

28.000 PERFORMANCE REVIEW IN THE TRIAL COURT

28.100 Purpose of Performance Review

The purpose of the Trial Court's performance review process is to establish ongoing two-way communication between employees and managers so that employees are aware of their major job duties and responsibilities, understand the level of performance expected, receive timely feedback, and receive opportunities for education, training and development.

Effective performance review begins with respect for one another and ends with enhancement of performance levels. It is the responsibility of every manager to discuss performance issues on an ongoing basis with their employees. Each employee has a responsibility to participate fully in these conversations, be sure they understand their responsibilities and expectations, and communicate any obstacles or training needed in order to perform their jobs at an optimum level.

The annual performance review is not meant to be used as a substitute for addressing performance related issues that arise during the course of the year. Performance review should be happening all year long. Where appropriate, managers should engage in positive forms of performance review by complimenting employees for doing a good job, completing projects, handling difficult assignments, or providing constructive feedback. Managers should also immediately address issues of misconduct and unsatisfactory performance through the discipline policy and procedures identified in Section 16.000 of this Manual.

28.200 Preparing for the Annual Performance Review Meeting

The performance review process includes an annual meeting between the employee and the employee's manager (the department head or his/her management designee with the approval of the Human Resources Department) and the completion of an Annual Performance Review Form (Form F29) that should bring closure to the performance period and provide a basis for performance review for the next year. The annual review meeting should be conducted prior to the employee's anniversary date. This review meeting should also include a discussion of meetings or performance issues that have occurred throughout the year. There should be no surprises at the annual review.

The following guidelines should help managers and employees in preparing for the annual review.

A. Guidance for Managers Preparing for the Annual Review

1. Review the employee's job description. Does it reflect the employee's current role in the office?
2. Review the primary position duties. Has the employee effectively performed these duties? What is your overall assessment of how these duties were performed?
3. Review last year's Form. How does this year compare to last year? Have there been improvements? Have there been problems?
4. Review the employee's action plan and goals from last year, if applicable. Were goals modified or changed during the year? Have the goals been met? Have you been able to provide the employee with the training and support to accomplish the requirements of the position? Has the employee taken advantage of training opportunities?
5. Consider whether you need to speak with anyone else in order to have a more complete and accurate picture of your employee's performance. This should include supervisors, other management staff, the Clerk-Magistrate (if applicable), the First Justice (if applicable), and other Justices. For example, it will be important for managers reviewing the performance of Chief Probation Officers and those reviewing the performance of Assistant Clerks to solicit input from the First Justice and incorporate that input into the review process. Issues raised by these individuals should be discussed with the employee as part of the performance review.
6. Assess the employee's strengths and weaknesses. Identify areas of greatest improvement. Identify areas where you would like to set goals for improvement.
7. What suggestions do you have for the employee that will help improve his/her overall performance in his/her role or in the overall operations of the department?
8. If the employee supervises others, prepare to discuss the supervisory duties the employee performs. Identify areas where you would like to set goals for improvement.

9. Contact the Human Resources Department for assistance if serious performance issues exist.

B. Guidance for Employees Preparing for the Annual Review

1. Review your current job description. Does it reflect your current role?
2. Review your action plan and goals from last year, if applicable. Have they been met?
3. Review your achievements. Think about obstacles/roadblocks you encountered and how you dealt with them.
4. Is there anyone else your manager should speak with before preparing your evaluation? Let your manager know this before the meeting.
5. Identify areas of expertise or skills that you would like to develop or improve. Identify your strengths and weaknesses. In what areas have you improved? Can you identify any developmental goals for the coming year?
6. What ideas do you have for changes that would help you perform your job better and/or would improve the operation of your department? Think about the training or support you need from your manager that would help you to improve.
7. If you supervise others, think about how you exercise those duties. Can you identify issues that impact your performance of those duties?

28.300 Conducting the Annual Review

The manager (the department head or his/her management designee with the approval of the Human Resources Department) is responsible for conducting the performance review. Managers are also responsible for scheduling in advance the meeting to discuss an employee's performance and for creating an environment that is conducive for having such a meeting. The following guidelines should help set the stage for a productive discussion.

A. Establish the Proper Climate.

1. Locate a private space and guard against any interruptions.

2. Create a sincere, open, and constructive atmosphere.
3. Stick to the schedule.
4. Allow enough time to discuss the review.

B. Make it Clear This is a Joint Discussion.

1. Listen without interruption.
2. Try to understand the employee's point of view and ask questions to clarify issues.
3. Be respectful and constructive in your responses. Avoid words or body language that criticizes the employee's view. Insist that the employee do the same.
4. Try to assess how you can help the employee improve.
5. Remember that working together is better than being at odds.

28.400 Finalizing the Annual Performance Review Form

The manager is responsible for completing the final draft of the Annual Performance Review Form, providing a copy of the Form to the employee, and placing a copy of the completed Form in the employee's personnel file.

The employee is responsible for signing the Form. Signing the Form indicates that the employee has met with the manager, read the Form, and received a copy. An employee's signature does not necessarily mean that the employee agrees with the evaluation. The employee has the right to respond in writing in the employee's comment section of the Form within 10 working days.

28.500 Providing Ongoing Effective Feedback

Feedback involves treating each other with respect.

Effective feedback tries to reinforce the positive and change the negative by:

- identifying what was done well or poorly;
- explaining the effects of the observed acts of behavior;

- describing what action or behavior is expected; and
- explaining the consequences of failing to meet the expected level of performance.

Effective feedback is best delivered in person and in a timely manner. It should be given as quickly as possible after the event. Feedback long delayed is rarely effective.

Feedback involves both parties listening carefully. Check for clarity to ensure that the receiver fully understands your message.

Effective feedback should be specific. Generalized feedback does not explain what behavior to repeat or avoid. Describe exactly what was done well and or what needs to be improved. For example, "I saw how you handled that person at the counter and want to commend you for handling a difficult situation in such a professional manner" rather than "good job."

Keep feedback objective. Use factual records and information whenever possible. Include details that focus on specific actions and results rather than characteristics of the employee.

28.600 Recognizing and Motivating Employees

There are a number of ways to recognize good performance other than compensation. They include the following:

- Thanking employees for a job well done. Do not take work for granted.
- Celebrating employees' successes.
- Providing meaningful feedback.
- Finding assignments the employee finds interesting and meaningful.
- Sharing information.
- Empowering your employees. Involve employees on decisions that affect them.
- Providing appropriate opportunities for training.
- Listening to an employee who has suggestions for an improvement and act affirmatively on that suggestion.
- Encouraging employees to praise good work of their fellow employees.
- Remembering birthdays and other significant events.