

Chapter I

GENERAL EMPLOYMENT

A. PERFORMANCE EVALUATION

Overview

Policies on performance evaluation should identify the time period for a performance appraisal, the person who will perform the appraisal, and how the appraisal will be conveyed to the employee. Some policies provide a detailed description of the process and the timing of the evaluation, whereas others simply state that the evaluations will be done annually and shared with the employee. Policies also should address the evaluation of probationary employees during the probationary period.

Although some policies set forth specific expectations for continuing employment, others leave these criteria to the evaluator and the evaluator's expectations for the specific job being evaluated. Many institutions develop specific job descriptions for each position in an attempt to determine fair pay for all employees in a particular type of position. In such cases, performance review should focus on that particular job description.

Sample Policies

- T Performance reviews are conducted annually for all staff members. These reviews include a personal interview between super-

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visor and staff member and the completion of a standard performance review form. Once completed, these forms become part of the employee's confidential files at the office of human resources.

T It is the policy of the university to enhance motivation and communication through an annual, written evaluation of employee performance for each regular full and part-time employee.

T Employee counseling is conducted periodically, and a formal evaluation of each employee is required at the end of the probationary period and annually thereafter.

Evaluation interviews will be a private, open, and frank discussion. The supervisor will counsel the employee while performing the evaluation. Employee input and response to the evaluation with the supervisor is encouraged.

T Supervisors implement a performance evaluation system to keep staff members apprised of their job performance. In some departments, the performance evaluation program is structured and formal, while in others, it is not.

Your supervisor should meet with you at least once a year to review your performance for the past year, although you may be evaluated more frequently. Normally your supervisor will summarize and discuss your abilities, contributions, strengths, ambitions, and any areas that need improvement.

T Each supervisor or department head should ensure that a performance evaluation is accomplished annually during the period of May-June on each employee within their area of responsibility. These performance evaluations should be conducted by the employee's immediate supervisor. Evaluation forms will be provided by the human resources department.

Upon request, performance evaluation files will be made available to a dean, assistant/associate dean, department chair or director when final consideration is being given to a staff member's application for a promotional opportunity or transfer. Such access will also be afforded if a former employee makes application for reemployment.

T Each employee's performance is formally evaluated at least one time each year. Staff are evaluated by February 28 of each year. You are entitled to a personal interview with the evaluating manager and a copy of your performance appraisal form. You also are entitled to submit to your personnel file a rebuttal of any points regarding your performance evaluation.

The purpose of a performance appraisal is to provide feedback to you and to aid in your development as a university employee. Job objectives serve as the foundation of performance evaluation, and the performance evaluation focuses on how well and in what manner each objective was achieved during the previous year. Take advantage of this two-way discussion with your supervisor to establish a mutual understanding of goals and priorities related to your job objectives.

T To assist you in meeting the university's high standards, you should seek regular advice, counsel, and feedback on your performance. This feedback can come from a number of sources, but most frequently is provided by your supervisor. Your supervisor can provide both positive and corrective feedback to help you achieve excellence in your job and meet the professional goals you and the university have set.

Most departments provide periodic opportunities (at least annually) for you and your supervisor to sit down and discuss your overall performance. These discussions provide an excellent opportunity for you to confirm how you are doing and to set new goals and objectives for the future.

The university expects the quality of a staff member's performance to at least meet all performance standards. Additionally, staff members are expected to display behaviors consistent with university and departmental policies and procedures. Key ingredients to successful performance include, systematic and definitive orientation to job responsibilities and departmental procedures, appropriate on-the-job training, ongoing communication of performance expectations and standards, periodic performance and career development feedback, and corrective, progressive approaches to work performance and behavior problems.

T It is the policy of the university for each staff member to participate in performance evaluations. Performance evaluations are

intended to stimulate the morale and effectiveness of employees through joint planning of objectives with supervisors; additionally, they are used as an integral part of the decision making process to administer annual salary increases.

Supervisors are responsible for preparing performance ratings on each of their employees.

Frequency of Evaluations

1. Probationary Period Review

The performance of all regular and temporary full-time staff members in this category shall be reviewed and rated by their supervisors prior to the completion of six (6) months of service. Approximately thirty (30) days before the probationary review is due, the human resources department will forward forms to the departments indicating the name and the date each employee is to be rated.

2. Annual Planning and Review Sessions

During the months of May and June, a performance evaluation will be conducted by the supervisor with each staff member. After completing the form, the supervisor will submit the rating to his or her supervisor for review.

After the evaluation is reviewed, the supervisor will discuss the evaluation with the employee and indicate areas of strengths and/or weaknesses. The employee should suggest means of improvement and clarify any questions the employee may have concerning assignments, methods, or performance in general.

The employee's signature on the form indicates that the rating has been discussed with the employee, but does not indicate concurrence with the rating. Two copies of each employee's performance evaluation form should be made. Distribution should be as follows:

- a. the original should be returned to the human resources department;
- b. one copy should be retained in the department; and
- c. one copy should be provided to the employee.

Instructions for completion of the performance evaluation form are provided on the form. Questions concerning the execution of this form should be addressed to human resources.

- T The evaluation process is an opportunity for mutual goal setting, reinforcement, direction and communication. Evaluation based on the employee's current job description is a justified expectation of

employees. An accurately completed evaluation is the basis for merit pay increase, career development, advancement, or disciplinary probation and termination.

How to Complete a Performance Evaluation

The following recommendations may help make evaluating employees easier:

1. **Maintain Current Job Descriptions.** Begin the process with the current job description for the employee being evaluated. Draft answers to evaluation form questions and rate the employee performance based upon the expectations and guidelines stated within the job description. If the job description is nonexistent or outdated, one should be created or modified for the next segment of employment. A copy of the most current job description is sent to human resources with the completed evaluation.

2. **Gather Information.** Collect information that has been gathered throughout the evaluation period from co-workers, other supervisors, and clients of the employee.

3. **Request Self-evaluations.** Give a blank evaluation form to the employee and ask the employee to complete a self-evaluation. Schedule a private time to meet and discuss your draft evaluation and the employee's self-evaluation.

4. **Complete Final Evaluation.** Complete the final evaluation form using input from the employee, yourself and other appropriate sources.

