



# PERFORMANCE EVALUATIONS FOR PERSONNEL

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# WORKSHOP FORMAT & GOALS

- Informal
- Robust (in terms of what we'll cover)
- Interspersed with activities
- Short breaks
- Ask questions as we go
- Q&A as time allows at the end

## Goal

- Knowledge
- Challenging Your Thinking
- Value
- Community – you're not alone!



# HUMAN PARADOX

“Not everything that matters can be measured,  
and not everything that is measured matters.”

*Elliott Eisner*

*The Arts and the Creation of the Mind*

# TRADITIONAL EMPLOYEE EVALUATION...WORTH THE EFFORT?

Answer: Seldom, and primarily for the purposes of finding exception...

So, why do we do it:

As **evidence** for an employment action; or to **justify** categorization, rating or rank ordering for an employment action or compensation consideration

## REALITY

- We live in a world of measurement
- Evaluation is part of a cycle **that begins with hiring**
- Can be an effective tool for improving performance
- Should be strategic in nature
- Can help defend against litigation
- Support discharge decisions

Remember...performance evaluation is not an *event*...but an *ongoing feedback process...an extended conversation of sorts*

# EVALUATIONS: (ALMOST) AS OLD AS CIVILIZATION

Third Century China – Job ratings

1800s – Scottish Cotton Mills – Color coded wooden blocks over employees' workstations to indicate merit

Mid-1900s – Cubicle “farms,” numerical scales, rigid hierarchies

1990s – Move toward competency-based systems

2000s – More frequent, less structured, multi-sourced

Traditional performance management are largely based on 19<sup>th</sup> Century principles



# ACTIVITY: ASSESS YOUR DISTRICT'S APPROACH

## Organization A

Top down–assessment

Annual appraisal meeting reviews

Use of ratings

Monolithic system

Focus on quantified objectives as objectives

Often linked to pay

Owned by managers

## Organization B

Joint process through dialogue

Continuous review with one or more formal reviews

Ratings less common

Flexible process

Focus on values and behavior as well

Less likely to be directly linked to pay

Owned by both evaluators and evaluatees

# DEFINING COMPETENCE

Today, we will focus on **competency**...

- Competence is defined as knowledge, skills, abilities, and other characteristics that high performing employees regularly exhibit
- Can either be technical or behavioral
- You “know it when you see it”

# BASIC TALENT EQUATION

Talent = Competence x Commitment x Contribution

*Question: When is the best time to assess competence?*





# BASIC TALENT EQUATION

Talent = Competence x Commitment x Contribution

*Answer: Competence should be assessed prior to hiring and affirmed/developed through the evaluation process*

*Commitment and contribution cannot be adequately assessed until after you've employed the individual*



# TYPES OF PERFORMANCE APPRAISALS

- Traditional **Formative** (periodic checkpoints)
- Traditional **Summative** (typically an annual summation)
- **Portfolio** (evidence-based)
- **360-Degree Feedback Based** (multiple perspectives)
- **Team-Oriented** (emphasizes team feedback)
- **Combination 360-Degree and Traditional**
  - *Provides confidential feedback on competence and behaviors for development purposes and makes traditional measurements of the employee's accomplishments or results which can be used for rewards or merit increases*

# ESSENCE OF EVALUATION

The conversation IS the (relationship) evaluation

*Why?*

- Because leadership is a human phenomenon
- It requires “trust”
- Trust is built on communication and social “cues”
- Face-to-face communication is the most reliable
- Hence, “Actions are louder than words”
- Humans look for congruency

# FEEDBACK VS. MENTORING VS. COACHING

- **Feedback is informing/observing**
  - Provider describes workplace performance to help employee improve
  - Puts “giver” in role of responsibility for improving performance
  - Largely one-way communication
- **Mentoring is guiding/sharing**
  - Usually provided by veteran or senior staff
  - Provides guidance, perspective and knowledge
  - Typically does not oversee employee
  - Mentors CAN BE coaches, but coaches are not mentors
  - Largely one-way; but can be two-way communication
- **Coaching is relating/asking**
  - Goal is self-actualization
  - Provider asks “powerful” (Socratic) questions
  - Provider invites contribution from the employee
  - Empowers the employee to “fix” themselves
  - Two-way conversation

# LESSONS LEARNED FROM ATHLETES

**Question 1:** Why do pro athletes accept the open discussions of their performance while it remains an intensely sensitive, and often debated subject in other sectors?

