

# YOUTH SERVICES POLICY

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| <b>Title:</b> Performance Evaluation System (PES) and Performance Adjustments<br><b>Next Annual Review Date:</b> 07/16/2018   | <b>Type:</b> A. Administrative<br><b>Sub Type:</b> 2. Personnel<br><b>Number:</b> A.2.45 |
| <b>Page 1 of 14</b>   |  |
| <b>References:</b><br>Civil Service Rules Chapter 1, Chapter 6, Chapter 10, and Chapter 17, and the “Civil Service Human Resources Handbook”; ACA Standards 2-CO-1C-01 (Administration of Correctional Agencies), 4-JCF-6C-11 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policies A.2.1 “Employee Manual”; A.2.23 “Position Descriptions”, and A.2.24 “Staff Development and Training Plan” |  |
| <b>STATUS: Approved</b>   |  |
| <b>Approved By:</b> <i>Mary L. Livers, Deputy Secretary</i>   | <b>Date of Approval:</b> 07/16/2015  |

**I. AUTHORITY:**

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

**II. PURPOSE:**

To set forth rules and procedures to ensure compliance with the Louisiana State Civil Service (SCS) “Performance Evaluation System” (PES).

**III. APPLICABILITY:**

This policy shall be applicable to all classified employees of YS, and unclassified employees who supervise classified employees.

**IV. DEFINITIONS:**

**Agency Reviewer** – An employee designated by the Appointing Authority, outside of the chain of command, responsible for reviewing official performance evaluations. The reviewer shall not be the Evaluation Supervisor or the Second Level Evaluator.

**Appointing Authority** – The appointing authority of YS is the Deputy Secretary.

**Evaluating Supervisor** – The immediate supervisor shall be the Evaluating Supervisor unless otherwise designated by the appropriate Unit Head or the Appointing Authority. The immediate supervisor is generally in the best position to observe and document the employee’s performance.

**Performance Adjustment** - An adjustment to individual pay rate based on performance or some other individual equity basis. Unless extraordinary circumstances occur (i.e. budget constraints), an employee who is in active status as of June 30 of the performance evaluation year becomes eligible for and may be granted a performance adjustment, provided that the Appointing Authority has determined the employee's performance merits such an adjustment. The amount of each performance adjustment shall be four percent (4%) of the individual's pay rate, not to exceed the maximum pay range established by SCS for the employee's job title.

The effective date of a Performance Adjustment is October 1<sup>st</sup>, of each year, unless budgetary constraints prevent the implementation of same.

**Performance Evaluation** - The official overall annual evaluation of the performance of an employee, measured against the performance plan. The standard evaluation period is the State fiscal year, i.e. July 1 to June 30th.

An employee shall be evaluated as follows:

- **Exceptional:** Work and behavior consistently exceed the performance criteria.
- **Successful:** Work and behavior meet the performance criteria.
- **Needs Improvement/Unsuccessful:** Work and/or behavior do not meet the performance criteria.

**Performance Expectations** - Information which clearly communicates to the employee what conditions or results constitute successful work performance.

**Performance Plan** - The document that records the work tasks, work behaviors expected of the employee. Work tasks and work behaviors are established by the Evaluating Supervisor, with the approval of the Second Level Evaluator, based on the employee's role in fulfilling YS' mission and goals.

**Performance Planning Session** - The official annual event during which the Evaluating Supervisor discusses with the employee the factors upon which the employee shall be evaluated, and the performance that shall be expected during the coming evaluation period.

**Second Level Evaluator** – The individual designated by the Appointing Authority to administer the PES in accordance with Chapter 10 of the SCS rules and YS policy. The Second Level Evaluator shall be the Unit Head/designee. (Exception: Classified positions that report to an unclassified Executive Director or Agency Head are not required to have a Second Level Evaluator approval on their official PES planning or evaluation.)

**Unit Head** – For purposes of this policy, Unit Head means the Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, General Counsel, Regional Directors, Facility Directors and Regional Managers.

**V. POLICY:**

It is the Deputy Secretary's policy to utilize the PES which complies with Chapter 10 of the SCS rules, and which consists of the following components:

- A. A performance plan that lists the work task and work behaviors on which the employee's overall performance shall be evaluated throughout the year;
- B. A planning session at which the Evaluating Supervisor and the employee discuss the performance plan;
- C. A standard planning and evaluation form;
- D. A three (3) level evaluation system (unless there is an exception for a Second Level Evaluator as noted in Section IX below); and
- E. A PES planning and evaluation instruction manual accessible to all employees through the SCS website at: <http://www.civilservice.louisiana.gov/Divisions/EmployeeRelations/pes.aspx>.

