Promotion Boards, when necessary;
- 2) Working with employees to ensure that Employee Data Records made available to the Boards are accurate; and
- 3) Processing the personnel actions required to affect the determinations of the FS Promotion Boards.

- l.** The **Office of Human Capital and Talent Management, Workforce Planning, Policy and Systems Management Office (HCTM/PPSM)** is responsible for conducting analysis to help determine the number of promotions to be offered to members of the Foreign Service, taking into consideration factors such as vacancies, availability of funds, estimated attrition, projected needs, and the need for retention of expertise and experience.
- m.** The **Office of the General Counsel, Ethics and Administration Division (GC/EA)** provides legal advice on all aspects of this ADS chapter.
- n.** The **Office of Civil Rights and Diversity (OCRD)**, the **Office of Security (SEC)**, **GC**, **OIG**, and **HCTM/ELR** are responsible for certifying that FSOs who are recommended for promotion are not under investigation, engaged in a proceeding, or the subject of disciplinary action involving loyalty, security, misconduct, or malfeasance.
- o.** The **Performance Standards Board (PSB)** reviews employees who have been referred to the PSB by HCTM for failing a PIP; any career employees who have received two “C” ratings in five years, thus making them candidates for retirement based on Section 608 of the Foreign Service Act (mandatory retirement for failure to meet the performance standards of the class); and any career candidates who have received one “C” rating. The PSB may determine that there are extenuating circumstances that justify retaining the employee despite failure of a PIP. The PSB reviews these cases and submits their findings and recommendations to the CHCO. Note: Career Candidates referred by their supervisors as possibly “Not Meeting the Standards of Their Class” will be referred to the Tenure Board and reviewed in accordance with [ADS 414mac, Precepts for USAID’s Foreign Service Tenure Board](#) and [ADS 450, Termination of Time-Limited Appointments - Foreign Service \(FS\)](#).
- p.** The **Administrator** establishes the number of promotions available by Board and grade prior to the convening of the Promotion Boards.

The following responsibilities apply to the Senior Foreign Service.

- a.** The **Consolidated Senior Foreign Service Performance Board (C/Board)** is responsible for:
- 1) Evaluating the performance, competence and potential of SFS employees through a review of their Performance Evaluation Files (PEFs), and assigning each employee an A, B, or C rating; and
 - 2) Recommending SFS employees for promotion, Presidential Awards, performance based awards, performance based pay adjustments, Limited Career Extensions (LCE) as discussed in [ADS 440, Time-in-Class \(TIC\) Limitations and Limited Career Extensions \(LCEs\)](#), and other personnel actions that are identified in this chapter.
- b.** The **Chief Human Capital Officer (CHCO)** is responsible for the following:
- 1) Formulating and modifying, where appropriate, SFS employee evaluation policies;

- 2) Overseeing administration of the SFS evaluation program and establishing Appraisal Committees (AC) to review the Annual Evaluation Forms (AEFs) of SFS employees assigned to Ambassador, Deputy Assistant Administrator, and Independent Office Director positions; and
- 3) Exercising authority to make exceptions to policies, except those prohibited by law and negotiated agreement, hold actions in abeyance, or waive actions based on the needs of the Agency and in accordance with this ADS chapter.

c. The **Office of Human Capital and Talent Management, Office of Employee and Labor Relations (HCTM/ELR)** is responsible for fulfilling the Agency's labor obligations with the exclusive representative for the FS and SFS employees, the American Foreign Service Association (AFSA), concerning changes to the conditions of employment. HCTM/ELR also provides copies of all relevant disciplinary actions in accordance with [3 FAM 4300](#) to HCTM/CPE for promotion-eligible employees by March 31 annually and again immediately prior to the C/Board convening.

d. The **Office of Human Capital and Talent Management, Center for Performance Excellence's Performance Management Division (HCTM/CPE/PM)** is responsible for:

- 1) Formulating policies and procedures for the SFS employee evaluation program (EEP);
- 2) Managing and administering the SFS EEP; and
- 3) Establishing and facilitating the work of the Senior Foreign Service Consolidated Performance Board by:
 - a. Working with the HCTM's Foreign Service Center to identify the membership of the SFS Consolidated Performance Board;
 - b. Monitoring the operations of assigned Boards and providing advice and staff assistance to Board activities and members;
 - c. Determining SFS employees' eligibility for promotion; and
 - d. Providing SFS employees with Rating Reports (*i.e.*, Report Cards).
- 4) Processing SFS performance pay personnel actions.

e. The **Office of Human Capital and Talent Management, Foreign Service Center (HCTM/FSC)** is responsible for:

- 1) Recommending members to HCTM/CPE for the SFS Consolidated Performance Board, and directing assignments to that Board when necessary;
- 2) Working with SFS employees to ensure that Employee Data Records made available

to the Boards are accurate; and

- 3) Processing the personnel actions, other than SFS performance pay, required to effect the determinations of the SFS Performance Board.

f. The **Office of Human Capital and Talent Management, Workforce Planning, Policy and Systems Management Office (HCTM/PPSM)** is responsible for conducting analysis to help determine the number of promotions to be offered to members of the Senior Foreign Service. In accordance with the Foreign Service Act of 1980, as amended, decisions related to the number of promotions in the Senior Foreign Service will be based upon a systematic, long-term projection of personnel flows and needs designed to provide:

- A regular, predictable flow of recruitment into the Service;
- Effective career development to meet Service needs; and
- A regular, predictable flow of talent upwards through the ranks and into the SFS.

g. The **Office of General Counsel, Ethics and Administration Division (GC/EA)** provides definitive legal advice on all aspects of this ADS chapter.

h. The **Principal Officer of an Operating Unit** is responsible for ensuring that all SFS employees within their Operating Unit submit their AEFs, and for establishing Appraisal Committees (ACs) to review SFS AEFs, except those of SFS employees who are assigned to Ambassador, Deputy Chief of Mission, Senior/Deputy Assistant Administrator, and Independent Office Director positions.

i. The **Administrator** establishes the number of promotions available by Board and grade prior to the convening of the Promotion Boards, determines the amount of performance pay available each year, and distributes performance pay based on the recommendations of the C/Board.

j. **SFS Employees** are responsible for completing their required sections of the AEF, ensuring that they complete required sections by established deadlines, and verifying that the information contained in their Employee Data Record and Electronic Official Personnel Folder (eOPF) is accurate and current.

k. The **Office of Civil Rights and Diversity (OCRD)**, the **Office of Security (SEC)**, **GC/EA**, **OIG**, and **HCTM/ELR** are responsible for certifying FSOs who are recommended for promotion and performance pay are not under investigation, engaged in a proceeding, or the subject of disciplinary action involving loyalty, security, misconduct, or malfeasance.

l. The **Performance Standards Board (PSB)** reviews employees who have received two "C" ratings in the last five years. The purpose of the review is to make a recommendation to the Chief Human Capital Officer (CHCO) about whether there are any extenuating circumstances which might warrant granting an exception to the general policy that FSOs with two "C" ratings in a five-year period be retired.

463.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

463.3.1 Policy and Procedures for the Foreign Service

Effective Date: 03/30/2020

These policies and procedures apply to all FS employees from the FS-04 level to FS-01 level who are appointed to USAID under [Sections 302\(a\) or 303 of the Foreign Service Act of 1980, as amended](#), whether in duty or non-duty status. Such employees are reviewed by a duly constituted Promotion Board when they are eligible for promotion unless they meet exceptions or receive a waiver, as outlined in **463.3.1.2**.

463.3.1.1 Promotion Eligibility Requirements

Effective Date: 03/30/2020

FS career and career candidates must meet eligibility requirements established for their class to be promoted. Promotion eligibility calculations for time-in-class (TIC) start from the effective date of the last promotion. FS employees in grades FS-04 to FS-01 must meet promotion eligibility requirements by the last day of the performance appraisal cycle for which the Promotion Boards are convened in order to be eligible to compete for promotion that year. Eligibility requirements for employees in grades FS-05 and FS-06 are outlined in [ADS 459, USAID's Foreign Service Career Candidate Program](#).

Promotion Eligibility Requirements are as follows:

- a. For promotion to SFS (see [ADS 422, Personnel Operations: Senior Foreign Service](#)):
 - Two years at Class FS-01; and
 - Eight years of USAID Direct-Hire overseas assignment experience as of March 31 of the year in which an FS-01 seeks to be first considered for SFS promotion.

