

## Appendix IX – Performance Planning and Evaluation Procedures for Bargaining Unit Employees

- (1) Purpose: This procedure establishes the process that departments must follow in conducting performance planning and evaluation for bargaining unit employees.
- (2) Definitions.
  - (a) Coaching: Coaching is a non-disciplinary, supervision tool that utilizes interactive communication between a supervisor and an employee with the intent to have a positive influence on the employee and the department. The goal of coaching is to enhance the employee's motivation, performance, awareness, and professional development. Coaching may be a one time event or a process that occurs over time. Coaching may be used by a supervisor to recognize the quality of the employee's work, identify opportunities for improvement, and provide guidance and direction to the employee to maximize the employee's knowledge, skills and abilities.
  - (b) Conduct: Job-related behaviors that are necessary for maintaining an orderly, safe, and productive work environment.
  - (c) Counseling: A discussion between an employee and supervisor about the employee's conduct or performance that includes efforts taken by a supervisor to give feedback or improve conduct and performance.
  - (d) Overall rating: A summary rating in the employee's performance evaluation that best describes the employee's overall level of performance during the period covered by a performance plan
  - (e) Performance evaluation: a supervisor's written evaluation of an employee's performance in relation to the standards in the employee's performance plan. An evaluation may be an interim or annual evaluation.
  - (f) Performance standard: The criteria against which an employee or team is rated. A performance standard is a written description of the quantity and characteristics of the job, the type of work to be performed, or the results that the employee or team is expected to accomplish
  - (g) Performance plan: The document that records performance standards and is the basis for assessment of the employee's job performance.
  - (h) Progress discussion: A supervisor's assessment of an employee's performance in relation to the expectations in the performance plan.
  - (i) Reviewing official: The individual who must review the evaluation and ensure that appropriate performance planning and evaluation procedures were followed by the employee's immediate supervisor. A reviewing official should help to resolve disagreements between the supervisor and employee on the plan or evaluation and ensure that:
    - (i) the plan and evaluation are consistent with this procedure; and
    - (ii) the overall rating is consistent with the individual elements of the plan.
  - (j) Review period: The time period during which an employee's performance is reviewed and for which an overall rating is prepared.
- (3) Policies.
  - (a) All departments must plan for and evaluate the performance of all department employees who are in positions covered by the bargaining unit.
  - (b) A department must use a performance planning and evaluation form that is consistent with the attached sample format.
- (4) Performance management, the performance plan, the performance planning process, and performance evaluation.
  - (a) Performance management. Performance management is the responsibility of the supervisor and includes:
    - (i) developing the performance standards for an employee or team at the beginning of a review period;
    - (ii) ongoing monitoring of the employee's or team's performance with periodic oral or written feedback, coaching, training, or other action to enhance performance;
    - (iii) conducting periodic progress discussions, preparing interim evaluations, and developing plans to improve employee performance as needed; and
    - (iv) evaluating an employee or team on performance of the elements of the performance plan and awarding an overall rating.
  - (b) Performance plan.

- (i) Frequency and timing of performance planning. A performance plan should be established within 45 days after an employee begins work in a new position. A new plan should be established for the next review period within 60 days after the review period begins, and will not affect the duration of the review period.
- (ii) Annual review period.
  - (A) The period covered by the performance plan must be 12 months or less.
  - (B) The review period may be linked to an employee's increment date, the anniversary of the employee's hire date if the employee does not receive increments, or the fiscal or program year.
- (iii) Substance of a performance plan.
  - (A) Each employee's performance plan must state the performance standards for the employee or team during the review period. Performance standards must describe, at a minimum, the performance level of "Met Expectations" in terms that allow reasonably objective assessment.
  - (B) Performance standards may be stated as a goal, outcome or result expected, numerical criteria, behavior to be demonstrated, task to be accomplished or performed, acceptable conduct, or other expectation appropriate to the job classification and position.
  - (C) A performance plan must be consistent with departmental work programs and class specifications.
  - (D) A performance standard may be developed for an individual, a team, or both.
  - (E) Employees must be given an opportunity to participate in establishing mutually determined professional development objectives and career goals, along with strategies for accomplishment.
- (c) Performance planning process.
  - (i) The signature of the supervisor and employee formally establishes a performance plan only after the employee has been given the opportunity to meet with the supervisor for purposes of reviewing the supervisor's expectations and contributing to the plan. The employee's signature indicates only that the employee has seen the plan, and does not indicate that the employee agrees with the plan. If more than one individual directly supervises an employee, each should participate fully in the performance planning responsibilities. The supervisors should share this responsibility in a manner consistent with their roles in directing the employee's work.
  - (ii) If an employee refuses to sign a performance plan, the plan must be referred to the reviewing official. The reviewing official must review the plan and consult with the employee and the supervisor to determine why the employee refused to sign the plan. If the employee still refuses to sign the plan after this consultation, the supervisor must note on the plan that the employee saw the plan but refused to sign it.
  - (iii) Once established, a supervisor may revise a performance only after prior notification and consultation with the employee. While the employee may not agree, he or she is entitled to a full explanation of the supervisor's reasons for any changes. The employees may also, at any time, request that the supervisor change the plan. While the supervisor is not required to accept the employee's proposals, the supervisor will provide a response to the employee's request.
  - (iv) A supervisor must give an employee a copy of the employee's performance plan within 10 calendar days after the plan is established or revised.
- (d) Performance evaluation.
  - (i) Supervisor's responsibilities. A supervisor should frequently track an employee's performance, and give timely and specific feedback, coaching, and counseling as needed throughout the review period.
  - (ii) Progress discussion. After approximately half of the review period has passed, a supervisor should conduct a comprehensive progress discussion with the employee that covers all elements of the performance plan. The supervisor and employee should sign and date the evaluation form to document a comprehensive progress discussion. The supervisor must document the substance of the progress discussion if the discussion resulted in a change to the performance plan or if specific performance issues were brought to the employee's attention.
  - (iii) Supervisors. If more than one individual supervises an employee, each should participate in the performance evaluation. The supervisors should share this responsibility in a manner consistent with their roles in directing the employee's work. Only supervisors, who have directed some aspect of the employees' work or have first hand knowledge of the employee's performance during the review period, may participate in evaluating and/or rating the employees' performance.

