

ACTIVITY REPORTING AND PROPOSAL FORM

JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

DATE	6/5/2013
PREPARED BY	Patrick Farrales
OFFICE NAME	<u>Human Resources Services Office</u>
JUDICIAL COUNCIL DIRECTIVE NUMBER	25
JUDICIAL COUNCIL DIRECTIVE	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require immediate compliance with the requirements and policies in the AOC Personnel Policies and Procedures Manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.
SEC RECOMMENDATION	The AOC Executive Leadership Team must order immediate compliance with the requirements and policies in the AOC personnel manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.
RESPONSE (check applicable boxes)	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>All aspects of this directive have been completed. The AOC has drafted a new performance management policy, effective July 1, 2013, which addresses the mandatory performance review of all employees on an annual basis. Details concerning its implementation can be found in the AOC's response to Judicial Council Directive 28.</p> <p>In April 26, 2013, the Judicial Council approved an amendment to Judicial Council Directive 29 to remove the reference to a progressive discipline system in the Directive's language. The AOC Human Resources Services Office has clarified that, as an at-will employer, the AOC is not required to, nor does it routinely, practice progressive discipline like in unionized environments.</p> <p>The AOC realizes that a method to rectify performance issues is still necessary. As such, the amended performance management policy will include reference to the use of a Performance Improvement Plan (PIP) to provide supervisors with a mechanism for remediating issues that they believe can be remedied.</p> <p>Compliance with the rules limiting telecommuting are currently underway within the AOC per Judicial Council Directive 26. The AOC has been monitoring ad hoc telecommute instances since its implementation in March 2013. Beginning in June 2013, AOC employees whose applications to the pilot telecommuting program were approved will be submitting Remote Work Logs to their supervisors on a weekly basis.</p> <p>It should be recognized that the administration and maintenance of policies and procedures is an ongoing process of continuous improvement, and although milestones can be achieved, this is an ongoing process.</p>	

 File Attachment

This directive is forwarded to the Judicial Council with options for consideration:

 File Attachment

Other:

 File Attachment

TIMELINE AND RESOURCES FOR IMPLEMENTATION

**IMPLEMENTATION
DATE OR
PROJECTED
IMPLEMENTATION
DATE**

July 1, 2013

**RESOURCES
REQUIRED FOR
IMPLEMENTATION**

The performance management program will ultimately be incorporated in the AOC's HREMS database, which will allow for automated reminders and online forms and documentation. The AOC already possesses the necessary PeopleSoft module for performance management; an external Contractor has been assigned to incorporate the module into the existing database.

In the interim, tracking and administration of Performance Management will be assigned to existing HRSO staff for a period of at least one complete performance cycle. This will allow time for the AOC to evaluate the program's effectiveness and address any challenges faced before full implementation into HREMS.

The AOC has assigned HRSO staff to receive applications to the pilot telecommuting program and track compliance with the policy through the use of monthly ad hoc telecommuting reports and employee remote work logs. The reports will be distributed, in aggregate, to the Administrative Director on a quarterly basis.

ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)

**PROCEDURES/
POLICIES UPDATED**

The AOC has updated and expanded policy 3.9 - Performance Management Program to reflect the changes to the program.

The amended policy outlines: (1) the purpose of the program, (2) the three phases of the performance management cycle, and (3) the inclusion of a Performance Improvement Plan for employees who experience performance challenges. Additional details concerning this policy can be referenced in Directive 28.

For employees who are experiencing rectifiable performance issues, the Performance Improvement Plan (PIP) will provide supervisors with a mechanism for remediating issues that they believe can be remedied.

On February 26, 2013, the Judicial Council approved a twelve-month pilot

<p>OR DEVELOPED</p>	<p>of the proposed amended policy 8.9, authorizing employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director.</p> <div data-bbox="500 304 820 562" style="border: 1px solid gray; padding: 5px;">  <p>Policy 3 9 Performance Management Program.docx Microsoft Office Word Document 28.2 KB</p> </div>
<p><input checked="" type="checkbox"/> TRAINING UPDATED OR DEVELOPED</p>	<p>The AOC will be holding a series of management courses designed to educate managers and supervisors on the performance review process. There will be three courses offered: Setting Expectations and Documenting Performance, Performance Management: Identifying and Addressing Performance Gaps, and AOC Performance Evaluation Process.</p> <div data-bbox="500 735 820 798" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> SAVINGS</p>	<div data-bbox="500 871 820 934" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> COST</p>	<p>To implement the performance management program into HREMS, a one-time cost for services provided by a Contractor is included as part of the overall costs of the program. The project is currently budgeted at an amount not to exceed \$225,343. Depending on the implementation efforts required, the final cost of the project may be lower than anticipated.</p> <p>Otherwise, no additional costs shall be incurred in this program's implementation.</p> <div data-bbox="500 1186 820 1249" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> EFFICIENCIES</p>	<p>The Performance Management program does not inhibit the at-will employment status of the AOC, nor does the existence of a PIP inhibit the ability of the AOC to discipline or terminate employees who are not meeting performance expectations. These tools are meant to create effective communications that will promote high levels of competency and encourage personal and professional growth opportunities for all AOC employees.</p> <div data-bbox="500 1480 820 1543" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> SERVICE LEVEL IMPACT</p>	<div data-bbox="500 1617 820 1680" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> OTHER</p>	<div data-bbox="500 1753 820 1816" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p>ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL</p>	

