



HOWARD COUNTY SHERIFF'S OFFICE
GENERAL ORDER ADM-40
PERFORMANCE EVALUATIONS

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This Standard Operating Procedure contains the following numbered sections:

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I. POLICY

The Howard County Sheriff's Office (HCSO) shall maintain a Performance Planning & Evaluation (PPE) program, which provides an objective and fair means for measurement and recognition of individual performances, identifies training and other performance-related needs, and assists employees in improving their effectiveness and efficiency.

II. DEFINITIONS

- A. **Performance Management:** the systematic process by which the Sheriff's Office involves its employees in the improvement of the Office's effectiveness and ability to accomplish the mission and goals of the HCSO.
- B. **Performance Planning:** the process of setting forth an employee's major work responsibilities and expectations for work accomplishments. The Supervisor establishes this plan in consultation with the employee. The plan establishes the performance expectations and standards to be utilized as a basis for evaluating the employee.
- C. **Performance Expectation / Standard:** a written description of the kinds of work or results the employee is expected to accomplish, as well as qualities or characteristics of the job.
- D. **Performance Evaluation:** a supervisor's written assessment of an employee's performance in relation to the expectations and standards set forth in the employee's Performance Plan; an assessment of the employee's overall performance during the evaluation period.

III. PERFORMANCE MANAGEMENT¹

Performance Management is a supervisory responsibility and includes the following components:

- A. Developing the performance expectations for an employee at the beginning of a review period.
- B. The ongoing monitoring of the employee's performance with verbal or written feedback, counseling, training, or other actions to enhance employee performance.
- C. Conducting at least one (1) progress discussion with the employee.

¹ CALEA 35.1.7 b.

- D. If required, preparing interim evaluations.
- E. Developing plans to enhance employee performance as required.
- F. Evaluating the employee on the performance of the elements of the performance plan and awarding an overall rating.

IV. PERFORMANCE PLANNING

- A. Substance of Performance Planning
 - 1. The Performance Plan must be consistent with HCSO work programs and class specifications.
 - 2. If feedback from other section members, employees supervised, or peers is used as part of an employee's performance evaluation, this must be stated in the Performance Plan at the start of the evaluation period.
 - 3. Each employee's Performance Plan must state the performance expectations and standards for the employee during the evaluation period. A performance expectation or standard may be developed for an individual employee, a section, or both.
 - 4. Performance expectations and standards must describe, at a minimum, in terms that allow a reasonably objective assessment of the performance level of MET EXPECTATIONS for employees.
 - 5. The Performance Plan must include at least one (1) career development goal along with strategies for accomplishment, mutually developed by the supervisor and the employee.
- B. Frequency & Timing²
 - 1. Performance Plans must be established within thirty (30) days of an employee's start date in a new position or assignment.
 - 2. Performance Plans must be initiated by the supervisor in a manner that provides an evaluation approximately one (1) month prior to the employee's increment / anniversary date.
- C. Preparation
 - 1. At the beginning of the review period, the immediate supervisor shall prepare a statement of performance expectations and standards for the employee to accomplish during the review period.
 - 2. If more than one individual directly supervises an employee, each supervisor shall participate fully in the performance planning responsibilities. Supervisors shall share this responsibility in a manner consistent with their roles in directing the employee's work.
- D. Discussion with Employee
 - 1. The Performance Plan must be thoroughly discussed with the employee in an informal session.
 - 2. The employee shall be given an opportunity to review and contribute to the plan.

² CALEA 35.1.2

3. After the planning session discussion, the supervisor shall determine the content of the plan and amend it, as appropriate.

E. Signatures

1. Performance Plans shall be formally established with the signatures of the supervisor and the employee, ONLY after the employee has been given an opportunity to meet with the supervisor for the purpose of reviewing the supervisor's expectations and contributing to the plan.
2. The employee's signature indicates only that they have reviewed the plan and does NOT indicate agreement. If an employee refuses to sign a Performance Plan, the plan must be referred to the reviewing official.
3. The reviewing official shall review the plan and consult with the employee and supervisor to determine the reasoning for why the employee refused to sign the plan.
4. If the employee refuses to sign following this consultation and any resulting changes in the plan, the supervisor shall make a notation on the plan that it was viewed but a signature was refused, with reasons for the refusal noted. This notation shall be accepted in lieu of the employee's signature.