5. **Use Narrative to Justify Ratings.** Provide comments and specific examples to justify each rating. Many supervisors find that keeping a desk file on each employee for the evaluation period helps them focus their ratings, comments, and examples.

6. **Ensure Proper Category.** If a rating category does not apply to the employee, check NA and provide a brief explanation before proceeding to the next category.

7. **Provide Fair Ratings.** Ratings often vary from category to category. This is normal and reflects the employee's strengths and weaknesses. Decide how the employee's performance ranks overall and check the appropriate block under Supervisor's Overall Ratings. Provide an overall rating based upon total performance and the average of the nine individual ratings.

8. **Discuss Evaluation with Employees.** Schedule and conduct a private review with the employee to discuss the evaluation. The three primary goals of the evaluation discussion are as

follows:

- a. Determine what is expected of the employee (goals, standards and objectives).
- b. Ascertain the supervisor's evaluations and employee's input.
- c. Develop corrective activities for the future by attaching the current job description.

9. Evaluation Signature and Distribution. The employee signs and dates the form, checks the agree or disagree box, and adds any comments desired. If comments exceed the space provided, the employee should sign or initial the extra page(s). The supervisor completes the evaluation by signing the form. The evaluation is then forwarded for third level review and signature. The original is sent, with a current job description, to human resources. Copies of the evaluation should be kept by the employee, supervisor and third level administrator. Depending on procedures of each department, college or administrative unit, the third level administrator may be the dean, director, or the person supervising the manager who completed the evaluation, but a third level signature is required.

Evaluation Due Dates

Evaluation due dates vary according to the type and purpose of evaluation.

1. Probationary evaluations. Probationary evaluations are due in human resources at both the three and six-month employment anniversary for newly hired or promoted classified staff. Human resources calls to remind the departments. Six-month evaluations end the probationary period and certify the employee into that classification. Probationary periods may be extended for 50% time employees or employees taking leave without pay, and probation may be extended or initiated due to poor performance.

Both three and six-month evaluations must be completed and placed in the employee's personnel file in human resources as legal documentation of performance. If the six-month probationary evaluation is not received within 30 days of the end of the probationary period, the employee is legally considered to have satisfactorily completed probation.

2. Annual Evaluations. Annual evaluations are due each year, generally in late January or early February. During February and early March, human resources mails to each college or division, current instructions and a list of all employees for which annual evaluations are expected. The lists are then distributed by the

colleges or divisions to the appropriate supervisors.

Completed evaluations are returned to human resources by the date specified in the distribution memo. The original evaluations are logged-in and filed in human resources or, in the case of employees who report directly to the President, Provost, Vice Provost, Vice Presidents or Assistant Vice Presidents, are forwarded to the respective responsible offices.

Probation

Any classified employee who receives an overall rating of unsatisfactory or needs improvement as a result of performance evaluation may be placed in a probationary status which lasts for ninety (90) days. A classified employee in entrance-probationary status who receives an overall performance evaluation of less than satisfactory may be extended in entrance-probationary status for an additional 90 days, is not eligible to be certified, and is not eligible for a salary step increase. A previously certified employee may also be placed in probationary status following an evaluation that indicates an overall performance of less than satisfactory. During these 90 days, the probationary employee's performance is evaluated every thirty (30) days.

Required Documentation. After completing an evaluation which documents that performance is less than satisfactory, and prior to any further action, supervisors should forward a confidential copy of the evaluation to human resources. A letter placing the employee on probation will be developed jointly by the manager human resources. The letter will:

1. Identify the Dates of Subsequent 30-60-90 Day Reviews. These dates are to let the employee and human resources know when the reviews are to be complete and submitted. Human resources will work with the supervisor to ensure evaluations are completed on schedule.
2. Identify Specific Problems. The probationary letter should address specific problems that are documented in the performance evaluation and should identify the corrective actions that need to be accomplished during the probationary period.
3. Identify Specific Consequences. The probationary letter should incorporate the sentence: "Should your performance not improve during this 90 day probationary period, further disciplinary action may be taken, up to and including termination." The letter also can reference employee assistance through the employee

assistance program (EAP), which is confidential and free to the employee.

4. **Schedule Employee Conference.** Schedule a conference with the employee to deliver the letter and answer any questions. Make a note to the file of the date and time the letter was discussed and the substance of the conversation with the employee.

5. **Follow Through with Timely Evaluations.** Count the days and, specifically, ensure that the third review does not go beyond the 90 calendar days (89 days is permissible, 91 days is not). Should demotion, suspension or termination be the final recommendation, please contact human resources before taking any action.

- T Performance evaluation is a process that should take place continuously. While day-to-day evaluation is usually informal, the performance of all classified employees must be evaluated formally at least once a year.

The Performance Evaluation Plan

The performance evaluation plan is a standards-based system. Performance standards describe how a job is to be performed and are developed to represent fully satisfactory job performance. Your supervisor may ask for your assistance in developing your job standards and should review your standards with you at least annually, in addition to revising them each time your job duties change. Your supervisor is responsible for establishing and up-dating your performance standards and has the authority to determine the standards for your job.

Benefits of Performance Evaluation

The performance evaluation plan is designed to help you understand what is expected of you in your job, give you information about what you need to do to improve your performance, determine your eligibility for merit increases, and help develop your career opportunities.

You will begin each evaluation cycle with a written copy of your performance standards. The standards should tell you exactly what you have to do and how well you must do it to receive a fully satisfactory performance rating. This advance notice will help you, throughout the rating period, to meet your supervisor's expectations.

Throughout the rating period, you and your supervisor should talk with each other about your performance so that there will be no

surprises in the evaluation conference. The communication process that performance evaluation requires provides an opportunity for you and your supervisor to work out misunderstandings and disagreements as they occur and before they become more serious. The review of your standards and of your evaluation by your supervisor's supervisor will help to ensure that your performance is being rated fairly and objectively and that your performance standards are comparable to those for other employees in your unit.