Evaluating Supervisors shall effectively communicate to employees the work they are expected to accomplish, the job duties that they are charged with, how those duties are linked to YS mission and goals, what standards they are expected to meet in work performance and behavior on the job, and how excessive leave usage and/or absenteeism will be monitored, and how such leave usage/absenteeism may affect a merit increase.

All classified employees shall be evaluated by appropriate supervisory personnel in a timely fashion within the evaluation period of July 1 – August 31 of each year. Written comments to support any recommendation or evaluation are required.

As noted below, sample PES forms are attached to this policy, and are also available on the SCS website at: <http://www.civilservice.louisiana.gov>.

**VI. PROCEDURES:**

A. Performance Plan

- 1. A Performance Planning Session is required for each classified employee as follows:
  - a. For all **new employees**, a Performance Planning Session must be conducted within 90 days of hire.
  - b. For **all employees**, a yearly planning session must be conducted July 1<sup>st</sup> through September 30<sup>th</sup>, of each year.

- c. For employees who move permanently into a position having a different position number with significantly different duties, **a new planning session must be conducted within 90 days** of transferring into the new position.
  2. A Performance Planning Session **may be conducted** when:
    - a. An employee gets a new Evaluating Supervisor;
    - b. The Evaluating Supervisor deems that a performance planning session is appropriate; or
    - c. Planning expectations may be revised during the performance year. Any changes must be initialed and dated by both the Evaluating Supervisor and the employee.
  3. Steps on How to Conduct a PES Planning Session:
    - a. Step #1 (Civil Service Rule No. 10.2):

The Evaluating Supervisor shall prepare a performance plan, using the “PES Planning and Evaluation Form” (see attached sample revised 4/2014) at the beginning of each evaluation period, detailing the work tasks, behavior standards on which the employee’s overall performance shall be evaluated, and leave usage/absenteeism.
    - b. Step #2 (Civil Service Rule No. 10.3)

The Evaluating Supervisor shall submit the performance plan to the Second Level Evaluator for assessment and approval **prior** to conducting the planning session with the employee to discuss the plan.
    - c. Step #3  

The employee signs and dates the “PES Planning and Evaluation Form” certifying that the Evaluating Supervisor conducted the Planning Session.
  4. Employee Planning Sessions:
    - a. During the planning session, the Evaluating Supervisor shall present the “PES Planning and Evaluation Form” to the employee, discuss the performance work tasks and behavior standards on which the employee shall be evaluated, and expected performance during the evaluation period, and how leave usage and/or absenteeism may affect a merit increase.

- b. The performance plan is then signed and dated by both the Evaluating Supervisor and employee.
- c. The original, signed performance plan shall be forwarded to Public Safety Services (PSS) Human Resources (HR). A copy of the documented performance plan shall be maintained in the Evaluating Supervisor's employee productivity file, and a copy.
- d. Should the employee decline to sign the performance plan, the Evaluating Supervisor shall note this on the form and record the date the planning session occurred. An employee's refusal to sign the form shall not prevent the performance plan from becoming official.

**B. How to Conduct a Performance Evaluation**

The PES requires that performance evaluations be conducted each fiscal year with official evaluations rendered no later than August 31<sup>st</sup>. The evaluation period for all employees is July 1-August 31<sup>st</sup>. Each new evaluation year shall begin no later than September 30<sup>th</sup> of each year.

1. All classified employees shall be evaluated on their overall performance based on work tasks, behavior standards, and leave usage and/or absenteeism, as determined by the Evaluating Supervisor and noted on the performance evaluation form.

An Evaluating Supervisor who fails to administer the PES in accordance with SCS rules shall not be eligible for a performance adjustment for that year, regardless of the Evaluating Supervisor's own rating.

A Second Level Evaluator who fails to administer the PES in accordance with SCS rules shall not be eligible for a performance adjustment for that year, regardless of the Second Level Evaluator's own rating.

Further, all supervisory employees shall be evaluated on their demonstrated capacity for supervision using the following expectation: "Use good communication, documentation, observation and assessment skills to fairly plan and accurately evaluate the performance of each employee supervised, following all applicable SCS rules."

2. To create an official performance evaluation, the Evaluating Supervisor shall do the following:
  - a. Complete a performance evaluation form after June 30<sup>th</sup> of the evaluation year.

