

CHAPTER 35
PERFORMANCE EVALUATIONS

DISCUSSION: To achieve its stated objectives, a law enforcement agency must be able to depend on satisfactory work performance from all employees. The performance evaluation is a measurement by the employee's supervisor of the worker's on-the-job performance of assigned duties. This chapter deals with the principles of performance evaluation and the manner in which it should be carried out.

35.1 ADMINISTRATION

35.1.1 Performance Evaluation System

- A. The Performance Evaluation System is designed to strengthen the ability of the police officer/supervisor to meet the professional challenges of the future through:
 - 1. Instillation of Law Enforcement values and responsibilities.
 - 2. The continued use of Law Enforcement values and responsibilities.
 - 3. Providing and reinforcing a professional focus.
 - 4. A measurement of professional values and personal traits.
 - 5. A formal recognition for performance of duty.
 - 6. Senior/subordinate communication which is key to an effective evaluation system.

- B. To ensure that sound personnel management decisions can be made and that a police officer's/supervisor's potential can be fully developed, evaluation reports must be accurate and complete. Each report must be a thoughtful, fair appraisal of a police officer's/supervisor's ability and potential. Reports that are incomplete or fail to provide a realistic and objective evaluation make management decisions difficult.

- C. A single report should not, by itself, determine a police officer's/supervisor's career. The department and the officer's supervisors are best served by an appraisal philosophy that recognizes continuous professional development and growth, rather than one that demands immediate, uncompromising performance.

- D. Raters
 - 1. Must be the current immediate supervisor of the rated employee.
 - 2. A Sergeant or higher to the rated police officer.
 - 3. Higher rank than the rated supervisor.
 - 4. May act as both the rater and senior rater when because of organizational structure no senior rater is available. (Only signs as the rater, senior rater space is left blank)

- E. Senior Rater (sworn members only)

1. Must be in the direct line of supervision of the rated police officer and rating supervisor. (Directly involved in the day to day supervision)
2. Senior to the rater by rank, time in grade or designation.
3. May act as both the rater and senior rater; however, will sign as rater if no rater is available leaving senior rater blank.
4. Function as a collaborator with the rater to offer a second opinion. The intent is to ensure a fair and just evaluation.
5. Serves as the approving official before forwarding the report to the reviewer.

F. Role and Responsibility of raters

1. Ensure that the rated employee/supervisor thoroughly understands the department, its mission, his/her role in support of the mission and all standards by which performance will be judged.
2. To render an objective evaluation and prepare a complete and accurate evaluation report.
3. Rating officials must use all opportunities to observe and gather information of the rated member.
4. Evaluate each member with due regard to current experience, position and training.
5. Provide for performance counseling, training and career development.
6. Keep and maintain a Personnel Management File on all personnel that they will evaluate.

G. Personnel Management File

1. All employees shall have a Personnel Management File.
2. To ensure fair evaluations with no uncovered periods this file shall be maintained by the member's current immediate supervisor and/or Division Head.
3. In the event of reassignment within the police Department this file shall be forwarded to the appropriate supervisor.
4. This file may contain any type of records deemed necessary by the supervisor or the employee. Examples would include but not be limited to:
 - a. Copies of letters of achievement or recognition
 - b. Inter department/division/squad communication
 - c. Statements
 - d. Employee's copy of various forms
 - e. Counseling records

f. Evaluation reports

5. Supervisors may secure these files from general view; however any employee is free to view his/her own file.

H. Rater Training

1. This manual serves as the primary training tool and guide for raters.
2. Further training is provided by individual instruction through senior raters and Division Heads.
3. The Training Academy provides for seminars, schools and other educational opportunities to improve supervisory and management skills.

I. Measurement Definitions

1. Standard or Success - is inferred to mean average and indicates job performance levels that are expected of the employee with due regard given to position, time in service/grade and training or education.
2. Above/Below Standard - indicates performance that is above/below the expected performance level.
3. Explanatory Comments - are encouraged for any performance category but, must be entered if above or below standard performance is indicated. The comment should be backed by documentation where possible (i.e. counseling forms, awards, commendation, and inspection reports, etc.). The intent is not to limit supervisors to forms, reports and/or letters but, to allow for the observations of the rater and at the same time to encourage a valid objective opinion. Performance is evaluated by observed actions, demonstrated behavior and results from the point of view of values, ethics and professional standards.

J. Use of Forms

1. The event requiring a report determines the type of report. (Annual, Bi-annual or etc.)
2. Annual evaluations are considered the report of record and as such become part of the permanent employee file.
3. The evaluation report shall be completed at the end of the evaluation period by the appropriate rater and forwarded to the reviewer. After review, the report is returned to the rater for a face-to-face individual performance counseling session.
4. Only the rater may change, alter or amend the evaluation. If the reviewer does not concur with the rater he/she may add an attachment. However, unless appealed the original rating shall be recorded.
5. Under no circumstances shall an employee be asked to sign a blank or otherwise incomplete evaluation report.

