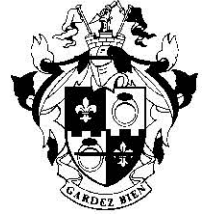




OFFICE OF THE COUNTY SHERIFF

Montgomery County, Maryland

Raymond M. Kight, Sheriff



GENERAL ORDERS/PERSONNEL PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Performance Planning and Evaluation	2.17	11/30/01

Policy: It is the policy of the Sheriff's Office to maintain a Performance Planning & Evaluation (PPE) program which provides an objective and fair means for measurement and recognition of individual performances, identifies training and other performance related needs and assists employees in improving their effectiveness and efficiency.

Contents:

- I. ***Performance Management***
- II. ***Forms***
- III. Performance Planning
- IV. ***Mid Year Progress Discussion***
- V. Performance Evaluation
- VI. ***Interim Evaluations***
- VII. Contested Evaluations
- VIII. Probationary Employees
- IX. Uses of Performance Evaluations
- X. Records Maintenance
- XI. Supervisory Files
- XII. ***Training***
- XIII. CALEA Standards
- XIV. Cancellation

I. **Performance Management**

Performance Management is the systematic process by which the Sheriff's Office involves its employees in improving the office's effectiveness and accomplishing the mission and goals of the office. Performance management is a supervisory responsibility and includes the following:

1. ***Developing the performance expectations for an employee at the beginning of a review period.***
2. ***The ongoing monitoring of the employee's performance with verbal or written feedback, counseling, training, or other actions to enhance employee performance.***
3. ***Conducting at least one (1) progress discussion with the employee.***
4. ***If required, preparing interim evaluations.***
5. ***Developing plans to enhance employee performance as required.***

6. ***Evaluating the employee on the performance of the elements of the performance plan and awarding an overall rating.***

II. **Forms**

Effective July 1, 2001, the county instituted two (2) separate Performance Planning and Evaluation forms, one for bargaining unit employees and one for non-represented employees. If a performance plan currently exists for an employee as of the effective date of this directive, continue to use the existing form until the end of the appraisal period, then switch to the new form. This includes the Supervisor's Documentation Form, MCSO # 90, currently utilized for quarterly performance evaluations of probationary employees.

III. **Performance Planning** (11.3.2, 35.1.1.c., 35.1.4, 35.1.9.b)

This is the process of setting forth an employee's major work responsibilities and expectations for work accomplishments. The supervisor establishes this plan in consultation with the employee. The plan establishes the performance expectations and standards to be utilized as a basis for evaluating the employee. A performance expectation or standard is a written description of the kinds of work or results the employee is expected to accomplish, qualities, or characteristics of the job.

A. **Substance of Performance Plan**

1. The Performance Plan must be consistent with Sheriff's Office work programs and class specifications. The Performance Plan of each supervisor must include an expectation that the supervisor conducts Performance Planning and Evaluations for subordinate employees and complies with anti-discrimination and equal employment opportunity requirements. **(35.1.14)**
2. If feedback, from other section members, employees supervised, or peers, is used as part of an employee's performance evaluation, this must be stated in the Performance Plan at the start of the evaluation period.
3. Each employee's Performance Plan must state the performance expectations and standards for the employee during the evaluation period. Performance expectations and standards may be stated as a goal, outcome or result expected, numerical criteria, competency to be demonstrated, tasks to be accomplished or performed, acceptable conduct, or other expectation appropriate to the job classification and position. A performance expectation or standard may be developed for an individual employee, a section, or both. **(35.1.4)**
4. Performance expectations and standards must describe, at a minimum, in terms that allow a reasonably objective assessment of the performance level of ***"Met Expectations" for bargaining unit employees; or "Successful Performance" for non-represented employees.***

5. **Career Development Goals**

The Performance Plan must include at least one (1) career development goal along with strategies for accomplishment, mutually developed by the supervisor and employee.

