



California State University Employees Union (CSUEU) at San Francisco State

CSUEU, CSEA Chapter 305 • Service Employees International Union, Local 2579

July 2008

Performance reviews: A positive process that can turn bad

Unfortunately, performance review time is a source of anxiety for both managers and employees alike. Many managers would like nothing else than to forget the whole thing, and many employees often don't object, but there are good reasons for evaluations and skipping them can do harm to all. I would like to take some of the mystery out of the process, explain where it sometimes goes wrong, and promote the healthy outcomes that can result when all parties understand their roles, responsibilities, and rights. Your union wants to empower you to make the process your own.

While the content itself is the judgement of a manager, the process is proscribed by Article 10 of the contract (www.csueu.org). Union activists improved the process a number of years ago as a result of an Unfair Labor Practice filed against the university.

Seen in a good light, the evaluation process is an opportunity for both manager and employee to take a moment, step back and review the past year, look at whether goals were met and set new goals for the coming year. These goals may incorporate the employee's career development path along with ways to improve the operation of the department.

The evaluation process can be valuable, but sometimes things go wrong. The ground rules are simple: permanent employees get a review once a year (probationary employees must be evaluated at the end of the third, sixth, and eleventh months, and temporary employees are evaluated "at periodic intervals") by the supervisor *most familiar* with the employee's actual work (sometimes that supervisor is another rank-and-file, non-management employee, but the process must be supervised by a non-rank-and-file manager, a.k.a. Management Personnel Plan [MPP] employee). You must be evaluated on the basis of the responsibilities contained in your current job description and only for the period noted on the evaluation form—never on duties you didn't know you had. Although this may be a good time to review your job duties for accuracy, as an inaccurate job description leaves an employee vulnerable to exploitation and can even hold back a career, remember that the evaluation only covers current expectations (the *past* description of your duties and responsibilities cannot be altered during the evaluation process unless by mutual agreement). If your evaluator/supervisor has been on the job for only a short time, he or she cannot evaluate your performance, and some other arrangement must be made (usually self-evaluation, but remember *self-evaluations are entirely voluntary*; and, if you do self-evaluate, be fair to yourself; no one is required to be perfect; brutal honesty can be used against you at a later time). The evaluation is not an opportunity for a manager to surprise the employee with previously unknown issues, especially if they lead to discipline. The principle is: the employee must be given the *opportunity* to meet

employer expectations before that employee is *evaluated* on meeting them. If you are blindsided in an evaluation, this may be an indication of a lazy manager or someone who misunderstands what managing employees means and may need the process explained. If this happens to you, contact a steward. Every employee is entitled to a unique, individual evaluation, not one based on how others performed or arbitrary limits (e.g. "No one gets a five around here because everyone needs something to work toward.").

The evaluator must submit a draft evaluation. The employee has five work days to review the draft and provide input back to the evaluator. The contract says the final evaluation *must* reflect this employee input. The individual ratings (1–5) must be whole numbers, however, the overall rating (averaged) may indeed be fractional.

At this point, by request of either party, a meeting must be held (within seven days of the request) to discuss the evaluation. After that meeting, if the employee wishes to, he or she may request a subsequent meeting with the management-level evaluator, the "appropriate administrator" (MPP), and the employee's representative. (Your union recommends that you contact a steward.) This second meeting must be held within 14 work days of the request.

The content of an evaluation cannot be grieved, but the process can be. If any of these steps are not followed, the employee should consult a CSEA representative to determine whether or not this process has been violated and a grievance is appropriate. And, if after the evaluation process is concluded you disagree with the final evaluation you do not have to sign it. At that point, you may do a rebuttal. There is no deadline for a rebuttal. Keep it factual and free from subjective comments. In most instances, you will not want to answer each point. Rather, you should look at the overall themes and rebut those items using facts and figures. The "appropriate administrator" can reconsider the evaluation in light of the rebuttal. If the evaluation is amended, the amended evaluation can replace both the original evaluation and the employee's rebuttal if both parties agree, otherwise the rebuttal becomes part of the employees personnel file along with the evaluation.

If you do receive an unexpected poor review there may be need for some other kind of intervention. While some supervisors consider union involvement as a kind of betrayal, Human Resources encourages you to contact your union with any questions about your working rights.

For more information, see the following three university practice directives: P530C, User Friendly Principles; P530, Performance Management Guidelines; and 530D, Principles of Conduct for a Multicultural University—available on the HR Web site: www.sfsu.edu/~hrwww.

—Russell Kilday-Hicks, Chapter 305 President