

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Performance Reviews	PAGE <u>1</u> OF <u>6</u>
	NUMBER: 33-ERD-02
RULE/CODE REFERENCE: 123:1-29	SUPERSEDES: 33-ERD-02 dated 02/02/15
RELATED ACA STANDARDS: 4-4064; 2-CO-1C-14; 2-CO-1C-21; 1-CTA-1C-08; 4-APPFS-3D-16; 17	EFFECTIVE DATE: February 9, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to provide uniform guidelines in conducting performance reviews of all employees.

III. APPLICABILITY

This policy applies to all employees of the Ohio Department of Rehabilitation and Correction (DRC).

IV. DEFINITIONS

Ad Hoc Performance Evaluation – Type of evaluation to be used in circumstances such as an extension of the probationary period, at the end of a Performance Improvement Plan or to deny a step increase.

Annual Review Cycle Date – The date which performance evaluations must be complete from the first to the last step of the evaluation process.

ePerformance – The on-line performance evaluation tool which facilitates the performance management process for State agencies. The tool is accessed through myOhio.gov for State managers, employees, and human resource administrators. The application uses automated workflow triggers in order to move through the performance evaluation process.

Human Resources (HR) System Administrator – A personnel staff member/designee assigned to conduct a second line review for consistency in performance notes and ratings, use of non-discriminatory language and ensures evaluation is compliant with policies and procedures. Also, acts as the final approver in the review/approval process with Appointing Authority designation.

Performance Improvement Plan (PIP) – A document within ePerformance to be used on employees who have received a ‘Does Not Meet’ or ‘Needs Improvement’ rating on the Overall Performance Ratings Summary.

Rater – The employee’s immediate supervisor responsible for completing the evaluation.

Reviewer – The Rater’s immediate supervisor responsible for reviewing and approving the Rater’s completed evaluation on employees which the Rater supervises.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to evaluate all employees twice during their probationary period and on an annual basis thereafter utilizing the appropriate state approved performance evaluation tool or form. The employee shall be evaluated on specific job duties and shall have the opportunity to review and discuss performance ratings with the supervisor as set forth in Ohio Administrative Code Chapter 123:1-29 and applicable collective bargaining agreements.

VI. PROCEDURES

A. General Information

1. The Department of Administrative Services (DAS) transitioned from the Ohio Performance Review System (OPRS) paper evaluation forms to the electronic Human Capital Management module (HCM) ePerformance application. DAS approved for DRC to transition only exempt and bargaining unit staff; excluding Correction Officers. Correction Officer evaluations shall remain on paper. DRC will transition Correction Officer evaluations to be completed through ePerformance in the near future.
2. Exempt employee step dates shall not be affected by the transition into the ePerformance system or implementation of the annual performance evaluation cycle. If a step is to be denied, then an Ad Hoc evaluation must be completed sixty (60) calendar days prior to the annual step date. Bargaining unit performance evaluations shall continue to follow the appropriate collective bargaining agreement provisions regarding timelines and steps.
3. For support resources which includes job aids and training materials, go to DAS Workforce Administration website: <http://das.ohio.gov/ePerftoolkit>

B. Performance Evaluation Process

Performance reviews shall be conducted as follows in accordance with the Ohio Administrative Code Chapter 123:1-29 and/or the applicable provisions of the appropriate collective bargaining agreement:

1. The first probationary performance evaluation shall be completed within thirty (30) calendar days of the conclusion of the first half of the probationary period. The second probationary evaluation shall be completed within thirty (30) calendar days of completion of the probationary period, unless the employee is given a probationary removal or

reduction, in which case the final evaluation shall be made at the time of the removal or reduction. The probationary removal or reduction must be conducted prior to the end of probation. The final probationary evaluation shall state whether the employee is to be retained or probationary removed or reduced.

