



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

September 29, 2026

Mr. Scott Kupor
Director, Office of Personnel Management
1900 E. ST NW
Washington, D.C. 20415-1000

Re: Promoting Employee Accountability (Docket No. 2025-OPM-0012) – Reopened for public comment

Dear Director Kupor,

The Partnership for Public Service submits these comments on the Office of Personnel Management’s notice for comment “[Promoting Employee Accountability](#)” (Docket No. 2025-OPM-0012) upon the reopening of the rule for additional comment. The Partnership is a nonprofit, nonpartisan organization committed to building a better government and a stronger democracy. We have advocated across administrations for federal laws, regulations and programs that improve the government’s ability to attract, hire and retain a talented workforce that effectively serves the public.

We want to emphasize and specify aspects of our [original comments](#) and caution against moving forward on proposals without considering the broader system and dependencies at play. Fixing the system to take necessary action to address poor performance and misconduct will require serious systemic reform rather than tweaks around the edges. Solutions not based on a systems view may solve certain problems in isolation but cause inadvertent, downstream consequences and prove counterproductive to broader goals of a high-performing workforce.

- Serious system reform **requires design that deals with root causes** and situates **employee accountability as part of a broader ecosystem** that supervisors and leaders are operating within.
 - An example to illustrate this is the proposal to use supervisor performance plans as a primary mechanism to hold supervisors accountable for dealing with performance and conduct issues on their teams. While we support the addition of the critical supervisory element and believe that a primary part of any supervisor’s role is enabling the successful performance of their team, we are also clear-eyed on the challenges and incentives they face in the current environment. Changing performance plans is too simplified a response to the myriad structural challenges to effective supervision:
 - Capabilities: Most supervisors do not receive the robust training needed to have the skills around giving feedback, navigating difficult

conversations and developing employees. This is often exacerbated by lack of resourcing from HR to support supervisors and employees in development and performance management processes.

- Role Fit: Some technical experts are in supervisory roles because it is the only path to advancement and not because they actually want to manage people—there should be different paths to advancement for those seeking supervisory roles and not.
- Capacity: Supervisors are often stretched very thin. They are asked to serve in one or multiple acting roles in addition to their primary job and supervise many direct reports. They have navigated the roll out of the many new policies of this administration and been told to get by with reduced staff given large workforce cuts and departures. When it is currently so difficult in most agencies to hire the necessary talent—due in part to restrictions of the current administration but largely due to a convoluted federal hiring system overall—supervisors are incentivized to preserve headcount of any kind. Adding another thing to their plate without addressing the other the many strains that reduce their ability to manage performance in the first place will not meaningfully address the problems this rule is trying to solve.
- Effective reform also requires **implementation that takes sequencing and dependencies seriously and includes mitigation to avoid perverse incentives.**
 - An example to consider is the proposal requiring agency tracking of certain metrics such as “time to fire”. Agencies should not mandate tracking on a metric like this until they have already addressed many of the root causes making it difficult to remediate poor performance. OPM should work with the Performance Improvement Council to develop key performance indicators and metrics that help move towards outcomes rather than outputs.
 - We should take a lesson learned from the widespread government tracking of “time to hire” for many years that has not actually driven meaningful change in making federal hiring more effective. Just tracking the metric has not been an effective forcing mechanism to address underlying structural, systemic and cultural causes impeding hiring. It has often increased administrative burden to those tasked with tracking the data and perverse incentives to meet targets that might not actually result in the best hires—the actual outcome intended.
 - On a metric like “time to fire” – the data might be used in talking points but would not actually provide policymakers meaningful information. Short time to fire could mean many different things—including politicized firing or that the employee did not push back at all because they wanted to leave with a severance and take a job on the outside. And a long time to fire could mean anything from the firing being illegitimate to a complex case that included a variety of discrimination and

accommodation considerations. Further distorting this information, many people leave before they are actually fired, and those instances would show up as resignations instead of removals.

- To better address the root causes we need to first consider reforms like having one federal employee court to address the proliferation of ways underperformers can game the system, changing the risk-aversion incentives of agency leadership/HR/OGC to leave poor performers on the job, and—more logistically—having a centralized data and case management systems that make any potential metrics like this an automated data pull. Any one of these is a laudably huge undertaking. Putting metrics in place before any of those upstream issues are solved will just add unnecessary administrative burden across agencies and perversely incentivize those reporting to try and bypass due process to meet quotas. Before adding another such burden, we should ask, “what would this metric actually tell us that we could use to make government more effective, responsive and accountable?”

Promoting employee accountability requires addressing root causes and incentives in the broader system of employee performance management. We encourage OPM to consider our [original comments](#) and the above concerns in considering additional ideas on holding employees accountable. We would also be happy to engage in conversation about how the performance management issues could be improved through regulation, statute and practice.

Thank you for the opportunity to comment on this reopened proposed rule. The Partnership stands ready to serve as a resource to OPM as it works to build a more accountable, effective federal workforce, and we would welcome the opportunity to discuss these comments further.

Sincerely,



Max Stier
President & CEO
Partnership for Public Service