

# **EPPEs - Performance Appraisal (Non-Supervisory)**

U.S. Department of Housing  
and Urban Development

Employee Name:		Employee's SSN:	Organizational Segment:	Organization Code:																
			MINFO, FHEO, MINNEAPOLIS FHEO O																	
Position Title:		Series and Grade:	Date of Appraisal Period:	Date Rating Made:																
Equal Opportunity Specialist			From 01-OCT-2006 To 30-SEP-2007																	
<input type="checkbox"/> GM (PMRS Term. Provisions) <input type="checkbox"/> GS (General Schedule) <input type="checkbox"/> WG (Wage Grade) <input checked="" type="checkbox"/> GS-AFGE <input type="checkbox"/> WG-AFGE																				
Rating Official (Signature & Date)			Employee (Signature & Date)																	
x			x																	
Reviewing Official (Signature & Date)			<b>Note:</b> Employee signature indicates only that the rating has been discussed with the employee and does not signify agreement or disagreement with the rating.  <b>Progress Review:</b> Employee's initials indicate only progress review meeting was held. They do not indicate agreement or disagreement with the results.																	
x																				
<b>Element Ratings:</b>																				
Critical Element No.	Outstanding	Excellent	Fully Successful	Minimally Satisfactory	Unsatisfactory															
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>															
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>															
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<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Date</td> <td>Supervisor's Initials</td> <td>Employee's Initials</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>						Date	Supervisor's Initials	Employee's Initials												
Date	Supervisor's Initials	Employee's Initials																		
<b>Summary Ratings</b>																				
<input type="checkbox"/> Outstanding <input type="checkbox"/> Excellent <input type="checkbox"/> Fully Successful <input type="checkbox"/> Minimally Satisfactory <input type="checkbox"/> Unsatisfactory																				
Employee Comments																				
Rating Official/Reviewing Official Comments																				

**Sensitive Information:** The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, or unfairness to any individual on whom the information is maintained.

# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 1
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Critical Element Description:  
Investigation Planning and Initial Conciliation Actions

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

The EOS exceeds the Fully Successful standards by consistently accomplishing the following at least 80% of the time:

- Equal Opportunity Specialist (EOS) meets the 25-day planning timeframe;
- Investigation Plans (IPs) submitted demonstrate that the EOS will gather evidence on all three steps of discrimination analysis simultaneously, i.e., (1) prima facie elements, (2) the respondent's defenses, and (3) whether the respondent's defenses are a pretext for illegal discrimination. When needed, the EOS revises the IP throughout the course of the investigation to address new facts or issues and to identify new witnesses as they emerge; and
- IPs are of such quality that they can be discerned and utilized by another EOS who may be assigned to work on the particular case for any reason. The data to be gathered, the questions to be asked, the persons to be interviewed, and the issues to be resolved are all clearly presented in the IP.

## Fully Successful Performance Standards:

In 75% of the cases assigned, within 10 days after assignment/receipt of a case, the EOS:

- Reviews the complaint form and notification letters for sufficiency and accuracy;
- Initiates any necessary corrections to the complaint form or notification letters;
- Contacts or attempts first contact with the complainant to clarify any issues with the complaint, obtain additional information, confirm existing information and discuss conciliation;
- Discusses the need for any amendment to the complaint with his or her supervisor; and
- Sends out amended complaint for signature.

In 75% of the cases assigned, within 15 days after assignment/receipt of a case file, the EOS:

- If received, reviews the respondent's reply to the complaint. Within 7 days of receiving respondent's reply, reviews material;
- Prepares the initial (IP) based on issues identified by the complainant and respondent in the prescribed format in TEAPOTS.

In 75% of the cases assigned, within 25 days after assignment/receipt of a case file, the EOS:

- Identifies potential witnesses;
- Determines data and documentary evidence needed in the investigation;
- Finalizes the correct prima facie elements
- IP is in TEAPOTS for supervisory review;
- Develops and mails a data request letter to Respondent; and
- Schedules the on-site investigation if needed.

