

# STATE BOARD OF PSYCHOLOGY OF OHIO

## POLICY AND PROCEDURE MANUAL

### SECTION 10: ADMINISTRATIVE POLICIES AND PROCEDURES

#### POLICY 10.18: EMPLOYEE PERFORMANCE EVALUATIONS

PRIOR DATE EFFECTIVE: 3/20/2014

EFFECTIVE: 4/14/2016

#### REVIEWED AND APPROVED:

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4/14/16

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#### **Purpose**

This policy is issued to comply with a recommendation received in February 2016 from the Ohio Department of Administrative Services (DAS) to adopt an approved policy of the Central Services Agency (CSA) HR Office. The purpose of performance evaluations is to work toward achieving the Board's mission, goals, and objectives. This policy establishes a procedure for how the Ohio Board of psychology (Board) will utilize ePerformance to regularly evaluate employee performance.

#### **Employees in an Initial Probationary Period**

All newly hired and promoted employees, and employees who are laterally transferred to a different classification, shall serve a probationary period. The initial probationary period for employees newly hired shall be 365 days from the effective date of hire. The probationary period for employees promoted or laterally transferred to a different classification in an exempt classification shall be 180 days and for bargaining unit employees the probationary period shall be 120 days for classifications paid at grades 1 to 7 and grades 23 to 28 or 180 days for classifications paid at grades 8 to 12 and grades 29 to 36. Employees shall receive a mid-probationary evaluation on the midpoint date of the probationary period. Employees' final probationary evaluation shall be finalized prior to the probationary end date.

During the initial probationary period, the Board shall have the sole discretion to discipline or discharge an employee. Any such probationary action shall not be appealable through any grievance or appeal procedure contained in the collective bargaining contract or to the State Personnel Board of Review.

Upon successful completion of the probationary period, employees' initial annual cycle will be shortened to no less than six (6) months or lengthened to not more than seventeen (17) months, absent extenuating circumstances.

### **Extending a Probationary Period**

An employee's probationary period may be extended beyond the normal probationary period to allow additional time to review an employee's performance.

The appropriate documentation and rationale should be submitted to CSA Human Resources Manager, no later than ten (10) working days prior to the requested implementation. The mid-evaluation must be completed and submitted prior to the approval of the request for an extension. The timeframe for the extension will be consistent with either section 123:1-19-02 of the Ohio Administrative Code (e.g. 60 days), or the appropriate contract, whichever is applicable.

### **Annual Evaluation Review Cycles**

All employees will be assigned to an October review cycle. Employee step dates will not change as a result of this cycle selection.

### **Self-evaluation Tool**

The self-evaluation tool is an ePerformance application tool that allows employees to rate him or herself against the evaluation criteria set forth by his or her supervisor.

The Board does not require employees to complete the self-evaluation tool, although information supplied by the employee will be considered when conducting the performance review meeting with the employee.

### **Third Party Nomination**

Third-party nominations are a multi-participant process that enables exempt individuals, other than the manager and employee, to provide direct feedback into an employee's performance or development document. The Board will not be utilizing third party nominations.

### **Career Development Plan (CDP)**

A CDP is an optional staff development tool that may be utilized to identify training and development opportunities to support and increase an employee's knowledge on a particular topic or to develop a staff member's skill set (e.g.: Microsoft Excel software). Although a CDP may be created by either an employee or the Executive Director, the Board prefers that a CDP be employee-initiated. If the Executive Director offers to create a CDP for one employee, he or she must extend the offer of a CDP to all Board employees.

In the CDP, the employee identifies personal learning goals and developmental objectives. The Executive Director meets with the employee to finalize the CDP, which is then submitted for approval using the same approval process as other evaluations. During the identified period the Executive Director and employee work together to evaluate performance outcomes.

### **Competencies**

Competencies can be described as observable behaviors needed for successful job performance. They are measurable patterns of knowledge, skills, abilities, behaviors, and other

characteristics designed to reflect the behaviors in how a staff member completes goals (i.e. the combination of using knowledge, skills, and abilities).

All employees of the State of Ohio have a mandatory statewide customer focus competency.