The CHCO may waive the eight-year overseas requirement if each of the following conditions is met as of the last day of the performance appraisal period of the year in which the FS-01 is seeking promotion to SFS: a) the employee has at least six years of USAID overseas assignment experience; b) has bid on overseas assignments in the most recent bidding cycle; c) did not bid on a Washington assignment in the most recent bidding cycle; and d) the Administrator or the CHCO had directed that the employee be assigned to one or more domestic position(s) based on the needs of the FS, thereby preventing the employee from serving the required number of years overseas. The employee must request this waiver in writing before the end of the performance appraisal period in which the FS-01 is seeking promotion.

Employees at the FS-01 level who meet the time-in-class and overseas assignment experience requirements and are therefore eligible for promotion, must submit a formal application for promotion into the SFS ([AID 463-3, Senior Foreign Service Promotion Application](#)) (*i.e.*, they must “open their window”) before they will receive a recommended

promotion. Otherwise, the Board's review will not result in a promotion recommendation, regardless of their final rating. This application must be submitted to HCTM/CPE via the HR-Help Desk no later than March 31st of the year in which they are eligible for promotion.

Employees at the FS-01 level who meet the time-in-class and overseas assignment experience requirements for SFS but who do not wish to open their window must still submit a promotion package by the due date. The purpose is to ensure that the employee is meeting the standards of performance for their class (*i.e.*, does not warrant a C rating). The employee will be reviewed and rated but will not be considered for promotion.

b. For promotion to Class FS-01:

- Two years at Class FS-02, and
- Four years of USAID Direct-Hire overseas assignment experience.

c. For promotion to Class FS-02:

- Two years at Class FS-03, and
- Four years of USAID Direct-Hire overseas assignment experience.

d. For promotion to Class FS-03:

- One year at Class FS-04.

Direct-Hire overseas assignment experience is cumulative (temporary duty assignments of Washington-based employees of any length do not count, but employees assigned overseas are able to count overseas TDY time during their overseas assignments). TIC is counted from the effective date of the employee's promotion to their current grade level. Overseas assignment service by a former USAID non-career FS employee will count toward the USAID Direct-Hire assignment overseas service requirement established in section **463.3.1.1**, if appointed as a career candidate without a break in service.

463.3.1.2 Requirements and Exceptions or Waivers for Foreign Service Promotion Board Reviews

Effective Date: 03/30/2020

All promotion-eligible FS-04 to FS-01 career and career candidate employees will be required to submit a promotion package and will be reviewed by the FS Promotion Boards unless they meet one of the exceptions or waiver criteria listed below:

Exceptions

Employees who meet one of the following exceptions criteria are not eligible for promotion and are therefore not required to submit a promotion package. They will not be reviewed by nor receive a rating (A, B or C) from a Promotion Board. Exceptions include:

- a. Employees who remain on a Performance Improvement Plan (PIP) after the end of the performance appraisal period or who received an Unsatisfactory APE for failing a PIP during the most recent performance appraisal period in accordance with [ADS 464, FS Performance-Based Actions](#);
- b. Career employees who have been recommended for separation by the CHCO pursuant to [3 FAM 4364.3](#) and career candidate employees who have been recommended for separation by the CHCO on the basis of misconduct pursuant to [3 FAM 4361\(b\)](#) and [3 FAM 4364.3](#);
- c. Employees (FS-01 and below) who have been granted deferred retirement under [Section 607\(d\)\(2\) of the Foreign Service Act of 1980, as amended](#) (this is distinct from promotion availability under section 607(b));
- d. Employees whose TIC expires before the date the Promotion Boards are convened;
- e. Employees who have reached the Mandatory Retirement Age (MRA) and received an MRA waiver that extended their date of appointment; and
- f. Employees who retire or resign before the end of the performance cycle.

Waivers

Employees who do not meet the exceptions criteria above may apply for a waiver of the requirement to submit a promotion package and be reviewed by the Promotion Boards by submitting [AID Form 463-6, Foreign Service Promotion Waiver Request](#) to HCTM/CPE via the [HR-Help Desk](#). Employees must submit any waiver requests by February 15 (with the exception of requests related to medical emergencies or unplanned leave under b and c below, which must be submitted by the rating official as soon as possible after the situation necessitating the request occurs) unless HCTM announces a different date. HCTM/CPE will respond to all waiver requests by March 15. No employee is guaranteed a waiver, even if they meet one of the criteria below. HCTM/CPE may choose not to grant a waiver and instead permit the employee an extension of time to submit the promotion package. See [section 463.3.1.3](#) below for more information about extension requests. An employee who was denied a waiver may appeal the decision to the HCTM Senior Deputy Assistant Administrator (HCTM/SDAA) within five business days of the denial. Waivers and extensions of time will be determined solely at HCTM's direction.

HCTM/CPE may grant a waiver in the following circumstances:

- a. Employees who plan to retire or resign by the end of the calendar year in which the Board is meeting, provided they have not received one C rating within a five-year period. Employees seeking a waiver in this circumstance must attest that they have submitted a signed and completed application for retirement or a resignation letter;
- b. Employees on unplanned leave for a reason that qualifies the employee for Family

Medical Leave Act (FMLA) leave or pursuant to an approved Reasonable Accommodation, for a period of 30 days or more immediately prior to the date when promotion packages are due to HCTM/CPE. However, employees whose absence for a medical reason is predictable should plan in advance to submit a promotion package prior to the start date of their leave;

- c. Employees on approved leave for a reason unrelated to a medical emergency for 60 days or more immediately prior to the date the promotion package is due;
- d. Employees who were on leave for more than eight months of the performance appraisal cycle;
- e. Employees who will reach the mandatory retirement age (MRA) and do not have a MRA waiver approved before the date the Promotion Boards are convened; and
- f. Any other employee for whom the requirement to submit a promotion package would be unreasonable or against the public interest.

463.3.1.3 Promotion Package

Effective Date: 03/30/2020

An employee's current year promotion package, which becomes part of the performance evaluation file described in **463.3.1.7**, includes the current year's AARs and associated OU Context Statements, APE, MSRs, and PIF. (Please see the Guide to Writing your Annual Accomplishment Record and Promotion Input Form on the [My USAID Promotion Page](#) for detailed guidance and examples for preparing these documents.)

- a. Annual Accomplishment Records (AARs) provide an overall summary of an employee's key contributions to the work unit. Up to five accomplishments or contributions may be recorded on a single record (see [ADS 461, Foreign Service and Senior Foreign Service Performance Management & Development Programs](#) for further guidance). AARs enable Promotion Boards to understand the complexity and challenge of the work performed and assess the employee's understanding of and ability to advance the Agency's mission. AARs also serve to anchor narratives included in the PIF that are designed to highlight skills demonstrated in the context of an accomplishment or contribution. The employee must submit AARs to the rating official at least ten business days prior to the end of the performance appraisal cycle. Principal Officers can require earlier internal deadlines as appropriate to meet Operating Unit needs. Employees and rating officials must finalize AARs in ePerformance by the published due date.
- b. Operating Unit (OU) Context Statements are meant to complement AARs and PIFs by providing Promotion Boards with an understanding of the country context, strategic priorities, program focus, and office size within which the employee has been working. A template for the OU Context Statement can be found in [AID Form 463-5, Operating Unit Context Statement Template](#), and a sample Context Statement in [ADS 463saa, Operating Unit Context Statement Sample](#). At least 75 calendar days prior to the end of the performance appraisal cycle, Principal Officers are responsible for ensuring

that OU Context Statements are written, cleared by the Principal Officer and provided to employees who have worked in the Operating Unit during that performance appraisal cycle.

- c. Annual Performance Evaluations (APEs) will be completed by the rating official and second-level reviewer (if required) no later than the last day of the performance appraisal cycle as part of the annual evaluation, unless an alternative date is announced in an Agency General Notice. Rating officials should leave adequate time for the second-level reviewer's comments if the rating is unsatisfactory.
- d. Multisource Ratings (MSRs) are designed to obtain input on behavior reflecting the core skills defined in the [FS/SFS Skills Framework](#). MSRs are solicited from supervisors, peers, and, when applicable, subordinates, according to the rater selection criteria described in the instructions provided annually and posted on the HCTM intranet pages. The employee and the rating official are responsible for reviewing the MSR guidance and following the rater selection criteria. They must review potential raters against the selection criteria outlined in the published MSR Rater Selection Guidelines (see [My USAID MSR page](#)) to determine eligibility to serve as peer/other or subordinate MSR raters. The rating official determines the final list of eligible raters no later than April 1. The rating official is responsible for sending out all MSR requests by established deadlines.