ADOC REVIEW	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
EXECUTIVE AND PLANNING (E&P) COMMITTEE REVIEW	
E&P REVIEW	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

Policy Number: 3.9

Title: Performance Management Program

Contact: Human Resources Services Office, Labor and Employee Relations Unit

Policy Statement: The Administrative Office of the Courts (AOC) requires periodic feedback to employees regarding their job performance in an effort to best serve the judicial branch while recognizing employee achievements and contributions to the AOC.

Contents: (A) Employee Performance Management Program
(B) Employee Performance Management Cycle
(C) Performance Improvement Plan

(A) Employee Performance Management Program

The performance management program functions as a method to advance AOC operational objectives while recognizing employee achievements and contributions to the AOC. Managing employee performance is an ongoing communication process between a supervisor and an employee. The communication process is a cycle that includes clarifying expectations, identifying and setting goals, providing feedback, and evaluating performance. Overseeing employee performance and providing feedback is not an isolated event, rather it is an ongoing cycle that occurs throughout the year.

(B) Employee Performance Management Cycle

The employee performance management cycle consists of three phases: planning, feedback, and assessment.

Planning

Supervisors will develop an annual performance plan, using the Annual Performance Plan and Review Form [[hyperlink](#)], to direct employees toward achieving specific goals that support the AOC's operational objectives and the employees' professional success. At a minimum, every employee at the AOC will be evaluated on an annual basis, using the Annual Performance Plan and Review Form.

Supervisors must communicate with employees regarding their performance expectations throughout the year. Supervisors and employees should collaborate on developing performance goals and expectations. Early planning to achieve goals, together with mutual communication, pave the path to a successful working relationship.

Guidelines for Determination of the Annual Performance Plan and Setting an Assessment Meeting:

1. The date of the employee's last step increase will be the designated date for the annual assessment meeting.
2. If the employee's step increase date changes, the new step increase date will become the new evaluation and planning date.
3. If the employee's job classification changes and more than 180 days have passed since the last performance review date, the annual performance plan from the past job classification will be completed by the past supervisor and a new performance plan will be initiated by the new supervisor.
4. If the employee's job classification changes and less than 180 days have passed since the last performance review date, a new performance plan will be initiated by the new supervisor utilizing appropriate information from the past performance review plan.
5. If the employee's supervisor changes during the annual review period, but the job classification has not changed, the new supervisor will be responsible for completing the annual performance review and may consider feedback from the prior supervisor. The new supervisor shall meet with the employee to clarify expectations and may revise the performance plan to meet the needs of the employee's new assignment.

Feedback

Once the performance plan is in place, supervisors are responsible for initiating and providing periodic feedback to employees regarding their job performance. Employees may also request feedback on their performance from their supervisors at any time.

While AOC policy states that employee performance should be formally assessed once a year, it is strongly recommended that employees receive a verbal or written performance assessment and feedback on a more frequent basis. Supervisors should acknowledge employee accomplishments or address needs for improved performance as often as necessary. Feedback should be specific to reinforce positive results or provide guidance in areas that need improvement. Supervisors should utilize collaboration, coaching and feedback to ensure that employees achieve positive outcomes.

Assessment

At the end of the annual performance period, the employee's performance is measured against goals established through the Annual Performance Plan and Review Form in the prior year. This annual assessment meeting is an opportunity for supervisors to communicate with employees regarding their performance over the past year, evaluate employees' job satisfaction, and make plans for employees' performance goals.

At the conclusion of the assessment meeting, the supervisor will ask the employee to sign and date the form that summarizes the employee's performance over the prior year. The supervisor will explain to the employee that the signature acknowledges the contents of their discussion, but is not necessarily an agreement with the supervisor's assessment. Afterwards, the supervisor routes the document to office leadership for final signatures, provides a copy of the signed form to the employee, and sends a copy to the assigned Pay and Benefits Specialist for placement in the employee's personnel file.

(C) Performance Improvement Plan

An employee who is experiencing performance challenges may be placed on a Performance Improvement Plan ("PIP") [[hyperlink](#)] with the goal of identifying areas of improvement as well as guiding the employee to improved performance.

The PIP contents will communicate to the employee: (1) specific areas of work performance that are below expected standards, (2) a plan for improving the employee's work performance, (3) a time frame within which the employee is expected to make improvements, and (4) possible consequences should the employee fail to raise his/her performance to meet the expected standards.

The purpose of the PIP is to inform the employee that certain deficiencies have been detected and to give the employee an opportunity to correct or improve their work performance before further action is taken.