

Employee Performance Management System

Note: The following information does not apply to instructional personnel of institutions of higher learning or employees not covered by the State Employee Grievance Procedure Act (SEGPA).

Probationary Period

- The probationary period is the initial working test period of employment in an FTE position with the State of not more than 12 months duration for non-instructional personnel or the academic year duration for instructional personnel except for those at State technical colleges, or of not more than 2 full academic years duration for faculty at State technical colleges. An employee who receives an unsatisfactory performance evaluation during the probationary period must be terminated before becoming a covered employee.
- The performance review period for a probationary employee begins on the date of employment and ends the day before the annual performance review date. For example, an employee who is hired on December 2 should have their annual review completed on or before December 1 of the following year.
- During the probationary period, the probationary employee receives leave and may participate in retirement, insurance and deferred compensation benefits. Insurance benefits are only available for employees working at least a 30-hour workweek. If the employee successfully completes the probationary period, the employee becomes covered under the SEGPA and becomes eligible for recall and reinstatement rights in the event of a reduction-in-force.
- Once a probationary period has been completed, the covered employee does not serve another probationary period, provided there is no break in state service or movement from a position not covered by the SEGPA.
- The agency head or his designee may count up to six months of continuous satisfactory service in a temporary, temporary grant, time-limited or another full time equivalent (FTE) position in the same or different state agency toward completion of an employee's probationary period in accordance with the State Human Resources Regulations.
- Should an employee be promoted, demoted, reclassified or reassigned prior to completing a probationary period, the employee would start a new 12-month probationary period. However, at the agency head's discretion or designee may count up to six months of continuous satisfactory service in the previous class toward the employee's probationary period which would result in a reduction in the length of the employee's performance review period.
- An employee's probationary period cannot be extended beyond 12 months.

Trial Period

- A trial period is the initial working test period of six months immediately following a covered employee's promotion, reclassification, demotion, reassignment or transfer to a classification or unclassified state title in which they have never attained permanent status. Upon successful completion of a trial period, the employee attains permanent status in the class. The trial period provides the supervisor an opportunity to observe an employee's performance prior to the employee receiving permanent status in a new classification or unclassified state title.
- An employee's trial period may be extended for up to 90 calendar days upon written notification to the employee of the extension prior to the end of the six-month trial period.
- If the employee has been promoted, reclassified, or reassigned and does not successfully complete the trial period, the agency must remove the employee from the position by demoting, reclassifying, or reassigning the employee back to the previous position or a position equal to the old position. If a transfer from another agency is involved, the agency has the option of removing the employee from the position by reassigning the employee to a position similar to the prior position.
- When an employee's state class title changes to a class in which the employee has previously completed a successful trial period and attained permanent status in the class, the employee does not serve another trial period.
- After successful completion of a trial period, the annual performance review date is established one calendar year from the end of the trial period. For example, if the employee's trial period ends on January 1, the annual performance review date is January 2; therefore the employee's evaluation must be completed by January 1 of the next year, unless the agency uses a universal review date.

Performance Review Date

- The performance review date is the first day which marks the beginning of a new performance review period.
- The supervisor can complete the employee's evaluation any time during the 90 days before the conclusion of the employee's review period.
- A covered employee who is promoted, demoted, reclassified, reassigned or transferred to a new class or unclassified state title in which the employee has permanent status in the class or unclassified state title, the employee's performance review date is reestablished six months from the date of the promotion, demotion, reclassification, reassignment or transfer.
- A covered employee who is transferred to another state agency in the same class or reassigned in the same agency to the same class in which they have permanent status and is within six months or less of their review date, their performance review date will advance six months from the transfer or reassignment. If the review date is more than six months from the reassignment or transfer, their review period will not change.
- When an employee is promoted or reclassified upward, and prior to attaining permanent status in the class is demoted or reclassified downward to the previous class, the employee would retain the original performance review date.

- When an employee's supervisor changes during the review period, the previous supervisor may complete the employee's evaluation within 90 days of the annual performance review date, or the new supervisor is responsible for completing the evaluation with or without the previous supervisor's input.

Universal Review Date

- A universal review date is the one date on which annual performance reviews are due for all employees in an agency or every employee in an organizational unit.
- If an agency chooses to use a universal review date it must update its EPMS policy to include provisions for a universal review date. As of the effective date of the revised policy, the agency will use in a short year review period until the universal review date occurs.
- A short year review is a performance appraisal that evaluates an employee's performance for a period of time less than twelve months to phase onto a universal review date.