- (iv) Changed supervisors. Where an employee's supervisor changes, and the employee has worked under a performance plan for more than six months prior to the change a performance appraisal is to be completed within 30 days following the change.
- (v) Reviewing official.
  - (A) An employee's second level supervisor is the reviewing official and must review the employee's performance evaluation.
  - (B) The reviewing official may not change an evaluation but may, under exceptional circumstances, withdraw authority to evaluate the employee's performance from the immediate supervisor and reassign the responsibility for conducting a performance evaluation for the employee to an individual who has sufficient knowledge of the employee's performance to conduct the evaluation. In that case, the reviewing official must notify the department or office director of the action taken.
- (vi) Frequency and timing of performance evaluation.
  - (A) A supervisor must give each subordinate employee at least one written performance evaluation in every 12-month period. A supervisor must complete the annual evaluation within 60 days after the review period ends.
  - (B) An interim evaluation may be conducted for an employee who has been working under a performance plan for a reasonable period of time. Examples of the situations where an interim evaluation may be warranted include, but are not limited to, change of supervisor, significant duty changes, and to document changes in performance. Interim evaluations conducted to document unsatisfactory performance must be done in accordance with Article 26 of the agreement.
  - (C) If a supervisor conducts an interim evaluation the supervisor must also conduct an annual evaluation for the employee at the appropriate time.
  - (D) If the supervisor fails to conduct the annual evaluation within 60 days after the end of the review period, a minimum overall rating of "Met Expectations" is assumed.
- (vii) Substance of performance evaluations.
  - (A) A supervisor must record in the written performance evaluation the performance rating of the employee in relation to the performance standards established in the performance plan.
  - (B) A supervisor must include in the performance evaluation written comments about the employee's actual performance.
  - (C) If members of a team jointly share performance standards, the supervisor may give each member sharing the expectation a team rating.
  - (D) The supervisor must note accomplishment or progress toward a career development goal on the performance planning and evaluation form as appropriate.
- (viii) Overall rating. The supervisor must give an employee an overall rating using one of the following 4 rating categories as indicated below:
  - (A) "Outstanding" This rating applies to performance that consistently exceeds the requirements of the job identified in the performance standards outlined in the performance plan.
  - (B) "Above Expectation" This rating applies to performance that has met, and occasionally exceeds the requirements of the job identified in the performance standards outlined in the performance plan.
  - (C) "Met Expectations" This rating applies to performance that has met the requirements of the job identified in the performance standards outlined in the performance plan.
  - (D) "Below Expectations" This rating category indicates that the employee has met some job requirements but needs improvement in other job requirements outlined in the performance plan.
  - (E) "Does Not Meet Expectations" This rating applies to performance that has not met the basic requirements of the job outlined in the performance standards outlined in the performance plan. A rating at this level would be considered unsatisfactory performance.
- (ix) Performance evaluation procedures.

- (A) An immediate supervisor must allow an employee to sign and comment on the evaluation. The employee's signature indicates only that the employee has seen the evaluation and does not indicate that the employee agrees with the evaluation.
  - (B) If an employee refuses to sign a performance evaluation, the supervisor must make a notation on the evaluation to indicate that the employee refused to sign the evaluation.
  - (C) An employee may request a consultation with the department head to the evaluation given by the employee's supervisor. The decision of the department head or other appropriate management official regarding the reconsideration of an evaluation is final.
- (x) Retention of performance evaluations.
- (A) Performance evaluations must be kept in an employee's official record for 5 years.
  - (B) Performance evaluations and supporting documentation may be kept in a department's operating file for 5 years.
  - (C) After an employee is transferred to a new department, the former department should give the new department copies of the employee's performance evaluations for the last 2 years.
- (5) Appeals: Consistent with article xx of the collective bargaining agreement, performance standards and evaluations are non-grievable and non-arbitrable.

All final Performance Planning and Evaluation Forms must include the following:

1. Employee name
2. Employee ID number
3. Department
4. Division/Team
5. Employee job title
6. Supervisor name
7. Name of reviewing official
8. review period beginning and ending dates
9. List or indication of additional feedback sources/supplied
10. Signatures (including electronic substitutes) from supervisor and employee (as applicable) to establish plan.
11. Signature (including electronic substitutes) to document progress discussion (as applicable)
12. Signatures (including electronic substitutes) from supervisor and employee to finalize performance appraisal.
13. Signature (including electronic substitutes) of the reviewing official
14. List of performance expectations, ratings and narrative comments
15. Career development
16. Overall rating
17. Employee comments (as applicable)