In 75% of the cases assigned, all actions described above will be entered into TEAPOTS within 30 days of their receipt.

Completed IPs are routinely in the prescribed format, including questions to be asked of the complainant, respondent and potential witnesses, and a list of documents to be obtained during the investigation.

The IP routinely identifies and addresses each allegation in the complaint or by the complainant and each defense proffered by the respondent and identifies any comparative data needed in the investigation.

In 75% or more of the assigned cases, Contacts or attempts to contact the complainant and contacts or attempts to contact the respondent to initiate conciliation discussions.

Whenever the EOS becomes aware of factors beyond the EOS's control that will negatively impact the timeframes outlined above, the EOS will immediately inform his or her supervisor in writing of the anticipated delay. The written notification will apprise the supervisor of the reason for the delay and the anticipated completion date. Such factors include recalcitrant respondents, the need for legal opinions and subpoenas, special priority assignments, and excused absences from work.

Whenever the EOS has reason to believe that a case is complex, systemic in nature, pattern and practice, or a cause case, the EOS will immediately inform the supervisor, in writing, of his or her concerns. If the supervisor concurs with the EOS's assessment, the case will be exempted from the timelines outlined above.

## Unacceptable Performance Standards:

In 50% or less of the cases assigned, within 10 days after assignment/receipt of a case, the EOS has not:

- Reviewed the complaint form and notification letters for sufficiency and accuracy;
- Initiated any necessary corrections to the complaint form or notification letters;
- Contacted or attempted first contact with the complainant to clarify any issues with the complaint, obtain additional information, confirm existing information and discuss conciliation;
- Discussed the need for any amendment to the complaint with his or her supervisor; and
- Sends out amended complaint for signature.

In 50% of the cases assigned, within 15 days after assignment/receipt of a case file, the EOS has not:

- Determined that the complaint and notification letters have been properly served;
- If received, reviews the respondent's reply to the complaint; and
- Prepared the initial Investigation Plan (IP) based on issues identified by the complainant and respondent in the prescribed format in TEAPOTS.

In 50% of the cases assigned, within 25 days after assignment/receipt of a case file, the EOS has not:

- Identified potential witnesses;
- Determined data and documentary evidence needed in the investigation;
- Finalized the IP in TEAPOTS for supervisory review;
- Developed and mailed a data request letter to Respondent; and
- Scheduled the on-site investigation, if needed.

In 50% of the cases assigned, within 30 days after assignment/receipt of a case file, all actions described above not been entered into TEAPOTS.

In 50% or more of the cases assigned, the EOS does not contact or attempt to contact the complainant to initiate conciliation discussions after receipt of a case.

In 50% or more of the cases assigned, the EOS does not contact or attempt to contact the respondent to initiate conciliation discussions after receipt of a case.

On a regular basis, the EOS does not immediately inform the supervisor in writing when factors beyond the EOS's control will negatively impact the timeframes outlined above, or if the supervisor is informed in a timely manner, the written notification does not include the reason(s) for the delay and the anticipated completion date.

On a regular basis the EOS does not analyze the case to determine if there is a reason to believe that a case is complex, systemic in nature, pattern and practice, or a cause case and does not inform the supervisor, in writing, of his or her concerns.

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# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 2
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Critical Element Description:  
Investigation

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

EOS meets the timeliness standards in the Fully Successful standards in nearly all of the cases that are not complex, systemic in nature, pattern and practice, cause, include recalcitrant respondents, require legal opinions or subpoenas.

In nearly all of the EOS<sub>L</sub> cases, the EOS demonstrates outstanding investigative skills by the following at least 80% of the time:

- Uses probing techniques that result in comprehensive, nearly verbatim interview records that demonstrate that the EOS has attempted to resolve any inconsistencies in the testimony of the witness;
- When necessary, develops and uses charts for recording data, as well as analyzing raw data, resulting in reports and determinations that are easy to understand and not subject to misinterpretation;
- Diligently pursues efforts to gather as much relevant evidence as possible to support or refute the allegations resulting in few cases being remanded for substantive additional work; and
- Produces written products that clearly interpret complicated issues and matters that arise during the investigation.