F. Revisions

1. Once established, a supervisor may revise a Performance Plan ONLY after prior notification and consultation with the employee.
2. The employee does NOT have to agree to the revisions, but they are entitled to a full explanation of the supervisor's reasoning.
3. Employees may also, at any time, request that a supervisor change the plan.
4. Supervisors are not required to accept the employee's proposal, but they must provide a timely response to the employee's request.
5. Employees must receive a copy of the revised Performance Plan within ten (10) calendar days after any revisions are established.

V. **PERFORMANCE EVALUATION**

- A. The Performance Evaluation is the last phase in the three-phase PPE cycle. Once the Performance Evaluation occurs, the cycle begins again with the establishment of a new Performance Plan.
- B. If a performance expectation was assigned but not made a part of the employee's Performance Plan, the supervisor shall assess the employee's accomplishment of the performance expectation as part of the Performance Evaluation. The supervisor shall document that the employee was given adequate notice of the expectation.
- C. A supervisor may consider feedback from the employee's section members or peers, as detailed in the Performance Plan.
- D. Timing & Frequency³
 1. Each employee who has attained merit system status shall receive at least one (1) Performance Evaluation per twelve (12) month period.

³ CALEA 35.1.2

2. The Performance Evaluation shall be conducted approximately one (1) month prior to the employee's increment / anniversary date.
3. Each employee who is serving a probationary period shall receive a Performance Evaluation quarterly (or every three [3] months).

E. Level of Achievement⁴

1. The level of achievement for both represented and non-represented employees shall be used to describe each individual expectation, standard, and the employee's overall rating.

2. **Rating Standards:**

- a. **Exceeds Standards**

This rating indicates an employee has met, and occasionally exceeds, the requirements of the job identified in the performance standards outlined in the Performance Plan.

- b. **Meets Standards**

This rating indicates an employee has met the requirements of the job identified in the performance standards outlined in the Performance Plan.

- c. **Does Not Meet Standards**

This rating indicates an employee has NOT met the requirements of the job identified in the performance standards of the Performance Plan. A rating at this level would be considered UNSATISFACTORY PERFORMANCE.

- F. Approved absences may NOT be documented on the employee's Performance Evaluation or otherwise used for the purposes of evaluating an employee's performance.
- G. Supervisors shall document in the Narrative Comments section of the PPE the reasons they feel an employee's performance met the achievement level assigned. This applies to each individual expectation, standard, and the employee's overall rating.
- H. The accomplishment of, or progress made towards the attainment of, the employee's career development goal must be noted on the Performance Evaluation.

I. Supervisory Review⁵

1. The supervisor responsible for the formulation of the Performance Plan and the completion of the Performance Evaluations is known as the RATER. His/her supervisor is known as the REVIEWING OFFICIAL.
2. The RATER shall prepare a preliminary draft of the level of achievement and narrative comments section of the PPE and shall forward the draft to the REVIEWING OFFICIAL for inspection and approval.
3. The REVIEWING OFFICIAL does not have the authority to make changes to the PPE or to direct the RATER to do so.

J. Evaluation Session⁶

⁴ CALEA 35.1.1 a

⁵ CALEA 35.1.1 c

1. After the Supervisory Review is completed, the RATER shall conduct an Evaluation Session with the employee.
2. During the Evaluation Session, the RATER shall discuss the following with the employee:
 - a. The employee's performance for the current evaluation period.
 - b. The level of performance and goals for the upcoming reporting period
 - c. Any concerns regarding advancement, specialization, and/or training for the employee's current position.
3. Following this discussion, and after consultation with the REVIEWING OFFICIAL, the RATER may make any modifications they believe are warranted before finalizing the evaluation.

K. Signatures

1. Performance Evaluations shall include the signatures of the RATER and the employee.
2. Additionally, the employee shall be given the opportunity to make written comments on the evaluation.
3. The employee's signature indicates only that they have reviewed the evaluation and does NOT indicate agreement. If an employee refuses to sign a Performance Evaluation, the evaluation must be referred to the REVIEWING OFFICIAL.
4. The reviewing official shall review the evaluation and consult with the employee and RATER to determine the reasoning for why the employee refused to sign the evaluation.
5. If the employee refuses to sign following this consultation and any resulting changes in the plan, the RATER shall make a notation on the evaluation that it was viewed but a signature was refused, with reasons for the refusal noted. This notation shall be accepted in lieu of the employee's signature.