Ratings provided by all MSR participants, except rating officials, are strictly confidential and attempts by anyone at USAID to learn how an individual rated someone on the MSRs should be immediately reported to HCTM/ELR and may result in disciplinary action.

HCTM will provide summaries of the MSR results to both the Promotion Boards and the individuals being rated. Employees are expected to share their results with their rating officials. To preserve the confidentiality of individual responses, results for peer or subordinate groups with fewer than three respondents will not be included in the reports employees and rating officials receive.

HCTM will also provide class summary reports to the Boards and the workforce to provide a context for interpreting individual MSR reports.

- e. Promotion Input Form (PIF) is primarily written by the employee to demonstrate proficiency in the four core skills; understanding of and ability to advance the mission of the Agency; and complexity, difficulty and challenge of the work performed. It is used by the rating official to convey additional information related to promotion factors to the Promotion Boards and the rating official's assessment of the employee's readiness for promotion. The PIF is only completed when an employee is eligible for promotion, and only the current year PIF is included in the promotion package. If an employee was not selected for promotion, the employee may update their PIF from the previous year or prepare a completely new PIF in the following year.

In most cases, the rating official is the employee's direct supervisor at the end of the

performance appraisal cycle. However, if the employee is in long-term training or language training at the end of the performance appraisal cycle, or the supervisor at the end of the cycle will not have supervised the FSO for at least 120 days, the most recent rating official that the employee had for 120 days assumes the responsibility for completing the PIF, completing the Supervisor MSR, ensuring that all MSR raters meet the criteria, and soliciting MSRs from selected raters. For rare cases that are not covered by these exceptions, HCTM/CPE must approve the substitute rater; otherwise, the PIF will not be accepted. Requests for approval of a substitute rater must be submitted by the employee's current rating official to HCTM/CPE no later than 15 days before the end of the performance appraisal cycle or include a compelling reason the request could not be submitted by the deadline.

The employee is responsible for providing the rating official a draft PIF no later than 15 business days before the PIF is due. The rating official is required to return the PIF to the employee with the rating official's input at least seven business days before the PIF is due. If the employee chooses to request a second-level review, the employee must request it within two business days of receipt of the rating official's input. Principal Officers can require earlier internal deadlines as appropriate to meet OU needs.

The above deadlines reflect the minimum time that both employees and rating officials must allow for the PIF review prior to submission. Employees and rating officials are strongly encouraged to plan ahead and allow sufficient time to discuss and complete the PIF prior to its due date.

The final PIF, signed by all required parties, is due to HCTM/CPE by April 30 unless CPE approves an extension before April 30.

463.3.1.4 Requests for Deadline Extensions

Effective Date: 03/30/2020

All deadline extension requests must be submitted to HCTM/CPE via the [HR-Help Desk](#) by April 20. HCTM/CPE will determine the length of the extension granted. However, in no case will an extension be granted that would result in any component of the promotion package being submitted less than three full business days before the start of the Promotion Boards. Extension requests may be submitted in the following circumstances:

- a. A Mission Director/Principal Officer may request an extension for FSOs assigned to their OU if the Unit was subject to an emergency that would significantly disadvantage employees in the timely completion of their Promotion Package, such as a recent authorized or ordered departure; and/or
- b. An employee may directly request an extension if a medical or family emergency will significantly disadvantage the employee in the timely completion of their promotion package. See also Waivers (section **463.3.1.2** above).

463.3.1.5 Failure to Meet Established Deadlines

Effective Date: 03/30/2020

USAID guidance notices are issued in advance of the end of each performance appraisal cycle informing Agency employees of due dates and submission procedures. Employees eligible for promotion are responsible for ensuring that their promotion documentation meets the interim and final deadlines specified in this chapter or via Agency notices for the promotion year.

If final documents for the promotion package (*i.e.*, PIF, AARs, OU Context Statements, and APEs) are not submitted or are submitted to HCTM/CPE after the established final due date(s) without a previously approved exception, waiver, or extension request:

- 1) HCTM/CPE will contact the performance-eligible employee and their OU Principal Officer requesting the documents and an explanatory statement for any missing or late documents to the extent feasible.
- 2) Any documentation submitted to HCTM/CPE after the deadline must be accompanied by an explanatory statement. HCTM/CPE will review the explanatory statement to determine whether delays are justified.
 - a. If HCTM/CPE determines the delay was justified and the materials are submitted no later than three full working days prior to the commencement of the Promotion Board, the materials will be added to the employee's PEF. Documents submitted less than three full working days prior to the commencement of the Promotion Board will not be included in the PEF. HCTM/CPE has the discretion to determine if it will form a Reconstituted Board at a later date for the employee.
 - b. If HCTM/CPE determines that there is no adequate justification for one or more late or missing promotion documents due to the fault of the employee the following letter will be added to the PEF: "This employee's promotion file is missing the [*e.g.*, PIF, AAR, APE] because the employee failed to meet required deadlines without an approved exception, waiver, or extension. The employee is ineligible to receive a rating of A in this promotion year. As the Board you may consider failure to meet the PIF requirement along with the totality of the employee's five-year PEF (**463.3.1.7**) when deciding to assign this employee a rating of B or C.
 - c. If HCTM/CPE determines that there is no adequate justification for one or more late or missing promotion documents due to the OU Principal Officer or Rating Official the following letter will be added to the PEF: "This employee's promotion file is missing the [*e.g.*, PIF, AAR, APE] because the OU Principal Officer or Rating Official failed to meet required deadlines without an approved exception, waiver, or extension. The employee is eligible to receive a rating of A in this promotion year; as the Board you may consider the totality of the employee's five-year PEF (**463.3.1.7**) when deciding to assign this employee a letter rating.
- 3) The case will be referred by HCTM/CPE to HCTM/ELR for investigation, potentially leading to disciplinary or other corrective action for the employee, rating official, or any

other party deemed responsible for the failure to meet promotion package submission requirements. Such actions may include critical letter, disciplinary action, denial of awards or bonuses or other actions that the CHCO deems appropriate.

463.3.1.6 Organization of Promotion Boards

Effective Date: 03/30/2020

Promotion Boards are organized by grade level and backstop. The Promotion Boards are organized as follows:

- a. The Senior Threshold Board evaluates employees in class FS-01.
- b. Cluster Boards evaluate employees in classes FS-02 through FS-04, as follows:

PROGRAM DIRECTION AND DEVELOPMENT BOARD

Backstop 01 - Mission Directors and Executive Level Positions

Backstop 02 - Program Analysis

Backstop 85 - Legal

PROGRAM OPERATIONS AND MANAGEMENT BOARD

(This board has three sections, grouped by class: Section A – FS 02; Section B – FS 03; Section C – FS 04)

Backstop 10 - Agriculture

Backstop 11 - Economics

Backstop 12 - General Development

Backstop 21 - Business, Industry, and Private Enterprise

Backstop 25 - Engineering

Backstop 40 - Environment

Backstop 50 - Health, Population, and Nutrition

Backstop 60 - Education

Backstop 76 - Crisis, Stabilization, and Governance

PROGRAM SUPPORT BOARD

Backstop 03 - Administrative Management, Executive Officers

Backstop 04 - Financial Management

Backstop 93 - Contract Management

- c. OIG evaluates employees assigned to Backstop 08 – Audit and Inspections. Employees will be reviewed by the Board for the backstop of the position in which they are currently serving, unless they request and are approved to be reviewed by a different board. An Agency Notice is issued annually providing guidance for employees who wish to request to be reviewed by a different Board.

463.3.1.7 Composition of the Promotion Boards

Effective Date: 03/30/2020

USAID's FS Promotion Boards are composed primarily of career FS employees. Composition is as follows:

- a. FS Senior Threshold Board (FS-01s), which is composed of two panels, Panel A and Panel B:
 - One FE-Minister-Counselor (MC) or FE-Career Minister (CM) USAID career employee.
 - Five USAID FS career employees at the FE-Counselor (OC) level or above.
 - Two public members.
- b. Other FS Promotion Boards (FS-02 and below):
 - Three USAID FS career employees at least one personal grade higher than the highest grade evaluated.
 - One public member.