Planning Stage

- The planning stage is designed to outline the job functions and performance expectations for the rating period.
- The job duties are used to identify the specific job functions that will be reviewed for the rating period and identify the success criteria for evaluating the employee's performance.
- Each employee should have a planning stage conducted as soon as possible at the beginning of each rating period. Good management practices encourage the planning stage to be completed within at least the first six weeks of the beginning of the rating period.
- Objectives are special, non-recurring projects or assignments that are not included on an employee's job description. Objectives are optional for all employees and not a requirement on an EPMS evaluation. The agency may determine whether to use objectives for all its employees.

Evaluation Stage

- The rater (supervisor) may complete the employee's EPMS evaluation up to 90 days prior to the annual performance review date which does not change the annual performance review date.
- The rater must complete the employee's EPMS evaluation by the close of business on the day before the employee's annual performance review date or the employee will receive a "successful" rating by default. EPMS documents should be completed prior to the annual performance review date. Good management practices encourage the rater to complete the employee's EPMS evaluation even after the annual performance review date has been missed.
- The rater's rating on an EPMS evaluation can be changed by a reviewer (supervisor's supervisor) only if it is allowed by the agency's EPMS policy.
- If employees disagree with their appraisal they may attach a response to the EPMS evaluation stating their reasons for the disagreement.
- The EPMS rating is neither grievable nor appealable under the State Employee Grievance Procedure Act.

- Should an agency choose to use less or more than the standard three levels of performance in its EPMS policy, the agency should consult its human resources consultant since its reduction in force must be updated and approved by the Division of State Human Resources (DSHR). The policy must have a conversion for the standard three levels of performance for merit pay and reduction-in-force purposes.
- If employees refuse to sign their EPMS evaluation form, the rater should note the refusal on the form. If there is a witness to the refusal, the witness should also sign the form.

Substandard Performance

- While coaching and counseling may be used to improve an employee's performance, the use of a "Warning Notice of Substandard Performance" is not required in a probationary period. If an uncovered employee is not performing satisfactorily during the probationary period, the employee shall or must be terminated before becoming a covered employee. Until an employee has completed the probationary period and has a "successful" or higher overall rating on the employee's performance evaluation, the employee has no grievance rights under the State Employee Grievance Procedure Act.
- If during the performance period a covered employee is considered "unsuccessful" in any essential job function or objective which significantly impacts performance, the rater should provide the employee with a written "Warning Notice of Substandard Performance".
- The requirements of a "Warning Notice of Substandard Performance" are: The notice shall be in writing, addressed to the employee, labeled as a "Warning Notice of Substandard Performance," and signed by the employee (witnessed, if employee will not sign). The notice shall list the job function(s) and/or objective(s) included on the employee's planning document that are considered "unsuccessful," with an explanation of the deficiencies for each job function and/or objective. The notice shall include the time period for improvement and the consequences if no improvement is noted (i.e., dismissal, demotion, reassignment). The notice shall include a plan for evaluating employee progress during the warning period. In addition, a copy of the notice shall be given to the employee and placed in the employee's official personnel file.
- The "Warning Notice of Substandard Performance" must provide for an improvement period of no less than 30 calendar days and no more than 120 calendar days. The "Warning Notice of Substandard Performance" may be issued at any time during the review period. Ordinarily, the warning period may not extend beyond the employee's annual performance review date. However, the performance review date may be advanced to coincide with the "Warning Notice of Substandard Performance" dates.
- It is recommended that a supervisor plan for a range of several days instead of one specific date to complete the employee's rating during the improvement period.
- Once a time frame for improving substandard performance has been given, the employee must be rated prior to the end of the warning period or the employee will receive a "successful" rating by default.
- A "Warning Notice of Substandard Performance" can be extended prior to the last day indicated in the "Warning of Substandard Performance;" however, the entire period cannot extend beyond 120 calendar days from the date that an employee is issued a "Warning Notice of Substandard Performance."

- Should the employee's performance improve to the successful or higher level during "Warning Notice of Substandard Performance" the rater should give the employee written notice indicating the improvements that were made. The notice is placed in the employee's personnel file and the employee continues to perform his regular job duties. This action does not alter the annual performance review date.
- By the end of the warning period, if the employee is rated "unsuccessful" on any essential job function or objective which significantly impacts performance as noted in the "Warning Notice of Substandard Performance," the employee shall be removed from the position immediately (i.e. terminated, reassigned, demoted).
- Upon the third occurrence of a "Warning Notice of Substandard Performance" within a 365-day period, an employee shall be removed from the position without further notice.
- According to the State Employee Grievance Procedure Act, a "Warning Notice of Substandard Performance" is not grievable or appealable. However, if an employee is subsequently demoted or terminated, these actions may be grievable or appealable.