

Comments on the Proposed National Security Personnel System (NSPS)

1. References & Assumptions. My comments are based upon review of the documents listed below.

- *NSPS Law (Public Law 108-136)*
- *NSPS Requirements Document, Signed 25 Sep 2004*
- *Overview Brief - NSPS Proposed Regulations, 10 Feb 2005*
- *Fact Sheet - NSPS Proposed Regulations, 10 Feb 2005*
- *Federal Register, 14 Feb 2005 - 5 CFR Chapter XCIX and Part 9901, NSPS; Proposed Rule*

While these documents do provide some basic outline of the proposed NSPS, there are many details that these documents do not (yet) address. As with any complex system involving large numbers of people, the devil is truly in the details; so where these documents have fallen short on details, I have had to make assumptions to fill in the blanks. The primary assumption is that the NSPS will function in a manner similar to past Acq Demo programs-- based on this assumption, past experience with Acq Demo is relevant and will be used here. The second assumption is that DoD agencies are generally undermanned, overworked, and task-saturated, and they will not do anything in NSPS unless they are REQUIRED to do so. This may seem to be pessimistic, but 20 years of experience has taught me that such an assumption is realistic. Hoping that an NSPS organization or person will voluntarily do something for the NSPS system is foolish, and HOPE IS NOT A PLAN.

2. Background. Many of my comments in this paper come not only from review of the documents listed in Paragraph 1, but also from my first-hand experiences in USAF military and civilian personnel systems. In my 20+ years of service to the United States and the USAF, I have served as an active duty and reserve officer, as a civil servant under the legacy "GS" personnel system, and as a participant/observer in Acquisition Demonstration (Acq Demo) projects. I have served both as an employee and as an employer (i.e., supervisor) for both military and civilian personnel of various ranks. Finally, I have had numerous discussions with military and civilian members of other DoD Services who have provided me with comments that I have incorporated into this paper.

Paragraph 3, below, will give my review of the documents listed in Paragraph 1. Paragraph 4 will provide additional remarks based on my personal experience and on comments from others. Paragraph 5 will summarize major points and conclusions.

3. Comments & Observations.

a. Re: Public Law 108-136. I realize that the persons reading these comments cannot change this law, but I will make these comments to point out questions and issues that other NSPS regulations will need to address.

- Section 9902(e)(4) states that ". . . The overall amount allocated for compensation of the civilian employees of an organizational or functional unit of the DoD that is included in the NSPS shall not be less than the amount that would have been allocated for compensation of such employees

for such fiscal year if they had not been converted to the NSPS . . .” That statement seems to imply that in future years it might be possible for participating DoD units to get more funding than what was available under the legacy GS system. Is this true? If so, what are the plans / procedures by which additional funding would be obtained? If not true, then how do you plan to pay good workers more money? By taking money out of the pockets of the poor performers? If that’s your only answer, then the NSPS has already failed.

NSPS is supposed to be more than just a new pay system-- it’s also supposed to encourage and improve communication / feedback between employers, coworkers and supervisors. But in the worst case, when a supervisor is unable to mentor or otherwise encourage an employee to improve their performance, it’s also designed to allow supervisors to more quickly fire poor performers and then quickly hire new (and hopefully better) employees. If we expect that NSPS will improve or otherwise weed out the poor performers, then you must conclude that there will be a time in the near future (before Nov 09?) when almost all NSPS employees are supposed to be good performers, and therefore they would be appropriately compensated for their good performance. There will be few poor performers left to suck money from. The way NSPS is built, there will always be *some* money available to give good performers an increase in salary. But the amount of this money is limited-- if a lot of people are rated as good performers, then on average each would get a smaller raise.

So if you’re planning on keeping all of your good performers, and if you’re hoping to recruit good new employees with significantly higher salaries, your problem is to keep the promise you made under the NSPS plan by giving them a higher level of compensation than what they would have earned under the old GS system-- and for that you will probably need more funding. Where are you planning on getting the extra money to do this? While you’re considering this, take a look at Paragraph 5.4.4 of the NSPS Requirements Document and make sure your plan is consistent with that paragraph’s requirements.

If you think that NSPS will always have plenty of poor performers to take money from, then you’re admitting that NSPS is as bad or worse than the system it’s trying to replace. And if that’s the case, why bother spending thousands of person-hours and millions of dollars trying to install a system that’s really no better than its predecessor?

If you are planning on the NSPS to be successful, you need to start making projections NOW on how much a “successful” NSPS system with fewer poor performers will cost in FY09 and beyond. Those projections will need to be incorporated in future POM and FYDP activities. In this case, “successful” would mean (1) fewer poor performers, and (2) higher employee retention and recruitment rates than the current (pre-NSPS) levels.