- b. Provide documentation to support a finding of “Exceptional”, “Successful”, and “Needs Improvement/Unsuccessful”.
    - c. Submit the proposed performance evaluation to the Second Level Evaluator for approval and signature prior to discussion with the employee.
    - d. Discuss the performance evaluation with the employee in a private meeting where both the employee and the Evaluating Supervisor’s signature and date shall be obtained.
    - e. Provide the employee with a copy of the performance evaluation with the overall evaluation noted.
    - f. Forward the original, signed “PES Planning and Evaluation Form” to the PSS/HR office.
    - g. When an employee is not available, the performance evaluation shall be considered complete when it has been mailed to the most recent address provided by the employee on or before August 31<sup>st</sup>, as evidenced by official proof of mailing. The official proof of mailing shall be forwarded to PSS/HR for filing in the employee’s personnel file.
    - h. Should the employee decline to sign the performance evaluation, the employee shall check the box under “Employment Statement” on Page 2 of the “PES Planning and Evaluation Form” stating that the employee decided not to sign the form, but acknowledged that a copy of the evaluation was received and that the employee's failure to sign would not prohibit the evaluation from becoming official for the performance year.
    - i. A performance evaluation becomes official when the employee receives a copy.
  3. An evaluating supervisor may elect to assign an employee who worked less than three (3) calendar months within the performance evaluation year an overall evaluation of “Not Evaluated”. If all requirements below are met, an overall evaluation of “Not Evaluated” shall have the same effect as an evaluation of “Successful”.
    - a. The employee is active as of June 30<sup>th</sup>, the end of the performance year.
    - b. The employee has worked less than three (3) months within the performance year.
    - c. The Deputy Secretary determines that not enough time has elapsed to create an evaluation for the employee.

4. When an employee does not receive a performance evaluation, the evaluation is untimely, or the evaluation contains some other technical violation of SCS rules, the performance of an employee shall be designated as “Unrated”. For the employee, an “Unrated” designation shall have the same effect as an evaluation of “Successful”.
5. Performance Evaluations of “Unrated” shall be indicated on the final overall performance evaluation form by the Evaluating Supervisor or the Second Level Evaluator. An employee shall be notified by the employee’s supervisor when an official overall evaluation of “Unrated” is assigned.
6. Effects of the “Needs Improvement/Unsuccessful” Performance Evaluation.
  - a. An evaluation of “Needs Improvement/Unsuccessful” is not a disciplinary action.
  - b. An employee whose official overall performance evaluation is “Needs Improvement/Unsuccessful” **shall not be:**
    - 1) Eligible for a performance adjustment, a promotion or permanent status, or
    - 2) Eligible to be detailed to a higher level position without prior approval of the SCS Director.
  - c. An employee whose official overall evaluation is “Needs Improvement/Unsuccessful” may be separated or disciplined in accordance with SCS rules applicable to the employee’s status.
  - d. Permanent employees shall have the right to request a review in accordance with SCS Rule Nos. 10.11 and 10.12.
7. Effects of a “Needs Improvement/Unsuccessful” Performance Evaluation and Layoff Avoidance Measures
  - a. Pursuant to SCS Rule No. 17.6, when the Appointing Authority determines that it is necessary not to grant or to reduce performance adjustments in order to avoid or reduce layoffs, employees whose performance adjustments are affected by this measure shall retain their eligibility for such increases for a three-year period. Such eligibility shall be lost if during that period the employee receives an official evaluation of “Needs Improvement/Unsuccessful”.
  - b. Pursuant to SCS Rule No. 17.15, employees who received an evaluation of “Needs Improvement/Unsuccessful” on their most recent PES must be laid off first.

This applies within the unit as defined in the layoff plan. The most recent PES cannot be one that was rendered fewer than 60 days prior to the effective date of the layoff. Regardless if the employee is not in the targeted career field or commuting area, if the employee is in the unit of the layoff, and was given a "Needs Improvement/Unsuccessful" on their most recent PES evaluation, that employee is required to be laid off.