B. Frequency and Timing of Performance Planning (35.1.5)

1. Performance Plans must be established within thirty (30) days after an employee begins work ***in a new position or*** assignment.
2. Performance Plans must be initiated by the supervisor in a manner that provides an evaluation approximately one (1) month prior to the employee's increment/anniversary date. **(35.1.2)**

C. Preparation (35.1.4, 35.1.5, 35.1.9.b.)

At the beginning of the review period, the immediate supervisor must prepare a statement of performance expectations and standards for the employee to accomplish during the review period. ***If more than one individual directly supervises an employee, each supervisor 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.***

D. Discussion with Employee

The Performance Plan must be thoroughly discussed with the employee in an informal session. The employee must be given an opportunity to review and contribute to the plan. After the planning session discussion, the supervisor must determine the content of the plan and amend the plan as appropriate. **(35.1.9.b.)**

E. Signatures

Performance Plans must be formally established with the signatures of the supervisor and the employee ***only after the employee has been given an opportunity to meet with the supervisor for the purpose of reviewing the supervisor's expectations and contributing to the plan.*** The employee's signature indicates only they have reviewed the plan, and does not indicate agreement. 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 refuses to sign following this consultation and any resulting changes in the plan, the supervisor must make a notation on the plan that the employee saw the plan and any reasons given by the employee for their refusal to sign. This notation will be accepted in lieu of the employee's signature.

F. Revisions (35.1.4)

Once established, a supervisor may revise a Performance Plan only after prior notification and consultation with the employee. While the employee may not agree with the revision, they are entitled to a full explanation of the supervisor's reasons for any changes. Employees may also, at any time, request that a supervisor change the plan. Supervisors are not required to accept the employee's proposal, but the supervisor must provide a timely response to the employee's request. Employees must receive a copy of ***the revised*** Performance Plan within ten (10) ***calendar days*** after ***any revisions*** are established.

IV. **Mid Year Progress Discussion (11.3.2, 35.1.1.b., 35.1.5)**

Performance review is the on-going process of discussion, feedback, coaching and counseling between a supervisor and an employee regarding the employee's performance.

A. **Mid Year Progress Discussion**

Supervisors must conduct a ***Mid Year Progress Discussion*** with each employee ***for whom*** they have assigned evaluation responsibility. ***This*** is a comprehensive progress discussion with the employee that covers all elements of the Performance Plan. The supervisor must document the substance of the ***Mid Year 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.

B. **Timing**

Each employee must receive at least one ***Mid Year Progress Discussion*** in each twelve (12) month period. The ***Progress Discussion*** must be conducted approximately six (6) months prior to the scheduled evaluation date.

C. **Documentation**

Supervisors should provide recognition to those employees who have performed in an outstanding manner. Likewise, supervisors must encourage employees to correct unsatisfactory performance at the time an incident occurs. Employees must be advised in writing when their performance is deemed to be unsatisfactory. Supervisors must strive to accomplish this notification at least 90 days prior to the end of the evaluation period. Supervisors must document both outstanding and unsatisfactory performance on a continuing basis by utilizing the Supervisor's Documentation Form, MCSO # 90, pursuant to General Orders/Personnel Procedures 2.05. **(11.3.2, 35.1.1.b., 35.1.6)**

D. Signatures

A space is provided on the **PPE** form for the signatures of the supervisor and the employee indicating a **Mid Year Progress Discussion** has been completed. The supervisor and the employee must sign the form. The employee's signature indicates only a **Progress Discussion** has been conducted and does not indicate they are in agreement with the review. If an employee refuses to sign, 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. If the employee refuses to sign following this consultation and any resulting changes **made**, the supervisor must make a notation on the plan that the employee saw the plan and any reasons given by the employee for their refusal to sign. This notation will be accepted in lieu of the employee's signature. **(35.1.1.b.)**

V. Performance Evaluation

A Performance Evaluation is the supervisor's written assessment of an employee's performance in relation to the expectations in the employee's Performance Plan and an assessment of the employee's overall performance during the evaluation period. The Performance Evaluation is the last phase in the three-phase PPE cycle. Once the Performance Evaluation occurs, the cycle begins again with the establishment of a new Performance Plan. (The new plan may include many of the elements of the previous plan, if appropriate.) **(11.3.2)**

A. If a performance expectation was assigned but not made a part of the employee's Performance Plan, the supervisor must assess the employee's accomplishment of the performance expectation as part of the Performance Evaluation. The supervisor must document that the employee was given adequate notice of the expectation.

