

Keith Porch, Chief of Police

//K. Porch//

Date: _____

GENERAL ORDER 35
PERFORMANCE EVALUATION
EFFECTIVE DATE: May 1, 2019
SUMMARY OF REVISIONS:

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PURPOSE: The purpose of this chapter is to establish the principles of performance evaluation, the Personnel Early Intervention System, and the manner in which they should be applied.

35.1 ADMINISTRATION

All sworn employees will utilize the **division's evaluation system**. All non-sworn employees will utilize the **city's evaluation system**.

35.1.1 PERFORMANCE EVALUATION

The **objectives** of the agency's performance evaluation system are to:

- Foster fair and impartial personnel decisions,
- Standardize the nature of the personnel decision-making process,
- Ensure the public that the agency's personnel are qualified to carry out their assigned duties,

- Provide employees with necessary behavior modification information,
- Maintain and improve performance,
- Provide a medium for personnel counseling,
- Facilitate proper decisions regarding probationary employees,
- Identify training needs.
- Provide an objective and fair means for measurement and recognition of individual performance in accordance with prescribed guidelines.

The Division's performance evaluations shall include the following elements:

A. **Measurement definitions** are included in the non-sworn evaluation form and in the Performance Evaluation Manual for sworn personnel. The following are the definitions used in the evaluation system as well as those found in the Personnel Evaluation Manual:

- **Unsatisfactory:** The officer's performance consistently falls below division standards. The performance does not demonstrate the ability and/or willingness to perform to division standards.

- **Needs Improvement:** The officer's performance occasionally falls below division standards. Improvement is required to consistently meet division standards.

- **Meets Standards:** The officer's performance consistently meets division standards. The officer performs assigned duties to an acceptable level through demonstrated application of skills.

- **Exceeds Standards:** The officer's performance significantly and consistently exceeds division standards. The officer's results were far in excess of the requirements of this position. An officer who receives this rating has consistently demonstrated high levels of motivation and performance.

B. **Procedures for use of personnel evaluations instruments.**

The procedures set forth in this directive will serve as the procedures for the use of evaluation forms.

- Specific guidelines for evaluation of sworn personnel are found in the Performance Evaluation Manual which can be found on COPNET, Office of the Chief, Deputy Chief and Bureau Commander. Copies of this manual have also been supplied to the Section Commanders

- Guidelines and descriptions for evaluation of non-sworn personnel are found on the evaluation instrument and are contained in the City Personnel and Policy Manual found on COPNET and in the Human Resource Office.

C. The procedures set forth in this policy will serve as the explanation of **rater responsibilities** when conducting performance evaluations.

D. **Rater training** is accomplished by the rater's immediate supervisor using the Performance Evaluation Manual for sworn personnel and the guideline provided on the evaluation instrument for non-sworn personnel.

35.1.2 ANNUAL EMPLOYEE EVALUATIONS (LE1)

All employees and Reserve Officers shall be **evaluated** by their supervisor in written form **on at least an**

annual basis.

– The employee’s supervisor should maintain evaluation data during the evaluation period sufficient for the purpose of tracking an employee’s performance during the evaluation period.

35.1.3 EVALUATION REPORT FOR PROBATIONARY EMPLOYEES

The Division shall require a written performance evaluation report on all entry-level probationary employees and probationary Reserve Officers on at least a quarterly basis.

– A specific set of criteria found in the FTO Manual will be used in the rating of personnel on probation in order to determine, at the earliest point, their suitability for continued employment.

35.1.4 CRITERIA FOR EVALUATION

The Division shall require that the criteria used for performance evaluations and measurement definitions are to be **specific to the assignment** of the employee during the rating period. (ie. Patrol Officer, Detective, Traffic Officer).

Tasks of the position, as established in the job description, shall form the basis for the description of what work is to be performed and shall be available to the rater.

Criteria used to define the quality of work shall be descriptive, measurable, and allow a characterization regarding how the work is performed.

