

3B. HR: Perfecting Your Performance Evaluations

CAPLAW 2011 National Training Conference

Thursday, June 16, 2011
2 p.m. – 3:30 p.m.

Minneapolis, MN

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Handouts:

1. Thompson PowerPoint Slides
2. Performance Review Mockup
3. PDP Cover Sample
4. CAPLAW Sample Compliance Sheet
5. WIC Compliance Handout

Performance Evaluations

Myra Thompson, PHR

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The Case for Performance Reviews

- ▶ Not required by law
- ▶ Might be required by governmental entities
- ▶ Might be required by government or union contracts

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The beginning...

Response to nondiscrimination laws in 1960's and 1970's.

To prove that an employment decision was based on legitimate considerations

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Laws prohibiting employment discrimination

- ▶ Title VII of the Civil Rights Act of 1964
 - ▶ May not discriminate in any aspect of employment on basis of race, color, religion, sex, pregnancy, or national origin
- ▶ Americans with Disabilities Act
- ▶ Age Discrimination in Employment Act
- ▶ Equal Pay Act of 1963
- ▶ Uniformed Services Employment and Reemployment Rights Act
- ▶ State laws

Best of Intentions

Purpose of performance reviews?

Defend termination



Improve performance & job success

Definition

honest and accurate assessment of employee's job performance relative to the employer's standards

Best Practice

Develop evaluation form based on

- ▶ job requirements and description
- ▶ agency standards of conduct

More than annual

Developmental Practice

- ▶ Strategic plan

▶ 7

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Qualitative & Quantitative

Narrative

Rating scale

Both

▶ 8

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Rating Scale

	1	2	3	4	5
Completes work accurately					
Completes work on time					
Works well with team					
Works well without supervision					

▶ 9

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Rating Scale

	Never	Almost Never	Usually	Almost Always	Always
Completes work accurately					
Completes work on time					
Works well with team					
Works well without supervision					

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Narrative Comments

- ▶ convey more personal focus than ratings
- ▶ can help evaluators to validate the soundness of their thinking
- ▶ assures the communication is thought out ahead of time
- ▶ lead to stronger reactions from recipients

<http://www.shrmindia.org/print/985>

▶ 11

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Narrative

Compliance Responsibilities –

Comments:

Work Quality -

Comments:

Job Knowledge / Knowledge Growth

Comments:

Teamwork -

Comments:

Communication Skills -

Comments:

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Narrative continued

Areas of Improvement, Support Needed and/or Performance Issues To Be Addressed:

Overall Performance: Quality, Quantity and Consistency of Work:

Keys

- ▶ Show employees form at start of evaluation period
- ▶ Include "areas for improvement" section
- ▶ Self-appraisal
- ▶ Require signatures, dates, of supervisor and employee

Establish Evaluation Criteria

Key factors to check when establishing criteria

- Is it attainable?
- Is it clear?
- Is it relevant?
- Is it challenging?

What could possibly go wrong?

Plaintiff's Exhibit #1

Sandell v. Taylor-Listug, Inc. 188 Cal. App. 4th 297 (2010).

- ▶ Sandell - Hired February 2004
- ▶ Sandell - Stroke August 2004
 - ▶ Returned to work part-time October 2004
 - ▶ Returned full time December 2004
 - Cane
 - Slower speech

<http://www.shrm.org/Publications/LegalReport/Pages/EliminatingPerformanceReviews.aspx>

Sandell v. Taylor-Listug, Inc.

- ▶ Listug – sabbatical June – December 2004
- ▶ Listug – does Sandell's 1st performance review January 2005
- ▶ Sandell turns 60 October, 2007
- ▶ Sandell terminated a few days after his 60th birthday
 - ▶ "for lack of leadership in providing direction to the sales team and in producing satisfactory sales results."

Common problems

- ▶ Lack of training
- ▶ Being candid
 - ▶ Tendency to write/say something positive immediately after something "negative" (think constructive)
 - ▶ Distance
 - ▶ Hope
- ▶ No surprises
- ▶ Comments inconsistent with rankings

Review the reviews

- ▶ Learning to do good reviews is a matter of training
- ▶ On-going process
- ▶ Manager next level up should review

Sanitized performance evaluations

- ▶ Teacher case
- ▶ GINA case

What's wrong

...with annual performance review?