The Procedure

The personnel office has established guidelines for the administration of the performance evaluation plan. The guidelines include the following requirements:

1. Annual evaluations must be completed at least 45 calendar days before the employee's anniversary date (or other merit increase eligibility date) and no earlier than 90 calendar days before that date. If interim evaluations are done, the interim evaluations must be considered in the annual evaluation.
2. Standards for the rating period must be set by the supervisor and, when possible, with the input of the employee at the beginning of each rating cycle or not later than 30 days after the start of new duties.
3. The standards must be developed from a list of critical job tasks and stated in terms of observable behavior.
4. The standards must be communicated clearly to and understood by the employee.
5. The completed standards must be reviewed by the next highest official to the rating supervisor.
6. A written copy of the standards must be given to the employee.
7. If a rating supervisor is transferred to another unit or terminates employment, the supervisor must complete performance evaluations for those employees whose most recent evaluation was completed more than 90 calendar days prior to the supervisor's termination date.
8. If, at any time during the evaluation period, the supervisor determines that an employee's performance has fallen below an acceptable standard, the supervisor must document the below acceptable performance and counsel the employee.
9. If an employee's general performance falls below the acceptable standard, the employee must be placed on probation and counseled.

10. The completed performance evaluation must be reviewed and approved by the next highest official to the rating supervisor.
11. Employees must be allowed to make a formal request for reconsideration of their performance evaluation. (See the Appeals Procedure section, which follows.)
12. If an employee is on leave without pay for thirty or more consecutive days during a rating period, the employee's merit increase will be delayed, that year only, for a period equal to the time on leave without pay.

Your Performance Rating

Your formal performance evaluation will be made on the basis of your performance over the preceding twelve months. Your supervisor will compile the observations of your performance during that period and will rate your actual performance in comparison to the expected performance standards.

The rating is based on a five-point scale, on which three is fully satisfactory, meaning that you have met the standard and are performing at the expected level. Your supervisor will review and explain your ratings in a performance evaluation conference. You may use the conference as a time to discuss your performance achievements as well as problems you may have encountered during the rating period. Be prepared to make suggestions about ways you might correct or improve your performance.

At the end of the performance evaluation conference, your supervisor will ask you to make written comments about your evaluation in the place provided on the evaluation form. You may use this opportunity to state your agreement or disagreement with the evaluation and the reasons for your response. You will then be asked to sign the form. Your signature does not mean that you accept or agree with the rating, only that your supervisor has discussed it with you. After your evaluation and after your comments have been reviewed by the next highest official, your supervisor will give you a copy of the evaluation for your files.

Establishing New Performance Standards

Your performance evaluation marks the end of a rating cycle. Within a few days, you can expect your supervisor to either reaffirm or rewrite your performance standards for the next rating period, which will begin a new performance evaluation cycle.

Your supervisor may ask for your assistance in establishing your standards. To prepare for that process, you may wish to

take the following steps:

1. Think through what you are supposed to do in your job. If you have a position description, you may want to refer to it. List the tasks that are important to your position. List only those tasks that you are currently required to do, not those that you may have done in the past.
2. Discuss your list of tasks with your supervisor and compare it with the list your supervisor may have compiled. This is also a good time to discuss problems you encounter frequently and to make suggestions about how those problems might be solved.
3. Once you and your supervisor have developed your performance standards, they will be reviewed by your supervisor's supervisor, and you will receive a copy for your files. Keep your standards in mind during the year and make notes about any performance problems and accomplishments. Your notes can be used at your next performance evaluation conference to help you and your supervisor discuss your performance during that rating period.

Performance-Based Probation

If, at any time during the evaluation period, your supervisor determines that your performance has, in general, fallen below the mid-level standards for your position, you may be placed on probation. Your supervisor must document the below-acceptable performance, inform you that you have been placed on probation, and counsel you about ways you can improve. The length of your probation for unacceptable performance is to be not less than 30 nor more than 60 days. During the probationary period, your supervisor will counsel you about your progress or lack of progress.

At the end of the probationary period, your supervisor will conduct a formal evaluation. If you have met the mid-level standards of performance, your supervisor will remove you from probationary status. If you fail to meet the mid-level standards for your position, your supervisor may extend the probationary period and give you additional counseling or may terminate your employment. If your performance drops below the mid-level standards during an evaluation year and you improve before the time of your annual evaluation, the unsatisfactory evaluation will not go into your employee file. If your annual evaluation score is below mid-level standards, that evaluation will become part of your permanent file.

Appeals Procedure

If you disagree with your supervisor's evaluation of your performance, you may appeal your performance rating, in accordance with the following procedures:

1. Ask your supervisor to reconsider your evaluation. Your request for reconsideration must be made in writing within ten calendar days of the evaluation interview and must state the reasons you think the rating is inaccurate.
2. Your supervisor will review your reasons for disagreeing with your rating and respond to you in writing within ten calendar days of receiving your request.
3. If you and your supervisor cannot reach agreement, you may submit a written request for review, within five calendar days, to your supervisor's immediate supervisor.
4. That official will review your request for reconsideration and your supervisor's response and may ask either or both of you to provide additional documentation or explanation. Within ten calendar days of receiving your request for review, your supervisor's immediate supervisor will respond to you and your supervisor in writing, proposing a resolution of the disagreement.
5. If you disagree with the recommendations of your supervisor's supervisor, you may submit a written request for review, within five calendar days, to your vice chancellor. The vice chancellor will review the written record and may ask for specific additional information or documentation. Within ten calendar days of receiving your request for review, your vice chancellor will recommend a resolution, in writing, to you and your supervisor.
6. If you are not satisfied with the recommendation of your vice chancellor, you may submit a request for review, along with documentation, to the department of human resources, which will forward it, within five calendar days, to the chair of the performance evaluation review committee.

The performance evaluation review committee will meet within ten calendar days to review all pertinent documentation concerning your disagreement with your supervisor's performance rating, and, within ten calendar days of its meeting, will make a recommendation in writing to the chancellor. The decision of the chancellor is final and binding.

Note: When the procedures specify time periods, such as ten calendar days within which a step in the procedures must take

place, official university holidays do not count in calculating those time periods.

If you need assistance with any of the written parts of the appeals process, the department of human resources can help you.