Effective January 1, 2016, exempt positions will be linked to three (3) pre-selected classification competencies for the purposes of the Board's completion of the ePerformance evaluations. Exempt employees shall be evaluated on each of the competencies for the classification, although the Board has the discretion to amend the competencies as needed.

### **Rater Responsibilities and Tools**

Performance evaluations shall be completed in a timely manner within a 60-day window, which opens thirty (30) days before a performance cycle ends and concludes thirty (30) days after the new cycle begins. Each employee's annual performance evaluation period ends on October 1, 2016 and annually thereafter unless this policy is rescinded or amended. The window for completing the evaluation begins on September 2, 2016 and ends on October 30, 2016 and annually thereafter unless this policy is rescinded or amended. A performance evaluation is complete only after the employee has acknowledged the performance document in the ePerformance system and the Executive Director has updated the document status as complete.

### **Performance Evaluation Materials**

In preparation for completing the performance document, the Rater should review the following materials:

- a. Position description
- b. Last performance review form
- c. Work product(s)
- d. Written observations of job performance
- e. Significant job-related incidents
- f. Job-related observations from individuals who work closely with the employee
- g. Goals and objectives
- h. Unplanned tasks
- i. Accomplishments, certificates, awards and thank you notes

The Rater should not have access to and should not refer to medical records or diagnoses. The Rater should also avoid making subjective judgments based on hearsay or gossip. The Rater should base performance ratings on objective facts that can be documented, avoid evaluation of personality traits and attitudes and be consistent with disciplinary or other performance records.

### **Employee Performance Evaluation Conference**

Employee performance for the rating period and work expectations, including applicable goals, for the current rating period will be discussed.

The position description will be reviewed and the Executive Director will explain what will be discussed on the evaluation.

At the performance evaluation conference, the Rater should encourage employee input in the discussion. The Rater should provide supportive comments where his or her appraisal agrees with the employee's point of view. Those areas where there may be disagreement also need to be addressed. The employee should be encouraged to discuss other facts or circumstances that affected or impacted performance. The Rater should verbally review each performance expectation and the status of each individual goal using specific examples from throughout the rating period. The Rater should recognize acceptable or superior work, as well as note where the employee has been unsuccessful in meeting performance expectations. The Rater should also determine with the employee if there are any areas where help is needed to improve performance. The employee has the opportunity to discuss the evaluation, work expectations and concerns. The employee may add his or her comments to the evaluation and the response will become an official part of the evaluation.

### **Employee Acknowledgement**

The Executive Director will finalize the performance evaluation in ePerformance at least 3 business days prior to the review deadline. The employee has 3 business days to review and acknowledge the evaluation electronically. The employee's acknowledgement indicates receipt and does not represent agreement with the evaluation.

If an employee refuses to acknowledge the evaluation, the Executive Director will acknowledge the review on the employee's behalf in the ePerformance system. The Executive Director will also print a hard copy of the evaluation and have the Executive Assistant sign as a witness to the employee's refusal to acknowledge the evaluation. The printed evaluation will be forwarded to the DAS/CSA Human Resource Manager for inclusion in the employee's personnel file. Refusal to acknowledge the performance evaluation waives an employee's right to appeal.

Employees who are on leave during the annual performance management cycle will be evaluated within 30 calendar days of the return to the workplace.

### **Performance Improvement Plan (PIP)**

Employees receiving an overall ePerformance rating below "Meets Expectations" will be placed on a PIP and the Executive Director will work with the employee in an effort to improve his or her performance.

A PIP is a formal, written document used by supervisors to identify employee performance and/or behavioral issues that need correction and to help the employee improve performance or modify behavior by providing a plan of action to guide the improvement and/or corrective action.

The PIP must establish what improvements are needed and the expected time frame for achievement. The PIP must include remarks that indicate how the employee can reach an acceptable level of performance by the next review conference. The Executive Director will consult with DAS/CSA Human Resource staff to provide guidance in the development of the PIP. An Ad Hoc evaluation shall be utilized to evaluate the employee's progress and at the completion of a PIP.

## **Step Increase Denial**

The Executive Director may withhold an employee's step increase based on an overall ePerformance rating of "Does Not Meet." The following processes should be followed when intending to deny/withhold an employee's step increase:

Bargaining Unit Employees. At the time the Executive Director identifies work performance issues that may result in withholding an employee's step increase, he or she should immediately contact the DAS/CSA Human Resource Manager to determine the employee's step date (since the step date will not be tied to the exempt performance review cycle). The Director will contact the DAS/CSA Human Resource Manager as soon as possible and at least 30 calendar days prior to the employee's step date.