35.1.5 PERFORMANCE EVALUATION SYSTEM

A. The employee **evaluation period** will normally be the same as the semi-annual shift preference completed not less than annually unless otherwise specified.

– Performance evaluations will be based only on performance during the **current evaluation period**.

– Performance evaluations for Command Staff (Deputy Chief, Captains and civilians) may be annually due by the end of February for January – December of the prior year.

B. Supervisors will justify their ratings with written comments.

Ratings of **unsatisfactory or exemplary** must be substantiated by the supervisor with written comments.

C. Each performance evaluation report shall be **reviewed and signed** by the employee, the employee’s supervisor (rater), and the rater’s supervisor. In the event that rater and rater’s supervisor cannot agree on the final rating documented on the evaluation instrument, a meeting will be scheduled with the Chief of Police to review and resolve the issues of disagreement and complete the evaluation.

D. Employees will be required to sign an **acknowledgment of evaluation** that indicates that he/she read and understood the evaluation report. Employees will have one of two choices:

– A signature indicating that the employee does not necessarily agree with the ratings but had an opportunity to relate his/her point of view with the immediate supervisor.

- A signature with notation indicating that the employee wishes to discuss the evaluation with the Chief of Police.

The employee should be given an opportunity to make **written comments** to supplement the completed performance evaluation report if he/she chooses. Comments should be limited to a notation on the back of the evaluation. In the event the comments are more detailed, they will be attached to the evaluation as a separate document.

E. A **copy of the completed evaluation** report shall be provided to the employee by their supervisor.

F. **Contesting evaluation:**

The **appeal process** for all Division members will be as follows:

- All appeals of employee evaluations must be filed by the employee making the appeal within seven (7) days of receiving the written and signed evaluation from their immediate supervisor (signed by both the employee and the immediate supervisor). This can be accomplished by noting on the evaluation form the employees desire to discuss the evaluation with the Chief of Police.

- Initial appeals must first go to the rater's immediate supervisor. The immediate supervisor has seven (7) days from the date that the appeal is filed to respond to the employee.

If the employee protesting the rating is not satisfied with the response from his/her immediate supervisor, or if no response is received within seven (7) days from the immediate supervisor, then he/she may contact the Chief of Police to schedule a meeting to review the evaluation.

G. Performance evaluation reports shall be **retained according to the retention period** adopted in the City's Records Retention Schedule.

35.1.6 UNSATISFACTORY PERFORMANCE

Employees will be advised in writing by a supervisor whenever their performance is deemed to be unsatisfactory and such **notification** shall be made in a timely manner.

- If unsatisfactory performance continues, this information should be included in the final evaluation.

- Supervisors should prepare an improvement plan to advise the employee of performance problems and to outline actions that should be taken to improve his/her performance. This may be accomplished by remedial training or documented corrective action.

If unsatisfactory performance is noted with less than ninety (90) days from the end of the rating period, the supervisor shall notify the employee, in writing, as soon as possible. This shall not preclude a supervisor from issuing an unsatisfactory rating.

35.1.7 EMPLOYEE COUNSULTATION

Each employee will be consulted by his/her immediate supervisor at the end of the rating period to include the following areas:

- A. The **results of the performance evaluation** just completed.
- B. **The level of performance expected**, rating criteria or goals for the new reporting period.
- C. **Career counseling** relative to such topics as appropriate to the employee's position will be completed annually on a Career Track Form.

35.1.8 RATING THE EMPLOYEE RATERS

Raters will be evaluated by their supervisors regarding the quality of ratings given employees to ensure that the raters apply ratings uniformly.