For that reason, the Outstanding Performer is often called upon by the supervisor to handle more complex cases and to help other investigators complete their cases.

## Fully Successful Performance Standards:

In 75% of the cases assigned, within 50 days after assignment/receipt of a case, the EOS:

- Conducts or attempts to conduct all necessary interviews;
- Determines the need for and, if needed, requests Temporary Restraining Orders (TROs) or subpoenas;
- Collects or attempts to collect all documents and data necessary for a determination;
- Completes or attempts to complete any needed on-site investigation; and
- Consults with his or her supervisor regarding any anticipated delays.

In 75% of the cases assigned, within 70 days after assignment/receipt of a case, the EOS:

- Writes up completed interviews and conciliation discussions in TEAPOTS;
- Reviews and analyzes information obtained;
- Makes or attempts to make additional contacts as necessary to clarify issues; and
- Prepares any needed data analysis spreadsheets, maps, charts, etc.

In 75% of the cases assigned, within 10 days of completion of an investigation, the EOS:

- will have completed all TEAPOTS entries related to all activities not already noted above, and
- 100% of the conciliation attempts and/or discussions will be documented in TEAPOTS.

In completing an investigation, the EOS<sub>L</sub> gathering of evidence routinely demonstrates:

- An understanding of the Fair Housing Act's statutory and regulatory requirements regarding the type of documents and data needed to show comparative treatment;
- Appropriate data collection and analysis and logical use of evidence to determine cause or no cause; and
- Use of appropriate interviewing techniques to assure adequate, accurate and unbiased information gathering from complainants, respondents and witnesses.

For each interview conducted, a record is prepared and entered into TEAPOTS that is detailed in nature, grammatically correct and accurately reflects the information obtained during the interview.

The EOS attempts to resolve any issues that may have arisen during the investigation that concern HUD jurisdiction (including making timely requests for legal opinions when needed) and recommends administrative closure of non-jurisdictional complaints.

While a case is assigned to an EOS and in the EOS<sub>L</sub> possession, the EOS will contact or attempt to contact all complainants and respondents (or their respective representatives) periodically to provide a status report. Each contact or attempt to contact will be recorded in TEAPOTS in a timely fashion.

Whenever the EOS becomes aware of factors beyond the EOS<sub>L</sub> control that will negatively impact the timeframes outlined above, the EOS will immediately inform his or her supervisor in writing of the anticipated delay. The written notification will apprise the supervisor of the reason for the delay and the anticipated completion date. Such factors include recalcitrant Respondents, the need for legal opinions and subpoenas; special priority assignments, and excused absences from work.

Whenever the EOS has reason to believe that a case is complex, systemic in nature, pattern and practice, or a cause case, the EOS will immediately inform the supervisor, in writing, of his or her concerns. If the supervisor concurs with the EOS<sub>L</sub> assessment, the case will be exempted from the timelines outlined above.

## Unacceptable Performance Standards:

In 50% or more of the cases assigned, within 50 days after receipt of a case, the EOS:

- Has not conducted or attempted to conduct all necessary interviews;
- Has not determined the need for and, if needed, requested any TROs or subpoenas;
- Has not collected or attempted to collect all documents and data necessary for a determination;
- Has not completed or attempted to complete any needed on-site investigation; and
- Does not consult with his or her supervisor regarding any anticipated delays.

In 50% or more of the cases assigned, within 70 days after receipt of a case, the EOS:

- Has not written up completed interviews in TEAPOTS;
- Has not reviewed and analyzed information obtained;
- Has not made or attempted to make additional contacts as necessary to clarify issues; and
- Has not prepared any needed data analysis spreadsheets, maps, charts, etc.

