

**FEDERAL TRADE COMMISSION**  
**Internal Process for SES Performance and Misconduct**

**Rating Official Guidance**

By law, each agency is required to develop a performance appraisal system for its senior executives. By law, the agency rating official for a given senior executive is required to issue performance requirements for the position that individual is encumbering and to appraise the performance of the senior executive against those requirements. Rating officials must consider all available evidence that affects the employee's level of performance with respect to these requirements or standards, including information about conduct when it affects that performance.

The annual guidance and call for performance narratives and initial summary ratings will include the following language:

Your rating assessment must be based on the evidence of performance against the written performance requirements in the SES Performance Plan for the position with respect to the relevant rating period. Within that framework, you must also consider the indicators for the performance levels described in Part 5 of the Performance Plan and relationship between organizational success and individual executive performance. If conduct has affected performance, you must consider evidence of such conduct in assessing performance against the applicable requirements or standards.

**Performance Review Board Guidance**

The Chief Human Capital Officer will provide the Performance Review Board with information regarding conduct that has impacted the performance for any SES employee, as appropriate. The Performance Review Board must take into account the impact of any documented conduct issues on the executive's performance, within the parameters of the applicable performance requirements or performance standards for the relevant appraisal period when making recommendations on appraisals and performance awards.

The annual guidance to the members of the Performance Review Board will include the following language:

Where applicable, the Performance Review Board will consider the impact of documented conduct issues on the individual's performance under the relevant performance requirements or performance standards.

**Executive Performance Management System Materials**

The Executive Performance Management System materials will be updated to include specific references to rating official and Performance Review Board responsibilities related to the consideration of the impact of documented conduct on performance.