B. PROBATIONARY PERIOD

Overview

The policy must clearly identify the period of probation and how probation relates to discharge or severance. The policy also should indicate the status of the employee following a satisfactory probation, the employee's eligibility for various benefits, and whether time served in the probationary period counts toward certain benefits. Some policies specify that after a successful probationary period, the employee is subject to the policies of the institution, including discharge for cause as set forth in the personnel policies.

Policies may provide information about orientation to the job and to the general employment conditions of the college. During the orientation, the probationary status of the employee should be clearly established, and the specific policies concerning probationary status should be discussed.

Sample Policies

T All staff members have a probationary period. The university uses the probationary period to become familiar with your work behavior and performance, and you can use it to become familiar with your new work situation.

Your probationary period starts the first day you begin working for the university and is three (3) months long. During your university career, you will serve only one probationary period, even if you transfer or are promoted to another job outside your current department.

T All newly-hired and rehired staff employees are subject to a 90-calendar-day initial review period. This period is designed for orienting the new employee to the college community, job training, and allowing a reasonable amount of time for the college and the employee

to evaluate the employee's suitability for the job in question.

During the introductory period, as throughout employment, a staff employee is employed at-will. This means that you have the right to terminate your employment at any time with or without cause or notice, and the college has the same right.

Between the 55th and 60th calendar day of this period, the employee will meet with the supervisor to review performance to date. If problems are identified, expectations for improvement in the remaining 30 days will be reviewed with the director of personnel and stated both orally and in writing.

In the last week of the 90-calendar-day initial review period, the supervisor will complete an evaluation of the employee, communicate the outcome of the assessment to the employee, and submit the evaluation to the personnel office for placement in the employee's personnel file.

The initial review period may be extended for up to an additional 90 calendar days in certain circumstances at the college's discretion. The supervisor must first obtain the approval of the appropriate member of the senior administrative staff and must consult with the director of personnel before administering such an extension. A written record of the extension will be filed with the personnel office.

During the initial review period, new employees will be credited with time toward the length of service requirements of the college's vacation and sick leave programs. However, employees are not eligible to take paid vacation days or to be paid for sick days taken, until after completion of the initial review period. Employees will be paid for any college holiday that occurs during the initial review period.

- T Every new staff employee is required to serve a probationary period of three (3) months, during which the employee's wage is three (3) percent less than the regular, non-probationary wage. During this period, the supervisor assists the employee in learning and fulfilling duties, observes the employee's job performance, and periodically discusses the employee's work progress.

During the probationary period, an employee may be dismissed for failing to demonstrate the ability and qualifications necessary to provide satisfactory service. If job performance has not been completely satisfactory, the probationary period can be extended for one (1) additional month by request of the supervisor

and after discussion with the personnel office.

An employee may not receive an annual pay increase until the probationary period has been completed.

With the exception of a transfer within the same classification/grade or a change in title only, an employee who is promoted or whose position has been reclassified or reallocated will be required to serve another three (3) month probationary period, unless waived by the personnel office.

- T All new regular employees are hired on a 90-calendar-day probationary status. This time is for the employee and the supervisor, director, or division head to determine whether this is the right position for the new employee. It gives the employee time to adjust to new responsibilities and it gives the employee's manager time to assess work and job performance. Be sure to discuss any questions, or problems, with your supervisor.

If the performance or attendance does not meet standards during the new-hire probationary period, the new employee is subject to termination without notice.

Newly transferred employees also are subject to the same type of probationary period for the first 90 days of their new assignment. Successful completion of either the new hire or transfer probation period does not create a contractual commitment to continued employment.

At the end of the probation period, the employee's performance will be evaluated, and a written report will be generated recommending one of 3 options: (1) successful completion of probation and conversion to regular status; (2) extension of the probationary period, not to exceed another 90 days; or, (3) release from university employment.

Recommendations are made from the supervisor to the department head, with recommendations for other than conversion to regular status to be discussed with the director of personnel before being implemented. All written reports regarding an employee's probationary status must be filed with the personnel department.

- T The first six (6) months of employment is considered a probationary period, during which time employees have the opportunity to demonstrate their ability and probability of sustained successful performance. Either the supervisor or the employee may terminate

its relationship with or without notice during the probationary period.

Supervisors should evaluate the performance of employees prior to the expiration of their six (6) month probationary period and indicate whether they are to be retained or terminated. This determination will be indicated on the form entitled, "Performance Evaluation—Probationary."

The probationary period normally is served only once for each continuous period of employment; however, the probationary period will be extended or will start over under the following conditions:

1. If an employee is promoted or transferred to another position during the probationary period, a new probationary period is begun effective with the date of the promotion/transfer.
2. If a temporary position becomes permanent (regular), the regular position must be advertised. If the incumbent in the temporary position is the successful applicant, a probationary period is begun with the effective date of the regular appointment.
3. If a medical leave of absence is approved during the probationary period, upon return to work, the probationary period will be extended by the length of the leave of absence.
4. If a non-exempt employee is promoted into an exempt position, thereby becoming an administrative/professional employee, such person must serve a six-month probationary period in the exempt position, even though one may have been served previously.

Employees serving a probationary period are considered to be employed on a trial basis and have no right of appeal in the event of termination.

Once the probationary period has been served, employees may be involuntarily terminated for cause. If employees resign after serving the probationary period, it is expected that two-weeks notice be given, unless a shorter time is required by the administrative official of the resigning employee.

- T Your orientation and evaluation period is the initial period of employment in your current position. If you are paid hourly, the period is three months. If you are paid monthly, this period is six months. Your orientation and evaluation period begins on your

first day of employment.

Staff should attend the normally new staff orientation presented by human resources. This orientation will familiarize you with the tradition, mission, structure, and operations of the university. It will also familiarize you with some of the policies of the university, as well as the benefits available to you as a staff member. At this orientation, you will complete post-employment papers, including the Employee's Withholding Exemption Certificate, which must be completed before a paycheck can be issued.

Your orientation will continue on-the-job as you learn more about your job and what is expected of you. During this time, you will become familiar with your job responsibilities, your department, and your co-workers.

The orientation and evaluation period also provides a key opportunity for your supervisor to work closely with you to provide support, guidance, and performance feedback.

The university strives to match your skills, knowledge, and abilities with the requirements of the job. The success of this matching process should be evaluated closely by you and your supervisor during this orientation and evaluation period.