In 50% or more of the cases assigned, within 10 days of completion of an investigation, the EOS has not completed all

TEAPOTS entries related to all activities not already noted above.

In completing an investigation, the EOS, gathering of evidence routinely does not demonstrate:

- An understanding of the Fair Housing Act's statutory and regulatory requirements regarding the type of documents and data needed to show comparative treatment;
- Appropriate data collection and analysis and logical use of evidence to determine cause or no cause; and
- Use of appropriate interviewing techniques to assure adequate, accurate and unbiased information gathering from complainants, respondents and witnesses.

In 50% or more of assigned cases, the record of the interviews is not prepared and entered into TEAPOTS or the information in TEAPOTS is not detailed in nature, grammatically correct and accurately reflecting the information obtained during the interview.

In 50% or more of assigned cases, the EOS fails to apprise the supervisor of anticipated delays in completing the investigative process.

In 50% or more of assigned cases, the EOS requires constant supervisory oversight in order to complete the investigative process demonstrating little initiative on his or her own.

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# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 3
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Critical Element Description:  
Case file preparation and Determination and Final Investigation Report (FIR)

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

In at least 80% of the cases assigned:

- Case files submitted for closure by the EOS are consistently prepared according to established guidance and rarely, if ever, returned for corrections.
- Files are not only properly formatted, but also professional in appearance with documents neatly aligned and properly tabbed.

In addition to meeting the Fully Successful Performance standards, the EOS's Determinations and Final Investigative Reports (FIRs) are grammatically correct, complete, correctly prepared in accordance with established guidance, and require no substantive additions or corrections.

The EOS's Determinations and FIRs utilize headquarters and regional guidance materials, relevant legal analysis, and, when applicable, both widely accepted and novel discrimination theories and principles such as shifting burdens of proof, relative weight of evidence, assessing credibility of witnesses, and "futile gesture" theory.

## Fully Successful Performance Standards:

In at least 75% of the cases assigned:

- Case files submitted for closure, regardless of type of closure, are routinely prepared according to established guidance from the supervisor in accordance with the HUD Handbook.
- Documents have a Document Control Cover Sheet, are appropriately tabbed and placed in the appropriately designated section of the file.
- Files will contain a Table of Contents with the case name and number that identifies all tabbed documents in the appropriate section of the file.
- Files submitted by the EOS are not routinely returned due to failure to adhere to established guidance.
- Cases submitted for closure are not unduly delayed because of delays in properly putting a case file together.

In 75% of the cases assigned, within 20 days of completion of the investigation, the EOS routinely submits a properly prepared draft Determination and FIR with the case file to the supervisor for review. However, if the 100-day timeframe is set to expire within that 20-day period, the EOS makes every effort to complete the task prior to the 100 days expiring.

In 75% of the cases assigned, the EOS makes any changes or corrections noted by the supervisor and routinely returns the file with the corrections within 10 days of receipt from the supervisor. However, if the 100-day timeframe is set to expire within that 10-day period, the EOS makes every effort to complete the task prior to the 100 days expiring.

The Determination and FIR are routinely prepared according to established criteria and in the established format.

The Determination and FIR are routinely clear, concise, grammatically correct and relevant and the Jurisdiction Section clearly documents all elements of jurisdiction, i.e., complainant standing, timeliness, respondent jurisdiction, subject matter jurisdiction, and exemptions under the Act.

On a consistent basis, the Interview Section of the FIR accurately summarizes all information obtained during the interview and is clear, concise and grammatically correct.

On a routine basis, the Determination:

- Clearly sets forth the pertinent facts of the case;
- Provides logical and persuasive arguments to justify the EOS's conclusions and recommendations; and
- Addresses the proper prima facie elements.

## Unacceptable Performance Standards:

In 50% or more of the cases assigned:

- Case files submitted for closure, regardless of type of closure, are not routinely prepared according to established guidance from the supervisor in accordance with the HUD Handbook.
- Documents do not have a Document Control Cover Sheet and are not appropriately tabbed and placed in the appropriately designated section of the file.
- Files do not contain a Table of Contents with the case name and number that identifies all tabbed documents in the appropriate section of the file.
- Files submitted by the EOS are returned due to failure to adhere to established guidance
- Cases submitted for closure are unduly delayed because of delays in properly putting a case file together.

