

KANSAS ADJUTANT GENERAL'S DEPARTMENT

MEMORANDUM FOR ALL STATE EMPLOYEES

FROM: TAG-SHRO

SUBJECT: **Performance Management/Probation Periods/Position Descriptions**
TAG Policy No. 034-014

EFFECTIVE DATE: **July 10, 2017**

POLICY STATEMENT: To achieve the goals and mission of the Agency, we must continually strive for excellent Employee performance at all levels of the organization. To that end, The Adjutant General's Department shall administer the Performance Management Process in a timely, fair and objective manner.

DEFINITIONS:

Classified Employee. Employees who work in positions that were established under the provisions of the Kansas Civil Service Act are Classified Employees. Classified employees are covered by all rights and responsibilities established by the Civil Service Act.

Competencies. The knowledge, skills, behaviors, and personal characteristic the employee is expected to use in accomplishing job responsibilities are Competencies. Competencies describe 'how' the work will be completed.

Objectives. The specific performance results an employee will be expected to achieve for the review period are Objectives. Objectives are "what" needs to be accomplished.

Performance Improvement Plan. A formal agreement which outlines employee deficiencies in work performance, what he/she can do to meet improvement expectations, a reasonable time frame for improvement, and the consequences of not meeting those improvement expectations is a Performance Improvement Plan.

Personnel File. A confidential file maintained by the State Human Resource Office which contains all transactions related to an employee's employment with the State except for documents specifically excluded by state and federal laws, regulation, or policy is a Personnel File.

Position Description. A written description of the duties and responsibilities of a position, and the education, experience, knowledge, skills and abilities needed to perform the work required of the incumbent is a Position Description.

Probation Period. An identified time period which is considered a working 'test' of the employee's ability to successfully perform the duties and responsibilities of the position to which the employee was hired, is a Probation Period.

Supervisor File. A working file which documents the day-to-day coaching and counseling that occurs is a Supervisor File. This information is a record or account of situations that occur during a review period and should be documented in the employee's performance review as examples of work performance and behavior.

PROCESS GUIDELINES:

Duration and Extension of Probationary Periods

Each new employee to the agency shall be subject to a Probationary Period of six (6) months. Employees who are promoted or change positions within the Agency shall be required to serve a three (3) to six (6) month Probationary Period as determined by the Director.

A probation period of not more than 12 months may be established if specific training or certification requirements for a position cannot be completed with six (6) months. Failure to satisfactorily complete the essential requirements of the position within the Probation Period may result in termination.

Time on leave with or without pay of more than 30 consecutive calendar days shall not count towards total time served on probation. The employee's probation shall be continued, effective with the employee's return from leave, until the total probation time served equals the time required for the position.

At the conclusion of the required probationary period each employee shall receive a Performance Review from their immediate supervisor. Employees who do not achieve a rating of 'meets expectations' for their probation period will either have their probationary period extended for an additional three (3) months or recommended for termination to the State Human Resource Director. Such recommendation shall be in writing and include the performance review and documentation of all actions taken to help the employee be successful.

Employees serving in temporary (999) positions shall not be subject to a probation period.

Notice to Employee Prior to the Last Day of Probationary Period

Prior to the last day of a Probationary Period, the Supervisor shall notify the employee in writing, using the Performance Review form, of the appropriate action:

1. The employee has successfully completed the Probationary Period and shall begin the Planning Performance phase of the Performance Management Process with their Supervisor for the remainder of the review period, until the employees Annual Review is due in October/November/December.
2. The employee has not successfully completed the Probationary Period and:
 - the Probationary Period will be extended, or
 - the employee will be recommended for dismissal.

Review Periods

Annual Reviews. Supervisors shall establish an Annual_Review date for each employee within the period beginning October 1st and ending December 31st of each year. All TAG employees in Classified and Unclassified positions shall receive a Performance Review each year on their established annual review date.

Special Reviews may be done at any time. The following are examples of when reviews would be conducted more frequently than once per year:

- When the employee receives an overall rating of Unsatisfactory or Needs Improvement on their Annual Review, a Special Review shall be required, no sooner than 30 days and no later than 90 days, following the date the Annual Review was presented to the employee.
- When the employee is newly hired, rehired, reinstated, or promoted, a Special Review is required before the end of the employee's six-month probationary period.
- When the immediate supervisor of the employee changes.

Performance reviews shall be completed by the employee's immediate supervisor or, if the immediate supervisor has not supervised the employees for at least 90 days, by another qualified person who is familiar with the duties and responsibilities of the position and has significant knowledge of the job performance of the employee.

Performance Management Process

A process designed to encourage open, ongoing communication between the employee and the Supervisor related to the employee's performance on the job, is the Performance Management Process. The process is a continuous cycle that helps supervisors and employees work together to establish Objectives, identify Competencies, and monitor progress towards goals to assess results.

The following identifies the steps which make up the framework of the Performance Management Process:

Phase I: Planning Performance is the way we define what we expect of our employees and how they are to contribute to achieving the goals of the Agency.

At the beginning of the review period, the Supervisor and employee will:

- Review and discuss the responsibilities of the position and mutually agree on specific, challenging, yet realistic Objectives and expected results that are specific, using quantitative and/or qualitative measures, and integrate the mission of the Agency.
- Identify specific Competencies the employee can use to perform the responsibilities of the position effectively to achieve established Objectives, discuss action plans and steps needed to accomplish Objectives, and ensure the employee knows what is expected and why.
- Sign the Performance review form to acknowledge that both parties are fully aware of, and understand the information contained in the document.

If changes are made to the Position Description at this time, both supervisor and employee should sign the new Position Description and send a copy to Human Resources for placement in the employees Personnel File. An Electronic copy of the new Position Description (without signatures) shall also be sent to Human Resources for placement into the Position Description database.