**Question 2:** Do employees differ in their desire to excel, in their need for feedback, or in their desire to be recognized and rewarded for their performance?

# LESSONS LEARNED FROM ATHLETES

## Winning is more often a team accomplishment

- Pro teams have 15 to 18 coaches
  - Coaches provide ongoing feedback
  - Use data to inform coaching strategies
  - Team mates “cheer” each other to higher performance
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- Biggest hurdle is the half century of ineffective performance management practices
  - We are conditioned by our experience in narrowly defined jobs with little challenge and by close supervision (Industrial Model)
  - We tend to “parent” rather than “coach” employees
  - In the public sector, it is much more difficult to determine an organizational “win”

# RANKINGS AND RATINGS: NOT BEST WAY TO EVALUATE

- Business model thinking applied to human performance
- Provides little formative information to the employee
- For example, you are the bottom ranking employee in a group of five; four of your co-workers received a performance rating of 95%; you received 92%.
  - You are in the bottom 20% of your group, yet you are a high performer in terms of the job.
  - This is like grading on a curve

# A LITTLE ABOUT RANKINGS

## Brain's response...

- Employee disengages from the process
- Employee feels disregarded and undermined
- Employee ignores feedback
- Employee rejects advice

## Remember....

- Brain categorizes inputs into two categories: threat or reward
- That's why "evaluation" has become such a fear-based experience



# RATINGS AND RANKINGS

- Have a negative effect on employee engagement and performance
- Provokes a fight or flight response that neutralizes a manager's ability to coach and deliver feedback effectively
- Can be inaccurate based on biases
- Labels are used to “categorize” employees

## Remember...

- Employees should only be competing against their own personal best within a set of job standards!

# BRAIN'S RESPONSE TO RANKINGS

## DURING THE EVALUATION, THE EMPLOYEE:

- Employee disengages from the process
- Employee feels disregarded and undermined
- Employee ignores feedback
- Employee rejects advice

## AFTER THE EVALUATION, THE EMPLOYEE:

- Employee becomes conservative – no risk taking
- Sets lower goals
- Avoids candid conversations
- Engages in emotionally charged conversations with manager/team
- Develops an unmotivated mindset

## Remember....

- Brain categorizes inputs into two categories: threat or reward
- That's why “evaluation” has become such a fear-based experience

# THE S.C.A.R.F MODEL

- Status
  - Certainty
  - Autonomy
  - Relatedness
  - Fairness
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- The SCARF Model is a brain-based framework designed to enhance self and social awareness and improve the quality of daily interactions
  - Effective tool for brain-based coaching



**NeuroLeadership**  
INSTITUTE

# ACCURATE PERFORMANCE EVALUATION

The following tendencies can reduce the effectiveness of evaluations:

- **The Halo Effect:**

The tendency of an evaluator to rate a person good or bad on all characteristics based on an experience or knowledge involving only one dimension.

- **Leniency Tendency:**

A tendency towards evaluating all persons as outstanding and to give inflated ratings rather than true assessments of performance.

- **Strictness Tendency:**

The opposite of the leniency tendency; that is, a bias towards rating all persons at the low end of the scale and a tendency to be overly demanding or critical.

- **Average Tendency:**

A tendency to evaluate every person as average regardless of major differences in performance.