- Section 1128 states that “Each agency shall conduct an annual survey of its employees . . . to assess . . . leadership and management practices . . . and employee satisfaction . . .” It also says that the Office of Personnel Management (OPM) shall provide guidance on the survey questions, and that results of the survey shall be made available to the public. Okay, so you’re asking for feedback, and you’re posting the feedback at a web site-- but is anyone actually required to do anything with the results besides post them? What if you take a survey in FY08, and the results say that everyone hates NSPS-- would that cause you cancel NSPS, or would you be free to ignore the results and continue the program past the Nov 09 sunset date? What are the success criteria for the NSPS?

Feedback is meaningless unless it is actually LISTENED TO and ACTED UPON. If you don’t respond positively and constructively to the first round of NSPS feedback, you won’t get much of

a response for the next rounds. How will organizations be REQUIRED to respond to feedback? How will the feedback results be factored into a decision to keep NSPS going past Nov 09? Is there a required goal, such as “surveys shall indicate at least an 80% satisfaction rate from employees,” or is this just a square-filling exercise where the management can claim that they’re doing feedback but not really paying attention to it? Real feedback is a four-step process: (1) person #1 talks; (2) person #2 listens and understands; (3) person #2 responds to person #1, and (4) person #1 listens and understands. Section 1128 only guarantees that step 1 is accomplished. What is your plan for ensuring that steps 2 through 4 are accomplished, and that feedback is acted upon in a timely, meaningful and constructive manner?

b. Re: NSPS Requirements Document. As with Paragraph 3a above, I realize that the persons reading these comments cannot change this document-- I’m making these comments only to point out questions and issues that would need to be addressed in future NSPS documents, or in revisions to existing documents.

- Paragraph 5.2 lists several “strategic assumptions” that were used in deriving NSPS requirements. These assumptions list the supposed faults of the current GS system. I believe that a few of these assumptions are incorrect, or at least incomplete in their assessment.

- “*Outstanding performers are paid the same as poor performers.*” While federal civilian employees are responsible for their conduct, and they do need to perform to the best of their abilities, they cannot and do not function in isolation. Their performance is strongly influenced by the performance and oversight of their supervisors, and how well their organization provides them with the money, resources, manpower, training, etc. to do their jobs. The above statement from the Requirements Document implies that the old GS system needs to be replaced because it’s filled with poor performers who cannot be removed due to an overly complex and legalistic GS system. But all supervisors have an obligation to train, mentor, council, and sometime discipline employees to improve their performance. They do currently have the mechanisms to fire employees. And they do have mechanisms to reward outstanding employees with time off, various awards, annual bonuses, and a variety of other methods.

The catch is that the supervisors have to actually learn the system and make time to use it, and quite often they don’t-- they ignore their supervisory obligations, they dump all responsibility onto the back of the employee, and when employee performance falls they then claim that a terrible GS bureaucracy leaves them helpless to do anything. This is absolutely false! And even while I will agree that the GS system bureaucracy for disciplining / firing poor performers can be quite formidable, history has shown that this may not be such a bad thing. The supervisors who complain about the paperwork should remember that most of the existing bureaucracy in the GS system grew from improper, abusive, illegal and/or discriminatory actions of poor supervisors. So if they’re looking for someone to blame about a overly-bureaucratic GS system, tell them to go look in the mirror. And while they’re there, you keep in mind that the person they see is the same flawed supervisor that will be asked to be a better supervisor in the NSPS system.

Bottom line: If there is a poor performer in an organization, it can be as much the fault of a bad supervisor or organization as it might be the fault of a bad employee. And if the bad and good performers seem to be rewarded similarly in the old GS system, it may not be so much the fault of the system as it is the fault of the supervisor who either doesn’t know or doesn’t use the existing mechanisms to create the distinctions between good and bad. There are many methods in the current GS system for supervisors and organizations to give additional rewards to outstanding performers, and to provide recognition and career growth opportunities to such employees. Unfortunately, many supervisors in the current system are too overworked, too lazy or too stupid

(i.e., untrained) to perform their supervisory responsibilities well. Further, organizations often do not stress the importance of supervisory responsibilities over their other job duties, nor do they generally reward those in supervisory positions for being good supervisors.

Because of all this, many persons in supervisory positions see their obligations as supervisors to be simply “additional duties,” not primary responsibilities. They perform only the minimum required actions under law to fill out the required annual paperwork so that they can get back to their “real job.” If we don’t fix these problems in the NSPS, then NSPS will have just as many poor performers as the old GS system, and a lot of the poor performers will be the supervisors!