B. A supervisor may consider feedback from the employee's section members or peers as detailed in the Performance Plan.

C. Timing

1. Each employee, who has attained merit system status, must receive at least one Performance Evaluation in each twelve (12) month period. The Performance Evaluation Session must be conducted approximately one (1) month prior to the employee's increment/anniversary date. **(35.1.2, 35.1.5)**
2. Each employee, who is serving a probationary period, must receive a Performance evaluation quarterly (once every three (3) months). **(35.1.3)**

D. Level of Achievement (35.1.1.a.)

The level of achievement section of the evaluation form reflects the supervisor's determination of how well an employee has performed during the evaluation period. The level of achievement must be used to describe each individual expectation, standard and the employee's overall rating. ***There are separate level of achievement categories for bargaining unit employees and non-represented employees.***

Bargaining Unit Employees

1. **Outstanding Performance**

- This rating indicates an employee consistently ***exceeds the requirements of the job identified in the performance standards outlined in the Performance Plan.***
- Supervisors may rate an employee's overall performance as ***"Outstanding Performance"*** if the majority of individual performance expectations and standards are rated as ***outstanding***. However, overall performance at this level is clearly unique and rarely attained. A supervisor must use this rating only if the employee's overall performance is at a higher level relative to most other employees performing comparable work. Supervisors are prohibited from assigning an overall rating of ***"Outstanding Performance"*** to any employee who received a rating of ***"Below Expectations"*** on any individual performance expectations or standards.

2. **Above Expectation**

- ***This rating indicates an employee has met, and occasionally exceeds the requirements of the job identified in the performance standards outlined in the Performance Plan.***
- ***Supervisors may rate an employee's overall performance as "Above Expectation" if the majority of individual performance expectations and standards are rated as above expectation. Supervisors are prohibited from assigning an overall rating of "Above Expectation" to any employee who received a rating of "Below Expectations" on any individual performance expectations or standards.***

3. **Met Expectations**

- This rating indicates an employee has met ***the requirements of the job identified in the performance standards outlined in the Performance Plan.***

- Supervisors must assign an overall rating of “**Met Expectations**” to employees who have met the majority of performance expectations and standards. This rating is also appropriate for an employee who occasionally exceeds expectations.

4. **Below Expectations**

- This rating indicates an employee has not met ***the requirements of the job identified in the performance standards outlined in the Performance Plan. A rating at this level would be considered unsatisfactory performance.***
- An overall rating of “**Below Expectations**” is appropriate for employees who have received a rating of “**Below Expectations**” on the majority of performance expectations and standards. Prior to assigning a rating of “**Below Expectations**” supervisors must document that the employee was counseled on what corrective action to take and was provided adequate time to improve or correct performance.

Non-Represented Employees

1. **Exceptional Performance**

- This rating indicates an employee consistently achieves additional, significant results beyond established targets or achieved a higher level of quality than required ***and was a role model in the demonstration of competencies.***
- Supervisors may rate an employee’s overall performance as “Exceptional Performance” if the majority of individual performance expectations and standards are rated as exceptional. However, overall performance at this level is clearly unique and rarely attained. A supervisor must use this rating only if the employee’s overall performance is at a higher level relative to most other employees performing comparable work. Supervisors are prohibited from assigning an overall rating of “Exceptional Performance” to any employee who received a rating of “Does Not Meet Expectations” on any individual performance expectations or standards.