In 50% or more of the cases assigned, the EOS does not submit a properly prepared draft Determination and FIR with the

case file to the supervisor for review, within 20 days of completion of the investigation. The EOS makes very little effort to complete the task prior to the 100 days expiring when the 100-day timeframe is set to expire within that 20-day period

In 50% or more of the cases assigned, the EOS does not make changes or corrections noted by the supervisor within 10 days of receipt from the supervisor. The EOS makes very little effort to complete the task prior to the 100 days expiring when the 100-day timeframe is set to expire within that 10-day period.

In 50% or more of assigned cases, the Determination and FIR are not prepared according to established criteria and in the established format.

In 50% or more of assigned cases, the Determination and FIR are not clear, concise, grammatically correct and relevant and the Jurisdiction Section does not clearly document all elements of jurisdiction, i.e., complainant standing, timeliness, respondent jurisdiction, subject matter jurisdiction, and exemptions under the Act.

In 50% or more of assigned cases, the Documents Section of the FIR does not accurately summarize and describe the relevancy of all relevant documents obtained in the investigation.

In 50% or more of assigned cases, the Interview Section of the FIR does not accurately summarize all information obtained during the interview nor is it clear, concise or grammatically correct.

In 50% or more of assigned cases, the Determination does not:

- Clearly set forth the pertinent facts of the case;
  - Provide logical and persuasive arguments to justify the EOS's conclusions and recommendations; and
  - Address the proper prima facie elements.
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# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 4
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Critical Element Description:  
Conciliation/Settlements/Voluntary Compliance Agreements (VCAs)

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

The EOS meets the Fully Successful Performance standards and:

In cases successfully conciliated, the EOS generally obtains relief in three areas of concern: 1) relief for the complainant; 2) affirmative relief for the public interest; and 3) injunctive relief appropriate for the elimination of alleged housing practices and a statement of intent not to discriminate at least 90% of the time.

Conciliations, settlements and VCAs negotiated by the EOS consistently result in agreements which impact numerous persons and affirmative relief obtained involves changes in Respondent's policies at least 90% of the time.

The EOS consistently recognizes situations where bringing the parties together is most advantageous and convenes or attempts to convene conciliation conferences at least 90% of the time.

## Fully Successful Performance Standards:

In at least 75% of the cases assigned, the EOS enters into TEAPOTS all conciliation contacts, contact attempts, and information received within 5 days of receipt.

In at least 75% of the cases assigned, the EOS maintains accurate and complete records relating to offers and counteroffers and communicates or attempts to communicate offers and counteroffers to opposing parties within 5 days of receipt.

Conciliation agreements routinely contain all the mandatory provisions as prescribed by HUD.

Conciliation agreements and VCAs are routinely prepared in the format prescribed by established guidance.

## Unacceptable Performance Standards:

In 50% or more of the cases assigned, the EOS does not enter into TEAPOTS all conciliation contacts, contact attempts, and information received.

In 50% or more of the cases assigned, the EOS does not maintain accurate and complete records relating to offers and counteroffers nor communicates or attempts to communicate offers and counteroffers to opposing parties.

In 50% or more of the cases conciliated, conciliation agreements do not contain all the mandatory provisions as prescribed by HUD Guidance (Investigator's Handbook) and/or are not prepared in the format prescribed by established guidance.

In 50% or more of the cases successfully conciliated or settled, the EOS does not submit the case file, pursuant to the prescribed case file preparation guidance, to the supervisor within 10 days of settlement.



# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 5
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Critical Element Description:  
Technical Representation/Assistance, Training, Education, Outreach and Special Assignments

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

Exceeds the Fully Satisfactory Standard by:

- Participating as a trainer, planner, chairperson for seminars, meetings, workshops as an authoritative HUD/FHEO subject matter expert.
- Coordinating and completes assignments within agency, public and private industry officials while maintaining courteous demeanor with groups which have been traditionally hostile to agency programs.
- Preparing persuasive well-organized presentations or responses to requests for advice or technical assistance.
- On own initiative, identifying need for and proposes ways to provide effective outreach/education to specialized groups or underserved populations.
- Positive feedback and correspondence is frequently received from internal and external clients.
- Independently researching questions posed by other division staff or clients regarding fair housing or civil rights issues demonstrating a knowledge of programs and regulations.

## Fully Successful Performance Standards:

- Gives at least one training or information session to interested client-group.
- Provides appropriate, accurate, and timely verbal and written responses that demonstrate a thorough knowledge of relevant HUD and FHEO programs and policies.
- When unable to provide an answer or unsure of an answer to a client's question is willing to talk to program staff, FHEO co-workers and supervisor to find the answer or develop a solution to the problem.

## Unacceptable Performance Standards:

- Refuses to accept assignment to provide training to clients or is unexpectedly absent on the training day.
- Fails to adequately prepare for meetings, conferences, workshops or other training assignments
- Advice received by clients of officials is not considered appropriate, useful, responsive, legal or prompt deeming it of no help.
- Consistent legitimate, negative comments received from public regarding EOS's participation, lack of participation at training, conferences, or meetings.
- Consistently refuses to provide technical assistance to other HUD program staff, grantees, tenants of the general public.

# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 6
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Critical Element Description:  
Program Application and Program Document Reviews

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

The EOS exceeds and exceeds the Fully Successful Standards by consistently accomplishing the following at least 80% of the time:

- Routinely completes Affirmative Fair Housing Marketing Plan (AFHMP) reviews within 8 days. All reviews are well documented. Letters to applicants are clear and concise with suggestions for corrections and improvements.
- Follows-up with applicants who have not resubmitted AFHMP corrections with 10 days of the due date.
- Routinely completes all other program reviews except Section 202/811 reviews within the established timeframes.
- Produces high volume of work demonstrating exceptional program/technical expertise that is correctly applies to established criteria.
- When appropriate, provides innovative solutions to assist the grantee in complying with program requirements.
- Demonstrates a willingness to meet with grantees or other recipients of federal funding to review and improve document submission.

## Fully Successful Performance Standards:

- At least 75% of the completed document reviews are signed by the supervisor without requiring major technical or substantive corrections; or modifications.
- At least 75% of the completed document reviews are signed by the supervisor without requiring major changes for clarity, grammar, spelling or math errors.
- At least 75% of the assigned document reviews are reviewed within the specified programmatic deadlines.
- 75% of all assigned AFHMP will be reviewed and transmittal letter drafted within ten days of receipt of AFHMP.
- In at least 75% of the cases, upon receipt of requested additional information, EOS will review the information and either prepare the approval letter or prepare the deficiency letter within ten days.
- In at least 75% of the cases, EOS will review documents and prepare required correspondence regarding the review of CAPERS, PHA Plans, Designated Housing Plans, PHA Annual Plans and other program documents within ten days.
- If assigned, 100% of the Section 202/811 applications will be completed in accordance with the Notice of Funding Availability (NOFA) and management guidance. If EOS is unable to meet this deadline, within three working days, must notify supervisor with reasons for delay.
- Work is produced in a manner consistent with the handbooks and regulations with minimal grammatical errors.

Whenever the EOS becomes aware of factors beyond the EOS's control that will negatively impact the timeframes outlined above, the EOS will immediately inform his or her supervisor in writing of the anticipated delay. The written notification will apprise the supervisor of the reason for the delay and the anticipated completion date. Such factors include complaints caseload, the need for legal opinions, special priority assignments, and excused absences from work.