NSPS is as much a supervisor system as it is an employee system. If you don’t fix the supervisor problems, NSPS will have as much poor performance as the GS system. Therefore, in place of the NSPS assumption listed at the beginning of this section, I think that a more accurate and comprehensive assumption is needed in future NSPS documents:

“Outstanding performers are often not appropriately recognized or compensated, while poor performers are often not appropriately trained, counseled, mentored or disciplined. Active feedback, cooperation and support between organizations, supervisors and employees is currently inadequate, resulting in inappropriate compensation to both exceptional and poor performers.”

- *“Poor performers are not held accountable.”* As discussed previously, poor performance is not just the responsibility of the employee, but also the supervisor. If this is a truly a fault of the old GS system, then how is the NSPS any better? How does NSPS hold both employees and supervisors accountable? I recommend that you change this assumption to the following:

“Poor employees and supervisors are not held accountable.”

This new assumption statement is consistent with NSPS Requirements Document Paragraph 3.6, which states that one of the Guiding Principles of the NSPS is to “Ensure accountability at all levels.”

- Paragraph 5.4.1 lists the NSPS desired system attributes, indicating that NSPS should have “Salary and rewards [that] enable DoD to compete successfully in hiring and retaining employees.” But in the proposed NSPS, you’ve just taken away one of the prime recruiting incentives of Government service-- predictable salaries. People will never get rich working for the Government (not even under NSPS); but at least the GS system offered financial stability and predictability, plus the opportunity for an employee to speak openly and honestly with coworkers and supervisors without the threat of a pay cut hanging over them if someone disagreed with what they said. Because one person’s increase in GS pay is not linked to the pay status of another GS employee, Government personnel have been free to communicate with each other, exchange ideas, and build cooperative teams. But under several Acq Demo systems, I have seen many employees choose not to communicate or bring new ideas to their bosses because they believed that such an act would anger the boss that would be defending them in the pay pool panel, or they believed that exchange of such information would make their “competitor” coworker look better than them. The proposed NSPS will set employees at each other’s throats, and this will obviously not help you to recruit or retain good people.

Think about it this way-- why is it that Army, Navy and Air Force offices often don’t cooperate with each other, even when we all intellectually understand that we should do so? Most often, the answer is money & resources. Each of the Services is caught in an “Us versus Them”

competition for limited funding, and each Service has realized that sharing plans and ideas with other Services could jeopardize their own key plans, programs and budgets. The NSPS is going to encourage the same Us vs. Them effect on each NSPS employee within each organization. Furthermore, if your organization's leader has an agenda, one that you think may not be the wisest course of action, your disagreement with the boss' agenda may jeopardize your paycheck and career because the person you're disagreeing with may be the same person who is supposed to be defending you at the pay pool panel.

By taking away financial stability, by setting one employee against another for pay pool panel approval, and by having the ability to impose pay cuts unless the employee kisses the boss' ass, how can you honestly expect to recruit or retain anyone under the new NSPS system? How can you possibly expect that NSPS will create a better or more effective working environment for employees and organizations?

But let's look at the issue from a different angle-- let's optimistically assume for a moment that the proposed NSPS really does have a chance of attracting and retaining good performers-- how would we prove the success of the NSPS to skeptics? What data or metrics will need to be collected to demonstrate program success? If successful recruitment and retention are two desirable NSPS attributes, then the metrics would need to include something like (1) how many people have left civil service in the first four years of NSPS versus the last 4 years under the GS system; (2) whether or not those people who left considered NSPS to be a major reason for their leaving civil service; (3) how many people entered civil service during the same periods, and (4) whether those new recruits considered NSPS as a major reason for entering civil service. Metrics like these would indicate recruiting / retention trends for civil servants, and would specifically indicate whether NSPS was a major cause of the trends. Similar metrics could be developed for the other attributes listed in Requirements Document Paragraph 5.4.1.

Bottom line: The loss of predictable, stable salaries, and the Us vs. Them mentality imposed by NSPS, will likely discourage employee recruitment and retention. One action that might mitigate this disaster is the development/enforcement of regulations and policies that support free and open exchange of ideas in the working environment. In addition, good NSPS metrics would identify employment / recruiting trends, how NSPS plays as a factor in those trends, and what the management is doing to address NSPS issues raised by those trends. This "system transparency" may encourage workers to endure the NSPS "growing pains" as it evolves during the first few years.

- Paragraph 5.4.2 states that one of the desirable attributes of NSPS is that it should be "assignable," meaning that "employees can be easily assigned/reassigned work in support of ongoing/emergent mission requirements." However, if the proposed NSPS infrastructure has paperwork similar to the earlier Acq Demo projects, flexibility in assignments may not be as easy as the writers believe.