VI. CONTESTED EVALUATIONS

- A. An employee may request that the Sheriff reconsider an evaluation given by an employee's supervisor.
 1. The employee shall submit a written request to the Sheriff within fifteen (15) days of the date the employee receives the completed and signed evaluation. The employee shall indicate the specific areas of the Performance Evaluation with which they do not agree.
 2. The Sheriff may personally review the evaluation or direct the Chief Deputy (if not directly involved with the rating) to review the evaluation.
 3. The decision of the Sheriff or his designee is final.
- B. Represented Employees

Performance standards and evaluations shall not be submitted for grievances or arbitration, in accordance with all applicable collective bargaining agreements.
- C. Non-Represented Employees

⁶ CALEA 35.1.1 c & 35.1.7 a

1. An employee may not submit a grievance for or appeal of his/her Performance Plan.
2. An employee may not submit a grievance for or appeal of his/her Performance Evaluation, unless:
 - a. The employee received the lowest overall performance rating; AND
 - b. The supervisor who rated the employee failed to follow established procedures.
3. The Chief Administrative Officer (CAO) may dismiss a grievance or appeal if the supervisor's failure to follow established procedures did not directly affect the employee's overall performance rating.
4. The CAO's decision may not be appealed.

VII. PROBATIONARY EMPLOYEES

Each employee, who is serving a probationary period, must receive a performance evaluation quarterly (once every three months).

A. Civilian Employees

Civilian employees must successfully complete a six (6) month probationary period from their date of hire with the Sheriff's Office. The Performance Planning and Evaluations of civilian employees must comply with the following:

1. A Performance Plan must be established and a planning session held with the employee within thirty (30) days after an employee's date of hire. This must be documented on the Performance Planning and Evaluation form.
2. Three (3) months from the date of hire, and **Interim Evaluation** must be conducted.
3. Five (5) months from the date of hire, and **Interim Evaluation** and a Performance Review Session must be conducted simultaneously. The **Interim Evaluation** must include, if appropriate, a recommendation for merit system status.
4. If merit system is granted, the normal PPE cycle now applies to the employee.

B. Lateral Entry

Maryland certified law enforcement officers, who have laterally entered the Sheriff's Office, must successfully complete a one (1) year probationary period from their date of hire with the Sheriff's Office. The Performance Planning and Evaluations of these deputies must comply with the following:

1. The deputy must enter and successfully complete a fourteen (14) week Field Training and Evaluation Program. During the program, deputies must be evaluated daily by Field Training Officers and weekly by Section Lieutenants. Copies of these evaluations must be maintained. After successful completion of the program, evaluations must be forwarded to the Lieutenant of the section that the deputy has been assigned.
2. A Performance Plan must be established and a planning session held with the deputy within thirty (30) days after the deputy is assigned to the section. This must be documented on the Performance Planning and Evaluation form.
3. Five (5) months from the date of hire (approximately two months from the date the deputy is assigned to the section), a Performance Review Session must be

conducted. This must be documented on the Performance Planning and Evaluation form.

4. Eight (8) months from the date of hire (approximately five months from the date the deputy is assigned to the section); an **Interim Evaluation** must be conducted.
5. Eleven (11) months from the date of hire (approximately eight months from the date the deputy is assigned to the section), a Performance Evaluation Session must be conducted. This must be documented on the Performance Planning and Evaluation form. The narrative section of the evaluation must include, if appropriate, a recommendation for merit system status.
6. If merit system status is granted, the normal PPE cycle now applies to the deputy.

C. Deputies Completing Entry-Level Training

Deputies, who have completed entry-level training, must successfully complete a one (1) year probationary period from the date of graduation from the Academy. Subsequently, the deputy's increment/anniversary date and the date which the deputy attains merit system status will differ. This will necessitate modifications to the evaluation program. The Performance Planning and Evaluations of these deputies must comply with the following:

1. After graduation from the Academy, deputies must enter and successfully complete a fourteen (14) week Field Training and Evaluation Program. During the program, deputies must be evaluated daily by Field Training Officers and weekly by Section Lieutenants. Copies of these evaluations must be maintained. After successful completion of the program, evaluations must be forwarded to the Lieutenant of the section that the deputy has been assigned.
2. A Performance Plan must be established and a planning session held with the deputy within thirty (30) days after the deputy is assigned to the section. This must be documented on the Performance Planning and Evaluation form.
3. Eleven (11) months from the date of hire (approximately two months from the date the deputy is assigned to the section), an **Interim Evaluation** must be conducted.
4. Fourteen (14) months from the date of hire (approximately five months from the date the deputy is assigned to the section), an **Interim Evaluation** must be conducted.
5. Seventeen (17) months from the date of hire (approximately eight months from the date the deputy is assigned to the section), an **Interim Evaluation** and a Performance Review Session must be conducted simultaneously. The **Interim Evaluation** must include, if appropriate, a recommendation for merit system status.
6. If merit system status is granted, twenty-three (23) months from the date of hire (approximately fourteen months from the date the deputy is assigned to the section); a Performance Evaluation Session must be conducted. This must be documented on the Performance Planning and Evaluation form.
7. The normal PPE cycle now applies to the deputy.

- D. In the event an employee's probationary period is extended or a deputy attends entry level training in any location other than the MPTC Training Academy, further modifications to the Performance Planning and Evaluation Program may be required. Supervisors must consult with the Chief Deputy to determine an appropriate evaluation schedule. A copy of any changes must be provided to the employee.

VIII. USAGE OF PERFORMANCE EVALUATIONS⁷

- A. Performance Evaluations are to be considered in decisions regarding attainment of merit system status, merit increases, promotion, demotion, removal or other adverse administrative actions used to resolve performance problems.
- B. Performance Evaluations must be used for career counseling relative to advancement, specialization, or training appropriate for the employee's position, when discussion of such issues is deemed necessary.⁸

IX. RECORDS MAINTENANCE

Completed Performance Evaluations must be maintained and distributed as follows:

- A. The original must be forwarded, via the chain of command, to the Chief Deputy for inclusion in the Sheriff's Office operating files for a period not to exceed five (5) years.
- B. A copy must be placed in the employee's Performance Planning and Evaluation File and maintained by the section Lieutenant or supervisor for a period not to exceed one (1) year.
- C. A copy must be provided to the employee.
- D. If the employee transfers to another county agency, copies of the employee's performance evaluations for the last two (2) years must be forwarded to the new agency.

X. SUPERVISORY FILES

The purpose of supervisory files is to encourage supervisors to maintain records, which will provide substantiation for performance ratings or other performance, or conduct related actions. Supervisors must document any performance issue(s) for employees under their supervision. This documentation is useful in determining the quality of performance for the entire evaluation period, as well as providing documentation of specific incidents. This documentation must be maintained as follows:

- A. Supervisors may maintain a separate Supervisory File for each employee under their supervision or utilize the employee's Performance Planning and Evaluation File. Documentation contained in the files may include, but is not limited to informal notes by the supervisor concerning the employee's job performance or conduct, copies of completed work assignments, written communications between the employee and the supervisor concerning performance or conduct issues and Supervisor's Documentation Forms. Supervisory Files may not include any information regarding an employee's physical or psychological condition.
- B. Supervisors are required to provide employees copies of any documents placed in either file and must permit the employee an opportunity to provide a rebuttal to any document placed in the file. The employee may, upon request, review their Supervisory and Performance Planning and Evaluation Files. The files must be safeguarded from review by any other individual except on a need-to-know- basis.
- C. Documentation of an adverse nature placed in either file is valid for a period of twelve (12) months and may be used to support official personnel actions. Documentation of an adverse nature may become a part of an employee's official or operating record only if incorporated in or attached to related personnel actions within twelve (12) months from the date they originated. Documentation of an adverse nature placed in either file, not used to support a

⁷ CALEA 35.1.1 b

⁸ CALEA 35.1.7 c.

formal personnel action, must be destroyed after twelve (12) months from the date they originated.

- D. Supervisors may maintain informal notes regarding the performance or other information concerning employees under their supervision. Supervisory notes are not considered official employee records and as such:
1. Are not subject to review by employees or others.
 2. Are not subject to a retention period
 3. May not be the basis for any adverse action against the employee unless incorporated into a document for which the employee receives notice.

XI. TRAINING⁹

If an employee is promoted to a position with Performance Planning and Evaluation responsibilities, the employee's Section Lieutenant or supervisor must conduct a training session with the employee regarding these responsibilities. This training session must include a review of this directive, Performance Planning and Evaluation Program and the applicable sections of the collective bargaining agreement and Personnel Regulations.

Authority:

James F. Fitzgerald
Sheriff

⁹ CALEA 35.1.1 d.