**Recommendation when drafting your performance plans:**

* Supervisors are encouraged to cut and paste Functional statements, describing the job duties that they want to measure!  *Do not attempt to include everything in a functional statement in the performance plan.*
* On average, plans have 3-5 elements (2-3 critical elements and 1-2 non-critical). Supervisors must be aware that they need to keep accurate records of what they are choosing to measure. On average, departments have 3-5 standards to measure each element. (Requirement is at least two elements, one critical and one non critical.) Additionally, there must be a minimum of 1 standard pertaining to customer service, per Performance Management Directive.
  + When writing performance standards, the supervisor should keep in mind that every employee has a customer. A performance standard that addresses customer service might look something like this:
    - “Provides advice and assistance to internal and external customers in a timely manner, usually within 24 hours of the initial inquiry unless there are extenuating circumstances.”
    - “Provides advice to a customer that is technically accurate. Customers kept informed through status updates when research is required to provide guidance.”

Standards should focus on duties of the position; cannot contain duties that are outside of the scope of the position description/functional statement.

What is necessary to achieve a “Fully Successful” level of achievement and what is “Exceptional” must be included in all plans per local MOU and MCBA.  *No standard can be required at 100%*; that is called an “absolute” standard and they are invalid.

**CONDUCT VS. PERFORMANCE**

All conduct-related standards need to be removed from performance plans. These standards should be addressed via counselling and discipline, in needed.

Examples of conduct are:

HRO-related standards (e.g., lean/belt training, huddle attendance, Safety Form attendance, CTT training, etc), meeting attendance,  all TMS trainings that are not a specific condition of employment for the position, ICARE behaviors.   \*\*  all of these are conduct because if the employee “won’t do it”  that is a disciplinary issue, read below.

* The functional statement must be adhered to, if the supervisor puts a measure in the performance plan you must be able to write a PIP for it if failed.
* If there is a behavior that the supervisor wants to address, utilize conduct, it would not be in the Performance plan.
* Performance Improvement Plan (PIP) to address the standard contained within the critical element. (90) day requirement. Writing a performance standard, inappropriately, combines performance and conduct. Doing this will likely cause the supervisor problems down the road. The supervisor has to decide whether it is performance (can’t do) or conduct (won’t do).
* How is the supervisor going to put an employee on a PIP to give him/her an opportunity to improve in the area of professionalism and courtesy? (Probably a conduct issue most of the time)

# **Frequently Referenced MCBA Articles/Sections**

ARTICLE 9 – CLASSIFICATION

Section 1 – General

C . Employees will be furnished a current, accurate copy of the description of the position to which assigned at the time of assignment and upon request . In order to ensure accurate PDs, the term “other duties as assigned” should not be used to assign duties that are not related to the employee’s position . In such instances, the employee should discuss these duties with the supervisor to determine whether the PD is accurate . The Department reserves its right to assign work that is not in the PD . If that occurs on a regular basis, the PD must be revised to accurately reflect the job duties

**ARTICLE 27 - PERFORMANCE APPRAISAL**

Section 2

1. Performance Standard

The management-approved expression of the performance threshold(s), requirement(s), or expectation(s) that must be met to be appraised at a particular level of performance . A performance standard may include quality, quantity, timeliness, and manner of performance . Performance standards can be written for more than one level of achievement where appropriate . However, performance standards must be written at least at the fully successful achievement level .J . Progress Review A face-to-face meeting with employee(s), at least once during the appraisal period, about their performance . Such a meeting usually occurs during the mid point period.

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Section 5 - Performance Standards

A . Objective criteria will be used to the maximum extent feasible in establishing and applying performance standards and elements

B . Whether or not more than one level is defined, the rating official will provide the employee with information that is adequate to inform him/her of what is necessary to reach an “Exceptional” level on each element (\*\*\* Note: we have a [“Mid-year evaluation MOU”](https://teams.microsoft.com/_#/files/Performance%20Appraisal%20Review%20and%20Negotiation?threadId=19%3A0c05de89a72f4930b6c1dfa1d195acde%40thread.skype&ctx=channel&context=Mid-year%2520evaluation%2520MOU&rootfolder=%252Fsites%252FAFGELocal910%252FShared%2520Documents%252FPerformance%2520Appraisal%2520Review%2520and%2520Negotiation%252FMid-year%2520evaluation%2520MOU) detailing how this should be done). Additional information regarding performance expectations can be in the form of written instructions, work plans, records of feedback sessions, responses to employee questions concerning performance, memoranda describing unacceptable performance, or any reasonable manner calculated to apprise the employee of the requirements against which he/she is to be measured . This additional specification should be sufficient to assist the employee in achieving the “Exceptional” level .

C . Performance standards and elements to the maximum extent feasible shall be reasonable, realistic, attainable, and sufficient under the circumstances to permit accurate measurement of an employee’s performance, and adequate to inform the employee of what is necessary to achieve a “Fully Successful” level of achievement . Performance standards that assess an employee’s manner of performance must be job related, documented, and measurable . There must be a nexus between the expected manner of performance and the expected job results .

D . Performance standards must be written at least at the Fully Successful achievement level . However, standards can be written for more than one level of achievement where appropriate .

E. The local union shall be given reasonable written advance notice (**no**

**less than 15 calendar days**) when the Department changes, adds to,

or establishes new elements and performance standards. Prior to

implementation of the above changes to performance standards, the

Department shall meet all bargaining obligations.

F. To the maximum extent feasible, performance standards shall be defined in terms of objective criteria . In addition, they shall be defined in the terms of criteria that are observable, measurable, fair and job-related . Performance measures in terms of quality, quantity or timeliness, must provide a clear means of assessing whether objectives have been met .

G . Employees will be evaluated based on a comparison of performance with the standards established for the appraisal period . Elements and standards shall be based on the requirements of the employee’s position .

Section 8 – Process

E . When evaluating performance, the Department shall not hold employees accountable for factors which affect performance that are beyond the control of the employee . All changes in working procedures must be communicated to employees before they can be charged with errors . If the initial instruction was communicated in writing, the change should also be communicated in writing .

**ARTICLE 49 - RIGHTS AND RESPONSIBILITIES**

Section 4 - Notification of Changes in Conditions of Employment

A. The Department shall provide reasonable advance notice to the appropriate Union official(s) prior to changing conditions of employment of bargaining unit employees. The Department agrees to forward, along with the notice, a copy of any and all information and/or material relied upon to propose the change(s) in conditions of employment. All notifications shall be in writing by U.S. mail, personal service, or electronically to the appropriate Union official with sufficient information to the Union for the purpose of exercising its full rights to bargain. The Department will work with the Union to identify and provide specific training and equipment to address concerns related to the use of technology, to include the sending and receiving of electronic communications.