It's ANNUAL!

Gen X & Gen Y

www.shrm.org/hrdisciplines/Diversity/Articles/Pages/WhatDoesGenerationWhyReallyWant.aspx

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MICA PDP

- ▶ Cover page
- ▶ Quarterly
- ▶ Employee comments
- ▶ Employer comments

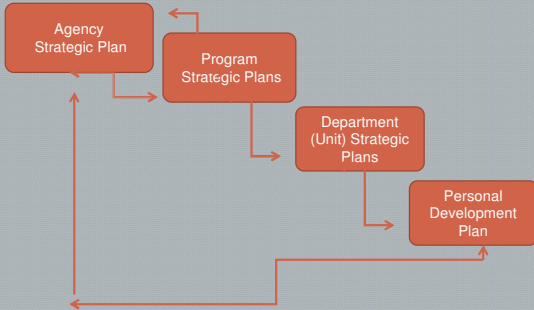
Compliance page samples

Ties to 3 year strategic plan

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Flow Chart showing strategic plan to PDP



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Mockup of Performance Review

(This is not a real performance review based on the Sandell case. It is made up based on a general review of the case)

Name of Employee: Robert Sandell

Hire Date: February 2004

Date of Performance Review: January 2005 (For period February 2004 to current)

Employer Evaluation (The actual evaluation had this same section for the EMPLOYEE to do a self-evaluation.)			
AREAS FOR REVIEW	MUST IMPROVE	MEETS REQUIREMENTS	EXCEEDS REQUIREMENTS
Area 1			X
Comments:			
Area 2		X	
Comments:			
Area 3			X
Comments:			
Area 4			X
Comments:			
Teamwork		X	
Comments:			
Attitude		X	
Comments:			
Area 7			X
Comments:			
Results	X		
Comments:	I have to say "must improve" because sales declined in 2004, for the first time in 20 years. I must take some of the blame for that, however, as Robert came into a sales department that was 'in some turmoil' after the departure of the previous VP of sales. Robert has already introduced helpful new approaches for the sales department.		

PART 2 of Evaluation

Strengths	Employee
	Employer
Weaknesses	Employee
	Employer
Challenges <i>How can I do better & provide more value</i>	Employee
	Employer
Goals for next period	Employee
	Employer
Overall comments	Employee

Mockup of Performance Review

(This is not a real performance review based on the Sandell case. It is made up based on a general review of the case)

Name of Employee: Robert Sandell

Hire Date: February 2004

Date of Performance Review: 2006

Employer Evaluation (The actual evaluation had this same section for the EMPLOYEE to do a self-evaluation.)			
AREAS FOR REVIEW	MUST IMPROVE	MEETS REQUIREMENTS	EXCEEDS REQUIREMENTS
Area 1			#
Comments:			
Area 2			#
Comments:			
Area 3		#	
Comments:			
Area 4		#	
Comments:			
Teamwork		#	
Attitude		#	
Comments: While I agree with Robert's self-evaluation about his attitude, I "sure would like to see more enthusiasm from Robert...He frequently seems bored, or he at least comes across that way. It would be nice if Robert were more outgoing and friendly."			
Area 7		#	
Comments:			
Results		#	
Comments:			

Mockup of Performance Review

(This is not a real performance review based on the Sandell case. It is made up based on a general review of the case)

Name of Employee: Robert Sandell

Hire Date: February 2004

Date of Performance Review: 2007

Employer Evaluation (The actual evaluation had this same section for the EMPLOYEE to do a self-evaluation.)			
AREAS FOR REVIEW	MUST IMPROVE	MEETS REQUIREMENTS	EXCEEDS REQUIREMENTS
Area 1		0	
Comments:			
Area 2		0	
Comments:			
Area 3	0	0	
Comments:			
Area 4	0		
Comments:			
Teamwork		0	
Robert has a stable good attitude. He usually has good constructive feedback or input. He's easy to work with, and doesn't politic. In this sense, he's earned the trust of others. However, he does not provide enough leadership or drive to have the level of respect he should for the position he has.			
Attitude	0		
Comments:			
Area 7	0	0	
Comments:			
Results	0		
Comments:			