Occasionally, there is not a good match between the individual and the job, and performance or the job does not meet expectations. If job performance or conduct is unsatisfactory, your supervisor will inform you in writing. In such cases, your supervisor may elect to extend the orientation and evaluation period by written notice to you or may elect to terminate your employment if your performance does not meet expectations after the written notice. The employee relations division can provide counsel and guidance in these situations.

In addition to extension of this period for performance concerns, supervisors may also extend the orientation and evaluation period if there has been inadequate opportunity to evaluate the staff member's performance. An example of such an extension would be a circumstance in which either the staff member or the supervisor was absent for a significant period.

Extension of the orientation and evaluation period should not exceed two months for hourly paid staff nor four months for salaried staff. Extension of the orientation and evaluation period does not postpone benefits eligibility.

After successfully completing the established orientation and evaluation period, you become eligible to apply for transfer and promotional opportunities as they arise. However, you generally will

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want to establish a longer-term, stable working relationship before considering other career development opportunities. If you transfer to a new position, a new orientation and evaluation period begins again, providing you with the same period of close support and feedback.

- T Supervisors must evaluate all employees during their probationary period and must complete a probationary period rating report between the employee's 60th and 80th day of employment.

Employees rated below expectations must be terminated. A decision to terminate should be clearly explained in the "Comments" section, and employees should be informed why they are not being retained. Should an employee be terminated, a copy of the probationary period rating report must be forwarded to the benefits office to be placed in the employee's personnel folder.

Probationary Period employees will be:

1. Eligible for those benefits and work premiums as established by the applicable policies, dependent upon their employment status.
2. Subject to termination without recourse to the grievance procedure.
3. Entitled from the original date of hire to continuous service credit, sick leave and vacation accrual, upon completion of the probationary period.

Under unusual circumstances, at the end of the probationary period, the probationary period may be extended up to an additional 60 calendar days. This action will permit an employee's benefits to go into effect; however, the employee may be terminated at the end of the this period without recourse to the grievance procedure. The justification for this additional time must be specified in writing, and the extension approved by the department manager, the employee, and the assistant vice-president and director of human resources or a designate.

- T Probationary evaluations are due in human resources at both the three and six-month employment anniversaries for newly-hired or promoted staff. Human resources calls to remind the departments. Six-month evaluations end the probationary period.

Probationary periods may be extended for 50% time employees or employees taking leave without pay, and probation may be extended or initiated due to poor performance.

Both three and six-month evaluations must be completed and

placed in the employee's personnel file in human resources as legal documentation of performance. If the six-month probationary evaluation is not received within 30 days of the end of the probationary period, the employee is legally considered to have satisfactorily completed probation.

C. PROMOTION AND TRANSFER

Overview

Promotion policies address how to apply for a promotion or transfer, how often a promotion or transfer request can be made and, in some cases, the applicability of equal opportunity policies to decisions on transfer and promotion. Some policies will address compensation issues and will require that an employee be employed for a particular period of time prior to seeking a promotion opportunity.

Separate transfer policies may provide for lateral movements, the goal of which is a change of jobs and functions, rather than financial improvement. Some policies also may provide for a transfer that represents a demotion.

Sample Policies

- T It is the policy of the university to encourage promotion of its present employees whenever possible. When a job opening occurs at the university, employees may submit an application for the position if qualified to be considered for the vacancy. As a courtesy, employees should inform their current supervisor when applying for another position at the university. Seniority will be considered when qualifications of applicants are equal. Transfer to another position is permitted if it appears to be to the advantage of both the employee and the university.

- T The university will encourage promotion from within whenever possible. All employees who wish to apply for a transfer must notify their immediate supervisor prior to applying for the transfer.
 - All employees may apply for an interdepartmental transfer through the personnel department, provided:
 1. They have completed one year of service in their present position.

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2. They meet the minimum qualifications specified for the vacant position.

Employees with less than one year and more than six (6) months service in a position must have the transfer approved in writing by their immediate supervisor. Employees with less than 6 months service in a position generally are ineligible for an interdepartmental transfer. Time limitations may be waived only with the written approval of both department heads involved and the concurrence of the director of personnel. After consultation with the director of personnel, the department heads involved with the transfer request will decide if it is in the best interest of the university to facilitate a transfer and, if so, will determine a reasonable transfer date. The transfer date is usually 2 weeks after acceptance of a different position within the university.

Interdepartmental transfer procedures are not applicable to transfers that occur within the same office or department.

Vacancies will be posted internally for 5 days. If it is determined by the department head and the director of personnel that an exception to this policy is required, this time limitation may be waived upon approval of the vice president for business and finance.

- T Staff members are able to apply at their own initiative for positions for which they believe they are qualified.

The individual who is best qualified for the open position will be selected. When two or more applicants possess equal qualifications, the individual who will contribute most to achieving the university's affirmative action goals will be selected. Following placement in an open position, a staff member need not be considered for another promotion or transfer for six months.

- T A promotion results when an employee leaves one classified position and transfers to another one with a higher pay grade. Generally this involves moving from one department to another; however, it may occur within one department when two separate positions are involved.

In the recruitment of personnel to fill vacancies or new positions, employees are given the opportunity, along with other applicants, to be considered for positions that would represent a promotion.

All applications for promotions must be channeled through the employment office. Employees may apply for promotions during the probationary period; however, they must begin a new six (6) months probationary period effective the date of the promotion.

Upon receipt of an approved vacancy, the university employment office advertises each position for at least ten (10) working days. Position vacancies are announced at the employment office, on various campus bulletin boards, and on the telephone job line. Each week the employment office issues an updated “Promotional and Employment Opportunities” list. Interested employees should apply to the employment office.

All applicants are responsible for applying personally for each position that is sought. An application for each specific position is therefore necessary in order to be considered. NOTE: Applications are retained for six (6) months, but applicants must contact the employment office in order to apply for specified vacancies.

Successful promotional applicants are required to give two-weeks notice to their supervisor if they are to leave the department in which they are working. A period of less than two weeks must be mutually agreed upon by the two affected supervisors.

If employees are transferred, with no break in service, they carry forward to the new department the current balance of earned sick leave, annual leave and comp time.