2. All employees who have completed their probationary periods shall be evaluated annually thereafter. Employees who are to be placed on an Annual Review Cycle shall be added to the cycle following the completion of probation. Exempt employees shall be evaluated utilizing ePerformance and the entire process shall be completed by the annual cycle date of April 1st. The rating period shall be April 1st through March 31st. Unless placed on an Annual Cycle Date, bargaining unit employees shall be evaluated during the sixty (60) calendar-day period immediately preceding the employee's annual step date (e.g. the date of their step increase).
3. Each employee shall be evaluated by his or her immediate supervisor. If an employee has been reassigned to a new supervisor within one (1) month of the evaluation date, the new supervisor should consult with the previous supervisor in completing the evaluation if possible. If an employee receives approximately equal supervision from two persons, both supervisors shall cooperate in the evaluation. The primary supervisor shall be responsible for processing and completing the evaluation with input from the secondary supervisor through nominating in ePerformance or adding comments/providing input on the paper evaluation.
4. For exempt and bargaining unit (excluding Correction Officers) employees, the Rater shall complete the performance evaluation through ePerformance. Each section within the evaluation shall be completed as listed below:
 - a. Establishing Purpose/Competencies and Goals/Performance Expectations: The sections are used to establish the Purpose/Competencies and Goals/Performance Expectations towards the next rating period.
 - i. Agency-level and Classification-level competencies shall not be used unless instructed by the Chief of Personnel or Designee.
 - ii. Third party nominations shall be used if the employee reports to more than one supervisor and/or if instructed by the Chief of Personnel or designee.
 - iii. Self-Evaluations and Career Development Plans (CDP) are optional. If initiated, the rater shall consider the information provided by the employee when completing the employee's performance evaluation and when conducting the performance review meeting with the employee. The CDP follows the same approval process as any other performance document. If the supervisor offers to create a CDP for one employee, those supervisors shall make the same offer to all of their subordinate employees. An employee or a supervisor can initiate a CDP.
 - iv. The supervisor shall attach the position description to the ePerformance evaluation and discuss with the employee. The supervisor may also include during the evaluation meeting the last evaluation, work product files, written job

performance observations and/or certificates/awards. Materials that are not appropriate for review or to attach to evaluations are discipline, medical records or diagnoses.

- b. Rating the Employee: Prior to the end of the review period, the Rater shall rate the employee's performance. For each rating, comments shall be provided to support the rating. After the ratings are final, the Rater shall submit for approval.
 - i. The Rater shall not submit for approval more than sixty (60) days prior to the end of the rating period.
 - ii. The Rater shall not complete the evaluation more than thirty (30) days prior to the end of the rating period.
 - c. The evaluation shall electronically route to the Reviewer to approve and then it will route to the HR System Administrator for approval. The evaluation is then routed back to the Rater in order to continue the evaluation process.
 - i. The supervisor shall meet with the employee prior to the end of the rating period.
 - ii. The supervisor shall be cautious about making subjective judgments when meeting with the employee and base performance ratings on objective facts that can be documented and are consistent with disciplinary or other performance records.
 - iii. After the review is held, the supervisor shall instruct the employee to log into his/her MyOhio to acknowledge the evaluation.
 - a) If the employee refuses to acknowledge, the supervisor shall acknowledge the evaluation and click the Employee Refused to Sign button. The supervisor shall document the refusal and submit the documentation to the local personnel office.
 - b) The supervisor shall not click the Override button, unless prior written approval is received from the Chief of Personnel or Designee.
 - 1) Selecting Override indicates the employee did not receive the evaluation and shall not pass ACA audit standards nor DRC compliance.
 - 2) If Override was selected by the supervisor, the local personnel office has the option to reopen the document, in which case the evaluation shall need re-submitted for approvals.
5. If the employee's overall rating is below "Meets", the employee shall be placed on a Performance Improvement Plan (PIP). The duration of the PIP is at the discretion of the supervisor.