2. **Highly Successful Performance**

- ***This rating indicates an employee achieved all critical results at or beyond established targets, achieved a high level of quality, and consistently and effectively demonstrated the competencies.***

- ***Supervisors may rate an employee's overall performance as "Highly Successful Performance" if the majority of individual performance expectations and standards are rated as highly successful. Supervisors are prohibited from assigning an overall rating of "Highly Successful Performance" to any employee who received a rating of "Does Not Meet Expectations" on any individual performance expectations or standards.***

3. **Successful Performance**

- This rating indicates an employee ***has met the majority of performance standards and expectations, achieved a majority of results and demonstrated most competencies successfully.***
- Supervisors must assign an overall rating of "***Successful Performance***" to employees, who ***demonstrated good, solid performance and may have*** occasionally exceeded expectations. ***This rating is appropriate for most employees.***

4. **Does Not Meet Expectations**

- This rating indicates an employee who has failed to perform the assigned duties on an on-going basis in an acceptable and competent manner.
- An overall rating of "Does Not Meet Expectations" is appropriate for employees who have received a rating of "Does Not Meet Expectations" on the majority of performance expectations and standards ***or failed to produce one or more key results, demonstrated competencies infrequently or ineffectively.*** Prior to assigning a rating of "Does Not Meet Expectations" supervisors must document that the employee was counseled on what corrective action to take and was provided adequate time to improve or correct performance.

E. ***Approved absences may not be documented on the employee's Performance Evaluation or otherwise used for the purposes of evaluating an employee's performance.***

F. **Narrative Comments (35.1.1.b.)**

Supervisors must document in the "Narrative Comments Section" of the PPE form the reasons they feel an employee's performance ***met the achievement level assigned.*** This applies to each individual expectation, standard and the employee's overall rating. **(35.1.7)**

G. ***The accomplishment of, or progress made towards the attainment of the employee's career development goal must be noted on the form.***

H. Supervisory Review

The supervisor responsible for the formulation of the Performance Plan, conducting ***Mid Year Progress Discussions*** and completion of Performance Evaluations is referred to as the "rater". The immediate supervisor of the "rater" is the "reviewing official".

1. Prior to the end of the evaluation period, the "rater" must prepare a preliminary draft of the level of achievement and narrative comments of the PPE form. The "rater" must utilize any documentation compiled during the evaluation period.
2. The completed evaluation must be forwarded to the "reviewing official". The "reviewing official" must inspect the PPE form for compliance with the program's objectives and procedures and that the overall rating is consistent with the individual elements of the plan. The "reviewing official" must sign the form. **(35.1.8)**
3. Discrepancies must be brought to the attention of the "rater" for correction. If a "reviewing official" disagrees with a "rater's" evaluation of an employee's performance, the "reviewing official" must discuss the evaluation with the "rater" and recommend modifications. The "reviewing official" does not have the authority to make changes on the form or direct the "rater" to do so.
 - Under exceptional circumstances, the "reviewing official" may request, via the chain of command, that the authority of the immediate supervisor to evaluate the employee's performance be reassigned.
4. Differences of opinion, between "raters" and "reviewing officials", must be resolved prior to the Evaluation Session with the employee.

I. Evaluation Session

After the Supervisory Review is completed, the "rater" must conduct an Evaluation Session with the employee. **(35.1.1.c.)**

1. During the Evaluation Session the "rater" must thoroughly discuss the employee's performance for the evaluation period. **(35.1.9.a.)**
2. Following this discussion, and after consultation with the "**reviewing official**", the "rater" may make any modifications they believe are warranted before finalizing the evaluation.

J. Signatures

Performance Evaluations must include the signatures of the “rater” and the employee. Additionally, the employee must be given the opportunity to make written comments on the evaluation. The employee's signature indicates only a **Performance Evaluation** has been conducted and does not indicate they are in agreement with the **evaluation**. If an employee refuses to sign, the **evaluation** must be referred **to the reviewing official**. **The reviewing official must review the evaluation and** consult with the employee and the supervisor to determine why the employee refused to sign the **evaluation**. If the employee refuses to sign following this consultation the supervisor must make a notation on the plan that the employee saw the **evaluation** and any reasons given by the employee for their refusal to sign. This notation will be accepted in lieu of the employee's signature. (35.1.1.b., 35.1.10, 35.1.12)

VI. Interim Evaluations

An Interim Evaluation is an additional evaluation between the required annual evaluations. The Mid Year Progress Discussion is not required for an Interim Evaluation, however, all other requirements of the PPE cycle are applicable.