6. No report shall be altered or amended after it has been signed by the rated employee.

K. Physical Fitness

Police Officers must and are expected to be physically fit to perform their duties in the protection of property and life. Physical Fitness Tests are administered biannually as a part of the Professional Development Program.

L. Upward Evaluation

To fully assess the impact of supervisors, during the annual evaluation (September) each member will be asked to fill out an Upward Evaluation Report. Members are not limited to just their supervisors and are free to evaluate any supervisory personnel. Once completed the report is forwarded directly to the Office of the Chief by the author.

35.1.2 Performance Evaluation Period

- A. Sworn officers are evaluated biannually. (April and September)
- B. Non-sworn members are evaluated annually. (The quarter in which the anniversary date falls)
- C. Upward evaluations are performed annually. (September)

35.1.3 Evaluation of Entry-Level Probationary Employees

- A. All employees are placed on a probationary period IAW city policy. Non-sworn Police Department entry level employees are to be evaluated bimonthly during the probation period. (Police Department requirement not Human Resources)
- B. The first six (6) months of employment is a probationary period, except sworn personnel whose probation will be one (1) year.
- C. Sworn officers are placed in a Field Training Program in which entry level officers are evaluated during the normal shift cycles. If assigned to a function that does not rotate shifts evaluation shall occur weekly. Once released from field training evaluations will occur quarterly until the end of the probationary period. (C121003)

35.1.4 Performance Evaluation Criteria Are Specific to Assignment

- A. Employee Performance Appraisal Forms are designed by the Human Resource Department of the City of Hattiesburg. Flexibility has been incorporated into the report design so as to make each evaluation unique. Thus, the report is adaptable to any non-sworn position within the City.

- B. Police Officer Evaluation Forms are specifically designed for subordinate officers.
- C. Supervisor Evaluation Forms are specifically designed for the Police Supervisor.
- D. Upward Evaluation Forms are used by subordinates in the appraisal of superiors.

35.1.5 Performance Evaluation Covers A Specific Period

- A. Each Performance Evaluation Report shall cover the member (only during the specified time period. bimonthly, Semi-Annual, Annual, etc.) performance of (i.e.
- B. However, the results of each performance report may be used over time to show trends, tendencies or stagnant career development.

35.1.6 Performance Advisory

- A. The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance and define actions that should be taken to improve his/her performance.
- B. Employee's shall be notified of unsatisfactory performance at least 90 days prior to the end of the evaluation period. (121006)
 - 1. Oral counseling may be documented and placed in the Personnel Management File. To document Oral Counseling the supervisor shall prepare a brief summary of the session to include topics discussed and any resolutions.
 - 2. A copy of any Formal counseling or any other type of written reprimand shall be provided to the employee.
 - 3. The bi-annual (April) performance report shall serve as written notice of performance to enable the officer to correct deficiencies prior to the Annual Evaluation Report.

35.1.7 Explanatory Comments

Explanatory comments are required if the rater indicates any performance level other than success or meets standard.

35.1.8 Review of the performance Evaluation Report

- A. The reviewer:
 - 1. Is normally the Division Commander but may be any member of the Command Staff in a direct supervisory command of the rated member.
 - 2. Functions as a system safeguard or over watch.
 - 3. Shall not function as a rater and reviewer of the same evaluation report.

B. Responsibilities of the reviewer:

1. Ensure that the proper rater(s) complete the report.
2. Examine the evaluation report to ensure that it is clear, consistent and just.
3. Indicate concurrence or nonoccurrence. (sworn personnel)
 - a. If the reviewer is in concurrence with the raters; then place an 'X' in the box beside concurrence in part II of the report, date and enter signature and forward the report.
 - b. If the reviewer is not in concurrence with the raters; then place an 'X' in the box beside non-concurrence in part II of the report and consult with the raters. The reviewer may not direct the rater and/or senior rater change as evaluation believed to be honest. After consultation;
 - (1) The raters may acknowledge the discrepancy and revise the report, and then the reviewer checks concurrence and forwards the report.
 - (2) The raters may not acknowledge the discrepancy and indicate that the evaluation is their honest opinion, the reviewer checks the non-concurrence box and adds an attachment that renders his opinion and forwards the report.
4. Concurrence or Non-concurrence (Non-sworn)
 - a. Reviewers shall sign the evaluation form to indicate concurrence and forward the report.
 - b. In the event of non-concurrence, the reviewer shall consult with the rater and only forward the report with a signature after both are in agreement. The Chief of Police may serve as a mediator if needed to reach a resolution.

