

## ACTIVITY REPORTING AND PROPOSAL FORM

### JUDICIAL COUNCIL DIRECTIVES AOC RESTRUCTURING

<b>DATE</b>	6/5/2013
<b>PREPARED BY</b>	Patrick Farrales
<b>OFFICE NAME</b>	<u>Human Resources Services Office</u>
<b>JUDICIAL COUNCIL DIRECTIVE NUMBER</b>	28
<b>JUDICIAL COUNCIL DIRECTIVE</b>	E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require compliance with the AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC Personnel Policies and Procedures Manual, section 3.9) and that performance appraisals are uniformly implemented throughout the AOC as soon as possible.
<b>SEC RECOMMENDATION</b>	The AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC personnel manual, section 3.9) must be implemented uniformly throughout the AOC as soon as possible.
<b>RESPONSE (check applicable boxes)</b>	
<input checked="" type="checkbox"/> This directive has been completed and implemented:	
<p>Effective July 1, 2013, the AOC will introduce its revised performance management program for all AOC employees.</p> <p>The AOC Human Resources Services Office will outline the performance review process in July 2013, in conjunction with the AOC management training courses. Beginning in July 2013 to December 2013, 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. Once managers and supervisors have had the opportunity to take these courses, the AOC will fully implement the performance review process by January 2014.</p> <p>The implementation of a performance management program throughout the AOC has been developed with the goal of ensuring that employees have the adequate resources and support to succeed in performing their jobs which are essential to the daily functions of the AOC as a support structure for the judicial branch. Effective communication and feedback are essential to both employee performance and customer service. The performance management program provides a mechanism for consistent feedback with formal documentation each year memorializing professional skills competencies as well as project and assignment accomplishments.</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>	



Performance  
Managment Guide.docx  
Microsoft Office Word  
Document  
22.0 KB

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

File Attachment

Other:






File Attachment

**TIMELINE AND RESOURCES FOR IMPLEMENTATION**

<b>IMPLEMENTATION DATE OR PROJECTED IMPLEMENTATION DATE</b>	July 1, 2013
<b>RESOURCES REQUIRED FOR IMPLEMENTATION</b>	<p>The 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.</p> <p>The timing of the performance evaluation will be conducted a year after the last step increase. Staggered evaluations and review of the Performance Plan will be done throughout the year afterwards.</p> <p>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.</p>

**ADDITIONAL IMPLEMENTATION INFORMATION (complete only applicable sections)**

<input checked="" type="checkbox"/> <b>PROCEDURES/</b>	<p>The AOC has updated and expanded Policy 3.9 - Performance Management Program to reflect the changes to the program.</p> <p>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.</p> <p>For employees who are experiencing rectifiable performance issues, the Performance Improvement Plan (PIP) will provide supervisors with a</p>
--	--

<p><b>POLICIES UPDATED OR DEVELOPED</b></p>	<p>mechanism for remediating issues that they believe can be remedied.</p> <div data-bbox="516 254 818 506" 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"/> <b>TRAINING UPDATED OR DEVELOPED</b></p>	<p>As noted earlier, 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> <p>Performance management tools are most effective when the individuals providing the feedback are familiar with the process and understand the value of providing consistent and quality feedback to employees. Over the past five months all members of AOC management have been participating in monthly courses designed to enhance the skills of all supervisors and managers. This training program will focus on performance management best practices and culminate in the introduction of the new performance management tools.</p> <div data-bbox="505 919 818 982" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> <b>SAVINGS</b></p>	<div data-bbox="505 1056 818 1119" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> <b>COST</b></p>	<p>To implement the 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="505 1373 818 1436" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input checked="" type="checkbox"/> <b>EFFICIENCIES</b></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> <p>Technical improvements to the program will also allow for more efficient tracking and processing for employees and their supervisors.</p> <div data-bbox="505 1745 818 1808" style="border: 1px solid gray; padding: 5px;">  File Attachment </div>
<p><input type="checkbox"/> <b>SERVICE LEVEL</b></p>	<div data-bbox="488 1843 1388 1885" style="border: 1px solid gray; height: 20px;"></div>