The Chairperson of all Promotion Boards will be the most senior USAID career employee on the Board.

The Agency strives to ensure diverse representation on the Promotion Boards in terms of backstops, background, and experience, in Washington and in the field, in addition to race, ethnicity/national origin, sex and disability pursuant to [Section 602\(b\) of the Foreign Service Act](#).

HCTM may direct employees to serve on Promotion Boards. HCTM will appoint Board members from among FSOs who demonstrate strong performance as reflected by ratings from recent promotion boards. Candidates for membership must not be the subject of an ongoing inquiry, or completed inquiry with a negative finding from SEC, OCRD, OIG, HCTM or GC within the past five years absent an extenuating circumstance. The decision about whether an extenuating circumstance exists will be determined at the SDAA's discretion, in consultation with GC/EA. Candidates will be disqualified if they have been disciplined (e.g., reprimand, suspension, removal) or were on a PIP during the five years immediately preceding the convening of the Boards.

463.3.1.8 Promotion Board Materials

Effective Date: 03/30/2020

Promotion Boards will base their determinations on their review of the employee's performance evaluation file and the processes and factors described in [ADS 463mai, Precepts for Foreign Service Promotion Boards](#).

HCTM/CPE will provide Promotion Boards the following materials to carry out their responsibilities:

- 1) [ADS 461, Foreign Service and Senior Foreign Service Performance Management](#)

[& Development Programs;](#)

- 2) [ADS 463, Foreign Service Promotion Boards and Consolidated Senior Foreign Service Performance Board: Promotion Eligibility Requirements and Procedures;](#)
- 3) [ADS 463mai, Precepts for Foreign Service Promotion Boards;](#)
- 4) [FS/SFS Skills Framework;](#)
- 5) Instructions provided to employees on how to complete components of the promotion package;
- 6) Standard rating scales and score sheets to guide assessments;
- 7) A list of promotion-eligible employees to be reviewed; and
- 8) Each employee's five-year performance evaluation file.

463.3.1.9 Performance Evaluation File (PEF)

Effective Date: 03/30/2020

The five-year performance evaluation file (PEF) is used for both promotion and relative performance reviews. The PEF consists of the current year promotion package plus performance information from four previous years. Prior-year information will include AARs and associated OU Context Statements, APEs, and MSRs whenever available, plus AEFs from past years until they are no longer needed to complete the required five years' worth of performance data. Additional information included in the five-year PEF includes: the employee's training record, awards, assignment history, disciplinary actions (decision letters), and language scores.

463.3.1.10 Promotion Boards' Process

Effective Date: 03/30/2020

Promotion Boards are convened annually to review the PEFs of promotion-eligible career and career candidate FSOs and accomplish the following:

- Evaluate and rate employees on the six promotion decision factors outlined in [ADS 463mai, Precepts for Foreign Service Promotion Boards;](#)
- Rank order employees recommended for promotion;
- Identify employees not meeting the standards of performance of their class as demonstrated by relative performance compared to other class members; and
- Write and deliver a memo to HCTM for each FSO assigned a C rating documenting the basis for their decision.

These functions are undertaken pursuant to the requirements of the [Foreign Service Act of 1980, as amended](#) to ensure that FSOs are promoted based on merit, and separated from the service when they are failing to meet the standards of performance of their class. The Promotion Boards assign employees they review to one of the following three rating categories:

- 1) Category A: Recommended for promotion,
- 2) Category B: Meeting the standards of performance of the class, and
- 3) Category C: Not meeting the standards of performance of the class.

Each Promotion Board will provide a preliminary rank-ordered A list to HCTM/CPE, and HCTM/CPE will provide Boards with the three previous years' A lists from each Board. The Promotion Boards will then have the opportunity to adjust the rank order of employees recommended for promotion. The Promotion Board cannot remove or add FSOs to the A list based on prior-year rankings. Promotion Boards will enter the rating for each employee into their Ranking Report, which constitutes the report card for the employee. Promotion Boards will make recommendations for promotion without regard to the number of promotion opportunities set by the Administrator before the Boards convene and base their decisions solely on merit.

463.3.1.11 Promotion Board Findings and Recommendations

Effective Date: 03/30/2020

Promotion Boards must provide their findings to the CHCO by way of a Board Memorandum signed by each board member.

- a. Unless instructed otherwise by the CHCO, all Promotion Boards must prepare the following reports by class:
 - A preliminary and final rank order list of employees who are rated A.
 - An alphabetical list of employees who are rated B.
 - As appropriate, decision memoranda to outline their rationale for providing C ratings (see [ADS 463mai, Precepts for Foreign Service Promotion Boards](#) for procedures and criteria).
- b. Boards may prepare the following as directed by the CHCO:
 - Recommendations concerning the assignment, training, counseling, or other personnel considerations with respect to any employee or group of employees reviewed.
 - Recommendations concerning policies and procedures for subsequent Boards and improvements to the promotion system.

463.3.1.12 Promotion Boards' Recommendation for Category A Employees

Effective Date: 03/30/2020

HCTM/CPE forwards the Promotion Boards' A lists for vetting to OCRD, SEC, OIG, GC/EA and HCTM/ELR. These offices will certify that an employee who was recommended for promotion is not under investigation, engaged in a proceeding, or is the subject of disciplinary action involving loyalty, security, misconduct, or malfeasance.

Following these certifications, promotions are made based on an employee's confirmed eligibility, the Promotion Boards' final rank-ordered A lists, and the number of promotion opportunities set by the Administrator. HCTM/CPE convenes the CHCO, OCRD, and AFSA as the exclusive representative for FS employees to establish the final number of promotions on each rank order A list. Diversity considerations may increase the final number of the promotions. In certain infrequent cases, when there are extenuating circumstances that the Board did not have access to during its deliberations, the CHCO may disregard a recommendation of a Board. In such cases, employees named on the promotion list may be deferred or denied promotion under the following circumstances:

- a. The employee's promotion will be denied if the employee is ineligible for promotion according to the promotion requirements set forth in this chapter;
- b. An employee's promotion will be deferred if the officer is the subject of an investigation, proceeding, or discipline involving loyalty, security, misconduct or malfeasance. The employee whose promotion is deferred will be notified in writing of the reasons if not inimical to the investigation or proceedings (which will be determined solely at the Agency's discretion). Upon favorable termination of the investigation, proceeding, or disciplinary action, the promotion will be retroactive to the date that others on the list were promoted. If the results are unfavorable, the employee's promotion will be denied for that promotion cycle and the employee next in the rank order will be promoted;
- c. An employee's promotion will be denied if the employee retires, resigns, is terminated, reaches the mandatory retirement age or dies before the date the Agency and the exclusive representative meet to determine the number of promotions that will be made and who on the promotion list will be promoted; or
- d. An employee will be promoted regardless of inclusion or placement on the promotion list if the employee's promotion is made pursuant to a recommendation of the Foreign Service Grievance Board, the Equal Employment Opportunity Commission, or the Merit Systems Protection Board, in accordance with [Section 606 of the Foreign Service Act of 1980, as amended](#).

463.3.1.13 Promotion Boards' Recommendation for Category B Employees

Effective Date: 03/30/2020

The Promotion Boards prepare an alphabetical list of employees who receive a B rating and enter the ratings in the system of record.

463.3.1.14 Retention Consideration for Category C Employees

Effective Date: 03/30/2020

Based on the review of the PEF, Promotion Boards will identify any candidates whose performance does not meet the standards of performance for their class and assign those employees a C rating. Promotion Boards will make assessments based on criteria described in [ADS 463mai, Precepts for Foreign Service Promotion Boards](#) and cite the reason(s) for their determination in a memorandum. The Promotion Board will submit this memorandum to HCTM/CPE, and HCTM/CPE will provide a copy to the HCTM/FSC/ACC who will share the memorandum with the employee.

