



Virginia Department of Corrections

Human Resources

Operating Procedure 145.2

Employee Performance Management

Authority:

Directive 145, *Employee Relations and Performance*

Effective Date: September 1, 2022

Amended:

Supersedes:

Operating Procedure 145.2, September 1, 2019

Access: Restricted Public Inmate

ACA/PREA Standards:

5-ACI-1C-17; 4-ACRS-7B-06; 4-APPFS-3D-17, 4-APPFS-3D-18; 2-CI-6C-1; 2-CO-1C-08, 2-CO-1C-14, 2-CO-1C-21; 1-CTA-1C-01, 1-CTA-1C-08; §115.17, §115.217

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in August 2023 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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DEFINITIONS

Below Contributor Rating - Results or work that fails to meet performance measures; to receive this rating, an employee must have received at least one documented *Notice of Improvement Needed/Substandard Performance* within the performance cycle.

Contributor Rating - Results or work that is characterized by meeting job functions and fully meeting performance measures.

Core Responsibilities - Job responsibilities that are primary and essential to the type of work performed by an employee and normally remain relatively consistent during the performance cycle.

Counseling - An informal (verbal) or formal (written) intervention that conveys that an employee's conduct or performance was improper and must be corrected. Formal counseling discussions must be documented in a written memorandum. Counseling that is related to work performance may be included in an interim performance evaluation or a *Notice of Improvement Needed/Substandard Performance* 145_F5

Employee Work Profile - The form used to complete the annual performance evaluation that includes a brief work description, performance plan, core responsibilities, performance measures, and employee development goals. See *Employee Work Profile (EWP)* 145_F2 and 145_F2a.

Exceeds Contributor Rating - Results or work that consistently exceeds expectations and performance measures; this rating, which is unique to DOC, level falls above "Contributor" and below "Extraordinary Contributor." Employees should be informed that all "Contributor" and "Exceeds Contributor" ratings will be entered into the Personnel Management Information System (PMIS) as "Contributor" in order to comply with the three ratings allowed by DHRM policy.

Extraordinary Contributor Rating - Results or work that are characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently well above performance measures; an employee must have received at least one documented *Acknowledgement of Extraordinary Contribution* 145_F4 within the performance cycle.

Interim Employee Evaluation - A performance evaluation completed during the performance cycle to document and assess an employee's progress toward achieving the performance plan

Performance Evaluation Cycle - The annual cycle during which an employee's supervisor documents performance, usually beginning October 25th of each year

Performance Measures - Qualitative and/or quantitative standards or measures against which each core responsibility, special assignment, and agency/departmental objective is assessed; performance measures describe major duties, assignments, and objectives in terms of complexity, accountability, and results, and should be specific, measurable, attainable and relevant. These measures are referred to on the *Employee Work Profile* as *Measures for Core Responsibilities*, *Measures for Special Assignments*, and *Measures for Agency/Departmental Objectives*.

Performance Plan - The key component of the evaluation instrument that identifies the core responsibilities, special projects, and performance measures to indicate required achievement levels during and at the end of the performance cycle

Reviewer - The supervisor of an employee's immediate supervisor, or another person designated to review an employee's work description, performance plan, performance rating, and who responds to appeals of performance ratings

PURPOSE

This operating procedure provides for annual performance planning and evaluation for all Department of Corrections (DOC) employees.

