

POLICY

SUBJECT: Performance Planning and Evaluation Program

NUMBER: HR-412-18

APPLICABLE TO: All permanent and contractual DJS employees

APPROVED: /s/ signature on original
Sam Abed, Secretary

DATE: 1/22/18

I. POLICY

The Department of Juvenile Services (DJS or Department) shall adhere to and implement the statutory and regulatory requirements found in Md. Code Ann., State Personnel and Pensions, §7-501 to ensure the performance of each employee in the skilled service, professional service, and management service, including special appointments in each classification of each of those services, is evaluated.

II. AUTHORITY

- A. Md. Code Ann., Human Services, §§ 9-203 and 9-204.
- B. Md. Code Ann., State Personnel and Pensions, §§ 7-501 to 7-504.
- C. COMAR, Executive Order 01.01.2007.16, Code of Fair Employment Practices.
- D. Maryland Department of Budget and Management, PEP guidelines,
<http://dbm.maryland.gov/employees/pep/Documents/PEPGuidelines2010.pdf>
- E. American Correctional Association, 4-JCF-6C-11

III. DIRECTIVES/POLICIES RESCINDED

Standards for Personnel Evaluations, 01.03.36

IV. FAILURE TO COMPLY

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed and are attached to the policy.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	1/22/18

PROCEDURES

SUBJECT: Performance Planning and Evaluation Program

NUMBER: HR-412-18

APPLICABLE TO: All permanent and contractual DJS employees

APPROVED: /s/ signature on original
Lynette Holmes, Deputy Secretary

DATE: 1/9/18

I. PURPOSE

To provide guidelines for the performance evaluation of DJS employees.

II. DEFINITIONS

Appointing Authority means the Secretary of DJS or designee, Superintendent, Regional Director, HQ Manager (Executive Team employee or a Director of a Unit) who has supervisory authority over the employee.

Business day means Monday through Friday, excluding Saturdays, Sundays, state closings, and legal holidays as a workday period under this policy.

Calendar days means consecutive and uninterrupted days.

Development Plan means the strategies created by the employee and supervisor to improve the performance rating of the employee.

MS-22 means a written description of a position that includes a defined set of position-specific performance standards.

Performance Improvement Plan (PIP) means a written description of strategies by the supervisor and employee to improve an employee's performance. A PIP includes the following:

- identify the aspects of the employee's performance which are unacceptable (whether it is a position-specific performance element or a behavioral element);
- describe what the employer will do to assist the employee and a description of what the employee must do to improve during the 180-day improvement period; and
- provide the date upon which the employer and employee will meet to evaluate the employee's performance at the close of the 180-day improvement period.

Work day means Monday through Friday and including Saturdays, Sundays, legal holidays, state closings, **and employee leave days** to calculate a workday period under this policy.

III. **PROCEDURES**

A. **General**

1. Within 2 business days of entry-on-duty, a supervisor shall meet with the new employee to:
 - a. discuss the employee's status (i.e., skilled or professional service, management service, executive service, special appointee, or political special appointee);
 - b. review the MS-22 which shall include an accurate, detailed job description, written position-specific performance standards that are observable, measurable, and objective and behavioral elements; and
 - c. discuss the performance expectations for the coming year.
2. An employee hired between January 1 and June 30 shall receive a mid-year performance appraisal between July 1 and July 14 and an end-of-year performance appraisal with an overall performance rating between January 1 and January 14. An employee hired between July 1 and December 31 shall receive a mid-year performance appraisal between January 1 and January 14 and an end-of-year performance appraisal with an overall performance rating between July 1 and July 14.
3. The DJS Office of Human Resources (OHR) shall send an email to all Appointing Authorities, 45 calendar days prior to the appraisal date, that includes a list of employee names who are due to have a Performance Planning and Evaluation (PEP) completed and the performance cycle to be completed for each employee. OHR will send the list along with the guidelines for completing the PEP.
4. The Appointing Authorities shall forward the employee's PEP and the guidelines for completing the PEP to the supervisor with primary direct responsibility of the employee.
5. Supervisors shall complete the PEP
 - a. for all staff who have been identified on the list;
 - b. within the required time and with all appropriate signatures; and
 - c. in accordance with the PEP guidelines promulgated by the Maryland Department of Budget and Management (DBM), <http://dbm.maryland.gov/employees/pep/Documents/PEPGuidelines2010.pdf> (Also see *Appendix I*).

6. Supervisors shall complete the PEP for all identified employees, unless the employee is on approved family or medical leave (FMLA), accident leave, or military leave. In these cases, the supervisor must notify OHR of the employee's leave status.
7. If a supervisor has supervised an employee for less than 180 calendar days, the supervisor shall complete a blended PEP using the average of two performance appraisals. The supervisor shall contact OHR for instructions on how to complete a blended PEP.
8. Supervisors shall rate employees only on the job duties in the employee's MS-22.
9. Each supervisor of an employee subject to the PEP shall attend mandatory training by the Department on the methods and procedures required in the performance appraisal process.
10. OHR will audit 10% of the completed employee Performance Evaluation Plans every January and July.