HCTM/CPE will refer career employees who receive two C ratings within a five-year period and career candidates who receive one C rating to a Performance Standards Board (PSB) (see [ADS 464, Foreign Service Performance-Based Actions](#)). The PSB will review the most recent promotion package and up to four years of performance data from prior years to determine if there are any extenuating circumstances which might warrant granting an exception to the general policy that career FSOs with two C ratings in a five-year period must be retired under [Section 608 of the Foreign Service Act](#) for failing to meet the standards of performance for their class, or that career candidates who receive one C rating should be separated from the service (see [ADS 450, Termination of Time-Limited Appointments- Foreign Service \(FS\)](#)).

463.3.1.15 Reconstitution of a Board

Effective Date: 03/30/2020

HCTM/CPE reviews the findings and recommendations of the Boards to determine whether they were made in accordance with the precepts and the policy in this chapter. If questions of procedure or conformity arise with respect to any employee, HCTM/CPE reviews the question to determine if further review for reconsideration by a reconstituted Promotion Board is warranted. A reconstituted Board reviews the FSO's performance file and a representative sample of files of other employees from the original Board for each FSO under review. The FSO is rated and ranked based on the same criteria and factors used by the original Board. Ratings of files used for comparison purposes will not replace the original Board's ratings of those files.

The Reconstituted Board will be organized by grade level and backstop, and HCTM will strive to convene a board composed as close to the original board membership (e.g., gender, diversity, and grade level) as practicable.

463.3.1.16 Promotion Board Operations: Recusals

Effective Date: 03/30/2020

Promotion Board members must recuse themselves and not participate in Promotion Board deliberations regarding an employee's file in the following situations: (1) Promotion Board members who, at any time, rated, reviewed, or reported to an employee whose promotion package is being reviewed; (2) Promotion Board members who have been the subject of an Agency investigation for whom the member is aware that an employee participated as a

witness; (3) Promotion Board members who are aware that an employee has advised management or HCTM on a matter involving the performance or conduct of the Board member (e.g., an EXO or RLO who advises management on a PIP or HCTM/ELR on a disciplinary matter); (4) Promotion Board members who know that they cannot provide a neutral review of an employee's file for a reason not otherwise outlined herein.

463.3.1.17 Information to be Considered in Promotion Board Reviews

Effective Date: 03/30/2020

- a. Promotion Boards will make rating decisions based only on material contained in an employee's five-year PEF.
- b. Promotion Boards will ignore any information in the PEF that is inadmissible (see [ADS 463mai, Precepts for Foreign Service Promotion Boards](#)). Such information must not be the basis for the Board's recommendation concerning an employee.
- c. Promotion Boards will neither seek nor receive from any outside source any information on any employee under consideration, such as for example, about health, suitability, assignability, or reputation). If any unauthorized communications of this nature comes to the attention of any Board member, the Board member must immediately (*i.e.*, within 24 hours) report this to HCTM/CPE.

463.3.1.18 Promotion Board Operations: Actions Based on Inadmissible Comments and Violations of this Policy

Effective Date: 03/30/2020

Boards will identify employees or rating officials who include inadmissible comments (see [ADS 463mai, Precepts for Foreign Service Promotion Boards](#)) in promotion package materials. HCTM/CPE will review the Board's recommendations and if HCTM/CPE agrees that a statement is inadmissible, will refer the matter to HCTM/ELR for potential disciplinary action. HCTM/CPE also has the authority to refer matters to HCTM/ELR for potential disciplinary action when individuals violate other aspects of this policy.

463.3.1.19 Appeals

Effective Date: 03/30/2020

When an employee is notified that they are being separated from the Agency, the employee may appeal the action to a Special Review Board (SRB) or may file a grievance under 3 FAM 4400. However, the employee may not file both. An appeal to an SRB does not preclude a proceeding under 5 U.S.C, Chapter 12.

463.3.1.20 Oath of Office - Promotion Boards

Effective Date: 03/30/2020

When Promotion Boards are convened but before the beginning of their deliberations, each Board member must sign the following oath of office and adhere to the precepts and procedures in this ADS chapter and its references.

"I, _____, do solemnly swear (or affirm) that I shall, without prejudice or partiality, perform faithfully and to the best of my ability, the duties as a member of the _____ USAID Foreign Service Promotion Board; that I shall preserve the confidential character of the personnel records used by the Board; that I shall adhere to the Precepts for Employee Evaluation and other such guidance as appropriate for the discharge of these duties; and that I shall not reveal to any unauthorized person information concerning the deliberations, findings, and recommendations of the Board [so help me God]."

Failure to observe these instructions may result in disciplinary action or penalties as prescribed by the Privacy Act. Board members must report to the CHCO any attempt to provide them information not authorized by the precepts.

The sections immediately below cover the policies and procedures for SFS employees.

463.3.2 Policy and Procedures for the Senior Foreign Service

Effective Date: 03/30/2020

These policies and procedures apply to all SFS appointed to USAID under [Sections 302\(a\) or 303 of the Foreign Service Act of 1980, as amended](#), whether in duty or non-duty status. Such employees are reviewed annually by a duly constituted Performance Board.

463.3.2.1 Consolidated Senior Foreign Service Performance Board (C/Board) – Coverage

Effective Date: 03/30/2020

These policies and procedures apply to all SFS employees who are appointed to USAID under [Sections 302\(a\) or 303 of the Foreign Service Act of 1980, as amended](#), whether in duty or non-duty status. All SFS employees are reviewed annually by a duly constituted Performance Board, unless they meet one of the following exceptions. The C/Board does not review the following classes of SFS employees:

- a. Non-career employees, including those appointed under sections [301\(d\)\(1\) and 303 of the Foreign Service Act](#);
- b. Career and career candidate employees who have been recommended for separation by the CHCO;
- c. Employees who have been granted temporary extensions in accordance with [Section 607\(d\)\(2\) of the Foreign Service Act of 1980, as amended](#), will not be reviewed by the Performance Board for promotion or Limited Career Extensions, but will be reviewed for performance pay;
- d. Employees who retire, resign, or die before the date the Performance Board is convened;
- e. Employees whose TIC expires before the date the Promotion Boards are convened;

- f. Employees who have reached the Mandatory Retirement Age (MRA) and received a MRA waiver that extended their date of appointment;
- g. Employees who remain on a Performance Improvement Plan (PIP) after the end of the performance appraisal period or failed a PIP during the most recent performance appraisal period in accordance with [ADS 464, Foreign Service Performance-Based Actions](#); and
- h. Employees who plan to retire or resign by the end of the calendar year in which the Board is meeting, provided they have not received two C ratings within a five-year period and have submitted a request to the Chief, HCTM/CPE/PM, requesting that an Annual Evaluation Form (AEF) not be prepared for the rating cycle ending during that calendar year.

SFS employees may apply for a waiver of the requirement to submit an AEF by submitting [AID Form 461-1a, AEF Foreign Service Waiver](#) to HCTM/CPE via the [HR-Help Desk](#). Employees must submit any waiver requests to HCTM/CPE by February 15 unless HCTM announces a different date. HCTM/CPE will respond to all waiver requests by March 15. No employee is guaranteed a waiver. HCTM/CPE may choose not to grant a waiver and instead permit the employee an extension of time to submit the promotion package. An employee who was denied a waiver may appeal the decision to the CHCO within five business days of the denial. Waivers will be determined solely at HCTM's direction.

Employees who meet the exceptions criteria and do not submit an AEF package will be determined to have met the standards of their class and will receive a B rating. Any employee who does not meet one of the exception criteria will be referred by HCTM/CPE to HCTM/ELR for potential disciplinary or other corrective action (see also **463.3.2.3** below).

463.3.2.2 Promotion Eligibility Requirements

Effective Date: 03/30/2020

SFS career and career candidates must meet eligibility requirements established for their class in order to be recommended to the President for promotion. Promotions to the next higher level will be recommended to the President only if the employee has met all eligibility requirements for promotion.

SFS employees must meet promotion eligibility requirements by March 31 of the performance appraisal cycle for which the Performance Board is convened. Note: Promotion eligibility starts from the effective date of the promotion to the previous level. Promotion Eligibility Requirements are as follows:

- a. For promotion to Career Minister (FE-CM) – Two years at class FE-MC.
- b. For promotion to Minister-Counselor (FE-MC) – Two years at class FE-OC. The C/Board will review the PEFs of all employees for competitive ranking regardless of an employee's promotion eligibility.