PROCEDURE

- I. Employee Performance Management
 - A. This operating procedure serves as a guide to implement the Department of Human Resource Management (DHRM) Policy 1.40, *Performance Planning and Evaluation*, in Department of Corrections units. Employees are referred to DHRM policies for official guidance and details not covered in this operating procedure.
 - B. Employee performance management forms the core of employee-management relations.
 1. The employee and their supervisor must clearly understand the employee's duties and establish clear, measurable, and attainable objectives to determine when those duties are accomplished.
 2. It is essential for the supervisor to provide ongoing feedback to the employee recognizing both exemplary accomplishments and where improvement may be needed.
 - C. Part II of each employee's *Employee Work Profile (EWP)* 145_F2 and 145_F2a contains written job descriptions and job qualifications. The annual review of the core responsibilities ensures that organizational objectives are being met. (2-CO-1C-08; 2-CI-6C-1)
 - D. The *EWP* 145_F2 and 145_F2a serves to document a written performance review of all employees. (5-ACI-1C-17; 4-ACRS-7B-06; 4-APPFS-3D-17; 2-CO-1C-21; 1-CTA-1C-08)
 1. The performance review, conducted at least annually, is based on defined criteria, reviewed and discussed with the employee. (4-APPFS-3D-18)
 2. This review includes an appraisal of the knowledge, skills, and abilities that are required for each employee's job assessment and identification of additional education or training that is needed.
 3. The employee, evaluator, and the reviewer all sign the review.
 - E. This written performance review provides for the retention of all personnel on the basis of merit and specified qualifications.
 - F. Each employee's *EWP* must contain a *Physical Demands Worksheet* 145_F10 appropriate to the employee's job description selected from the options available on the Virtual Library.
- II. Performance Planning for Employees Beginning New or Different Positions
 - A. Within 30 days of an employee beginning a new or different position, the supervisor should:
 1. Complete the *Computer Application Access Checklist* 145_F7.
 2. Provide the employee with their *Employee Work Profile* with Sections I - IV completed.
 - a. Supervisors will develop a performance plan for each employee by completing Part II - *Work Description & Performance Plan*, of the *EWP*; see Attachment 1, *Guide for Completing Employee Work Profile (EWP)*. Human Resources has developed standardized performance plans for certain positions, which should be used when applicable.
 - b. Part III - *Employee Development Plan*, should be developed based on the employee's current knowledge, skills, and abilities with the objective of improving performance in the current position and preparing the employee for career advancement. (2-CO-1C-14)
 - c. The supervisor will sign in Part IV, *Review of Work Description/Performance Plan* and submit the performance plan to the reviewer.
 - d. Reviewers should ensure that performance plans are appropriate before signing.



- e. Following the reviewer's approval, the supervisor will discuss performance plans with the employee and present the plans for their signature.

III. Performance Planning at the Beginning of Performance Cycle

A. Within 30 days of the beginning of the performance cycle, supervisors must do the following:

1. Review, update as needed, and initial the employee's *Computer Application Access Checklist 145_F7*.
2. Supervisors should retain a copy of the reviewed form and forward the original to the appropriate Human Resources Officer.

B. Provide the employee with their *Employee Work Profile* for the new performance cycle with Sections I - IV completed. Refer to the *Performance Planning for Employees Beginning New or Different Positions* section of this operating procedure for guidance.

IV. Performance Management Throughout the Performance Cycle

A. Changes During the Performance Cycle

1. Changes to the performance plan during the performance cycle generally would be used for additional special assignments or modifications to special assignments.
 - a. If it is necessary to change one or more of the core responsibilities, the reviewer must approve the change(s).
 - b. The performance plan is not intended to fully describe the tools or methods used to accomplish work; these may change without requiring a plan revision.
 - c. If core responsibilities include project-based assignments, supervisors may develop a core responsibility statement indicating the general nature of the projects and a measure noting that the project is completed in accordance with the objectives, standards, and timelines established and communicated at the time of assignment.
2. All changes to the performance plan should be noted on the *EWP*, initialed, and dated by the supervisor, reviewer, and employee. If it is necessary to add additional pages, each page should be initialed and dated by the supervisor, reviewer, and employee and the page(s) attached to the original *EWP*.
3. Changes that should be noted on the *EWP* include assignments performed for more than 30 workdays while on light duty status or in an acting status.
4. Personnel Changes
 - a. If the employee's supervisor leaves the position during an employee's performance cycle, the departing supervisor should complete an interim evaluation of the employee's performance.
 - b. If, after six months into the performance cycle, an employee transfers, is promoted or demoted into a new position with a different supervisor, within the DOC or between state agencies, an interim evaluation should be completed.
 - i. The supervisor should complete the interim evaluation prior to the employee's departure.
 - ii. For transfers to another agency, the interim performance evaluation will be completed and sent with the personnel file to the new agency for retention by the new supervisor.

B. Performance Management Documentation

1. Supervisors should document employee performance and provide feedback to them periodically throughout the performance cycle. Documentation may be in the form of notes, memos, etc., and must be retained in the supervisor's confidential files, rather than in employee's official personnel files.
2. Feedback provided during the cycle may be informal or formal.
 - a. Informal feedback is encouraged, but there may be times when formal feedback is more appropriate.