<b>IMPACT</b>	<input type="text" value="File Attachment"/>
<input type="checkbox"/> <b>OTHER</b>	<input type="text"/> <input type="text" value="File Attachment"/>
<b>ADMINISTRATIVE DIRECTOR OF THE COURTS (ADOC) REVIEW AND APPROVAL</b>	
<b>ADOC REVIEW</b>	Administrative Director of the Courts Review Date: <input type="text" value="6/13/2013"/>
<b>EXECUTIVE AND PLANNING (E&amp;P) COMMITTEE REVIEW</b>	
<b>E&amp;P REVIEW</b>	Executive and Planning Review Date: <input type="text" value="6/17/2013"/>

## **JUDICIAL COUNCIL OF CALIFORNIA**

*Administrative Office of the Courts*

# **PERFORMANCE MANAGEMENT PROCESS GUIDELINES**

The purpose of the Performance Management Process is to support and enhance the long-term success of the organization and its employees. The process focuses on involving supervisors and employees in identifying meaningful performance expectations that support the organization's goals, recognize individuals' contributions, and foster continuous development of employees. The planning and review process is designed to facilitate communication between supervisors and employees. A sample Performance Plan and Review Form is attached to these guidelines for reference.

## **OVERVIEW OF THE PROCESS**

The process begins by planning and defining performance expectations for the upcoming plan period. The supervisor and employee meet to develop an annual performance plan by reviewing the performance factors and expectations necessary to successfully perform the employee's job duties as stated in the job description. As further defined below, performance factors reflect the skills necessary in order to successfully perform the job. Performance factors and specific tasks should be modified to reflect the employee's particular responsibilities. Key objectives, major goals or special assignments should be identified for each performance factor.

The supervisor and employee also create a development plan by identifying action steps that the employee will take to develop and/or enhance his/her job-related knowledge, skills, and abilities. The Annual Performance Plan and Review Form shall be utilized to record the planning and performance review process.

Throughout the planning and development cycle, the supervisor and employee should meet periodically to review progress and update expectations as needed. The planning cycle ends with an overall review of results accomplished during the previous year. Each cycle should last for one year from the date of initiation. However, plans may be adjusted throughout the year to reflect accomplishments, completed projects or areas needing improvement. A Performance Improvement Plan (PIP) may be initiated at any time to identify critical areas needing immediate improvement.

It is the responsibility of the employee's supervisor, manager and office leadership to ensure that all plans and reviews are completed and submitted to the Human Resources Services Office on a timely basis.

## **ANNUAL PERFORMANCE PLAN AND REVIEW**

### **Development of Initial Plan**

The process begins with the development of an initial performance review plan. Plan development can occur when a new employee is hired, when a job classification changes or when an individual transfers to a new unit. The initial plan should consist of a discussion, expectation setting and the development of anticipated duties, projects or goals.

### **Feedback Periods**

It is expected that supervisors will provide feedback to the employee during each review period. The supervisor should reinforce the positive work habits and provide constructive feedback on improving areas where further development is necessary.

### **Prior to Annual Review**

In the month before the formal annual review, the supervisor should provide the employee with an Employee Self-Assessment form [hyperlink]. This form will allow employees to provide comments on their own performance during the past year. This is an informal document that the supervisor will consider when completing the annual review.

### **Annual Assessment Meeting**

Within a month of each employee's annual review date, it is expected that every supervisor will meet with the employee and conduct an interactive meeting where the supervisor will conduct the Annual Review. At the conclusion of the meeting the employee will be asked to sign the review to verify that the review took place. By signing, the employee is not agreeing to the contents of the review, but that the review was conducted.

During the review meeting, if the employee provides new information that may result in modifications to the review; the supervisor may make any desired changes and schedule a follow-up meeting with the employee prior to finalizing the annual review. The follow-up meeting would then take place and the employee would be asked to sign the revised review.