B. Completing a Performance Appraisal

1. Employee self-assessment
Prior to meeting with the employee to conduct a mid-cycle or end-cycle PEP, the supervisor shall give the employee five (5) workdays to complete a self-assessment of their performance. The employee may, but is not required to, complete a self-assessment. If the employee completes a self-assessment, it should be discussed along with the supervisor's assessment of the employee's performance during the mid-cycle or end-cycle appraisal meeting.
2. Mid-Cycle Appraisal
 - a. The Supervisor shall meet with the employee to provide feedback on the employee's performance and suggestions for improvement in areas where improvement might be needed. The supervisor and employee also shall discuss tasks to be achieved in the next six (6) months and any training recommendations.
 - 1) If the employee's overall performance was rated satisfactory or better, with no area rated unsatisfactory, the supervisor need not complete a full evaluation using the PEP Instrument, but shall document the employee's performance in writing using the Statistical Data Form signed by both the supervisor and employee.
 - 2) If the employee receives one or more unsatisfactory ratings in any area, the supervisor shall complete the entire PEP Instrument, noting the rating for each Performance

- Standard and Behavioral Element, and explaining the reasons for any ratings other than satisfactory in each category. During the discussion with the employee, particular attention should be paid to those areas of the employee's performance that could be improved or are unsatisfactory. The Supervisor shall create, in collaboration with the employee, a Performance Improvement Plan (PIP) to address areas of deficiency signed by both the supervisor and employee.
- b. If the employee disagrees with the supervisor's mid-cycle rating, the employee may, within five (5) workdays of receipt of the mid-cycle evaluation, submit to the employee's Appointing Authority a written response to the rating, which shall be attached to the written mid-cycle evaluation.
3. End-of-cycle Appraisal
- a. The Supervisor shall meet with the employee to
- 1) assess the employee's overall performance in meeting the position-specific Performance Standards outlined in the employee's MS-22,
 - 2) provide feedback on the employee's performance,
 - 3) make suggestions for improvement in areas where improvement might be needed,
 - 4) discuss any training needs and make recommendations for training; and
 - 5) discuss tasks to be achieved in the next six (6) months.
- The supervisor shall document and justify all outstanding and unsatisfactory ratings in writing. The supervisor can use additional paper if needed.
- b. If the employee's overall performance rating is satisfactory or better, the supervisor shall rate the employee on each of the position-specific Performance Standards in the MS-22 by entering a rating for each position-specific Performance Standards and Behavioral Elements.
- c. If the employee's overall performance rating is below satisfactory, and above an overall unsatisfactory rating, the supervisor shall rate the employee on each of the position-specific Performance Standards in the MS-22 by entering a rating for each position-specific Performance Standards and Behavioral Elements. The supervisor shall assist the employee in creating a Development Plan for all areas of unsatisfactory.
- d. If the employee's overall performance rating is unsatisfactory, the supervisor shall rate the employee on each of the position-specific

Performance Standards in the MS-22 by entering a rating for each position-specific Performance Standards and Behavioral Elements. The supervisor shall complete a PIP and inform the employee in writing that they have 180 days to improve to an overall satisfactory or they shall be terminated. The supervisor shall notify their Appointing Authority and OHR Employee Relations.

- e. Employees of a supervisor or manager who supervise five (5) or more employees may complete an anonymous survey of the supervisor or manager's performance. Employees of supervisors with less than five (5) assigned employees shall express their opinions and/or concerns regarding their supervisor by using the form designated for this purpose.
 - f. If the employee disagrees with the supervisor's end-cycle rating, the employee may, within five (5) workdays of receipt of the end-cycle evaluation, submit to the employee's Appointing Authority a written response to the rating, which shall be attached to the written end-cycle evaluation.
4. Upon completion of the PEP, Supervisors shall send the signed, completed PEP, Development Plans, PIP, and employee comments to their Regional Director, Facility Superintendent or HQ Manager.
 5. The Appointing Authority may review the PEP before the supervisor gives the PEP to the employee. The Appointing Authority can change the rating and sign the end cycle.
 6. Regional Directors, Facility Superintendents and Executive Team and Unit Directors shall review, sign and return the original PEP and the PEP Statistical Data Form to OHR, keep a copy of the PEP in the employee's local personnel file, and forward a copy to the employee.
 7. Supervisors may hold interim conferences with an employee to evaluate the employee's progress in meeting objectives established during the annual performance appraisal.

IV. RESPONSIBILITY

Regional Directors, Facility Superintendents and Executive Team and Unit Directors are responsible for implementation and compliance with this procedure within 30 days of issuance.

V. INTERPRETATION

The Deputy Secretary for Support Services shall be responsible for granting any exceptions to these procedures.

VI. LOCAL OPERATING PROCEDURES REQUIRED

No

VII. DIRECTIVES/POLICIES REFERENCED

DBM Performance Planning and Evaluation guidelines

VIII. APPENDICES

1. DBM Performance Planning and Evaluation guidelines. (See all PEP instructions at <http://dbm.maryland.gov/employees/Pages/pep/PEPhome.aspx> .)

DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review

SUBJECT: Performance Planning and Evaluation Program

NUMBER: HR-412-18

APPLICABLE TO: All permanent and contractual DJS employees

EFFECTIVE DATE: January 22, 2018

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

***SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF
HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.***