Under the present GS system, each person has a Position Description (PD) document which outlines that person's official duties and factors for evaluation. Past Acq Demo programs have used a similar Position Requirements Document (PRD), which combines the position information, staffing requirements, and contribution expectations into a single document. It provides the official factors by which the pay pool panel would measure that person's performance. My experience with Acq Demo and my observation of the pay pool process has shown me that the PRD and the pay pool process eliminated any flexibility that the Acq Demo system hoped to offer. Example: A commander needs someone to perform an urgent task-- if he tries to get someone under Acq Demo to do it, then every hour that employee spends doing that

task is one less hour the employee spends working on their official tasks under their PRD. When it comes time for the pay pool panel to evaluate how well that employee met their job factors as spelled out in the PRD, that additional duty will probably not be explicitly listed, and therefore will not officially count. In other words, the employee will be punished for helping the commander with the urgent task.

I have seen this happen many times, and as a result of Acq Demo employees no longer volunteered to help as much as they used to-- they couldn't afford to. Whatever additional duties they may have been helping with before, they would no longer perform; and as a result the commander was forced to hire additional contractor labor to take the additional duties, or he had to constantly rewrite and resubmit PRDs to ensure that effort on additional duties was properly recognized by the pay pool panel. Flexibility in the NSPS is problematic for civil servants, because in the dog-eat-dog competitive environment of NSPS, anyone who is not focusing their efforts on their primary (PRD) responsibilities is risking their career and their paycheck. Once again, this shows that NSPS is more about the supervisor than the employee-- the supervisor must build an exceptional, all-inclusive PRD, then enthusiastically defend an employee for performing additional duties that may not listed as primary duties in the PRD. If NSPS follows the Acq Demo example by using something like the PRD, it will wind up being less flexible than the GS system, or supervisors will be spending a lot more time writing and rewriting PRDs.

Supervisors and pay pool panel members must recognize the importance of the PRDs, and must write them broadly enough to ensure flexibility. They must recognize that additional duties are part of any civilian assignment, are just as important to overall mission/organization success as the primary duties, and therefore must be considered as part of the pay pool panel evaluation. If the pay pool panel thinks that an employee has spent more time on additional duties than on their primary responsibilities, that is the fault of the supervisor, not the employee-- after all, the supervisor assigns and monitors tasks, and the employee should not be punished for trying to help. This guidance must be part of any supervisor and pay pool panel training under the proposed NSPS.

- Paragraph 5.4.6 indicates that, for NSPS, “Periodic assessment of system effectiveness will be conducted . . .” Who exactly will be conducting this assessment? When? How often? What will be the evaluation criteria, the Measures of Effectiveness (MOEs)? In the age of Darleen Druyun, how will you prove to employees that the evaluation was fair, thorough and objective? How will you ensure system transparency to the NSPS employees?

Is there any possibility that the assessment team might be allowed to conclude that NSPS is not effective, or will this be a rubber stamp committee? If the team does perform a truly thorough and objective assessment, and if they do conclude that NSPS is not effective, what is your “escape route,” your alternative system for the future? NSPS is still an experiment, and the experiment may be a failure. What is your plan if this happens? HOPE IS NOT A PLAN.

c. Re: NSPS Overview Brief. This brief contains information and statements that mirror those found in the Public Law and the NSPS Requirements Document. As such, my comments in Paragraphs 3a and 3b also apply to this brief. In addition to those comments . . .

- Slide 4: How exactly will NSPS ensure accountability at all levels, especially with regard to the responsibility of supervisors to oversee, mentor, train and counsel their employees? Is a supervisor's rating in their own pay pool evaluation dependent on their actual performance as a supervisor? If not, why not? If so, how do you intend to objectively evaluate supervisory performance?

- Slide 5: What is the plan if NSPS does not demonstrate success prior to Nov 09? And how exactly do you define success? What are your metrics, and who is measuring them?
- Slide 6: What is the proposed appeals process? If an employee thinks that they have been wronged under the NSPS, does that employee's appeal involve any members of his chain of command that might have wronged him? Or is the appeal process independent of his/her normal chain of command?
- Slide 9: When and how will the pay bands be defined? Will bands be different at each base, or must they be standardized across all participating NSPS locations? Also, this slide says that lengthy, detailed job descriptions are no longer needed. But past Acq Demo systems have used PRDs, which are a lot like the present civil service PDs. Are you saying the NSPS will not have any PRDs? If so, how will an employee's rating for meeting mission requirements be made? Is it a purely subjective evaluation from the supervisor, or what? More detail is needed here.
- Slide 11: This slide indicates that rate range adjustments (i.e. locality pay) will not be given to unacceptable performers. Are you deliberately trying to force people out of Government service by starving them to death or bankrupting them?!? Whether a person is a good employee or a bad employee, they are still an employee. That means they still have to live in the same area, pay mortgage on the same house, pay the same bills, etc. To do all that, and to have any hope of growing that person into a good performer, I don't think it is right or fair to deny an employee a rate range adjustment-- they'll need it just to survive in the local area. If you take it away, you'll essentially be forcing them to look for other employment. You'll be abandoning your responsibility as a supervisor, and you'll be a coward by not firing them outright (if that was your intention from the start). This policy needs to change-- all employees need range rate adjustments until they are no longer employees.

d. Re: NSPS Fact Sheet. This brief contains information and statements that mirror those found in the Public Law, NSPS Requirements Document, and the Overview Brief. As such, my comments in Paragraphs 3a, 3b and 3c also apply to this brief. In addition to those comments . . .