# SETTING PERFORMANCE OBJECTIVES

## ❖ Effective objectives are:

- Observable and measurable
- Specific
- Constructive
- Relevant to the job requirements
- Within the employee's sphere of control
- Achievable (given time and resources)
- Limited in number

## ❖ When writing specific objectives, always include (ARC):

- A specific action
- A measurable result
- A time frame for completion

## ❖ Performance improvement plan should also include:

- Need for training or special direction
- Necessity for interim performance evaluation
- Identification of an Employee Assistance Program (if applicable)
- Personal improvement suggestions by employee

# CONDUCTING THE APPRAISAL

- Create a positive, communicative atmosphere
- Begin by affirming the employee's abilities
- Be sensitive to employee feelings
- Make the appraisal a two-way affair
- Arrive at a mutual agreement
- Focus on the employee
- Should allow an appropriate amount of time for discussion (typically, at least an hour)

Remember....Feedback Isn't Fatal! (and it shouldn't feel that way)

# PERFORMANCE APPRAISAL FOLLOW-UP

Performance appraisal is an ongoing responsibility

- Set a timetable for reviewing progress – no surprises
- Helps keep employee action plans on track
- Provides feedback on what is happening
- Creates dialogue on performance
- Gives supervisor an opportunity to offer help and support
- The more status checkpoints, the better

Employees need reinforcement to achieve and maintain high levels of performance

# UNDERSTANDING EMPLOYMENT STATUS

- **At-Will** (*product of the 1930's*)
  - ✓ Implies no job security
  - ✓ Full of statutory exceptions (*thanks to the 80's*) – protected rights, contractual issues, public policy, implied covenants, etc.
- **Performance Contract/Term Contract**
- **Just-Cause** (Unionized)
- **Satisfaction** (offers employee some additional protection)
- **Leased**



# AVOIDING LIABILITY

- Maintain **an ongoing file** of performance throughout the year
- Do not refer to the employee's race, color, religion, national origin, gender, age, marital status, height, weight, disability or union affiliation
- Evaluate employees in a group on the same schedule/frequency
- Be forthright and candid (increases effectiveness)
- Be consistent
- Train your evaluators
- Make sure that factual information can be supported
- Have the employee sign off on the receipt of the evaluation
- Make sure the evaluation is relevant
- Be aware of any bargaining unit provisions

# DOCUMENTING PERFORMANCE ISSUES

- Verbal Correction
- Written Warning
- Investigatory Leave
- Last Step Options
  - Final Written Warning
  - Probation
  - Last-Chance Agreement
  - Unpaid Suspension (used with final written warning)
    - ✓ Disadvantages
    - ✓ Appropriate use – willful misconduct, egregious behavior such as retaliation/harassment  
(hint: evaluate malicious intent)
  - Decision Making Leave (used with final written warning)

# DISCIPLINE & DISCHARGE

- Should be seen as an **intervention**
- Assume the employee wants to be successful
- Avoid punitive language or demeanor
- Be prepared for a variety of reactions
- Timing and location are important
- Remember “going postal” is not unique to the U.S. Postal Service
- **Discharge is the ultimate intervention**

# DISCIPLINE

- **Intended to correct behavior – encourage success**
- Not about negative strategies and control
- As much art as science
- Reflects our concern for workplace democracy
- Attracting and retaining the best = encouraging people to be their best
- **Progressive Discipline**
  - ✓ Means of communicating problem issues directly and in a timely fashion
  - ✓ Involves the employee in the problem solving process
  - ✓ For at-will employees make sure that you preface in your employee handbook or written policy with a disclaimer making clear that the system is discretionary and that it does not impact upon the fact that employees may still be terminated at will.

# DISCIPLINE

## Key Questions

- Is the discipline **prohibited** by any state or federal law?
- Is the discipline **consistent** with your policy?
- Is the discipline **consistent** with any bargaining unit provisions?
- Is the discipline **consistent** with similar situations in the past?
- Is the discipline **fair and reasonable**?