A. Performance Issues

Supervisor may conduct an Interim Evaluation whenever they believe an employee's performance warrants such actions. Supervisors must utilize the following procedures:

1. **Photocopy the original PPE form.**
2. **Utilizing the photocopy of the PPE, check the field marked "Interim Evaluation" and enter the dates that are included in the evaluation in the "Review Period" field.**
3. **Assign levels of achievement, and utilize the procedures outlined in Sections V. and X., of this directive.**

B. Probationary Employees

Supervisors must conduct a quarterly (once every three (3) months) Interim Evaluation for each employee, who is serving a probationary period. Supervisors must utilize the following procedures:

1. **Photocopy the original PPE form.**
2. **Utilizing the photocopy of the PPE, check the field marked "Interim Evaluation" and enter the dates that are included in the evaluation in the "Review Period" field.**
3. **Assign levels of achievement, and utilize the procedures outlined in Sections V. and X., of this directive.**

C. **Supervisor Transferred**

If a supervisor is transferred, the supervisor must conduct an Interim Evaluation for each employee who has worked under a Performance Plan for more than six (6) months. This evaluation must be completed within thirty (30) days of the transfer. Supervisors must utilize the following procedures:

1. ***Photocopy the original PPE form.***
2. ***Utilizing the photocopy of the PPE, check the field marked "Interim Evaluation" and enter the dates that are included in the evaluation in the "Review Period" field.***
3. ***Assign levels of achievement, and utilize the procedures outlined in Sections V. and X., of this directive.***

D. **Employee Transferred**

If an employee is transferred or assumes different duties and responsibilities, an Interim Evaluation must be conducted for the employee if the employee has worked under a Performance Plan for three (3) or more months. This evaluation must be completed within thirty (30) days of the transfer. Supervisors must utilize the following procedures:

1. ***Utilizing the original PPE form, check the field marked "Interim Evaluation" and enter the dates that are included in the evaluation in the "Review Period" field.***
2. ***Assign levels of achievement, and utilize the procedures outlined in Sections V. and X., of this directive.***

VII. **Contested Evaluations (35.1.12)**

- A. An employee may request that the Sheriff reconsider an evaluation given by the employee's supervisor.
1. The employee must submit the request in writing to the Sheriff within fifteen (15) calendar days after the employee receives the completed evaluation form signed by the supervisor and the reviewer. The employee must indicate the specific areas of the Performance Evaluation they do not agree with.
 2. The Sheriff may personally review the evaluation or direct a supervisor, not directly involved with the rating, to review the evaluation.
 3. The decision of the Sheriff or the Sheriff's designee is final.

B. **Appeals**

Bargaining Unit Employees

In accordance with Article 40.5 of the collective bargaining agreement, performance standards and evaluations are non-grievable and non-arbitrable.

Non-Represented Employees

1. ***An employee may not grieve or appeal the employee's Performance Plan.***
2. ***An employee may not grieve the employee's Performance Evaluation unless:***
 - ***The employee received the lowest overall performance rating; and***
 - ***The supervisor who rated the employee failed to follow established procedures.***
3. ***The Chief Administrative Officer (CAO) may dismiss a grievance if the supervisor's failure to follow established procedures did not affect the employee's overall performance rating.***
4. ***The CAO's decision may not be appealed to the Merit System Protection Board.***

VIII. **Probationary Employees**

Each employee, who is serving a probationary period, must receive a performance evaluation quarterly (Once every three months). **(35.1.3)**

A. **Civilian Employees**

Civilian employees must successfully complete a six (6) month probationary period from their date of hire with the Sheriff's Office. The Performance Planning and Evaluations of civilian employees must comply with the following:

1. A Performance Plan must be established and a planning session held with the employee within thirty (30) days after an employee's date of hire. This must be documented on the Performance Planning and Evaluation form.
2. Three (3) months from the date of hire, ***an Interim Evaluation*** must be conducted.
3. Five (5) months from the date of hire, ***an Interim Evaluation*** and a Performance Review Session must be conducted simultaneously. The ***Interim Evaluation*** must include, if appropriate, a recommendation for merit system status.