463.3.2.3 Failure to Submit AEF by Established Deadlines

Effective Date: 03/30/2020

USAID guidance notices are issued in advance of the end of each performance appraisal cycle informing Agency employees, Rating Officials and Appraisal Committees of due dates and submission procedures. Employees are responsible for ensuring that their AEF is submitted by the deadlines specified in this chapter or via Agency Notices for the promotion year.

If the AEF is not submitted or is submitted to HCTM/CPE after the established final due date(s) without a previously approved exception, waiver, or extension request:

- 1) HCTM/CPE will contact the employee and rater, if appropriate, to the extent feasible requesting the AEF and an explanatory statement for any missing or late document.
- 2) Any document submitted to HCTM/CPE after the deadline must be accompanied by an explanatory statement. HCTM/CPE will review the explanatory statement to determine whether the delay was justified.
 - a. If HCTM/CPE determines the delay was justified and the AEF is submitted no later than three full working days prior to the commencement of the Performance Board, the AEF will be added to the employee's PEF. Documents submitted less than three full working days prior to the commencement of the Performance Board will not be included in the PEF.
 - b. If HCTM/CPE determines that there is no adequate justification for the late or missing AEF documents, the following letter will be added to the PEF: "This employee promotion file is missing the AEF because the employee failed to meet required deadlines without an approved exception, waiver, or extension. The employee is ineligible to receive a letter grade of "A" in this promotion year. As the Board you may consider failure to meet the requirement to submit an AEF along with the totality of the employee's five-year PEF (463.3.1.7) when deciding to assign this employee a letter grade of "B" or "C"."
- 3) The case will be referred by HCTM/CPE to HCTM/ELR for investigation, potentially leading to disciplinary or other corrective action for the employee, Rating Official, or any other party deemed responsible for the failure to meet submission requirements. Such action may include critical letter, disciplinary action, denial of awards or bonuses or other action the CHCO deems appropriate.

463.3.2.4 Composition of the C/Board

Effective Date: 03/30/2020

USAID's C/Board is composed primarily of career and retired SFS employees. Composition is as follows:

- a. One USAID career SFS officer at or above the level of those under review or a career SFS employee from another foreign affairs agency;

- b. One retired USAID career SFS employee or equivalent from another foreign affairs agency;
- c. One public member;
- d. At the option of the CHCO, or designee, one additional member from category 1 or 2 above.

HCTM may direct employees to serve on Promotion Boards. HCTM will appoint Board members from among FSOs who demonstrate strong performance as reflected by ratings from recent promotion boards. Candidates for membership must not be the subject of an ongoing inquiry, or completed inquiry with a negative finding from SEC, OCRD, OIG, HCTM or GC within the past five years absent an extenuating circumstance. The decision about whether an extenuating circumstance exists will be determined at the SDAA's discretion, in consultation with GC/EA. Candidates will be disqualified if they have been disciplined (e.g., reprimand, suspension, removal) or were on a PIP during the five years immediately preceding the convening of the Boards.

The Agency strives to ensure diverse representation on the Performance Board in terms of current/former backstops, background and experience, in addition to race, ethnicity/national origin, sex and disability.

The Chairperson of the C/Board will be the senior-level USAID career employee on the Board.

463.3.2.5 Recusals

Effective Date: 03/30/2020

C/Board members must recuse themselves and not participate in deliberations regarding the employee's file (performance, ranking/rating, recommendations for awards and recommendations for LCEs) in the following situations: (1) C/Board members who, at any time, rated, reviewed, or directly reported to an employee whose promotion package is being reviewed; (2) C/Board members who have been the subject of an Agency investigation for whom the member is aware that an employee participated as a witness; (3) C/Board members who are aware that an employee has advised management or HCTM on a matter involving the performance or conduct of the Board member (*i.e.*, an EXO or RLO who advises management on a performance improvement plan or HCTM/ELR on a disciplinary matter); (4) C/Board members who served as an Appraisal Committee member who reviewed the performance of the employee under review; and (5) Promotion Board members who know that they cannot provide a neutral review of an employee's file for a reason not otherwise outlined herein.

463.3.2.6 The C/Board Evaluation Considerations and Review Process

Effective Date: 03/30/2020

The C/Board is convened annually to accomplish the following:

- Evaluate the performance, competence and potential of SFS employees through a review of their Performance Evaluation Files (PEFs), and assigning each employee an A, B, or C rating; and
- Recommend SFS employees for promotion, Presidential Awards, performance-based awards, performance-based pay adjustments, Limited Career Extensions (LCEs) as discussed in [ADS 440, Time-in-Class \(TIC\) Limitations and Limited Career Extensions \(LCEs\)](#), and other personnel actions that are identified in this chapter.

The C/Board will review the PEFs of career and career candidate SFS employees using the Precepts for [SFS Performance Boards outlined in ADS 463mak](#). Career and career candidate employees are assigned into one of the following three categories by the Board:

- 1) Category A: Employee's performance demonstrates potential to meet the standards of the class at the next higher level and employee is recommended for promotion.
- 2) Category B: Employee's performance is meeting the standards of the class.
- 3) Category C: Employee's performance is not meeting the standards of the class. The C/Board will rank employees rated A.

Employees who do not have an Annual Evaluation Form for the most recent USAID performance appraisal cycle for an approved reason will be determined to have met the standards of their class and receive a B rating.

The C/Board will prepare Rating Reports (report cards) on employees rated A and B and may provide advice on how to improve the employee's competitiveness (*i.e.*, for employees rated A to move up in the rankings or for employees rated B to move up to the next level). For employees rated C because their performance does not meet the standards of performance for their class, the C/Board will cite the reason(s) for their determination in a memorandum which will be shared with the employee and their Assignments and Career Counselor and HCTM/ELR. If this is the second C rating within a five-year period, the employee will be referred to the Performance Standards Board (see [ADS 464, Foreign Service Performance-Based Actions](#)).

463.3.2.7 Promotion Consideration and Recommendation

Effective Date: 03/30/2020

The C/Board will consider for promotion those career or career candidate employees whose performance over the five most recent USAID-approved evaluations demonstrates the potential to meet the standards of the class at the next higher level. The C/Board will identify employees for promotion without regard to the number of promotion opportunities set by management, or whether an employee is ineligible for promotion under **463.3.2.2**. The board bases their decisions solely on merit, without regard to promotion eligibility requirements.

After the C/Board develops a preliminary rank-ordered A list and provides a copy to HCTM/CPE/PM, HCTM/CPE/PM will then provide the Board, by class, with the A lists from the previous three Performance Boards. The C/Board will then have the opportunity to adjust

the rank order of employees recommended for promotion. No employee will be removed from or added to the preliminary rank-ordered A list.

The CHCO will review the findings and recommendations of the Board to determine whether they were made in accordance with the Precepts and the policy in this chapter. If questions of procedure or conformity with Precepts and this policy arise, any list or name may be returned for reconsideration by the Performance Board. If part of a list is returned, the Board may review the names returned or, at its discretion, the entire list.

The Performance Board's A lists will be reviewed by:

- a. The CHCO, the Director of the Office of Civil Rights and Diversity (OCD), and the exclusive representative (AFSA) before promotion decisions are finalized; and
- b. SEC, the Office of the Inspector General's Office of Investigations, OCD, GC/EA, and HCTM/ELR who will certify that an employee who was reached for promotion is not under investigation, engaged in a proceeding, or is the subject of disciplinary action involving loyalty, security, misconduct, or malfeasance.

Recommendations to the President for promotions within the SFS will be made based on an employee's eligibility for promotion, the Performance Board's rank order list, and the number of promotions authorized by USAID Management.

In certain infrequent cases, when there are extenuating circumstances that the Board did not have access to during its deliberations, the CHCO may disregard a decision of a C/Board. In such cases, employees named on the promotion list may be deferred or denied promotion under the following circumstances:

- a. The employee's promotion will be denied if the employee is ineligible for promotion according to the promotion requirements set forth in this ADS chapter;
- b. The employee's promotion will be deferred if the employee is the subject of an investigation, proceeding, or discipline involving loyalty, security, misconduct or malfeasance. The employee whose promotion is deferred will be notified in writing of the reasons if not inimical to the investigation or proceedings. After favorable termination of the investigation, proceeding, or disciplinary action, the Agency will refer the employee's promotion recommendation to the Department of State for consideration by the President and Senate pursuant to [Section 302 of the Foreign Service Act](#). The effective date of promotion will be the first day of the pay period immediately following appointment by the President, unless the President authorizes a retroactive effective date. If the results are unfavorable, the employee's promotion will be denied and the employee next in the rank order will be promoted.
- c. The employee's promotion will be denied if the employee retires, resigns, is terminated, or dies any time after the board completes its work and before the President signs the appointment.

