

4.3

Performance Reviews

(Arkansas Code Ann. §21-5-1001-1003; Acts 100 and 101 of 1985; Act 899 of 1997; Act 22 of 2003; Act 449 of 2007)

Performance evaluation is a process that should take place continuously. While day-to-day evaluation is usually informal, Arkansas law requires that the performance of all classified employees be evaluated formally at least once a year, in accordance with the Arkansas Performance Evaluation Plan.

Nonclassified staff must be evaluated annually by their immediate supervisors, using forms and procedures appropriate to their positions and responsibilities. Supervisors must discuss nonclassified evaluations with the employees being evaluated and give them copies of their evaluations.

The performance evaluation is the basis for any salary increase. Employees who receive a written performance-based or disciplinary reprimand during the 12-month rating period covered by their evaluation are not eligible for a merit increase.

The Arkansas Performance Evaluation Plan

The Arkansas Performance Evaluation Plan is a standards-based system. Performance standards describe how a job is to be performed and are developed to represent fully satisfactory job performance. Your supervisor may ask for your assistance in developing your job standards, and should review your standards with you at least annually, in addition to revising them each time your job duties change. Your supervisor is responsible for establishing and updating your performance standards and has the authority to determine the standards for your job.

The Office of Personnel Management has established guidelines for the administration of the Arkansas Performance Evaluation Plan. The university provides additional guidelines. The guidelines include the following requirements:

1. Annual evaluations must be completed at least 30 days prior to a classified employee's merit eligibility date, using the approved performance evaluation form (electronic). Classified employees appointed October 1, 2006, or earlier have an October 1 merit eligibility date. Classified employees appointed after October 1, 2006, have a merit eligibility date one year after their appointment date. If interim evaluations are done, the interim evaluations must be considered in the annual evaluation.
2. Standards for the rating period must be set by the supervisor, and where possible with the input of the employee, at the beginning of each rating cycle or not later than 30 days after the start of new duties.

3. The standards must be developed from a list of critical job tasks and stated in terms of observable behavior.
4. The standards must be communicated clearly to and understood by the employee.
5. The completed standards must be reviewed by a higher reviewing official in the chain of command to the rating supervisor.
6. An electronic copy of the standards must be given to the employee.
7. If a rating supervisor is transferred to another unit or terminates employment, he or she must complete performance evaluations for those employees whose most recent evaluation was completed more than 90 calendar days prior to the supervisor's termination date.
8. If, at any time during the evaluation period, the supervisor determines that an employee's performance has fallen below an acceptable standard, the supervisor must document the below-acceptable performance and counsel the employee.
9. If an employee's general performance falls below the acceptable standard, the employee must be placed on probation and counseled.
10. The completed performance evaluation must be reviewed and approved by a higher reviewing official in the chain of command to the rating supervisor.
11. Employees must be allowed to make a formal request for reconsideration of their performance evaluation. (See the Appeals Procedure section below.)

Your Performance Rating

Your formal performance evaluation will be made on the basis of your performance over the preceding 12 months. Your supervisor will compile the observations of your performance during that period and will rate your actual performance in comparison to the expected performance standards. The rating uses four performance categories: unsatisfactory, satisfactory, above average and exceeds standards. Your supervisor will review and explain your ratings in a performance evaluation conference. You may use the conference as a time to discuss your performance achievements as well as problems you may have encountered during the rating period. Be prepared to make suggestions about ways you might correct or improve your performance.

At the end of the performance evaluation conference, your supervisor will ask you to make written comments about your evaluation in the place provided on the electronic evaluation form. You may use this opportunity to state your agreement or disagreement with the evaluation and the reasons for your response. You will then be asked to sign the form. **Your signature does not mean that you accept or agree with the rating, only that your supervisor has discussed it with you.**

Establishing New Performance Standards

Your performance evaluation marks the end of a rating cycle. Within a few days, you can expect your supervisor to either reaffirm or rewrite your performance standards for the next rating period, which will begin a new performance evaluation cycle. Your supervisor

may ask for your assistance in establishing your standards. To prepare for that process, you may wish to take the following steps:

1. Think through what you are supposed to do in your job. Refer to the position description. List the tasks that are important to your position. List only those tasks that you are currently required to do, not those that you may have done in the past.
2. Discuss your list of tasks with your supervisor and compare it with the list your supervisor may have compiled. Discuss the job. This is also a good time to discuss problems you encounter frequently and to make suggestions about how those problems might be solved.
3. Once you and your supervisor have developed your performance standards, they will be reviewed by a higher reviewing official in the chain of command to your supervisor. Keep your standards in mind during the year and make notes about any performance problems and accomplishments. Your notes can be used at your next performance evaluation conference to help you and your supervisor discuss your performance during that rating period.