- b. Formal feedback should be documented through memos, interim evaluations, a *Notice of Improvement Needed/Substandard Performance* 145_F5, or an *Acknowledgement of Extraordinary Contribution* 145_F4.
 - c. Employees should receive copies of formal feedback documentation.
3. At least one interim evaluation should be completed and documented on each employee during the performance year.
 - a. *Interim Employee Evaluation* 145_F3 is available for use as documentation, but is not required.
 - b. Interim employee evaluations are not considered “official” documents and are retained in the supervisor’s confidential file for use in constructing the annual performance evaluation.
4. A supervisor should document incidents of extraordinary performance on the *Acknowledgement of Extraordinary Contribution* 145_F4.
 - a. The *Acknowledgement* must be signed by the supervisor and reviewer, given to the employee, and a copy retained in the supervisor’s confidential file until the annual performance evaluation is completed.
 - b. In order for an employee to receive an overall Extraordinary Contributor rating on the annual performance evaluation, the employee must receive at least one *Acknowledgement of Extraordinary Contribution* and perform consistently well above the core responsibilities and measures throughout the performance cycle.
 - c. Extraordinary contribution(s) should be documented on the *Acknowledgement* and discussed as close to the time of occurrence as possible.
 - d. If the employee receives an overall annual evaluation of Extraordinary Contributor, the *Acknowledgement* must be attached to the annual evaluation form to support the rating.
 - e. The receipt of one or more *Acknowledgement of Extraordinary Contribution* does not automatically entitle an employee to an overall annual rating of Extraordinary Contributor.
5. Supervisors should immediately identify poor, substandard, or unacceptable performance. Supervisors normally should address first-time minor or marginal performance issues through performance counseling and coaching.
 - a. An employee may receive a *Notice of Improvement Needed/Substandard Performance* 145_F5 at any time during the performance cycle if the employee exhibits substandard performance on any core responsibility, special assignment, agency or unit objective, core value, or core competency.
 - b. Reviewers must approve and sign such *Notices*.
 - c. The *Notice of Improvement Needed/Substandard Performance* must include an improvement plan, which should have an improvement period of no less than 30 days or more than 180 days.
 - i. The supervisor and the employee will develop the improvement plan.
 - ii. If agreement cannot be reached, the supervisor may establish the improvement plan.
 - iii. The plan should be included on the *Notice* or attached to it.
 - iv. Employees should be given a copy of the *Notice* and plan.
 - v. When the annual evaluation is completed, the *Notice* and plan must be attached to the Evaluation Form if the overall evaluation reflects a rating of Below Contributor.
 - d. An employee cannot be rated Below Contributor on the annual evaluation unless they have received:
 - i. At least one *Notice of Improvement Needed/Substandard Performance* or
 - ii. A *Written Notice* for any reason as defined in Operating Procedure 135.1, *Standards of Conduct*.
 - e. Receipt of a *Notice of Improvement Needed/Substandard Performance* or a *Written Notice* does not require that an employee be rated Below Contributor.