- d. The employee will be recommended to the President for promotion regardless of inclusion or placement on the promotion list if the employee's promotion is made pursuant to a recommendation of the Foreign Service Grievance Board, the Equal Employment Opportunity Commission, or the Merit Systems Protection Board, in accordance with Section 606 of the Foreign Service Act of 1980, as amended (see [Section 606 of the Foreign Service Act of 1980](#), as amended).

Once the Agency has verified recommended candidates' eligibility for promotion, HCTM will obtain the Administrator's approval to submit a final list of those recommended for promotion to the State Department for onward submission to the White House for approval and the Senate for confirmation. Promotions are only affected after the Senate has confirmed the list and the President has signed the appointments pursuant to Section 302 of the FSA. This process often takes up to a year.

463.3.2.8 C/Board Operations and Materials

Effective Date: 03/30/2020

The C/Board must strictly follow the provisions of [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#), when assessing an employee's performance, and base their determinations on their consideration of the employee's Performance Evaluation File and the Precepts. HCTM/CPE/PM will provide the Performance Board the following briefing and other materials to carry out their responsibilities:

- 1) [ADS 461, Foreign Service and Senior Foreign Service Performance Management & Development Programs](#);
- 2) [ADS 461maa, Employee Evaluation Program \(EEP\) Guidebook, Part 1, Senior Foreign Service](#);
- 3) [FS/SFS Skills Framework](#);
- 4) [ADS 463, Foreign Service Promotion Boards and Consolidated Senior Foreign Service Performance Board: Promotion Eligibility Requirements and Procedures](#);
- 5) [ADS 463mad, Precepts for Performance Pay for Senior Foreign Service Employees](#) (C/Board only);
- 6) [ADS 463mae, Precepts for Limited Career Extensions for Senior Foreign Service Employees](#) (C/Board only);
- 7) [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#);
- 8) A listing of employees to be reviewed;
- 9) The five-year PEF on each employee being reviewed; and
- 10) USAID Agency Priority Goals.

463.3.2.9 Information to be Considered in C/Board Reviews

Effective Date: 03/30/2020

- a. The C/Board will make rating decisions based only on material contained in employees' PEFs.
- b. The C/Board will ignore any information in the file that is inadmissible (see [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#)). Such information must not be the basis for the Board's recommendation concerning an employee.
- c. The C/Board will neither seek nor receive, from any source, any information on (for example, health, suitability, assignability, or reputation of) any employee under consideration. If any unauthorized communications of this nature comes to the attention of a Board member, the Board member must report this in writing to HCTM/CPE/PM within 24 hours.

463.3.2.10 Commendable Letters to Raters/Appraisal Committee Members

Effective Date: 03/30/2020

The C/Board may issue commendable letters to rating officials and Appraisal Committee members who merit commendation for the quality of the evaluations they write/review for the most recent performance appraisal cycle. Commendable letters will be placed in the rating official's and Appraisal Committee member's PEF.

463.3.2.11 Critical and Advisory Letters

Effective Date: 03/30/2020

The C/Board will issue critical or advisory letters to employees, rating officials and Appraisal Committee members when the Boards determine that they failed to fulfill their responsibilities concerning employees they rated/reviewed for the most recent performance appraisal cycle. Critical letters will be placed in the rating official's and Appraisal Committee member's PEF for two years. Advisory letters are not placed in PEFs. The CHCO will decide whether to deny and/or reduce any award or bonus to an employee receiving a critical letter. Rating officials and Appraisal Committee members have 30 days from the date of receipt of a critical letter to request reconsideration of the action.

463.3.2.12 Limited Career Extensions (LCEs)

Effective Date: 03/30/2020

The C/Board will consider LCEs for career employees of the SFS who will reach their maximum TIC/or current LCE expiration, if appropriate, during the following calendar year, applying the criteria and procedures set forth in [ADS 463mae, Precepts for Limited Career Extensions for Senior Foreign Service Employees](#) and [ADS 440, Time-in-Class \(TIC\) Limitations and Limited Career Extensions \(LCEs\)](#) (see [Section 607 \(b\)\(2\) of the Foreign Service Act of 1980](#)).

463.3.2.13 Performance Pay for the SFS

Effective Date: 03/30/2020

The C/Board may recommend two types of performance pay awards for the Senior Foreign Service within the limits determined by the CHCO. The Performance Award is conferred by the Agency and is based on performance during the most recent rating period. The Presidential Award is conferred by the President based on the recommendations of the Interagency Selection Board, which reviews employees nominated by the foreign affairs agencies. The C/Board will be guided by [ADS 463mad, Precepts for Performance Pay for Senior Foreign Service Employees](#) (also, see [Section 405 of the Foreign Service Act of 1980](#), as amended, as well as the criteria established by HCTM for performance awards under sections 5384 and 4507 of the United States Code.

463.3.2.14 The C/Board Findings and Recommendations

Effective Date: 03/30/2020

The C/Board must provide their findings to the CHCO by way of a Board Memorandum signed by each board member.

- a. Unless instructed otherwise by the CHCO, the C/Board must prepare the following reports by class:
 - 1) A rank order list of employees who are rated A.
 - 2) An alphabetical list of employees who are rated B.
 - 3) Decision memoranda to outline their rationale for providing C ratings (see [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#) for procedures and criteria).
- b. The C/Board will also prepare the following lists of career employees:
 - 1) Those who will reach their maximum TIC/current LCE the following calendar year and are being recommended/not recommended for Limited Career Extensions (LCEs).
 - 2) Those who are being recommended for Performance Pay and Presidential Awards.
- c. The C/Board may prepare the following recommendations, as directed by the CHCO:
 - 1) Recommendations concerning the assignment, training, counseling, or other personnel considerations with respect to any employee or group of employees reviewed.
 - 2) Recommendations concerning policies and procedures for subsequent Boards and improvements to the performance evaluation system.

463.3.2.15 Decision Rule for Employees Not Meeting the Standards of Their Class

Effective Date: 03/30/2020

SFS career employees who fail to meet the standards of their class and receive two C ratings in a five-year period will be separated from the Service unless a Performance Standards Board determines that there are extenuating circumstances that would merit retention, and the recommendation for retention is approved by the CHCO (see [ADS 464, Foreign Service Performance Based Actions](#)). Precepts prescribing the procedures and criteria to be used by the C/Board for determining ratings, including for retention, are described in [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#).

463.3.2.16 Appeals

Effective Date: 03/30/2020

When an employee is notified that they are being separated from the Agency, the employee may appeal the action to a Special Review Board (SRB) or may file a grievance under 3 FAM 4400. However, the employee may not file both. An appeal to an SRB does not preclude a proceeding under 5 U.S.C. Chapter 12.

463.3.2.17 Oath of Office - C/Board

Effective Date: 03/30/2020

When the C/Board is convened but before the beginning of their deliberations, each Board member must sign the following oath of office and adhere to the precepts and procedures in this ADS chapter and its references.

"I, _____, do solemnly swear (or affirm) that I shall, without prejudice or partiality, perform faithfully and to the best of my ability, the duties as a member of the _____ USAID Consolidated Senior Foreign Service Performance Board; that I shall preserve the confidential character of the personnel records used by the Board; that I shall adhere to the Precepts for Employee Evaluation and other such guidance as appropriate for the discharge of these duties; and that I shall not reveal to any unauthorized person information concerning the deliberations, findings, and recommendations of the Board [so help me God]."

Failure to observe these instructions may result in disciplinary action or penalties as prescribed by the Privacy Act. Board members must report to the CHCO any attempt to provide them information not authorized by the Precepts.