8. Employee Request for an Agency Review of Performance Evaluation
  - a. A permanent employee who receives an overall performance evaluation of "Unrated" or "Needs Improvement/Unsuccessful" may request an official review of the evaluation.
  - b. The Appointing Authority shall designate an Agency Reviewer. The reviewer shall not be the Evaluating Supervisor or the Second Level Evaluator who signed the performance evaluation being reviewed.
  - c. The official overall performance evaluation may only be modified by the Agency Reviewer
  - d. An employee's request for an agency review must be submitted in writing on the "PES Request for Review Form" (see attached sample), and be postmarked or received in the PSS/HR office no later than September 15<sup>th</sup> of the evaluation year. In the request for review, the employee must explain and provide supporting documentation for the review.
  - e. If the request for review is timely, the Agency Reviewer must review the employee's request, the performance evaluation given, and any supporting documentation provided. The contested performance evaluation shall be individually discussed with the employee and the Evaluating Supervisor.
  - f. The Agency Reviewer shall give the employee, the Evaluating Supervisor and PSS/HR written notice of the results of the review no later than October 15<sup>th</sup>. Any change in performance evaluation shall be retroactive to July 1<sup>st</sup>.
  - g. The performance evaluation form, the employee's request for review, the Agency Reviewer decision, supporting documentation attached to the performance evaluation, as well as any documents requested from the employee or Evaluating Supervisor during the review shall be maintained in the employee's official personnel file or other secure performance file maintained with PSS/HR.

9. Employee Request for SCS Director Review of PES Performance Evaluation (pursuant to SCS Rule No. 10.12)
  - a. A permanent employee who receives an overall performance evaluation of “Needs Improvement/Unsuccessful” following an agency review may request to have the performance evaluation file reviewed by the SCS Director/designee. (Refer to Page 2 of the attached “PES Request for Review Form”.)
  - b. A request for review under this rule must be postmarked or received by the SCS Director/designee no later than ten (10) calendar days following the date the employee received the agency review decision. In the request, the employee must explain why the decision of the Agency Reviewer is being contested.
  - c. If the request for review is timely, the SCS Director/designee shall obtain and review the employee’s performance file and may either affirm the overall evaluation or change it to “Unrated”. The decision of the SCS Director/designee shall be final.
  - d. The SCS Director/designee shall provide a written decision to the employee, the Evaluating Supervisor, and the PSS/HR office no later than 30 calendar days following the date the request for review was received.
  - e. The Evaluating Supervisor shall forward a copy of the SCS Director/designee decision to the Second Level Evaluator upon receipt.

**VII. PES ROLES:**

**A. Deputy Secretary**

1. Designate Evaluating Supervisors, Second Level Evaluators, and an Agency Reviewer to review official “PES Planning and Evaluation Form” along with corresponding documentation as outlined in this policy. Failure to designate an Evaluating Supervisor shall be a violation of Civil Service Rule No. 10.2(a).
2. Annually report to the SCS, in such a manner as the SCS Director prescribes.
3. Meet the requirements of SCS Rule Nos. 17.6 and 17.15 as outlined in Section VI.B.7 of this policy.
4. Meet the requirements of Section VII., paragraph B below.

**B. Assistant Secretary/Undersecretary/Designees**

1. Hold Unit Heads accountable for adhering to all aspects of this policy and subsequent revisions.
2. Comply with this policy as it relates to individuals that they directly supervise.
3. Communicate to Unit Heads, managers and supervisors when direct input into the performance evaluation of one or more employees prior to the evaluation becoming official is required.

**C. Unit Heads/Designees**

1. Ensure that procedures are in place to comply with the provisions of this policy.
2. Ensure manager's/supervisor's communicate to each employee they supervise what the employee's performance expectations are within the time frame specified by the PES process, and document all communication.
3. Ensure each manager/supervisor has "documented" on-going communication with each employee they supervise regarding performance expectations, as well as honest discussions about how the employee is doing.
4. Ensure each employee they supervise is given performance expectations and an evaluation in a manner compliant with YS policy and SCS rules.
5. Ensure performance adjustments are not recommended automatically, but rather are recommended based upon successfully meeting performance objectives, supported by written documentation, and that a recommendation against giving a performance adjustment is supported by documentation of failure to meet performance objectives.
6. Ensure that managers / supervisors who fail to conduct planning or evaluation sessions for their employees are not recommended for a performance adjustment, pursuant to SCS Chapter 10.
7. Serve as the Second Level Evaluator for performance plans and evaluations.

**D. Managers and Supervisors**

1. Comply with this policy as instructed by the Unit Head/designee.

2. Ensure that each employee supervised (both current and new) is made aware of this policy and its contents, as well as any forthcoming revisions.
3. Documentation of communication of performance expectations to each employee supervised within the time frame specified by the PES process.
4. Ensure the performance of each employee is evaluated in a compliant manner by doing the following:
  - a) Basing the evaluation on job performance;
  - b) Basing the evaluation is approved by the Second Level Supervisor (if required), prior to discussing it with the employee;
  - c) Ensuring pertinent performance issues are discussed with the employee; and
  - d) Ensuring appropriate documentation is provided.
5. Ensure performance adjustments are not recommended automatically, but rather are recommended based upon successfully meeting performance objectives, supported by written documentation.