- Supervisors should evaluate the raters in:
 - Fairness and impartiality of ratings given,
 - Their participation in counseling rated employees, and
 - Their ability to carry out the rater's role in the performance evaluation system

35.1.9 EARLY INTERVENTION SYSTEM (LE1)

A comprehensive personnel early intervention system is an essential component of good discipline in a well-managed law enforcement agency. The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct which could have been abated through intervention. The early identification of potential problem employees and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The Division shall have a Personnel Early Intervention System to identify employees who may require intervention efforts. The Early Intervention System will be monitored by the Office of the Chief and those personnel designated as part of the Internal Affairs Function, including Bureau and Section Commanders. When the IA Pro Early Intervention System is triggered, designated personnel will be notified including those assigned on an ad-hoc basis to the Internal Affairs Function, as well as the employees Bureau and Section Commanders when appropriate.

A. Initiating review:

– Supervisors within the Division will collect, review, and report the following material to help evaluate potential issues with employee performance and behavior:

- Evaluations
- RTR/A Reports
- Traffic Crash (Accidents)
- Attendance Records
- Internal Affairs
 - Complaints
 - Discipline
 - Counseling

B. Threshold levels that will initiate a review of employee actions or behaviors are:

- Any employee who has a total of six (6) documented events (listed above) within a four (4)

month period

- Any employee who has a total of four (4) RTR's within a four (4) month period
- Any employee who has a total of two (2) traffic crashes within a 1 year period

C. Those employees reaching and/or surpassing the thresholds set above in 35.1.9B will require at a minimum, an informal review of their current evaluation data and a review of those specific events in an effort to identify or determine if a pattern of conduct exists and/or evaluate potential issues with employee performance and behavior.

D. Reporting requirements:

- The complaint reporting process, internal affairs function, disciplinary processes, and RTR/A data in addition to personnel evaluations and attendance records shall be utilized to evaluate employee conduct and behavior.
- Supervisors within the Division will collect, review, and evaluate this information to assist in determining if they or the Division needs to initiate a review of potential issues with employee performance and behavior.

E. Documented **annual evaluation of the system** of reporting and review shall be conducted by the Chief of Police to ensure potential employee behavior patterns are appropriately addressed in a timely manner.

F. Supervisory responsibilities:

All supervisors will be responsible for the **collection and coordination** of information within and between functions in which one of their employees is involved.

Any employee reaching the thresholds set above in 35.1.9B will require, at a minimum, an informal review of their current evaluation data and a review of those specific events in an effort to identify or determine if a pattern of conduct exists that may require intervention. This review will initially be done by those assigned to the Internal Affairs and personnel function when an employee reaches the established threshold.

– If the initial review satisfies the inquiry that no pattern of conduct exists that may require intervention, no further action is needed.

– If the file review does not satisfy the inquiry, the immediate supervisor will be directed to meet with the employee to discuss his/her performance and/or behavior. This meeting will be conducted in an effort to determine or identify if a pattern of conduct exists and what intervention actions (i.e. counseling, progressive discipline, training, EAP, etc.) can be taken to remedy the situation.

– Supervisory personnel shall **forward information to the next level in the chain of command** if it appears a pattern of conduct and/or behavior is being exhibited which merits intervention above and beyond more traditional methods, such as counseling and training.

– Each **Bureau Commander** will review data collected and available for all employees within their bureau periodically to ensure the Personnel Early Intervention System is being used and reviews by division supervisors are being conducted consistent with this policy. These processes include the collection of data

relating to sick and injury leave usage, RTR/A data, accidents, evaluations and complaint information supplied by the Office of the Chief and/or section supervisors.

G. Remedial training: Most complaints and disciplinary issues are reviewed by first line supervisors, with remedial training recommended at that level. Further remedial action (i.e. progressive discipline, mandatory training, EAP, etc.) may be deemed necessary as issues progress through the chain of command.

H. EAP: Employees may be provided employee assistance through an Employee Assistance Program (EAP) or through other sources recommended for behavioral modification, conduct or conflict resolution, training, counseling outside of the normal EAP channels, etc.

CROSS REFERENCE TO STANDARDS AND POLICIES:

CROSS REFERENCE TO FORMS: Schedule of Records Retention, Performance Evaluation Form