The annual cycle will likely not align with the employee's step date; therefore, the Executive Director will need to conduct an Ad Hoc performance evaluation outside of the employee's annual performance evaluation cycle. The Ad Hoc evaluation will need to be finalized in the ePerformance system and Personnel will need to have completed the paperwork to withhold the step prior to the employee's step eligibility date.

The provisions of the collective bargaining unit will be followed for all appeals by bargaining unit employees.

An overall rating of "Does Not Meet" will constitute an unsatisfactory rating; therefore, the Executive Director is required to place the employee on a Performance Improvement Plan (PIP).

Exempt Employees. At the time the Executive Director identifies work performance issues that may result in withholding an employee's step increase, he or she should immediately contact the DAS/CSA Human Resource Manager to determine the employee's step date (since the step date will not be tied to the exempt performance review cycle). The Executive Director will contact the DAS/CSA Human Resource Manager as soon as possible and, where practical, at least 30 days prior to the employee's step date.

The annual cycle will likely not align with the employee's step date; therefore, the Executive Director will need to conduct an Ad Hoc performance evaluation outside of the employee's annual performance evaluation cycle. The Ad Hoc evaluation will need to be finalized in the ePerformance system and Personnel will need to have completed the paperwork to withhold the step prior to the employee's step eligibility date.

An overall rating of "Does Not Meet" will constitute an unsatisfactory rating; therefore, the supervisor is required to place the employee on a Performance Improvement Plan (PIP).

## **Performance Evaluation Appeal Process**

Bargaining Unit Employees: Bargaining unit employees may appeal their performance evaluations in accordance with the applicable collective bargaining agreement. The timelines provided by the collective bargaining agreement are applicable to grievances filed at Step Three and Step Four of the grievance process.

### Exempt Employees.

Level One Appeals: This appeal may be filed by employees who have received an overall rating of “Meets Expectations” or above.

Employee is still unsatisfied:

- Employee files a written response to the Executive Director within 7 calendar days of receiving the acknowledged evaluation. If the Director is the employee’s direct supervisor, this role will be completed by the DAS/CSA Human Resource Manager.
- The Executive Director holds a meeting within 7 working days of the appeal.
- The Executive Director responds within 7 working days after the meeting.
- The decision by the Executive Director is final.

Level Two Appeals. This level of appeal may be filed by an employee who received an overall rating of below Meets Expectations.

Employee is unsatisfied:

- File a Level One Appeal as described above.
- After the Executive Director responds, employee may file an appeal with the DAS/CSA Human Resource Manager within 7 working days of receipt of the Level One response.
- CSA may hold a meeting or perform a review of the information submitted by the appealing employee. A written decision shall be issued with 14 working days of the appeal.
- An employee may have additional appeal rights pursuant to OAC 123:1-29-03.

Exempt and bargaining unit employees serving a probationary period must receive a minimum of two probationary evaluations – a mid-probationary evaluation and a final probationary evaluation. The mid-probationary evaluation is given to an employee midway through the probationary period and the final probationary evaluation is given to the employee at the end of the probationary period. The mid and final evaluations are due no later than 30 day periods after the mid and final probationary period unless the employee will not be retained in the position for which the employee is serving a probationary period in which case the final evaluation will be made at the time of removal or reduction. The final probationary evaluation shall state whether the employee is to be retained or probationary removed or reduced. The Executive Director will consult with the Human Resource staff immediately if the employee will not be retained in their position.

### **Ad Hoc Performance Evaluations**

Ad hoc performance evaluations may be completed on an employee at any time. The primary purpose of an ad hoc performance evaluation is to provide a current rating when some particular action takes place with the employee (e.g.: when used in conjunction with a PIP).

## **Public Records**

Information entered into the ePerformance application may be considered a public record.

## **HR-38 Performance Evaluation Policy**

<http://www.das.ohio.gov/Portals/0/DASDivisions/HumanResources/Policy/doc/Performance%20Evaluation%20Policy.PDF>