- On page 7 of the fact sheet, under the "Questions and Answers" section, the Fact Sheet indicates that "The proposed NSPS rules include a rigorous 'pay pool' process to distribute performance-based pay increases throughout organizations." If the NSPS pay pool process is going to be based on anything like the Acq Demo pay pool, there are a few things that will need improvement.

- First, pay pool panel members need to be trained so that they know NSPS is capable of "win-win" outcomes. In past pay pool panels, I have seen panel members deliberately give lower scores to individuals not because they deserved lower scores, but because they had just finished giving out a bunch of high scores and the felt that they had to "balance things out" because of the "limited funding" available for rewarding good performers. Apparently the Acq Demo program didn't teach these idiots that everyone can earn more money in the Acq Demo pay pool *if they all have earned it*.

Example: Let's say there's 500 civilians coming up for evaluation, and \$1,000,000 dollars available for increased salaries. If all 500 civilians were objective rated to be good performers, then on average each could see a $\$1M / 500 = \$2,000$ increase in pay next year. The average raise would be smaller because more people are sharing the available money, but everyone still

gets a raise. This is the point that many past pay pool panels have missed. Instead of rating each person fairly and objectively, they mistakenly tried to balance the funding scales by making sure that a certain percentage got low scores to counter the ones who got high scores.

Another mistake that I have seen in Acq Demo pay panels is *relative scoring* versus *objective scoring*. In a perfect NSPS world, each employee has an accurate PRD and is objectively rated on how well they meet the standards listed in that PRD. However, in several Acq Demo pay pools that I observed, employees had outdated or poorly written PRDs, and individuals were rated relative to other people in other jobs. Example: “Yeah, Dave did okay this year, but he didn’t make as big an impression as Mike did, and since both Mike and Dave are both engineers I think we need to give Dave a lower score than Mike.” In other words, Dave was not *objectively* scored according to his PRD, instead he was scored *relative* to Mike and his PRD. This is wrong and stupid, but it is happening. And it will happen in NSPS unless the need for objective scoring is made absolutely clear and enforced by NSPS regulation and oversight.

Each person is different, and each person’s job is different. Each has different assignments, different responsibilities, different additional duties, different amounts of time / money / resources available, and probably different PRDs. That means that you cannot fairly score one person relative to another-- it’s like comparing apples to oranges. Each person must be rated fairly and objectively against their own PRD, and this has to be taught to all supervisors and members of the pay pool panels.

- Page 8 of the Fact Sheet indicates that “supervisors will be accountable for exercising their responsibilities under NSPS.” Exactly how will you hold them accountable? What metrics will be used to evaluate their performance? Will standards be different from base to base, or must they be the same throughout all NSPS organizations? What organizations will enforce accountability, and are the persons in those organizations outside of the employee chain of command and the NSPS appeal chain?

e. Re: Federal Register, NSPS Proposed Rules. All of my previous comments in Paragraphs 3a through 3d also apply to this document. In addition to those comments . . .

- Page 7555, center column: The NSPS key performance parameters (KPPs) listed here include the expectation that employees and supervisors will be “compensated/retained based on performance/contribution to mission.” The question is, who’s mission? One critical point that no NSPS document has yet addressed is the case of “matrixed” employees, who are hired by a home organization but work as a subject matter expert (SME) for another organization. Here is an example that occurred at an Acq Demo base a few years ago . . .

Robert was an engineer, hired by the base’s Engineering Directorate (EN) to support EN projects. EN responsibilities also included matrixing EN personnel to other units that required engineering support. Robert was assigned to one of these other units-- he arrived daily at this other unit, worked on that unit’s projects as assigned by that unit’s command staff, and interacted with the home office only for periodic feedback, commanders calls, etc. The matrix unit that Robert was assigned to was very happy with Robert’s work, and as the Acq Demo annual appraisal cycle ended they sent a memo to the home unit which praised Robert’s contribution to the matrix unit, and thanked the home EN unit for their support.