Appeals Procedure

If you disagree with your supervisor's evaluation of your performance and have evidence to support your reasons, you may appeal your performance rating in accordance with the following procedures.

1. Ask your supervisor to reconsider your evaluation. Your request for reconsideration must be made in writing within 10 calendar days of the evaluation interview and must state the reasons you think the rating is inaccurate, providing evidence or documentation, as appropriate.
2. Your supervisor will review your reasons for disagreeing with your rating and respond to you in writing within 10 calendar days of receiving your request.
3. If you and your supervisor cannot reach agreement, you may submit a written request for review, within five calendar days, to your supervisor's immediate supervisor.
4. That official will review your request for reconsideration and your supervisor's response, and may ask either or both of you to provide additional documentation or explanation. Within 10 calendar days of receiving your request for review, your supervisor's immediate supervisor will respond to you and your supervisor in writing, proposing a resolution of the disagreement.
5. If the unit in which you work has additional levels of supervision and you are not satisfied with the proposed resolution, you may appeal the decision of your supervisor's supervisor to the next level and beyond, provided that you present evidence or documentation supporting your request for review, up to the level of the head of your unit. At each level, you must submit your request for review within five calendar days after receiving a response and the reviewer will have 10 calendar days to respond.

6. If you disagree with the recommendations of the head of your unit, you may submit a written request for review, presenting supporting evidence, within five calendar days, to your vice chancellor. The vice chancellor will review the written record and may ask for specific additional information or documentation. Within 10 calendar days of receiving your request for review, your vice chancellor will recommend a resolution, in writing, to you and your supervisor.
7. If you are not satisfied with the recommendation of your vice chancellor, you may submit a request for review, along with documentation, to Human Resources, which will forward it, within five calendar days, to the chair of the Performance Evaluation Review Committee. The Performance Evaluation Review Committee will meet within ten calendar days to review all pertinent documentation concerning your disagreement with your supervisor's performance rating, and, within ten calendar days of its meeting, will make a recommendation in writing to the chancellor. The decision of the chancellor is final and binding.

Note: When the procedures specify time periods, such as 10 calendar days, within which a step in the procedures must take place, official university holidays do not count in calculating those time periods. If you need assistance with any of the written parts of the appeals process, Human Resources can help you.

Performance-based Probation

If, at any time during the evaluation period, your supervisor determines that your performance has, in general, fallen below the standards for your position (so that your overall performance is unsatisfactory), you may be placed on probation. Your supervisor must document the below-acceptable performance, inform you that you have been placed on probation and counsel you about ways you can improve. The length of your probation for unacceptable performance is to be not less than 30 nor more than 60 days. During the probationary period, your supervisor will counsel you about your progress or lack of progress.

At the end of the probationary period, your supervisor will conduct a formal evaluation. If you have met the standards of performance (completely satisfactory), your supervisor will remove you from probationary status. If you fail to meet the standards for your position, your supervisor may extend the probationary period and give you additional counseling or may terminate your employment. If your performance drops below satisfactory during an evaluation year and you improve before the time of your annual evaluation, the unsatisfactory evaluation will not go into your employee file. If your annual evaluation score is unsatisfactory, that evaluation will become part of your permanent file.

Benefits of Performance Evaluation

The performance evaluation plan is designed to help you understand what is expected of you in your job, give you information about what you need to do to improve your performance, determine your eligibility for salary increases, and help develop your career opportunities. You will begin each evaluation cycle with a copy of your performance standards. The standards should tell you exactly what you have to do and how well you must do it to receive a fully satisfactory performance rating. This advance notice will help you, throughout the rating period, to meet your supervisor's expectations.

You and your supervisor should talk with each other, throughout the rating period, about your performance, so there will be no surprises in the evaluation conference. The communication process that performance evaluation requires provides an opportunity for you and your supervisor to work out misunderstandings and disagreements as they occur and before they become more serious. The review of your standards and of your evaluation by a higher reviewing official in the chain of command to the rating supervisor will help to ensure that your performance is being rated fairly and objectively and that your performance standards are comparable to those for other employees in your unit.

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