- a. The supervisor is responsible for assigning a designated period of time for completion.
 - b. The supervisor is responsible for identifying deficiencies in goals & objectives, competencies and performance expectations, and providing feedback.
 - c. The supervisor is responsible for providing feedback and initiatives for the employee to be able to improve performance.
 - d. The supervisor is responsible for holding a face-to-face meeting with the employee.
 - e. The supervisor is responsible for initiating an Ad Hoc performance evaluation if needed.
6. Evaluations shall be complete and show as complete in ePerformance on or before the end of the rating period. The local personnel office shall have thirty (30) days after the due date to ensure, to the best of their ability, all evaluations are showing as complete in ePerformance and that the supervisor did not override the employee acknowledgement.
 7. For Correction Officers not utilizing ePerformance, the supervisor shall complete the appropriate paper evaluation.
 - a. Upon completion of the performance evaluation form by the immediate supervisor, reviewer, and the appointing authority (or manager designee), the supervisor shall present and discuss the evaluation with the employee, at which time the performance evaluation shall be considered completed for timeliness purposes.
 - b. The employee shall sign the evaluation to acknowledge he or she has received a copy of the completed form.
 8. Step Denial: If an employee's step date does not fall near the employee's annual performance cycle, an ad hoc performance evaluation shall be conducted. In order to deny a step increase, the employee must receive an overall unsatisfactory and the annual performance evaluation or ad hoc evaluation must be completed in its entirety sixty (60) days prior to the step date. After complete, the local personnel office shall be notified.
 9. The employee's acknowledgement (electronically or paper) merely indicates the employee has acknowledged and/or received a copy of the evaluation; it does not indicate agreement with its contents. Refusal of the employee to acknowledge (electronically or paper) the evaluation shall constitute waiver of the employee's right to an appeal of the performance evaluation. If an employee refuses to sign, the supervisor shall print a copy of the evaluation and have an exempt employee witness sign the evaluation indicating the employee refused to acknowledge.
 10. For ACA audit purposes, the date the employee acknowledges the evaluation constitutes completed evaluation. For all other purposes, the evaluation is not complete until the evaluation shows as complete in ePerformance.

C. Performance Evaluation Appeals

1. Unless specified otherwise in an existing collective bargaining agreement, the internal review procedure shall include two steps:
 - a. A review by the employee's supervisor and/or the appropriate personnel staff; and
 - b. A review by the Chief of Personnel or designee.
2. An employee may request a review of his/her performance evaluation by submitting a Performance Evaluation Review Request (DRC1040) to a management designee other than the employer representative who performed the evaluation, which may include the local personnel office. Requests must be submitted within seven (7) working days after the employee received the completed evaluation. A conference shall be scheduled within seven (7) working days of receipt and a written response provided within seven (7) working days after the conference.
3. If the employee is not satisfied with the response, the employee may request a paper review of his/her performance evaluation by the Chief of Personnel or designee. This level of appeal shall not be available to any exempt employee who has received a Meets Expectations, Exceeds Expectations or Outstanding rating on the Overall Performance Ratings Summary or to any bargaining unit employee who has received a rating of "Meets Expectations" or "Above" in all categories.
 - a. The appeal shall contain a reason and/or documents to support why the employee believes the performance evaluation is not accurate. Any documents used by the employer in evaluating an employee's performance shall be furnished by the employer to the employee upon request.
 - b. A written response shall be issued within fourteen (14) calendar days after the appeal is requested.
 - c. A performance evaluation shall not be altered or expunged as a result of an appeal at this level unless the employee establishes by a preponderance of the evidence that the rater or reviewer abused his or her discretion, producing an inaccurate, unfair, or prejudicial evaluation, or that the rater/reviewer failed to substantially comply with agency policy.
 - d. The performance evaluation appeal process is not grievable unless otherwise specified in the bargaining unit contracts.
4. An exempt employee may request a final review by the Director of Administrative Services in accordance with OAC 123:1-29.

Related Department Forms

Performance Evaluation Review Request

DRC1040