

DISCIPLINARY IMPACT ON PERFORMANCE APPRAISALS
Guidelines for Departments under the Authority of the County Administrator
Issued February 22, 2002

Most employees carry out their duties effectively. Despite their best efforts, however, a few employees may violate rules, display errors in judgement, or have other productivity or behavior problems. The appraisal describes the employee's performance during the entire rating period, so it will mention such problems, while keeping them in perspective. The more serious the problem, the greater impact it will have on the rating. Problems serious enough to warrant discipline during the rating period will affect the review.

We mention performance problems in the review in order to improve the employee's performance and to ensure that public records are accurate and consistent. This is a fair approach for all employees – those with performance problems and those without.

Since disciplinary situations are relatively rare, few supervisors have experience in rating employees with discipline problems. The Performance Appraisal Program Manual suggests some ways to describe performance problems. In addition, the following examples show how certain disciplinary issues impact an employee's appraisal. The Employee Relations Department is also available to provide assistance.

In General

Minor infractions do not automatically result in denial of a merit increase. If an employee's performance or behavior warranted discipline during the rating period:

- Do not state in the performance review that discipline was issued.
- Determine which performance factors were affected and rate those factors to reflect the seriousness of the problem.
 - Problems resulting in discipline will, at minimum, cause a "Needs Attention" rating in at least one factor. Typically, this will be a situation where an Oral or Written Reminder was issued, or for an infraction of minor consequence.
 - For serious or ongoing problems, the employee will receive an "Unsatisfactory" rating in at least one factor. This would generally include situations where a Suspension (or equivalent discipline) was issued, or for an infraction with major consequences, or for problems that continue despite management intervention.
- In the narrative, briefly and clearly state examples of the employee's performance (positive contributions and areas for improvement, including any problem(s) that led to discipline). If a problem was corrected during the rating period, state that also.
- Award the appropriate merit increase, as established annually, in accordance with the Manual. (Any "Unsatisfactory" factor will cause denial of the merit increase.)
- In the following rating period, conduct periodic review meetings with the employee to ensure that the problem has been corrected and does not recur.
- Conduct the next merit review as follows:
 - If the last overall rating was "Good" or better, but you denied a merit increase due to an "Unsatisfactory" rating in one or more factors, the employee is eligible for a merit increase 6 months from the last review date. (This will change the employee's anniversary date. Consult Personnel for guidance, if necessary.)
 - If the last merit was denied because the overall rating was below "Good," the employee is eligible for a merit increase 12 months from the last review date.

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- Merit increases will not be granted at the re-appraisal date if the problem persists or if additional problems have developed. (Take further disciplinary action and/or rate the employee "Unsatisfactory" in at least one factor at the re-appraisal date.)
- Get your reviewing authority's concurrence before showing the appraisal to the employee.
- Merit increase eligibility is subject to any additional constraints contained in Personnel Rules or administrative policies.

Examples

1. Employee A received a Written Reminder in March, citing Personnel Rule XXIV, J 11, 16, and 17 (Unintentional destruction or misuse of property or equipment; Willful violation of written rules, regulations, policies or statutes; and, Negligence resulting in minor consequences). On several occasions, the employee did not lock the County vehicle, which resulted in the disappearance of a cell phone and handheld computer. The department had previously explained the Loss Control policy and had discussed the need to protect County equipment. The employee's overall performance is above "Good". The review occurs in October.

Rating: Dependability: "Needs Attention" Judgement: "Needs Attention"
All other factors: "Good" to "Excellent"
Merit increase granted based on overall points

Narrative Excerpt:

- Dependability: "... I can rely on you to get the job done under trying conditions. It is important to follow policies along the way, however. All employees need to safeguard County equipment...."
- Judgement: "...Your judgement about tasks is excellent. However, you made some decisions that resulted in loss of County property. You assured me this won't happen again...."

2. Employee B received a Reduction in Pay in February, citing Personnel Rule XXIV, J 36 (That the employee has intentionally falsified a time record or made a false claim for leave, or failed to report absence from duty to supervisors). A trained and experienced employee left work early, without permission, and turned in a time sheet that showed a full day's work. The employee had been counseled about similar situations previously. There have been no further occurrences since the discipline was issued. The employee's overall work performance is above "Good". The formal review occurs in December.

Rating: Judgement: "Needs Attention" Dependability: "Unsatisfactory"
Attendance: "Needs Attention" All other factors: "Excellent"
"Merit increase denied due to Unsatisfactory rating in one factor.
Review again in 6 months."

Narrative Excerpt:

- Judgement: "...Your work decisions are generally excellent, and greatly benefit your crew. Your decisions about schedules and time records need improvement."

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- Dependability: "...Time reports are critical and you must take responsibility for compliance with our procedures. Inaccurate records are unacceptable."
 - Attendance: "...Your performance recently appears to be back on track, after the earlier time-record problem. It is important to maintain that improvement...."
3. Employee C received an Oral Reminder in May, citing Personnel Rule XXIV, J 25 (Use of profane, obscene or abusive language). During regular staff meetings, the department had told all employees that such language is not acceptable. Twice before February 1, this employee was specifically warned that her language violated the rules. After the Oral Reminder was issued, there were no further occurrences. The employee's overall performance is "Good", but her occasional displays of temper have been an issue. The employee's annual review occurs in December.

Rating: Communication and Interaction Skills: "Needs Attention"
Judgement: "Needs Attention" All other factors: "Good"
Merit increase granted based on overall points

Narrative Excerpt:

- Communication and Interaction Skills: "... At this time, you are meeting department standards, but earlier in the rating period you used inappropriate language on several occasions. I am pleased to see improvement in this area and I encourage you to continue this progress...."
 - Judgement: "...You generally apply good judgement about work decisions but at times you express your frustration in ways that interfere with teamwork. We need everyone's help to maintain a positive environment...."
4. Employee C continued to exhibit problems with cursing during the following rating period and developed antagonistic behaviors toward the rest of the work group. The employee received a Written Reminder citing Personnel Rule XXIV, J 25 & 38 (Use of profane, obscene or abusive language; and, That the employee is offensive in his conduct; antagonistic toward superiors, fellow employees, or the public; or whose conduct interferes with the proper cooperation of employees or impairs the efficiency of the County service).

Rating: Communication & Interaction Skills: "Unsatisfactory"
Judgement: "Unsatisfactory" All other factors: "Good" to "Excellent"
"Merit increase denied due to low ratings in 2 factors."
(Since this is a continuing problem, the employee would not be eligible for merit increase until 12 months have passed.)

Narrative Excerpt:

- Communication & Interaction Skills: "...Though your ability to carry out your tasks is excellent, your words and behavior had a negative impact on the team...."
- Judgement: "...Your judgement about technical assignments remains excellent. You have not applied that same level of judgement to your interactions with your work team. Immediate improvement is needed."