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~~REVERSE~~

AMENDMENT TO H.R. 1735

OFFERED BY MS. BORDALLO OF GUAM AND Mr. Smith

Rep. Sanchez; Rep. Boudy; Rep. Langevin; Rep. Courtney; Rep. Castro; Rep. Peter.
Strike section 906 and insert the following: Rep. Deasey; Rep. O'Rourke
Rep. Norcross; Rep. Takai

1 SEC. 906. SENSE OF CONGRESS ON PERFORMANCE MAN-
2 AGEMENT AND WORKFORCE INCENTIVE SYS-
3 TEM.

4 (a) FINDINGS.—Congress finds the following:

5 (1) Section 1113 of the National Defense Au-
6 thorization Act for Fiscal Year 2010 (Public Law
7 111–84) required the Department of Defense to in-
8 stitute a fair, credible, and transparent performance
9 appraisal system, given the name “New Begin-
10 nings,” for employees, which—

11 (A) links employee bonuses and other per-
12 formance-based action to employee performance
13 appraisals;

14 (B) ensures ongoing performance feedback
15 and dialogue among supervisors, managers, and
16 employees throughout the appraisal period, with
17 timetables for review; and

18 (C) develops performance assistance plans
19 to give employees formal training, on-the-job

Rep. Johnson;
Rep. Gabbard;
Rep. Duckworth;
Rep. Tsongas;
Rep. Gallego;
Rep. Cooper;
Rep. Aguilar;
Rep. Davis
Rep. Speier
Rep. Moulton
Rep. Larsen
Rep. Garamendi

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1 training, counseling, mentoring, and other as-
2 sistance.

3 (2) The military components and defense agen-
4 cies of the Department of Defense are currently re-
5 viewing the proposed “New Beginnings” perform-
6 ance management and workforce incentive system
7 developed in response to section 1113 of Public Law
8 111–84.

9 (3) The Department of Defense anticipates it
10 will begin implementation of the “New Beginnings”
11 performance management and workforce incentive
12 system in April 2016.

13 (4) The authority provided in section 1113 of
14 Public Law 111–84 provided the Secretary of De-
15 fense, in coordination with the Director of the Office
16 of Personnel Management, flexibilities in promul-
17 gating regulations to redesign the procedures which
18 are applied by the Department of Defense in making
19 appointments to positions within the competitive
20 service in order to—

21 (A) better meet mission needs;

22 (B) respond to managers’ needs and the
23 needs of applicants;

24 (C) produce high-quality applicants;

25 (D) support timely decisions;

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1 (E) uphold appointments based on merit
2 system principles; and

3 (F) promote competitive job offers.

4 (5) In implementing the “New Beginnings”
5 performance management and workforce incentive
6 system, section 113 of Public Law 111–84 requires
7 the Secretary of Defense to comply with veterans’
8 preference requirements.

9 (6) Among the criteria for the new performance
10 management and workforce incentive system author-
11 ized under section 1113 of Public Law 111–84, the
12 Secretary of Defense is required to—

13 (A) adhere to merit principles;

14 (B) include a means for ensuring employee
15 involvement (for bargaining unit employees,
16 through their exclusive representatives) in the
17 design and implementation of the performance
18 management and workforce incentive system;

19 (C) provide for adequate training and re-
20 training for supervisors, managers, and employ-
21 ees in the implementation and operation of the
22 performance management and workforce incen-
23 tive system;

24 (D) develop a comprehensive management
25 succession program to provide training to em-

1 employees to develop managers for the agency and
2 a program to provide training to supervisors on
3 actions, options, and strategies a supervisor
4 may use in administering the performance man-
5 agement and workforce incentive system;

6 (E) include effective transparency and ac-
7 countability measures and safeguards to ensure
8 that the management of the performance man-
9 agement and workforce incentive system is fair,
10 credible, and equitable, including appropriate
11 independent reasonableness reviews, internal as-
12 sessments, and employee surveys;

13 (F) use the annual strategic workforce
14 plan required by section 115b of title 10; and

15 (G) ensure that adequate agency resources
16 are allocated for the design, implementation,
17 and administration of the performance manage-
18 ment and workforce incentive system.

19 (7) Section 1113 of Public Law 111-84 also re-
20 quires the Secretary of Defense to develop a pro-
21 gram of training—to be completed by a supervisor
22 every three years—on the actions, options, and
23 strategies a supervisor may use in—

24 (A) developing and discussing relevant
25 goals and objectives with the employee, commu-

1 nating and discussing progress relative to per-
2 formance goals and objectives, and conducting
3 performance appraisals;

4 (B) mentoring and motivating employees,
5 and improving employee performance and pro-
6 ductivity;

7 (C) fostering a work environment charac-
8 terized by fairness, respect, equal opportunity,
9 and attention to the quality of the work of em-
10 ployees;

11 (D) effectively managing employees with
12 unacceptable performance;

13 (E) addressing reports of a hostile work
14 environment, reprisal, or harassment of or by
15 another supervisor or employee; and

16 (F) allowing experienced supervisors to
17 mentor new supervisors by sharing knowledge
18 and advice in areas such as communication,
19 critical thinking, responsibility, flexibility, moti-
20 vating employees, teamwork, leadership, and
21 professional development, and pointing out
22 strengths and areas of development.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Secretary of Defense should proceed with
25 the collaborative work with employee representatives on

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- 1 the "New Beginnings" performance management and
- 2 workforce incentive system and begin implementation of
- 3 the new system at the earliest possible date.