4. If merit system status is granted, the normal PPE cycle now applies to the employee.

B. Lateral **Entry**

Maryland certified law enforcement officers, who have laterally **entered** the Sheriff's Office, must successfully complete a one (1) year probationary period from their date of hire with the Sheriff's Office. The Performance Planning and Evaluations of these deputies must comply with the following:

1. The deputy must enter and successfully complete a fourteen (14) week Field Training and Evaluation Program. During the program, deputies must be evaluated daily by Field Training Officers and weekly by Section Lieutenants. Copies of these evaluations must be maintained. After successful completion of the program, evaluations must be forwarded to the Lieutenant of the section that the deputy has been assigned. (General Orders/Personnel Procedures 2.28.A)
2. A Performance Plan must be established and a planning session held with the deputy within thirty (30) days after the deputy is assigned to the section. This must be documented on the Performance Planning and Evaluation form.
3. Five (5) months from the date of hire (approximately two months from the date the deputy is assigned to the section), a Performance Review Session must be conducted. This must be documented on the Performance Planning and Evaluation form.
4. Eight (8) months from the date of hire (approximately five months from the date the deputy is assigned to the section), **an Interim Evaluation** must be conducted.
5. Eleven (11) months from the date of hire (approximately eight months from the date the deputy is assigned to the section), a Performance Evaluation Session must be conducted. This must be documented on the Performance Planning and Evaluation form. The narrative section of the evaluation must include, if appropriate, a recommendation for merit system status.
6. If merit system status is granted, the normal PPE cycle now applies to the deputy.

C. Deputies Completing Entry-Level Training

Deputies, who have completed entry-level training, must successfully complete a one (1) year probationary period from the date of graduation from the Academy. Subsequently, the deputy's increment/anniversary date and the date which the deputy attains merit system status will differ. This will necessitate modifications to the evaluation program. The Performance Planning and Evaluations of these deputies must comply with the following:

1. After graduation from the Academy, deputies must enter and successfully complete a fourteen (14) week Field Training and Evaluation Program. During the program, deputies must be

- evaluated daily by Field Training Officers and weekly by Section Lieutenants. Copies of these evaluations must be maintained. After successful completion of the program, evaluations must be forwarded to the Lieutenant of the section that the deputy has been assigned to (General Orders/Personnel Procedures 2.28.A).
2. A Performance Plan must be established and a planning session held with the deputy within thirty (30) days after the deputy is assigned to the section. This must be documented on the Performance Planning and Evaluation form.
 3. Eleven (11) months from the date of hire (approximately two months from the date the deputy is assigned to the section), ***an Interim Evaluation*** must be conducted.
 4. Fourteen (14) months from the date of hire (approximately five months from the date the deputy is assigned to the section), ***an Interim Evaluation*** must be conducted.
 5. Seventeen (17) months from the date of hire (approximately eight months from the date the deputy is assigned to the section), ***an Interim Evaluation*** and a Performance Review Session must be conducted simultaneously. The ***Interim Evaluation*** must include, if appropriate, a recommendation for merit system status.
 6. If merit system status is granted, twenty-three (23) months from the date of hire (approximately fourteen months from the date the deputy is assigned to the section), a Performance Evaluation Session must be conducted. This must be documented on the Performance Planning and Evaluation form.
 7. The normal PPE cycle now applies to the deputy.
- D. In the event an employee's probationary period is extended or a deputy attends entry level training in any location other than the Montgomery County Police Academy, further modifications to the Performance Planning and Evaluation Program may be required. Supervisors must consult with the Chief Deputy to determine an appropriate evaluation schedule. A copy of any changes must be provided to the employee.