Upon request, performance evaluation files will be made available to a dean, associate dean, department chair or director when consideration is being given to a staff member’s application for a promotional opportunity or transfer. Such access will also be afforded if a former employee makes application for reemployment.

Lateral Transfers

The university may move an employee from one position to another where the pay grade of the transferred employee is not affected. Employees who are enduring personal hardships with their jobs may request lateral transfers; however, approval of such requests rests with the university. NOTE: No pay increase may accompany a lateral transfer.

Transfers from one department to another require a two-weeks notice. A period of less than two weeks must be mutually agreed upon by the two affected supervisors.

Demotional Transfers

A demotion occurs when an employee leaves, or is moved from one classified position to another with a lower pay grade. Generally, demotions involve moving from one department to another; however, they may occur within one department when two separate positions are involved.

Demotions may be implemented by the university when employees have demonstrated a lack of qualifications for the position held or the inability to perform at an acceptable level. In such cases, lower level positions may not be available, and termination may be required.

Demotions to lower level positions may also be requested by employees. In these cases, employees may maintain their salary level if the hiring department has the funding available. Should this occur, the affected employee will not be eligible for an increase in salary, due to promotion or reclassification, for a period of one year, without the approval of the department of human resources.

- T If you are a classified staff employee, there are three methods by which you may be promoted:
1. You may be promoted, by your department head, to another position in your department or unit that is classified at a higher grade, if you meet the minimum qualifications for that position.
 2. Your position may be reclassified if your responsibilities have changed significantly. If the new classification is at a higher grade, the reclassification of your position will mean a promotion for you.
 3. You may apply for a position in another area of the university which is classified at a higher grade. If you meet the minimum qualifications and are selected for the position, your transfer to that position will be a promotion for you. Your new rate of pay will be at least Pay Level I for your new grade, and cannot exceed Pay Level IV of your new grade. If your new classification is one grade higher than your former classification, your pay will increase by 6%. If your new classification is two or more grades higher than your previous one, your pay will increase by 8%. However, if your promotion results from the reclassification of your current job or a class upgrade, your increase will be 2% or Pay Level I of the new classification, whichever is higher. The promotion does

not change your annual eligibility date for a merit increase.

Transfers

If you are a classified employee, you may transfer to another position classified at the same grade in your department or unit, or to a position classified at the same grade in another department or unit.

If you transfer to another position classified at the same grade in your department or unit or in another department or unit of the university, your pay and merit increase eligibility date will remain the same.

- T To recruit and retain staff of the highest quality, the university provides equal opportunities for the recruitment, professional growth, and advancement of all employees. Further, the institution is committed to take affirmative action to recruit and advance at all levels of employment under-represented minorities, women, Vietnam era veterans, and special disabled veterans.

These dual commitments must be thoughtfully and carefully balanced in awarding promotions and transfers.

The university encourages staff members to develop their careers within the university. Staff members may apply for a transfer from one position to another whenever such a transfer will enhance the individual growth and satisfaction of staff members, use more fully their training and skills, and/or reduce turnover and conserve valuable skills.

A transfer is movement within the university from one position to another; a transfer may also involve moving from one department to another. Transfers may involve an individual moving to a position of a lower pay grade (demotion), equal pay grade (lateral move), or higher pay grade (promotion). Either the university with the approval of human resources or the individual may initiate a transfer.

While an open position may constitute a promotion opportunity for an internal candidate in the department, the opening also may serve as a promotion opportunity for others on campus, or an opportunity to create a more balanced work force by recruiting a new hire from an under-represented group.

Human resources and the office of equal employment opportunity and affirmative action will work with the department that has the opening to ensure a thoughtful balancing of opportunities

for university employees to advance and for members of under-represented groups to become university employees.

D. NEPOTISM

Overview

It is important for colleges to clarify whether certain relatives should be in the charge of, or accountable to, other relatives. Conflict of interest must be addressed, and the perception of fairness must be paramount. Accordingly, some colleges directly address this issue by precluding employees from supervising certain categories of relatives whose relationship to the supervisor may be deemed to present serious conflicts of interest or the perception of such conflicts.

Sample Policies

- T The employment of persons who are related to each other is limited to employment not within the same line of supervision. The hiring of two individuals of the same family in the same department is permissible, but under no circumstance may they be placed in the same line of supervision resulting in one relative supervising the activities of another relative or one relative having management decisions over another relative.
- T Employment of immediate family members in situations in which one family member has direct influence over the other's conditions of employment is inappropriate. "Immediate family" is defined as spouse, child, parent, grandparent, sister, brother, mother-in-law, or father-in-law.
- T Personnel who have control or influence over decisions involving the use of university resources or authority over other university employees have the responsibility to exercise that control, influence, or authority in a manner that maintains confidence in the integrity of the university's administrative and personnel decision-making. This responsibility includes avoiding the appearance of a conflict of interest between personal and the university's interest.

To avoid such actual or perceived conflicts, it is the policy of the university that no person shall be employed in a department under the supervision of a close relative or a person with whom a supervisor shares living accommodations. Close relatives include, grandparents, parents, siblings, children and grandchildren. These descriptions are not exclusive of the many relationships that may create actual or perceived conflicts.

Exceptions to this policy may be made only with the prior written approval of the vice president for business and finance.

- T The university recognizes that relatives of employees may possess special skills required by the university. However, individuals will not normally be employed in a college, department, or any other unit under the supervision of a relative who may have a direct effect upon that individual's progress, performance, or welfare.

When it is in the best interest of the university to employ an individual under the supervision of a relative and when, in the opinion of the administrator in charge, there will not develop a conflict of interest, a request for approval may be forwarded to the personnel department.

For this policy, relatives are defined as husbands, wives, parents, children, brothers, sisters, and any in-laws of any of the above.

- T Employment of relatives in the same department or division of the university is allowed only when one will not supervise or have control over personnel decisions affecting the other. To avoid possible conflict of interest, relatives must not participate, either formally or informally, in decisions to hire, retain, promote, or determine the salaries of each other. This policy does not affect graduate assistants, interns, farm laborers, or custodians.
- T It is the intent of the university that employees not be involved in decisions affecting the employment of individual members of their immediate and additional families. In exceptional cases in which the relative clearly possesses unique and unusual skills necessary for the position and if skills are not readily available in the labor market, a waiver may be sought. When such conditions exist, a written request for a waiver must be submitted to the assistant vice president and director of human resources for approval prior

to making an employment offer.