## Unacceptable Performance Standards:

- In at least 50% of the assigned reviews, the
- Document reviews are not complete, i.e., they are not written, researched, and/or prepared using correct forms or formats.
  - Do not cover the appropriate civil rights-related program requirements.
  - Do not provide conclusions based on HUD program regulations and policy.
  - Reviews presented to the supervisor require major technical or substantive corrections; or modifications.
  - Reviews presented to the supervisor require major changes for clarity, grammar, spelling or math errors.
  - Reviews requiring corrective action by grantee or applicant do not provide useful/helpful recommendation.

On a regular basis, the EOS does not immediately inform the supervisor in writing when factors beyond the EOS's control will negatively impact the timeframes outlined above, or if the supervisor is informed in a timely manner, the written notification does not include the reason(s) for the delay and the anticipated completion date.

# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 7
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Critical Element Description:  
Compliance and On-Site Reviews, i. e., Title VI and Section 504.

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

EOS meets the timeliness standards in the Fully Successful standards in nearly all of the cases. In addition to the Fully Successful standards, EOS routinely:

- If team leader, arranges with management, a proposed schedule for on-site portion of review and when necessary moderates meetings with assigned staff to plan and implement the review including outreach to recipients and officials.
- Carries out lead responsibility in an exemplary and professional manner.
- Contacts the funding division i. e., Housing, Public Housing or Community Planning and Development Division regarding the review soliciting issues and concern that division might have concerning grantee/recipient.
- On own initiative, and as appropriate, reviews REAMS, PIC data, TEAPOTS data regarding grantee/recipient.
- Contact supervisors in other divisions to solicit volunteers from other divisions to participate in review.
- Provides on-the-job training to other division's volunteers
- Develops a detailed work plan to follow to accomplish compliance review and presents final document to supervisor.

Work plan includes but is not limited to information on specific individuals/positions to interview, documents to be collected and reviewed prior to the on-site visit, develops unique forms to be completed during the review, units and common areas to be measured, tenants to be interviewed.

- If providing support staff for a review, EOS carries out team leader's assignments as requested. Types of assignments could include document requests and reviews, review and analysis of recipient's historical record, if available; recommendations to team leader as to areas for additional review or analysis.
- If a Voluntary Compliance Agreement (VCA) is required, EOS prepares a VCA and presents it in final form for the supervisor's signature.
- Alerts supervisor of problems in fulfilling VCA or its deadlines, proposing solutions that are unique to issues or recipient working with other HUD program staff, Rural Development or MN Housing staff when necessary.

## Fully Successful Performance Standards:

- If a team leader, recommends to management the what where, when for accomplishing the review in a timely manner. Identifies files, policies, procedures, units to be measured, witnesses and building demographics to be reviewed and analyzed.

o Within 25 days of selecting a recipient to review, EOS prepares letter to recipient and begins scheduling the on-site review.

o EOS routinely completes reviews and analyses data consistent with fair housing laws, program requirements and handbooks.

- o On-site reviews are prepared in advance.
- o Develops review sheets for colleagues to use to assist in the review.
- o Works with supervisor to provide guidance to volunteers from other divisions.
- o Works with supervisor to develop a detailed work plan to follow to accomplish compliance review. Work plan includes but is not limited to information on specific individuals/positions to interview, documents to be collected and reviewed prior to the on-site visit, develops unique forms to be completed during the review, units and common areas to be measured, tenants to be interviewed.

- If in a support role, EOS carries out assigned portion of review and submits a work product which needs little revision or review and is completed within the established time frames most of the time. Coordinates with team leader if EOS predicts a delay in providing the necessary information.

· In completing an investigation, the EOS's gathering of data routinely does demonstrates:  
o An understanding of the Section 504 and Title VI's statutory and regulatory requirements regarding the type of

documents and data needed to be maintained by the recipient;

- o Appropriate data collection and analysis and logical use of evidence to determine compliance, and;
- o Use of appropriate interviewing techniques to assure adequate, accurate and unbiased information gathering from recipients and others like residents.

- For each interview conducted and document reviewed, an accurate record and summary is made and included in the file.

