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**NASA**  
**Procedural**  
**Requirements**

**NPR 3432.1**  
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**COMPLIANCE IS MANDATORY**

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## **Performance Based Reduction In Grade or Removal Actions (Revalidated with Change 1 03/02/2006)**

**Responsible Office: Office of Human Capital Management**

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Effective Date May 7, 1999

# Preface

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## P.1. Purpose

Each NASA employee's performance of his/her assigned duties and responsibilities contributes to the development of a new NASA, the achievement of our mission and goals, and the satisfaction of our customers and will be reviewed and evaluated by NASA management. NASA managers have the authority, subject to applicable law and regulations, to reduce in grade or remove for unacceptable performance an employee under their supervision. This NPR establishes the responsibilities, procedures, and requirements for such actions and should be used in conjunction with the referenced statutory and regulatory requirements. Center Personnel Offices should be consulted for further information and guidance.

## P.2. Applicability

This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities. Unless otherwise indicated, use of the word Center(s) in the text of the NPR includes NASA Headquarters, and any reference to Center Director(s) includes the Assistant Administrator for Institutional and Corporate Management.

## P.3. Authority

- a. Title 5, United States Code (U.S.C.), Part III, Subpart C, Chapter 43.
- b. Code of Federal Regulations (CFR), Title 5, Parts 432 and 752.
- c. Relevant Collective-Bargaining Agreement provisions for Bargaining Unit Employees.

## P.4. References

NPD 3000.1 Management of Human Resources

## P.5 Cancellation

NPR 3432.1, dated April 17, 1991.

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**/s/ Vicki A. Novak**  
**Assistant Administrator for**  
**Human Resources**

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# **Distribution:**

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# Chapter 1. Responsibility

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## 1.1 Officials

1.1. Officials-in-Charge of Headquarters Offices and NASA Center Directors are responsible for providing written performance elements and standards, assessing performance, and taking appropriate action to reduce in grade or remove an employee under their supervision who fails to meet the established performance standards in one or more critical elements. This authority may be redelegated in accordance with the following provisions:

1.1.1. Reduction in grade or removal.

1.1.1.1. Proposal: first-level supervisor.

1.1.1.2. Decision: one level above those with authority to propose.

1.1.2. Removal of probationary employee.

1.1.2.1. For performance or conduct after appointment, first-level supervisor may both propose and decide.

1.1.2.2. For reasons prior to employment --

a. Proposal: first-level supervisor.

b. Decision: one level above those with authority to propose.

1.1.3. Termination of re-employed annuitant: first-level supervisor may both propose and decide.

## 1.2 Exception

1.2. Exception to the above: the Administrator and Center Directors may both propose and decide actions.

## 1.3 Advanced Notice

1.3. A decision to extend the advance notice period, written proposals, and decisions are to be coordinated with the appropriate Personnel Office.

# Chapter 2. Performance-Based Reduction-in-Grade or Removal Actions

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## 2.1. Procedures

2.1.1. When a determination is made that an employee's performance is unacceptable, the employee will be so notified, in writing (opportunity to improve), and provided a minimum of 30 days to demonstrate acceptable performance. (NOTE: Only unacceptable performance that occurs after the employee is aware of the elements and standards may be considered.)

2.1.2. Written notification will include the following, in addition to that which is required by law and regulations:

2.1.2.1. The location of the evidence supporting, and the policies and procedures governing, the proposed action and notice, which are available for the employee's review.

2.1.2.2. At least 7 calendar days to reply orally and/or in writing. (NOTE: The proposing official may not serve as the oral reply official.) A copy of the oral reply written summary will be provided to the employee.

2.1.2.3. A reasonable amount of official time to prepare (normally 4-8 hours) and present any reply that will be considered in the final decision.

2.1.3. If employed by NASA, representatives are entitled to official time for preparation and participation in the written and oral reply.

2.1.4. The notice period may be extended by the deciding official in consultation with the appropriate Personnel Office and, as necessary, the Office of Personnel Management.

## 2.2. Alternate Procedures

The procedures in 5 CFR Part 752 may be used when both performance and nonperformance factors are the basis for proposing an action. They may also be used for unacceptable performance when a preponderance of evidence is available and the action will promote the efficiency of the service, or in cases where lesser sanctions than demotion or removal are deemed appropriate, where safety or health-related issues exist, and/or for discourtesy to the public. No opportunity to improve period is required; however, the lack of an opportunity period must be considered in deciding upon the appropriate penalty. In addition, if there are both performance and nonperformance factors, a proposal that uses a combination of 5 CFR Parts 432 and 752 procedures may be used with Part 432 procedures relating to the determination of unacceptable performance and Part 752 procedures relating to the charges of misconduct.