IX. Uses of Performance Evaluations

- A. Performance Evaluations are to be considered in decisions regarding attainment of merit system status, merit increases, promotion, demotion, removal or other adverse administrative actions used to resolve performance problems.
- B. Performance Evaluations must be used for career counseling relative to advancement, specialization, or training appropriate for the employee's position, when discussion of such issues is deemed necessary. **(35.1.9.c)**

X. Records Maintenance (35.1.13)

Completed Performance Evaluations must be maintained and distributed as follows:

- A. The original must be forwarded, via the chain of command, to the Chief Deputy for inclusion in the Sheriff's Office operating files for a period not to exceed five (5) years. **(35.1.13)**
- B. A copy must be placed in the employee's Performance Planning and Evaluation File and maintained by the section Lieutenant or supervisor for a period not to exceed one (1) year. **(35.1.13)**
- C. A copy must be provided to the employee. **(35.1.11)**
- D. ***If the employee transfers to another county agency, copies of the employee's performance evaluations for the last two (2) years must be forwarded to the new agency.***

XI. Supervisory Files

The purpose of supervisory files is to encourage supervisors to maintain records, which will provide substantiation for performance ratings or other performance, or conduct related actions. Supervisors must document any performance issue(s) for employees under their supervision. This documentation is useful in determining the quality of performance for the entire evaluation period, as well as providing documentation of specific incidents. This documentation must be maintained as follows:

- A. Supervisors may maintain a separate Supervisory File for each employee under their supervision or utilize the employee's Performance Planning and Evaluation File. Documentation contained in the files may include, but is not limited to informal notes by the supervisor concerning the employee's job performance or conduct, copies of completed work assignments, written communications between the employee and the supervisor concerning performance or conduct issues and Supervisor's Documentation Forms. ***Supervisory Files may not include any information regarding an employee's physical or psychological condition.***
- B. ***Supervisors are required to provide employees copies of any documents placed in either file and must permit the employee an opportunity to provide a rebuttal to any document placed in the file.*** The employee may, upon request, review their Supervisory and Performance Planning and Evaluation Files. The files must be safeguarded from review by any other individual except on a need-to-know basis.

- C. Documentation of an adverse nature placed in either file is valid for a period of twelve (12) months and may be used to support official personnel actions. Documentation of an adverse nature may become a part of an employee's official or operating record only if incorporated in or attached to related personnel actions within twelve (12) months from the date they originated. Documentation of an adverse nature placed in either file, not used to support a formal personnel action, must be destroyed after twelve (12) months from the date they originated.
- D. Supervisors may maintain informal notes regarding the performance or other information concerning employees under their supervision. Supervisory notes are not considered official employee records and as such:
1. Are not subject to review by employees or others.
 2. Are not subject to a retention period.
 3. May not be the basis for any adverse action against the employee unless incorporated into a document for which the employee receives notice.

XII. Training 35.1.1.d

If an employee is promoted to a position with Performance Planning and Evaluation responsibilities, the employee's Section Lieutenant or supervisor must conduct a training session with the employee regarding these responsibilities. This training session must include a review of this directive; Training Module 99-01, Performance Planning and Evaluation Program and the applicable sections the collective bargaining agreement and Personnel Regulations.

XIII. CALEA Standards

11.3.2, 35.1.1.a., 35.1.1.b., 35.1.1.c., 35.1.1.d, 35.1.2, 35.1.3, 35.1.4, 35.1.5, 35.1.6, 35.1.7, 35.1.8, 35.1.9.a., 35.1.9.b., 35.1.9.c., 35.1.10, 35.1.11, 35.1.12, 35.1.13, 35.1.14

XIV. Cancellation

This directive cancels and replaces General Orders/Personnel Procedures, 2.17 Effective Date: 12/23/99.

AUTHORITY:



Raymond M. Kight, Sheriff

11/30/01