In cases in which a waiver has been approved, an individual may be in a position to effect personnel actions (such as retention, promotion, salary and leaves of absence) affecting members of that employee's immediate and additional family. Prior authorization for these personnel actions must come from the employee's department head or the next higher level of supervision, whichever is higher.

Definitions

Immediate Family: includes spouse, registered same sex spousal equivalents, children, parents, brothers, sisters, step-parents, step-children, step-brothers, and step-sisters.

Additional Family: includes grandparents, parents-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunts, uncles, grandchildren, and great grandparents.

Same-sex spousal equivalents must be registered as such in the university benefits office.

- T The university seeks to foster an environment in which people are treated with respect and trust. Employment of family members may be problematic because such situations can create a conflict of interest, an appearance of favoritism, and an increased potential for a hostile work environment. Because of these concerns, the university is sensitive to circumstances in which relatives of employees might be hired, transferred, or promoted to positions in which one relative might have influence over a relative's employment, performance review, salary administration, promotion, or other employment-related decisions. Further, employment of relatives in the same department is generally discouraged.

If a relationship develops during the course of employment that would violate this policy, the university will work with the individuals involved to resolve the situation. In all cases, the needs of the university determine the resolution. The responsible supervisor should take measures in consultation with the appropriate dean/vice president and the director of human resources.

If an approved employment relationship exists in which individuals work together in the same department, evaluation and recommendations concerning performance and/or salary will be accomplished at the next higher level of supervision.

The university requires full disclosure of any relationship as defined below to human resources at the time of employment or at

any time that it occurs in the course of employment.

Relationships covered by this policy include spouse, spousal equivalents, parents, grandparents, brothers, sisters, children, grandchildren, aunts, uncles, nephews, nieces, and relatives by marriage (in-laws).

E. OUTSIDE EMPLOYMENT

Overview

A policy on outside employment needs to address whether such employment is permitted and, if so, under what conditions and who approves such employment. Some policies set forth general criteria while other policies contain very specific criteria by which to judge whether additional employment will be approved. In all cases, the policies should prevent any type of employment where a potential conflict of interest might be indicated.

Sample Policies

T If an administrative staff member is engaged in any form of part-time outside employment, it should not be so time consuming as to interfere with the staff member's assigned duties.

If a staff member is substantially remunerated for outside work performed during the university's normal work week, vacation time should be used. If a staff member is not substantially remunerated and if the outside work is related to the employee's responsibility at the university and will enhance the university's reputation and/or help in the professional development of the employee, no vacation time should be charged, subject to the approval of the employee's supervisor.

T The university does not prohibit an employee from seeking outside employment. If such employment interferes with the employee's work performance, including the employee's availability for overtime work, the supervisor will attempt to resolve the matter with the employee. If necessary, the supervisor will consult the vice president for business and finance to resolve the matter.

T Working for another employer while you are employed full-time at

I. General Employment

the university is discouraged. Outside work must not interfere or compete with your work at the university. Outside work must not be done on university time or premises, nor with university's services, supplies or equipment. The university also requires that you not reveal confidential information pertaining to the university or our customers and that you not use your position at the university to obtain work or business for yourself.

Notifying your supervisor of outside employment is required under the university's conflict of interest policy.

- T Full-time employees may accept employment outside the university only if that employment does not interfere with the employee's regular duties or university functions and is scheduled outside regular working hours. Other employment for staff members should be approved by the supervisor and the director of human resources.
- T If you are a staff member who is not an administrator, you may have outside employment if the following conditions are met:
1. The employment does not constitute a conflict of interest and does not interfere with the performance of your university job.
If you have questions about whether an outside job would constitute a conflict of interest, check with your supervisor.
 2. The work is completed off the premises of the university.
 3. The work is completed during non-university work time.
 4. The work does not involve the use of materials, supplies, or equipment belonging to the university.
- You must submit a completed copy of the disclosure of potential conflict of interest and commitment form for review to your supervisor, who will submit it to his or her immediate supervisor for review. A copy of the form, with an approval or an outline of the steps to manage the potential conflict, will be returned to you, and the original will be kept by your supervisor.
- T The university's policy concerning outside employment for non classified staff, administrators, and faculty is as follows:
- While emphasizing the fact that staff members of the university are obligated to devote their working time and efforts primarily to university activities, the university recognizes that a limited amount of outside work for private compensation may be advanta-

geous to all concerned. Deans, department heads, directors, vice chancellors, chancellors, vice presidents, and the president are included as administrative staff. Such persons are therefore encouraged to engage in outside employment that will affirmatively contribute to their professional advancement or correlate usefully with their university work.

This employment shall not interfere in any substantial way with an employee's university duties or assignments. Written approval from the department head and/or dean shall be obtained in advance of such outside employment. Each dean or similar officer shall keep records on outside employment by personnel in their college or administrative unit. The report should include actual time spent during the reporting period. Such records shall be reviewed by the appropriate vice chancellor and submitted to the chancellor by August 1 of each year, and such records shall be reviewed periodically by the vice chancellor.

Employees shall always make it clear that any outside employment is their own responsibility and that in such employment, they do not act as an agent or representative of the university.

University facilities or property shall not be used, except with the permission of the department head or dean, and the payment of appropriate fees may be required.

- T Dual employment refers to work performed for compensation from external sources, and not paid through the university. Employees must perform such work on their own time or on days covered by benefit time. Staff members who work for outside organizations doing business with the university are required to report any potential conflict of interest to their department chair or director, with a copy of the report sent to the director of human resources.

Staff members may not, without prior approval of their department chair or director, use university facilities, equipment, or supplies to perform services for which they are directly compensated by any other organization, client, or employer.