A recommendation against giving a performance adjustment should be supported by documentation of failure to meet performance objectives.

6. Ensure performance coaching is provided through on-going communication, support, information, resources, training, and encouragement over the course of the year, and is based on the expectations noted on the employee's performance planning form.
- E. The Unit HR Liaison shall ensure that the information contained in this policy and subsequent revisions from the SCS are posted and made available to all YS classified employees and unclassified employees who supervise classified employees.
- F. PSS/HR is the official custodian of PES files for all YS employees.
- G. Classified Employees
1. Meet the objectives provided in the performance plan.
  2. Follow supervisor's written and verbal instructions.
  3. Request clarification of performance objectives from the supervisor when necessary.
  4. Be an active participant in the PES process.

H. Agency Reviewer

When an employee submits a “SCS PES – Request for Review”, the Agency Reviewer shall:

1. Review the employee’s performance evaluation forms along with supporting documents, requesting any additional documentation that is needed to fully understand the rating of an employee.
2. Meet with both the Evaluating Supervisor and the employee (individually or at the same time) to gather facts, etc.
3. Render a decision to affirm or overturn the supervisor’s evaluation.
4. If the decision is to overturn the supervisor’s evaluation, the Agency Reviewer must assign an overall performance evaluation rating of “Unrated”, “Needs Improvement/Unsuccessful”, “Successful”, or “Exceptional”.
5. Provide the employee, evaluating supervisor and PSS HR written notice of the results of the review by October 15<sup>th</sup>. Any change in the evaluation is retroactive to July 1<sup>st</sup>.

**VIII. RECORD KEEPING AND REPORTING REQUIREMENTS:**

- A. A copy of each completed “PES Planning and Evaluation Form” shall be maintained by PSS/HR in a secure location not accessible to the public. Upon request, completed forms shall be made available as follows:
1. As determined by the Appointing Authority for retrieval for authorized individuals;
  2. To the SCS for auditing purposes;
  3. To other agencies of the State; and/or
  4. To the employee upon request.
- B. A well organized performance evaluation and documentation file shall be maintained in a secure location and in an orderly manner by a manager / supervisor of each employee supervised. The PES file shall contain the following documents where appropriate:
1. Current job description;
  2. PES planning session documentation;
  3. Performance / periodic review documentation;
  4. Supervisory comments;
  5. “PES Performance and Evaluation Forms”;

6. Request for Agency Review;
  7. Request for the SCS Director to review; and
  8. Outcomes of any reviews requested.
- C. The performance evaluation and documentation file shall be confidential and may only be released to appropriate supervisory personnel or to the employee.
- D. PES files shall follow the employee from supervisor to supervisor, with all inclusive documentation.
- E. The Appointing Authority shall annually report to the SCS Director required information relative to evaluations during the previous year ending June 30<sup>th</sup>.

**IX. EXCEPTIONS:**

- A. The SCS Director may approve exceptions to Civil Service Rule No.10.
- B. In the event that budgetary constraints prevent implementation of performance adjustments, performance evaluations are still required.
- C. The YS Employee Grievance Procedure shall not be applicable to this policy.
- D. Any requests for exceptions to this policy or to the SCS rules must be justified, documented and submitted to the Deputy Secretary for consideration prior to submittal to the SCS Director.
- E. Pursuant to CS Rule No. 10.3, classified positions that report to an unclassified Executive Director or Agency Head are not required to have a Second Level Evaluator approval on their official PES planning or evaluation. (The rule exception applies retroactively and on an ongoing basis beginning with the Evaluation Sessions for FY 2013-2014.
- F. The Appointing Authority may make variations to the “PES Planning and Evaluation Form” and/or the instructions with prior written approval from the DSCS Director.

**X. STAFF DEVELOPMENT:**

- A. All Evaluating Supervisors, Second Level Evaluators, and designated Agency Reviewers shall receive training on the contents of this policy.
- B. All Evaluating Supervisors are required to complete the following PES web courses provided through LEO, and can be accessed by logging onto:  
<https://leo.doa.louisiana.gov/iri/portal> :

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1. CPTP PES Basics;
2. CPTP PES Planning Process; and
3. CPTP PES Evaluation Process.

C. Documented training shall be captured through LEO.

**Previous Regulation/Policy Number:** A.2.45  
**Previous Effective Date:** 12/05/2014

**Attachments/References:**



Revised PES Form 2014.docx



PES REV (Request for Review) 1012.doc