Based on this action, Robert naturally expected good results from the home office pay pool panel. He was later shocked to discover that he had received a pay cut instead, and was now required to attend mandatory counseling sessions, provide additional activity reports, and so on. The matrix

unit commander was equally shocked and angered at this result; and he called the home unit to find out if they had ever received his letter and actually paid attention to it. The home EN unit confirmed that they had received the letter. So the commander asked, “Why did you ignore it!?” The home unit replied, “We ignored it because Robert gets evaluated on how well he meets our mission needs, not on how well he meets yours.”

Robert had been assigned by the home office to the matrix unit, and had done the best he could to support that matrix unit-- that was his assigned task. In return, the home unit abandoned him, and ultimately penalized him for a matrix assignment that they had assigned to him; as a result, he left Government service less than a year after that act. Feedback from the home unit prior to this act had never given Robert any indication that he was doing anything wrong. The system failed, and we lost a good employee.

So, here’s the gaping hole that the proposed NSPS needs to fill: what specifically is the NSPS procedure and policy for matrixed employees? Who’s mission requirements is the matrixed employee supposed to be meeting-- home office, or matrix office? DON’T SAY BOTH. Work is tough enough as it is, and we don’t want to force one employee to try to please two masters. Can a matrix office provide feedback to the home office for the pay pool panel? If so, is the home office required to consider it, or can they ignore it?

The NSPS proposal needs to explicitly describe the relationships, authority and responsibilities of the home and matrix offices, and how they will merge their needs and mission objectives into a single set of requirements that a single employee can understand and perform in a typical 40-hour work week. Communication between the employee, the home supervisor and the matrix supervisor must be established in regulations and performed frequently. The end result needs to be a set of requirements and activities that has the same workload level of a non-matrixed employee-- this will ensure that people won’t be getting worn down or punished just for being matrixed.

- Page 7582, section § 9901.342. This section discusses the performance payouts from the NSPS pay pool; but neither it nor any other section addresses how an employee’s pay pool rating or payouts will be recorded in the employee’s Personnel Information File (PIF). The present PIF gives the ratings from the last half-dozen annual appraisals. The present PIF format was built for the old GS system, and some “band-aid” style upgrades have been made for Acq Demo programs; but how exactly are the results from an NSPS pay panel going to be listed in the PIF? Consideration and software updates need to be started ASAP. And since people could PCS to bases that are not part of NSPS, supervisors and personnel at these non-NSPS locations will need to be trained on how to interpret NSPS ratings, how to convert personnel files and data from NSPS to a non-NSPS infrastructure (and back again), and so on.
- Page 7584-7585, sections § 9901.401 through 404. These sections discuss performance management and provide definitions of NSPS terms, including *appraisals*. However, these sections do not say who is required to write the appraisal that goes to the pay pool panel. One might assume that the supervisor would write it, but my past experience with the Acq Demo system indicates that supervisors often force their employees to write their own (draft) appraisals because the supervisor is too busy to do it. Appraisals are the responsibility of the supervisor, and since many supervisors already ask their employees to write periodic (weekly/monthly) activity reports, supervisors should already have all the info they need to write the draft appraisal. The employee is already busy enough-- he/she doesn’t need to be loaded with the supervisor’s paperwork too! But if the employee doesn’t give in to the supervisors “request” for a draft, the employee risks getting a bad appraisal and bad rating from the pay panel.

For these reasons, I think it is essential that the NSPS rules specifically make the supervisor responsible for the draft. Yes, the employee can help, but requiring the supervisor to write the appraisal ensures that the supervisor keeps up with what the employee is doing, and it ensures that the supervisor gains experience with the new appraisal system. If the NSPS rules don't force the supervisor to actually supervise, the employee will just get more work that is not their responsibility.

4. Other Comments / Questions on NSPS and Acq Demo.

a. NSPS emulates the worst of the Cortes examples. In my discussions with senior managers on the NSPS, I've heard several of them mention that the NSPS is following a "Cortes example" by "boldly abandoning" the "outdated" GS system. Their reference to Cortes in this way is just one more data point that convinces me that many of my so-called "superiors" are anything but that. Still, there is some merit in examining the NSPS in the light of Cortes' actions, if only to show how poor the present NSPS proposal might actually be.

In 1518, Hernando Cortes was in command of a Spanish expedition about to start for the conquest of a newly discovered province. In 1519, he landed on the shores on Mexico. According to the popular myth, "Cortes landed off the coast of Veracruz with ships full of conquistadors. He had his troops take all the supplies off the ships and then he burned the ships. His people had to move ahead. He made sure there was no way back, except as heroes. He was a hell of a motivator." This mythical Cortes tale seems to make clear that if organizations want their people to start new ventures, invent new products, and create the future, then they can't leave employees an escape route back to safety. Right or wrong, many people seem to believe the NSPS plan uses this philosophy, and they applaud its use.