- V. Conducting Performance Evaluations at the End of Performance Cycle
- A. To the extent possible, performance evaluations should reflect performance levels for the entire performance cycle.
1. Employees should have performance evaluations completed by October 24, but not before August 24.
 2. Probationary employees hired after July 24 should be evaluated in accordance with Operating Procedure 145.1, *Probationary Period*.
- B. Employees must be afforded the opportunity to provide the supervisor with an *Employee Self-Assessment 145_F6*, which includes a self-assessment of their job performance for the rating period.
1. The employee should be asked to provide a self-evaluation at least two weeks prior to the evaluation meeting.
 2. A supervisor must review and consider the self-assessment when completing each employee's performance evaluation.
- C. At the time of the annual review, each employee will be required to complete the *PREA Mandatory Sexual Misconduct Disclosure 145_F14* to document a response to the following questions: (§115.17[f], §115.217[f])
1. Have you ever engaged or attempted to engage in sexual abuse in an institutional setting; for example, prison, jail, juvenile facility?
 2. Have you been convicted of engaging or attempting to engage in sexual activity in the community where there was use of force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
 3. Have you been civilly or administratively adjudicated for engaging in sexual activity in the community where there was use of force (as described above)?
- D. The employee's signature on the *PREA Mandatory Sexual Misconduct Disclosure 145_F14* documents that the employee has been reminded that there is a continuing affirmative duty to disclose any such misconduct. (§115.17[f], §115.217[f])
- E. An employee's immediate supervisor must complete Part V - *Performance Evaluation, - Employee Development Results, - Overall Results Assessment and Rating Earned* of the *EWP*, see Attachment 1, *Guide for Completing Employee Work Profile (EWP)*.
- F. The reviewer must review the performance plan and performance evaluation sections of the *EWP* before they are presented to the employee.
1. If the reviewer does not agree with the performance evaluation, the reviewer should discuss the disagreements with the supervisor.
 2. The reviewer has the authority to change the employee's performance evaluation.
- G. Following the reviewer's approval, the supervisor will discuss the performance evaluation with the employee and present the *EWP* for their signature.
- H. Appeal of Performance Evaluation Rating
1. An employee may appeal a performance evaluation rating by submitting a written appeal to the reviewer within ten workdays of the performance evaluation meeting.
 2. The reviewer should discuss an employee's appeal with the supervisor and employee.
 3. After discussion, the reviewer should provide the employee with a written response within five workdays of receiving the appeal.
- I. Re-evaluation

1. An employee who receives a rating of Below Contributor must be re-evaluated and have a performance re-evaluation plan for a three month re-evaluation period developed, as outlined below:
 - a. Within ten workdays of the employee's receipt of the Below Contributor rating, the employee's supervisor must develop a performance re-evaluation plan that includes core responsibilities, performance measures, and an employee development plan for the following three months. This plan must be approved by the reviewer before it is presented to the employee for signature.
 - i. If the existing core responsibilities, measures, and employee development plan are appropriate, the information included in Sections II - IV of the *EWP* may be used for re-evaluation purposes.
 - ii. The new performance plan for the re-evaluation period should clearly state that it is a re-evaluation.
 - iii. The supervisor must discuss with the employee the specific recommendations for meeting the minimum performance measures contained in the re-evaluation plan during the three-month re-evaluation period.
 - b. The employee must be re-evaluated within approximately two weeks prior to the end of the three-month period. If an employee is absent for more than 14 consecutive days during the three-month re-evaluation period, the period will be extended by the total number of days of absence, including the first 14 days.
2. If the employee receives a re-evaluation rating of Below Contributor, the supervisor must demote, reassign, or terminate the employee by the end of the three-month re-evaluation period.

VI. Document Retention

- A. Evaluation forms, including completed *Employee Work Profiles*, are official personnel documents and must be retained in the employee's official personnel files when completed.
- B. Other documentation of work performance, including *Acknowledgement of Extraordinary Contribution* and *Notice of Improvement Needed/Substandard Performance* forms, become part of the official personnel file when they are used to support an overall rating of Extraordinary Contributor or Below Contributor. Otherwise, these forms and documentation are maintained in the supervisor's confidential file until completion of the annual evaluation.
- C. *Employee Self-Assessment* forms should be maintained in the supervisor's file for a period of 30 days beyond the annual evaluation review date.
- D. The *PREA Mandatory Sexual Misconduct Disclosure* must be maintained in a separate file within the local Human Resource Office for three years from the date it was signed by the employee.

REFERENCES

DHRM Policy 1.40, *Performance Planning and Evaluation*
Operating Procedure 135.1, *Standards of Conduct*
Operating Procedure 145.1, *Probationary Period*
Guidelines for Completing EWPs

ATTACHMENTS

Attachment 1, *Guide for Completing Employee Work Profile (EWP)*

FORM CITATIONS

*Employee Work Profile (EWP) Non - Supervisory*145_F2
Employee Work Profile (EWP) Supervisory 145_F2a
*Interim Employee Evaluation*_145_F3



Acknowledgement of Extraordinary Contribution_145_F4

Notice of Improvement Needed/ Substandard Performance 145_F5

Employee Self-Assessment_145_F6

Computer Application Access Checklist 145_F7

Physical Demands Worksheet 145_F10 (various options available on the Virtual Library)

PREA Mandatory Sexual Misconduct Disclosure 145_F14