463.4 MANDATORY REFERENCES**463.4.1 External Mandatory References**

Effective Date: 03/30/2020

- a. [3 FAM 4361, General, Separation for Cause](#)
- b. [3 FAM 4364.3, Action by the Proposing Official](#)

- c. [3 FAM 4410, Foreign Service Grievance System](#)
- d. [Foreign Service Act of 1980, as amended](#) (Sections 301(d)(1), 302(a), 303, 405, 406, 601-608, and 612 are authorities for this ADS chapter)

463.4.2 Internal Mandatory References

Effective Date: 03/30/2020

- a. [ADS 414, Foreign Service \(FS\) Appointments](#)
- b. [ADS 422, Personnel Operations: Senior Foreign Service](#)
- c. [ADS 459, USAID's Foreign Service Career Candidate Program](#)
- d. [ADS 461, Foreign Service and Senior Foreign Service Performance Management & Development Programs](#)
- e. [ADS 461maa, Employee Evaluation Program \(EEP\) Guidebook, Part 1, Senior Foreign Service](#)
- f. [ADS 461mab, USAID Employee Performance and Development Process: Guidebook for Supervisors](#)
- g. [ADS 461mac, USAID Employee Performance and Development Process: Guidebook for Employees](#)
- h. [ADS 463mad, Precepts for Performance Pay for Senior Foreign Service Employees](#)
- i. [ADS 463mae, Precepts for Limited Career Extensions for Senior Foreign Service Employees](#)
- j. [ADS 463mai, Precepts for Foreign Service Promotion Boards](#)
- k. [ADS 463mak, Precepts for Senior Foreign Service Performance Boards](#)
- l. [ADS 464, Foreign Service Performance-Based Actions](#)
- m. [FS/SFS Skills Framework](#)
- n. [USAID Acquisition Regulation \(AIDAR\)](#)

463.4.3 Mandatory Forms

Effective Date: 03/30/2020

- a. [AID Form 461-1, Foreign Service Annual Performance Evaluation Form](#)
- b. [AID Form 461-5, Foreign Service Annual Accomplishment Record](#)

- c. [AID Form 461-6, AEF Senior Foreign Service Form](#)
- d. [AID Form 463-3, Senior Foreign Service Promotion Application](#)
- e. [AID Form 463-4, Foreign Service Promotion Input Form \(PIF\)](#)
- f. [AID Form 463-5, Operating Unit Context Statement Template](#)
- g. [AID Form 463-6, Foreign Service Promotion Waiver Request](#)

463.5 ADDITIONAL HELP
Effective Date: 03/30/2020

- a. [ADS 463saa, Operating Unit Context Statement Sample](#)

463.6 DEFINITIONS
Effective Date: 03/30/2020

See the [ADS Glossary](#) for all ADS terms and definitions.

advisory letter (SFS only)

Advisory letters are issued to rating officials and Appraisal Committee members by C/Boards when a current evaluation is deficient in some manner, but the deficiency does not adversely affect the employee's competitive standing. These letters are not placed in an employee's Performance Evaluation File. (**Chapter 463**)

Annual Accomplishment Record (AAR) (FS Only)

The form completed by Foreign Service Officers at the end of the performance period, or prior to changing assignments or supervisors, to document key accomplishments and any special challenges or circumstances that affected performance during the period. (**Chapter 461, 463**)

Annual Performance Evaluation (APE) (FS Only)

The form used to evaluate (on a Satisfactory/Unsatisfactory scale) FS employee performance for the performance appraisal cycle. Instructions and guidance on the preparation of the Annual Performance Evaluation are found in [ADS 461](#), the Employee Evaluation Program Guidebook, and on the USAID Forms website. (**Chapter 461, 463**)

annual performance appraisal cycle (FS and SFS)

A one-year evaluation period, also known as the performance period, which is April 1 – March 31. (**Chapters 461, 463, 464**)

Appraisal Committee (SFS Only)

A committee composed of three to five Mission/Office officials, knowledgeable in the work of the unit, who will review and provide management input into employee evaluations. (**Chapter 463**)

career appointment

A career appointment is an appointment given to tenured employees. Individuals appointed or converted to career appointments are subject to time-in-class (TIC) limitations and mandatory retirement rules. (Chapter [414](#), [463](#))

career candidate appointment

An employee hired for a time-limited appointment that is intended to lead to a full career with the Agency following successful completion of tenure requirements. (Chapter [414](#), [463](#))

core skills

The four core skills that are required for all Foreign Service and Senior Foreign Service Officers are Leadership, Results and Impact Focused, Professionalism, and Talent Management. (Chapter [461](#), [463](#))

critical letter (SFS Only)

Critical letters are issued to rating officials and employees by the C/Boards when a current evaluation is so deficient that the Promotion Board's ability to make confident judgments on the employee's competitive standing has been affected, disadvantaging the employee. Critical letters are placed in the Rating Official's and Employee's Performance Evaluation File for two years. (Chapter [463](#))

mandatory retirement based on relative performance

When two FS Promotion Boards or three C/Boards in a five-year period find that a career employee has not met the standards of performance established for his or her class (Section 608, Foreign Service Act of 1980, as amended), the employee referred to a PSB to determine if there are extenuating circumstances that would warrant retaining the officer. If there are not, the PSB will recommend that the employee be involuntarily retired based on relative performance. (Chapter [463](#), [464](#))

rating official

The employee's immediate supervisor, team leader or other official as designated by the Principal Officer. (Chapter [461](#), [463](#))

performance awards (SFS Only)

Cash payments based on an employee's Annual Evaluation Form for the current performance appraisal cycle. (Chapter [463](#))

performance evaluation file (PEF)

The performance evaluation file contains the documents used to evaluate an employee's readiness for promotion against the promotion decision criteria. The FS performance evaluation file consists of the current year promotion package (PIF, AAR(s) with associated Operating Unit Context Statement(s), APE, and MSRs) and the prior four years' performance documentation (AARs, Operating Unit Context Statements, APEs and/or AEFs), training, awards, assignments history, disciplinary actions, and language scores. The SFS performance evaluation file contains AEFs and other FS performance documentation as described in the previous sentence for the current and prior four years, as well as training, award, assignment history, disciplinary actions and language scores. (Chapter [461](#), [463](#))

Performance Improvement Plan (PIP)

A PIP is a formal written plan provided to an employee whose performance in one or more work objectives, job requirements, technical backstop competencies, and/or FS skill areas is determined to be unsatisfactory. (**Chapter [461](#), [463](#)**)

Principal Officer

The most senior officer in a USAID Operating Unit who is responsible for ensuring that all employees are contributing to the Operating Unit's work and that supervisors are maximizing employee performance, and also charged with overseeing the implementation of the performance management program in that unit, including, where appropriate, establishing an Appraisal Committee, e.g., Assistant Administrator, Independent USAID/W Office Director, or Mission Director. (**Chapters [461](#), [462](#), [463](#)**)

Promotion Boards

Review the FS performance evaluation files submitted for their consideration and determine which candidates are ready for immediate promotion (A rating), which candidates are meeting the standards of performance of their class but are not ready for promotion (B rating), and which candidates are failing to meet the standards of performance of their class (C rating), in accordance with this ADS chapter and [ADS 463mai, Precepts for Foreign Service Promotion Boards](#). (**Chapter [463](#)**)

Promotion Input Form (PIF)

The form used to document employees' contributions and accomplishments since their last promotion, highlighting the examples that best demonstrate an employee's readiness for promotion. Instructions and guidance on the preparation of the PIF are found in **ADS 463**, the Employee Evaluation Program Guidebook, and on the USAID Forms website. (**Chapter [463](#)**)

Skills Framework

A chart that provides the core skill area and subskill definitions as well as proficiency indicators that describe the requirements across the FS grade levels and SFS. (**Chapter [461](#), [463](#)**)

tenure

A process that changes a career candidate from limited or conditional to career status. (**Chapter [463](#)**)

within class increase

A periodic increase in an employee's rate of basic pay from one step of the class of his or her position to the next higher step of that class. (**Chapter [463](#)**)

work objectives (FS Only)

Expectations for the work that an employee will accomplish, as established through discussions between the supervisor and employee. Work objectives may be short- or long-term (e.g., annual) and updated as needed throughout the performance period. While employee participation in the development of work objectives is encouraged, the rating

official maintains the final authority to set work objectives. (**Chapter [461](#), 463**)

work objectives (SFS Only)

Expectations for an employee established by discussions between the supervisor and/or Agency leadership and employee for a particular rating period. (**Chapters [450](#), [461](#), 463**)

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