35.1.9 Disclosure of the Performance Evaluation Report

Each employee shall be counseled at the conclusion of the rating period to include the following areas:

- A. Results of the performance evaluation just completed.
- B. Level of performance expected, rating criteria or goals for the new reporting period; and
- C. Career counseling relative to such topics as advancement, specialization or training appropriate for the employee's position.

35.1.10 Employee Signature Required

The employee's signature is required on the evaluation report to affirm receipt of appraisal.

This signature does not constitute agreement or disagreement with the evaluations. Failure to sign may be considered an act of insubordination. Due to the nature and conditions of employee signature any employee wishing to submit comments must do so as an appeal.

35.1.11 Employee Copy of the Performance Evaluation Report

The employee's copy of the Performance Evaluation Report shall be provided to and placed in his/her Personnel Management File.

35.1.12 Appeals

- A. An Evaluation Report accepted for inclusion into the official record is presumed to:
 - 1. Be administratively correct.
 - 2. Have been prepared by the proper rating official.
 - 3. Represent the considered opinion and objective judgment of the rating official at the time of preparation.
- B. Appeals based solely on statements from rating officials claiming administrative oversight or typographical errors will normally be returned without action unless accompanied by additional substantiating evidence.
- C. An appeal must be supported by substantiating evidence. An appeal that alleges a report is incorrect, inaccurate or unjust, without supporting evidence, will not be considered.
- D. Appeal process for evaluations are handled in the same manner as appeals for punitive action (Chapter 26.4.4.3.B). Except in the case of an appeal filed as the result of conflict between a rater and a reviewer. These are to be filed in the Office of the Chief.

35.1.13 Retention of performance Evaluation Reports

Once an evaluation report is placed in the personnel file maintained by the Human Resource Department of the City of Hattiesburg it becomes part of that employee's permanent record.

35.1.14 Raters To Be Evaluated By Their Supervisors

- A. All supervisory personnel serve as raters to the employee's under their command. In turn every supervisor is rated by his/her superior to ensure:
 - 1. The fairness and impartiality of ratings.
 - 2. Participation in counseling/career development of subordinate.
 - 3. The ability of supervisors to carry out the raters role in the performance evaluation system.
 - 4. The raters apply ratings uniformly.

- B. The Supervisor Evaluation Form serves to specifically assess the sworn supervisor/rater.
- C. The Employee performance Appraisal Form shall be used to assess non-sworn supervisors/raters.

35.1.15 Personnel Early warning System

- A. A comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early warning identification of employees who may require agency intervention efforts 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 employee early warning system begins prior to being offered employment and continues through out the employee's tenure.
- B. Elements of the employee early warning system include:
 - 1. The selection process
 - 2. The training phase
 - 3. Probation
 - 4. Performance Evaluations
 - 5. Internal Affairs
 - 6. Drug and Alcohol Screening
- C. As part of the performance evaluation process, the rater (first line supervisor) and senior rater (second level supervisor) will determine if there are any patterns of inappropriate conduct/behavior developing with the purpose of early intervention to correct any problems. A review is not limited or solely tied to the performance evaluation. Supervisors may initiate a review based on current patterns of collected material independent of the performance evaluation. Sources of review include but are not limited to:
 - 1. Use of Force
 - 2. Complaints
 - 3. On the job performance
 - 4. Disciplinary Actions
 - 5. Accidents
 - 6. Arrest (trends and types)
 - 7. Pursuits
 - 8. Abuse of sick time
 - 9. Tardiness

- D. Early intervention is key in preventing minor problems from evolving into serious cases. In this regard, it is the role of the first and second line supervisors to monitor, document, and take initial correction of conduct/behavior. Documentation or “reporting” of minor problems are handled in the form of training, counseling or reprimands (level 1 and 2 disciplinary actions) as outlined in AOM Chapter 26. Uncorrected or serious problems that a level 3 disciplinary action or above is recommended are referred to the Chief of Police.
- E. Remedial actions shall be instituted for the purpose of correcting the pattern of conduct/behavior. Remedial actions will be in accord with department policies and may include training, counseling, monitoring and/or discipline up to and including termination.
- F. In the event an employee needs assistance beyond the resources of the department, the employee will be referred to the employee assistance program provided by the City of Hattiesburg. As part of a disciplinary proceeding, the Chief may require an employee to contact the Employee Assistance Program for evaluation/assistance with a specific need or problem.
- G. Person(s) or committee as designated by the Chief shall annually review and evaluate the "Personnel Early Warning System.