

New Article 22

Old Article 29

Performance Awards

29.1 Availability

There is no entitlement to a performance award or other type of incentive award. ~~All awards are subject to budgetary limitations and are paid at the discretion of the NRC. The NRC has determined that it will distribute an amount equal to at least 1.6% of the Agency salary budget to bargaining unit employees as performance awards.~~

29.2 Implementation

The NRC has determined that ~~it the NRC~~ will implement its awards program in a fair and equitable manner. ~~All performance awards amounts within each Office (either as a percentage of each employee's salary or as fixed dollar amounts) will be tied directly to employee annual performance ratings. An employee whose appraisal and rating is delayed will receive the appropriate award amount when the rating is issued. For employees whose employment with the Agency does not cover the entire annual rating period, awards will be calculated on a pro rata basis.~~

~~29.3—Outstanding Performance Rating~~

~~The names of all unit employees who receive a performance rating of Outstanding shall be submitted for review by NRC management for consideration for a performance award.~~

~~Any employee having his/her name submitted for consideration pursuant to this section and who does not receive an award shall be entitled, upon request, to an explanation for the denial within thirty days.~~

~~29.4—Union Participation~~

~~29.4.1~~

~~Office Directors/Regional Administrators or their designees will discuss bargaining unit employee award nominations with appropriate union representatives. Up to two union representatives may participate in this process. The union representatives will be provided the opportunity to comment on all nominations, including those nominations submitted by employees. Management will provide feedback to the union prior to final submission of the nomination package to the Office of Human Resources for processing.~~

~~29.4.2 The information provided to union representatives for the purpose of commenting on award nominations will be held in the strictest confidence and will only be used for the purpose of providing comments to the Office Director/Regional Administrator or his/her designee. The~~

~~union representatives will keep this information confidential and will not duplicate, discuss, share or otherwise reveal any information contained in the nomination package with any one other than the NTEU Chapter 208 Executive Committee (the President, Executive Vice President, Treasurer and Secretary) and the Office Director/Regional Administrator or his/her designee.~~

~~29.4.3 Meetings held pursuant to this section are not considered formal within the meaning of 5 U.S.C. 7114. Any other meetings concerning awards may be formal if they meet the statutory definition set forth in 5 U.S.C. 7114.~~

~~29.4.4 Participation is as follows:~~

~~29.4.4.1 Divisions submit names of award nominees to Office Directors or Regional Administrators (front office).~~

~~29.4.4.2 Front office will provide names of nominees, award justification, (e.g., performance appraisal rating), award amounts, as well as historical information on recent awards (three previous years) and recent performance appraisal ratings (three previous years) to NTEU. Actual performance appraisal narrative is not provided. All employee nomination packages (Section 29.9) will be provided to NTEU.~~

~~29.4.4.3 Union may meet with and provide input/comment to each Division's Director or designee regarding the nominations.~~

~~29.4.4.4 Division Directors will present union comments and issues at front office awards discussions/meetings.~~

~~29.4.4.5 Front office representative will brief union on results of front office awards discussions/meetings.~~

~~29.4.4.6 Union may meet with Office Director/Regional Administrator or designee, and Division Directors to request any changes or provide final comments, if necessary.~~

~~29.4.4.7 In smaller offices (without divisions or division equivalents), Office Directors may discuss the awards nominations themselves or designate an individual(s) to do so.~~

~~29.5 Grievability~~

~~Failure to receive an award is non-grievable and non-arbitrable except in situations where management does not concur with the union's recommendations. Disagreement over the amount of an award is non-grievable and non-arbitrable.~~

~~29.6 Applicability~~

~~Sections 29.4 and 29.5 apply only to High Quality Increases, Performance Awards, or Special Act or Service Awards. Group awards are excluded from this process.~~

### 29.37 Data Provided to NTEU Notification

The NRC shall inform NTEU of the names of all unit employees who receive any type of performance award, the type of the award and its amount on an annual basis. On an annual basis, no later than 120 calendar days after the end of the rating period, the NRC shall provide NTEU with an electronic spreadsheet for each Office of the following bargaining unit data, excluding employee names:

29.3.1 A list showing, for each employee, his/her grade, performance evaluation score, summary rating for annual rating of record, performance award amount (where applicable), and explanation of any reasons for anomalies;

29.3.2 Data on the distribution of awards by race/national origin, showing, for each employee, race/national origin, summary rating for annual rating of record, award type (if any), award amount (where applicable) and grade;

29.3.3 Data on the distribution of awards by gender, showing, for each employee, gender, summary rating for annual rating of record, award type (if any), award amount (where applicable) and grade;

29.3.4 Data on the distribution of awards by age, showing, for each employee, age, summary rating for annual rating of record, award type (if any), award amount (where applicable) and grade;

29.3.5 Data on the distribution of awards by disability, showing, for each employee, disability status, summary rating for annual rating of record, award type (if any), award amount (where applicable) and grade;

29.3.6 If the report for a particular office under 29.3.2 – 29.3.5 produces a grouping of ten or fewer employees in a specific demographic category, that data will be provided at the Agency level.

### 29.48 Instant Cash Other Awards

The receipt of ~~an instant cash award~~ a Special Act or Service Award, or group award, does not preclude an employee from receiving a performance award.

### 29.59 Nomination by Employees

Any employee may recommend another bargaining unit employee for an award. Such a recommendation must be in writing, be signed or e-mailed, and stipulate the basis for the award. Employees are not permitted to nominate themselves.