## Due Process

- Legal theory called the “job as property doctrine” (14<sup>th</sup> Amendment)
- Recognizes an employees right to be “informed” and provide a defense
- Property right places an obligation on management to deal in good faith, and to take corrective action based on “just cause” (i.e., good reason)
- Consider employee right to representation
  - Weingarten Decision – US Supreme Court & State Law
  - Been extended to non-union employees in recent cases
- Implies that you must have **clear, compelling and justifiable** reasons

# DISCIPLINE: CLASSIFYING THE INFRACTION

- Policy/Procedure Violation
  - ✓ Written company standard – failing to get approval
- Performance Transgression
  - ✓ Failing to be productive or meet outcomes
- Behavior/Conduct Infraction
  - ✓ Undermining authority, failure to follow directives
- Absenteeism and Tardiness
  - ✓ Workflow is negatively impacted by absence/lateness

*Please remember...*

- ✓ Classification is critical if discipline is to be *truly progressive*
- ✓ Incidents must be related or linked to progress
- ✓ Most issues can be placed into one of these categories

# DISCUSSION: DOCUMENTATION PHRASING

“You were hostile toward a parent”

“You violated Policy #2115 Time-Keeping Procedures”

“You left your office very untidy”

You appeared to be under the influence of alcohol”

## *Tips*

- Use your senses to describe
- Change subjective statements to objective ones
- Describe in behavioral terms
- Include the negative organizational impact that resulted from employee's actions

# ELEMENTS OF DUE PROCESS

- Employee must **understand your expectations and the consequences**
- Employer must be **consistent (and predictable)** in application of rules
- Failure to follow through on a consequence damages the credibility of your discipline system and sets an *unintended precedent*
- Must be **appropriate** for the offense
- Employee should have **opportunity to respond**
- Need to provide employee with **reasonable time to improve performance**



# DISCHARGE/TERMINATION

- Often, wrongful discharge cases are not decided on a legal basis, i.e., whether an at-will relationship existed or not
- More likely to be determined on what the jury thinks is reasonable and consistent

## *Helpful Hints*

- Develop an employee evaluation system that is consistent, realistic and accurate
- Accurately and completely document the employee's performance deficiencies, as well as warnings to the employee and receipt of them
- Personally meet with the employee to discuss problems
- Adopt a formal progressive discipline system in which employees are given advance warnings about their deficiencies and an opportunity to improve prior to termination
- Give a last-chance warning in lieu of termination, particularly with long-term employees

# TERMINATION PROCESS

❖ Seek legal counsel prior to employee discharge

## Key Questions:

- What is the reason for discharge?
- How does the articulated reason match up against your company handbooks, policies/procedures, and/or representations?
- How strong is your evidence?
- Has previous progressive discipline been documented?
- What do employee evaluations and employment record say?
- How have similar situations been handled in the past?
- Has the employee's side of the story been obtained?
- Are there compelling explanations or sympathies in favor of the employee?

# REVIEW: MYTHS AND MISCONCEPTIONS

Answer True or False:

A job is a constitutional right

As long as an employee has a legitimate illness/injury, they are guaranteed a job

An employer has the right to ask questions about why an employee has been absent

A badly behaving staff member has no impact on other staff

If a staff member appears intoxicated, the employer should send them home immediately

If you have solid evidence of misconduct, you do not need to give the employee a chance to respond

A mental or emotional condition is a legitimate health condition and protected by FMLA

# RESOURCES

- [Michigan Chamber of Commerce Employment Law Handbook](#)
- [Neuroleadership Institute](#)
- [101 Sample Write-Ups for Documenting Employee Performance Problems – Paul Falcone](#)
- [2600 Phrases for Effective Performance Reviews: Ready-to-Use Words and Phrases That Really Get Results – Paul Falcone](#)
- [Effective Phrases for Performance Appraisals – James E. Neal, Jr.](#)
- [The Crowd-sourced Performance Review – Eric Mosley](#)
- [Reinventing Performance Management, Harvard Business Review](#)
- [Help Them Grow, or Watch Them Go – by Beverly Kaye and Julie Winkle Giulioni](#)

# QUESTIONS...

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Thank You!