This myth, and lessons it apparently gives to us, are both wrong. If the true "Cortes style of management" offers any important lessons to something like NSPS, the lessons are not on motivation and leadership. Here's the reality:

- First, Cortes didn't burn his ships. Technically, he didn't even scuttle them. He did order the captains of nine ships to run their vessels onto the sand. But that left him with three other vessels, and a master shipbuilder among the crew. ***So he did have an escape route back to safety.***
- Second, Cortes wasn't "motivating" his men-- he was protecting his backside. According to Hugh Thomas's "The Conquest of Mexico," Cortes grounded the ships to win at palace politics in Spain. Cortes' Mexican mission revolved around his intense rivalry with Diego Velazquez, the governor of Cuba. When Cortes obtained his first boatload of treasure, he dispatched it to the king with three letters pleading his case for more power. But among Cortes' own men were some of Velazquez's supporters who disapproved of Cortes' actions. They plotted to steal one of his ships to take a message of warning to Velazquez, who would then have time to overtake the treasure ship and seize the letters. Cortes learned of the plot and captured the four ringleaders. He hanged two of them, cut the foot off another, and let the fourth, a clergyman, go free. Then he ordered the nine ships run aground. According to John H. Coatsworth, director of Harvard's David Rockefeller Center for Latin American Studies, "Cortes beached the ships to prevent anyone from heading back to Cuba to report to the Spanish nobilities that he was engaged in an utterly unauthorized and illegal expedition. ***He was running for cover.***"

How does this relate to NSPS? First of all, NSPS seems to be following the worst of the mythical Cortes example by burning its boats behind it. There is no escape route, no way back, no planned alternative if NSPS fails. The NSPS Requirements Document (Para 5.4.6) and the US Public Law do reference a Nov 09 “sunset date,” and the requirement that NSPS be stabilized and validated before that date, but they don’t say what will happen if NSPS doesn’t make that deadline. Will we go back to the old GS system? Will we be able to? Maybe we should, but we probably won’t be able to-- The political DoD will not want to admit that they’ve made a mistake, the GS infrastructure and support systems will probably be gone, and Congress will probably just push back the deadline. As a result, a bad NSPS system will just be made worse by extending the pain, frustrating more employees, and further discouraging civilians to sign onto or extend their civil service. You have to recognize up front that the NSPS is still an experiment-- experiments sometime fail, so you have to plan for that possible failure and built a path to an alternative. What is your alternative? Remember, HOPE IS NOT A PLAN.

Secondly, the NSPS seems to be following the worst aspects of the true Cortes example in that it will destroy (personnel) resources in support of a cause that is poorly defined, not well supported by the employees that it’s supposed to serve, and is pushed forward by senior-level management and politicians who are largely immune to the consequences of a faulty system. Why don’t you ask a General or a Senator how they would feel if we changed their personnel systems so that every year they get an evaluation, and the results of that evaluation will affect their paycheck. Do you think they would still support NSPS then? Further, NSPS’ poorly defined appeal/feedback processes and lack of specific metrics practically guarantee that those who have concerns with NSPS will be ignored, bypassed, silenced, or prevented from taking their concerns up a chain that is independent of the supervisor and pay pool.

b. Who ensures fair, thorough and objective behavior of the pay pool panel? In past Acq Demo programs, there has been extremely limited or no opportunity for a trained, impartial observer to view panel proceedings and ensure that the panel functioned IAW Acq Demo rules and policies. Yes, there has been a panel Chairperson, but that Chairperson was not objective (he/she knew the employees that were being rated), was frequently in the same chain of authority as the Acq Demo appeal process, and often was not well trained on rules and policies. Since the employees do not get to see what happens in a pay pool panel, and since the most damage can be done to employees by a malfunctioning pay pool panel, there is a need to place a trained, facilitator in each panel. This facilitator would need to be outside the command and appear chains to ensure fairness and objectivity.

c. The pay pool panel as part of a training process. Additionally, I believe that NSPS pay pool panels may provide an opportunity to train personnel for future supervisory assignments. At any DoD base there will typically be more than one pay pool panel. Let’s assume, as an example, that a base has twelve pay pools, and that a senior employee (John Doe) is on track for future supervisory assignments. He is evaluated annually as part of Pay Pool #6. To prepare civilians for future assignments, the base could ask for civilians to volunteer as pay pool administrative assistants. If John Doe volunteers and his name is selected, he would be assigned to support any pay pool *except his own*. He would attend and observe pay pool proceedings, and in return he would provide administrative support to the panel. His participation would be noted as part of his training record, and as part of his annual appraisal for the applicable fiscal year.

d. Training for both civilian and military supervisors. In my 20 years of service to the Air Force, I have met only a few federal civilian supervisors who were well versed in the various “GS” mechanisms by which employees could be rewarded or punished. But as bad as the problem is for

civilian supervisors, it is even worse for the case of military supervisors. My experience, and comments I have received from others, indicate that military supervisors generally have no idea how the civilian system works, nor do they really care. They do the absolute minimum to get by, then focus their attention of the system that means the most to them-- the military promotion system.