Phase II: Coaching Performance is about reinforcing and supporting the efforts made by the employee in pursuit of those same goals throughout the year, modifying priorities and resources as the work of the position evolves.

Performance Coaching provides both informal and formal opportunities for the supervisor and employee to discuss progress against defined Objectives, and determine if modifications to any Objective is needed. Coaching discussions will:

- Provide timely and constructive feedback.
- Clarify expectation of performance to employee.
- Promote continued development of the employee and renew the partnership established to achieve results.
- Document performance progress and/or needed improvement plans.

Either the supervisor or employee can initiate feedback discussions.

A mid-year discussion is an important required part of the Performance Management Process. This discussion is a scheduled, formal opportunity to review performance and assess the employee's progress. Mid-year discussions should be scheduled mid-way through the review period.

Both the Supervisor and employee should sign the Performance Review to document the mid-year discussion. Signatures do not imply agreement with the content of the feedback; it only indicates the employee's awareness of the information discussed.

Phase III: Reviewing Performance involves evaluating the employee's overall performance during the identified review period by assessing the results on each objective and competency. The supervisor and employee will discuss the success and shortcomings of the year's performance in order to learn and develop, and prepare for the coming year.

At the end of the Review Period, the supervisor will:

- Compare the employee's actual performance to the Objectives and Competencies identified at the beginning of the Review Period.
- Review all documentation from coaching/feedback sessions.
- Consider any external factors or things outside the employee's control that had an effect on the results.
- Consider the level the employee typically or consistently operates at for the Essential Requirements (Dependability or Agency Values).
- Document performance of identified Objectives and Competencies to support overall performance rating.
- Determine the overall rating and record it on the Performance Review form.
- Set up an appointment time with the employee to discuss the Performance Review.
- Sign the performance review and obtain the signature of the employee.
- Provide a copy of the completed Performance Review to the employee and send a copy to Human Resources for placement in the employees Personnel File.

The employee's signature indicates that the employee has read the Performance Review and discussed with the Supervisor; the employee's signature does not necessarily indicate agreement with the Performance Review. However, refusal to sign does not relieve the employee of the requirements outlined in the Performance Review.

If the employee refuses to sign the Performance Review, the Supervisor shall make note in the employee signature section of the Performance Review, "Employee refused to sign", initial and date.

The Supervisor and employee shall meet within 14 calendar days of signing the Performance Review to discuss, establish, and document Objectives and Competencies for the next identified review period.

Performance Management Ratings

Performance Ratings are an assessment of the employee's overall performance for the review period. Each rating level carries with it specific expectations of performance. Justification for each rating shall be documented within the Performance Review form.

To access performance consider the following:

- results of each Objective;
- performance of each Competency;
- input from Managers or team members, if applicable;
- uncontrollable obstacles that may have existed.

An Unsatisfactory rating in the **Essential Requirements** section of the performance review form shall result in an automatic **Overall** performance rating of **Unsatisfactory** for the identified review period.

Overall Unsatisfactory and Needs Improvement Performance Ratings will be reviewed for appropriate justification and documentation by the Director or Human Resource Director prior to the meeting between the Supervisor and employee.

Documentation

Any documentation of verbal or written counseling shall be placed in the Supervisor's File and not in the employee's Personnel File. However, documentation of verbal or written counseling which is cited specifically within a performance evaluation and/or disciplinary action may be placed within the Personnel File as part of the Performance Review or disciplinary action.

Any notes or documents in the Supervisor File, not used in the Performance Review, should be removed at the end of the review period and a new Supervisor File should be started. Any incident report and/or complaint or informal record appearing in the Supervisory File which is not documented in the Performance Review and/or disciplinary process within a 12 month period from the date of the report, may not be used as evidence against an employee in future disciplinary actions or Performance Reviews.

Performance Review Appeals

Only Classified Employees are eligible to appeal a Performance Review rating under K.A.R. 1-7-11, and may do so within seven (7) calendar days after being informed of the rating, by contacting the State Human Resource Director.

Position Description and Review

The duties and responsibilities of each position, and the education, experience, knowledge, skills and abilities needed to perform the work required by the Agency shall be documented on Form DA-281-2, "Position Description".

Position Descriptions shall be developed or revised when the following events occur:

- a position is new;
- permanent changes, additions, or deletions in duties and/or responsibilities occur;
- a position is vacant, and prior to posting; and
- as part of an employee Annual Performance Review process.

Position Descriptions shall be written or updated by the Supervisor or Manager of the position. Managers are responsible for the accuracy of all positions in their work unit. Once written or updated, all Position Descriptions shall be reviewed and signed by the incumbent of the position and Supervisor, and sent to the State Human Resource Office for placement in the employees Personnel File. In addition, an electronic copy of each written or updated Position Description shall be sent to the State Human Resource Director for placement in a database for future use or audit purposes.

Prior to posting a vacant position, a Position Description shall be reviewed and updated as needed by the Supervisor and/or Manager, and submitted electronically to the State Human Resource Director as part of the green sheet process.

Responsibilities

Managers and Directors shall be responsible for ensuring Performance Reviews are completed for all employees within their chain-of-command and adhering to all deadlines and procedures as outlined here.

All Supervisors shall be responsible for the content of their Supervisor Files. These files are confidential and shall be kept in a secure location at all times.

All Employees shall be responsible for participating in the Performance Management Process and maintaining confidentiality when processing Performance Reviews.

AUTHORITATIVE REFERENCES:

K.S.A. 75-2935 "Civil Service Act" Amended –July 1, 2015

K.A.R. 1-7-3. "Probationary Periods"

K.A.R. 1-7-10. "Performance Reviews"

State of Kansas Performance Management Process, May, 2008