Work performed outside an employee's regular position(s) and department(s) for extra compensation paid by the university is regulated as follows. Employees should inform their supervisor in advance of assuming additional duties. If an assignment results in working more than 40 hours in any week, the hours in excess of

40 must be compensated at one-and-one-half times the rate of pay for the week in which the work is performed. The department for which the extra assignment is performed pays any hours of the regular 40 not worked in the employee's regular position(s) plus hours worked at overtime rate. The department for which the extra assignment is performed authorizes payment for these services with a staff time sheet or request for overtime pay.

F. PERSONNEL RECORDS

Overview

These policies should establish where files are maintained, what they contain, and how copies of file material can be obtained. Most policies provide that employees may add certain material in order to keep their file up to date. Many institutions, but not all, provide for only limited access, while some institutions state that the employee has full access to the employment file. In some cases, state open record laws, which apply to only state institutions, may define who has access to personnel records.

Sample Policies

T All permanent, official records of the employee are maintained in the personnel office. The personnel file represents the employment record of the employee and may include the application for employment, references, correspondence, position assignments, transfers, promotions, evaluations, wage changes, discharge or other disciplinary action, and benefits enrollment and tax deduction information.

Employees may request a review of their own records by contacting the personnel office during regular office work hours. A review of the records generally will be scheduled within seven (7) working days of the request. The file shall not be removed from the personnel office; however, the employee may request and be provided with copies of information contained in the file.

Detailed, day-to-day records of the employee may be maintained in the employee's assigned department.

T All permanent records of employees are maintained in the files of the human resources office. This personnel file represents the historical

employment record of the employee and includes such items as the applications for employment, correspondence, transfers, promotions, performance evaluations, wage changes, benefits enrolment, tax information, disciplinary actions, and commendations.

- T Personnel files are maintained for different purposes in various administrative units throughout the university. Personnel files in the faculty and staff records office are governed by regulations established by the university, and you may ask to review your personnel file in the presence of a representative from the human resource office.

Personnel files in the faculty and staff records office are available to members of the university administration, when they are needed in fulfilling university functions. Files or information from the files may be made available to individuals or agencies outside the university if such action legitimately serves the purposes of the university or with the consent of the staff member. The university, through its administrative officers, will weigh carefully such requests before responding to them. Only the faculty and staff records manager or their superiors will release such information when authorized.

Requests for information from government agencies or other investigatory bodies resulting from complaints against the university are referred to the attorneys in the office of the general counsel. If disclosure of the staff member's file is forced by subpoena, the staff member will be notified as quickly as possible.

The human resource information systems division of human resources maintains a copy of your university staff personnel file. Payroll and benefit forms, and correspondence regarding your employment relationship with the university are maintained in this file. The file is the property of the university and is available for your review upon request. If you wish to review your personnel file, please call the human resources office to schedule a convenient time.

It is important to keep your file up to date. You should immediately report to human resources any changes in your name, address, emergency contacts, tax withholding, allowances, immigration status, or paycheck disposition. Changes in your family status (marital status, dependents) or designation of insurance beneficiary should also be reported to the benefits division of

human resources. It is your responsibility to make sure that human resources has accurate and up-to-date information. This information enables proper notification as well as compliance with tax reporting regulations required by the Internal Revenue Service.

- T Your personnel record will be kept in the department of human resources. It is important for you to notify that office of any changes in your name, address, telephone number or other personal data.

You have the right to examine and copy the information contained in your own personnel file. Official personnel records for all classified employees are maintained in the department of human resources, where you may view your own file at any time during regular business hours. Your department may also maintain personnel records. If so, you have the right to view your own file at any time during regular business hours. Your designated representative may also view your personnel files.

Your personnel records may also be viewed by university officials who have a legitimate need to review them, such as your supervisor, your prospective supervisor (if you have applied for a promotion or transfer), persons involved in the investigation or settlement of a formal grievance or complaint filed by an employee, and attorneys and others who are investigating state workers' compensation claims.

Under this state's Freedom of Information Act, any citizen of the state may inspect and copy personnel records, except to the extent that disclosure would constitute a clearly unwarranted invasion of personal privacy. Before others are allowed to inspect or copy your files, the following types of information will be removed: social security and income tax information, medical and insurance information, information about retirement annuities, information about family and marital and parental status, unlisted telephone numbers and addresses not intended for publication, and scholastic or academic records.

Your evaluation or job performance records, including your performance evaluations, are disclosed only if there has been a final administrative resolution of a suspension or termination proceeding at which the records formed the basis for the suspension or termination, and there is a compelling public interest in their disclosure.

Within 24 hours of receiving a request for inspection of your personnel records, the university must determine whether the

records are subject to disclosure and must notify you of the request and the determination.

In the event of a law enforcement or agency investigation in which your personnel records are relevant, they made be made available to university attorneys and others involved in the investigation or litigation. Your records may also be made available in response to a lawfully issued subpoena or court order.

- T The university maintains records related to the employment history of all faculty and staff members. The university, recognizing its responsibility to protect employees from unnecessary invasion of privacy, controls access to these employee records. Offices and individuals who have access to information about employees are expected to preserve the confidentiality of this information.

The human resources department maintains individual personnel files for all faculty and staff. These files contain official records of each individual's employment and salary history, career progression, performance evaluations, disciplinary actions (if applicable), and termination of employment.

How to apply for access

Access to personnel records is controlled by staff in the human resources department and/or the office of the president. Access is limited to those who have a legitimate need to use the materials. Those granted access may include current or prospective supervisors. Faculty and staff members also have the right to review their personnel file. A written request or authorization is required in either case, and a convenient time is then scheduled so that a staff member may be present to answer questions or respond to concerns. If errors and/or information with which the individual wishes to take issue have been included in the file, the individual will be given the opportunity to correct these errors or formally record disagreement.

The human resources department verifies factual reference data in response to requests, preferably when accompanied by a written authorization. The data include name, social security number, position held, and employment dates. With written authorization from the individual, the human resources department verifies earnings for credit checks.

If employees or former employees want an evaluative reference, they must submit a signed reference request form to the individual being asked to respond or to the human resources department.

- T The university is responsible for the maintenance of the confidentiality of employee records and files. The director of personnel and director of management information systems have special responsibilities to make these systems as secure as possible and to maintain a departmental structure that strictly limits access to employee records other than on a need to know basis. The university will maintain employee medical records in a separate, confidential file to be released only in accordance with federal and state laws.

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