If NSPS is to have any chance of success, then both military and civilian supervisors will require thorough, detailed training. Additionally, this training will probably need to be conducted at least once every few years, both to serve as a “refresher” course, and to provide supervisors with information on any new changes to regulations, procedures and policy. The training would have to provide instruction on procedures for rewarding, punishing, hiring, firing, supervising, documenting and mentoring under the NSPS.

5. Conclusions & Summary.

- a. The proposed NSPS lacks plans / procedures by which additional funding would be obtained to pay good workers more money.
- b. The NSPS penalizes or rewards employees based more on the talents of the supervisor, instead of on the talents of the employee. Further, the proposed NSPS has no clear plan for training military and civilian supervisors, no indication that supervisors will be rated according to their performance as supervisors, and no clear metrics for measuring supervisor performance. Finally, organizations often do not stress the importance of supervisory responsibilities over their other job duties, nor do they generally reward those in supervisory positions for being good supervisors. Under the NSPS, this will need to change.
- c. The proposed NSPS does plan to conduct an annual survey of its employees, but there is no specific guidance for what NSPS is required to do with the survey results (except to post them on a web site). The survey feedback must be listened to and acted upon, otherwise it is a waste of time for everyone.
- d. Several “strategic assumptions” used in deriving NSPS requirements are incorrect, or at least incomplete in their assessment. These assumptions need to be revised in order to acknowledge that employee performance is linked to the performance of the NSPS supervisors and their utilization of the personnel system(s).
- e. The proposed NSPS will discourage teamwork and open communication between coworker and supervisors, and will make both employees and supervisors slaves to the text of the PRDs.
- f. The NSPS is a personnel “experiment,” and as such may fail. If it does fail, the current NSPS proposal has no “escape route,” no alternative system for the future. NSPS needs to build a plan to deal with this case.
- g. The proposed NSPS does not ensure accountability at all levels, especially with regards to the responsibility of supervisors to oversee, mentor, train and counsel their employees.
- h. The proposed NSPS has no clear plan for ensuring that the appeal process will be independent of the chain of command that caused the alleged problem.
- i. The NSPS proposal needs to explicitly describe the relationships, authority and responsibilities of the home and matrix offices, and how they will merge their needs and mission objectives into a single

set of requirements that a single employee can understand and perform in a typical 40-hour work week. Communication between the employee, the home supervisor and the matrix supervisor must be established in regulations and performed frequently.

j. The proposed NSPS does not indicate if the system will be standardized across all participating bases, with similar pay bands, PRDs, pay pool panel procedures, etc. More detail is needed.

k. The proposed NSPS indicates that rate range adjustments (i.e. locality pay) will not be given to unacceptable performers. This must change. Whether a person is a good employee or a bad employee, they are still an employee. That means they still have to live in the same area, pay mortgage on the same house, pay the same bills, etc. All employees need range rate adjustments until they are no longer employees.

l. Pay pool panel members need to be trained so that they know NSPS is capable of “win-win” outcomes. Also, pay panels need to be taught the difference between relative and objective scoring. Each person must be rated fairly and objectively against their own PRD, and this has to be taught to all supervisors and members of the pay pool panels.

m. Work must begin on how to incorporate results from an NSPS pay panel into the civilian PIF. Additionally, consideration and software updates need to be started to address how personnel will move between NSPS and non-NSPS organizations.

n. The proposed NSPS rules must be modified to make the supervisor responsible for writing the draft employee appraisal. The employee can be asked to help (by providing weekly/monthly activity reports, etc.), but the supervisor must write the actual appraisal. This ensures that the supervisor keeps up with what the employee is doing, and it ensures that the supervisor gains experience with the new appraisal system.

o. The proposed NSPS emulates the worst of the mythical and factual Cortes examples. To fix this, the NSPS must develop an escape route. It must also develop a well-defined and “transparent” appeal/feedback process with specific metrics that will ensure that those who have concerns with NSPS will have their concerns addressed by a non-political chain that is independent of the supervisor and pay pool.

p. The proposed NSPS pay pool can be improved by use of a trained facilitator. Additionally, the pay pool could be used as a training environment for personnel who are expected to grow into supervisory positions.

q. Both military and civilian supervisors must be thoroughly trained on all aspects of the NSPS. More emphasis will probably need to be applied to military supervisors, since their training and interests typically do not apply to civilian personnel systems.