PART 2 of Evaluation

Strengths	Employee
	Employer
Weaknesses	Employee
	Employer “ Robert does not have the drive that this position requires...Maybe he’s never had to actually lead sales in other companies he’s worked for, or inspire people to perform at a higher level, or put the fear of g=God in them if they don’t. But he does not put anywhere near the amount of passion, life, energy or drive into leading sales.”
Challenges <i>How can I do better & provide more value</i>	Employee
	Employer
Goals for next period	Employee
	Employer “ I want Robert to “lead and manage his staff with his emotion and personality, and with inspiration and life.”
Overall comments	Employee
	Employer “Robert’s a good man, and he’s contributed positively to the company. He’s provided stability to the sales area that was lacking. The sales staff like interacting with him, and respect his opinion and his experience. He’s generally on top of what is happening in sales.”

Quarterly Personal Development Plan for

Mid-Iowa Community Action 2011 - 2013

Myra Thompson

Program

Qtr:

Oct-Dec

Year: 2011

(put "X" in box)

Jan-Mar

Apr-June

July-Sept

Vested Leave Summary

Balance in	
Accrued this quarter	
Available to use	
Will use this quarter	

Holidays (list)

Leave (list)

Total hrs/days in this qtr.

Work hrs/days available this qtr.

Work hrs/days scheduled this qtr.

Outcomes

Activites

Staff development

MICA'S MISSION: Helping People. Changing Lives. Building Communities

The work I've done this quarter has made a difference in the lives of children and their families through:

The work I've done this quarter has made a difference in the community through:

The work I've done this quarter has made a difference at MICA through:

Employee Performance:

Compliance Responsibilities -

Comments:

Work Quality -

Comments:

Job Knowledge / Knowledge Growth

Comments:

Teamwork -

Comments:

Communication Skills -

Comments:

Areas of Improvement, Support Needed and/or Performance Issues To Be Addressed:

Overall Performance: Quality, Quantity and Consistency of Work:

Performance Review: Met/Exceeded Did Not Meet: ___ PDP Goals ___ Warning ___ Corrective Action

Quarter	Date Scheduled	Date Completed	Team member signature	Team leader signature
1st Month				
2nd Month				
3rd Month				

Employee Comments:

MY COMPLIANCE

Name: CAPLAW Sample

QTR: ___ Oct - Dec. ___ Jan - Mar __X_ Apr - June ___ July - Sept

Compliance Item	Completed consistently?	Comments	Expected time commitment
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Benefits

Reconciliation of consolidated billing			3
Principal contributions and data base			25

Legal Compliance

Review background checks via Hire Paperwork			5
File & HRIS System Audits			5
Update Policy Manual			10
Asbestos Training			5
Update job descriptions			
Review Job Classifications FLSA			10
Monitor FMLA			
Advise/monitor management/employee issues			40
Terminations & unemployment hearings			6
Attend ICAA HR meetings			8
Make sure 5500's are completed in timely manner			12
Layoff process written			12

Learning & Development

hire paperwork, terminations to determine gaps			6
CAPLAW Conference (& present)			40
Develop ICAA Presentation			20

Organizational Development

HR Team meetings			9
Leadership team meetings			9
Management team meetings			6
Create, monitor and edit paperwork processes			1
Organizational Charts reviewed			1
hire paperwork, terminations to determine			5
restructuring discussions			40

Recruiting, Onboarding, Staffing

Approve hires			5
Sign off on hire paperwork and change forms			3
Review and edit interview questions			10
Assist with NSO for I-9s			12
Assist with MICA 101 as needed			8

WIC Clerk Compliance

Name _____

Quarter: ___ Oct. – Dec. ___ Jan.- March ___ April – June ___ July – Sept Year _____

Compliance Item	Completed consistently?			Comments	Expected time commitment
	Yes	No	NA		
Serve Families (print checks, make referrals, good customer service)					
Make appointments					
Answer phones					
Make appointment reminder phone calls					
Check eligibility requirements					
Print and send missed appt notices					
Synchronize computers daily					
Check T-19 numbers on IMPA					
File check receipts daily					
Ask clients about voter registration					
Check email/phone messages daily					
Enter time into MICROIX daily					
Attend staff meetings					
Ensure clinics are set up and ready					