- The Letter of Findings (LOF) is drafted for the supervisor's review within 30 days of the completion of the

compliance review.

- If a Voluntary Compliance Agreement (VCA) is required, EOS drafts a VCA under the supervision on the supervisor,

· Closes the review in TEAPOTS.

- Monitors the VCA until completion. Upon request, informs supervisor informed of problems in complying with the VCA.

Works together with supervisor to develop alternative solutions to assure compliance with the VCA.

Whenever the EOS becomes aware of factors beyond the EOS's control that will negatively impact the timeframes outlined above, the EOS will immediately inform his or her supervisor in writing of the anticipated delay. The written notification will apprise the supervisor of the reason for the delay and the anticipated completion date. Such factors include recalcitrant respondents, the need for legal opinions, special priority assignments, and excused absences from work.

## Unacceptable Performance Standards:

- In role of team leader, EOS routinely  
o Does not provide guidance to support staff or provides guidance that is not clear.

o Does not provide work assignments, interview questionnaires, file or data review questionnaires or other review forms

to support staff.

o Does not participate in the on-site review

o Does not analyze information gathered or analysis of information shows a lack of understanding of program requirements or civil rights obligations.

o Is not prepared for the interviews

o Does not provide recipient sufficient time to prepare for an on-site review or respond to data requests.

o Does not complete the LOF within 50 days of the completion of the review or the LOF is of such poor quality, it must be rewritten.

o Does not prepare a VCA, when compliance review deems one necessary or VCA is of such poor quality, it must be rewritten.

o Does not maintain documentation supporting conclusions drawn during the review.

The EOS fails to apprise the supervisor or team leader of anticipated delays in completing the assigned work.

The EOS requires constant supervisory oversight in order to complete the assigned work demonstrating little initiative on his or her own.

EOS refuses to participate in the review as either a team leader or support staff.

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# Elements & Standards

U.S. Department of Housing  
and Urban Development

Date Assigned: 22-DEC-2006	Reviewing Officials Initials:	Supervisors Initials:	Employees Initials:	Rating Date:	Rating:	Element No.: 8
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Critical Element Description:  
Technical Representation/Assistance, Training, Education, Outreach and Special Assignments

Employee initials indicate only that critical elements and performance standards were communicated to him/her. They do not signify agreement or disagreement.

## Outstanding Performance Standards:

Exceeds the Fully Satisfactory Standard by:

- Participating as a trainer, planner, chairperson for seminars, meetings, workshops as an authoritative HUD/FHEO subject matter expert.
- Coordinating and completes assignments within agency, public and private industry officials while maintaining courteous demeanor with groups which have been traditionally hostile to agency programs.
- Preparing persuasive well-organized presentations or responses to requests for advice or technical assistance.
- On own initiative, identifying need for and proposes ways to provide effective outreach/education to specialized groups or underserved populations.
- Positive feedback and correspondence is frequently received from internal and external clients.
- Independently researching questions posed by other division staff or clients regarding fair housing or civil rights issues demonstrating a knowledge of programs and regulations.

## Fully Successful Performance Standards:

- Gives at least one training or information session to interested client-group.
- Provides appropriate, accurate, and timely verbal and written responses that demonstrate a thorough knowledge of relevant HUD and FHEO programs and policies.
- When unable to provide an answer or unsure of an answer to a client's question is willing to talk to program staff, FHEO co-workers and supervisor to find the answer or develop a solution to the problem.

## Unacceptable Performance Standards:

- Refuses to accept assignment to provide training to clients or is unexpectedly absent on the training day.
- Fails to adequately prepare for meetings, conferences, workshops or other training assignments
- Advice received by clients of officials is not considered appropriate, useful, responsive, legal or prompt deeming it of no help.
- Consistent legitimate, negative comments received from public regarding EOS's participation, lack of participation at training, conferences, or meetings.
- Consistently refuses to provide technical assistance to other HUD program staff, grantees, tenants of the general public.