### **Rebuttal Period**

If an employee disagrees with the supervisor's review, he or she may prepare a rebuttal. This rebuttal should be submitted to the supervisor no later than ten business days from the date the employee received the performance review. The employee's rebuttal should be attached to the review and both documents will be placed in the employee's personnel file.

## **Completing the Annual Performance and Plan Review**

### ***1. Performance Factors***

To complete the Annual Performance Plan and Review Form, the supervisor and employee should first review and discuss the performance factors described on the plan. Performance factors should reflect the most significant work responsibilities for the employee during the planning period under consideration.

In preparing the plan, supervisors and employees should review the Professional Skills section. Each area is available for selection through the drop-down menu - when a skill is selected, a descriptor for that skill will appear in the selected area. Supervisors will then determine if the individual “exceeds expectations,” “meets expectations,” or “needs improvement” in each of the selected areas. Please note that, for areas such as punctuality, an “exceeds expectations” is not appropriate since it is a basic job expectation arrive to work as assigned. Any performance factors or specific tasks listed in the drop down menu that are not currently performed and will not be performed during the review period should not be identified.

Each area listed below is available for review. An employee review may include all these areas, but should contain no less than five of the areas listed:

- Technical and Professional Expertise
- Problem Solving
- Computer Skills
- Time Management
- Written Communications
- Verbal Communication
- Initiative
- Setting High Standards
- Relationship Building
- Customer Services
- Organizational Skills
- Punctuality

Additional performance factors and tasks should be added to the employee’s plan if the listed factors do not adequately represent the employee’s responsibilities.

### ***2. Employee Development: Duties, Projects or Goals***

The second, more specific area of the review process is the Duties, Projects or Goals section. In this section the supervisor and employee should identify duties, projects or

goals anticipated to be developed or completed during the next year. When considering an appropriate area to identify, supervisors may consider the following areas:

- Base load/ongoing work
- Time-limited assignments
- Multi-year projects with current milestones
- Special projects and assignments
- Job skills and development expectations
- Organizational skills, communication skills, and working relations
- Supervision, leadership and direction
- Reliability/punctuality (included for non-exempt classifications)

When identifying a duty, project or goal, try to be as specific as possible in the description of the item in the descriptor box. During the initial discussion regarding the performance and development plan, the employee and supervisor should discuss how the factors will be evaluated and weighted.

### 3. *Measuring Performance*

Each performance factor should be an accurate reflection of the employee's performance during the past year. If there is an area where the employee has generally performed well, but has worked through a few rough patches during the year, the rating of "meets expectations" may be appropriate. However, in the comments section, any issues that occurred during the review period should be noted.

Performance on duties, projects or goals should be rated based on the individual performance of that individual during the review period. Key indicators could be:

- *Work Performed:* Quantity, quality, and effectiveness of work, including accuracy, thoroughness, and consistency; time management, meeting deadlines, and compliance with policies and rules.
- *Job Knowledge and Ability:* Job-specific knowledge, skills and abilities; problem identification, analysis, and resolution; decision making; the ability to learn, retain, and apply instructions, policies, and other information.
- *Adherence to timelines:* Were projects or other measurable items delivered in a reasonable timeframe at an acceptable level of quality?
- *Working Relationships:* When completing the project, duty or goal, did the individual work cooperatively with other members of the team or with other stakeholders?

The comment section of the review plan is extremely important for the duties, projects or goals section of the review. Comments should be made in any section where a rating has been reflected. However, managers and supervisors should place special emphasis on areas which received an "exceeds expectations" or "needs improvement" rating. If an



individual has been rated as “exceeds expectations,” list a reason why that rating was provided, cite an example that provides the employee, as well as future supervisors, with the skill or performance that led to this rating. If the employee was rated as “needs improvement,” cite reasons why this rating was provided and give clarifying guidelines on what is needed for improvement. Please keep in mind that this tool is utilized to provide feedback to an employee with the goal of ensuring that all individuals are successful in their job duties.

## **FEEDBACK DURING THE ANNUAL REVIEW PERIOD**

Supervisors should give employees feedback about their performance on an ongoing basis. At a minimum, supervisors should discuss the performance and development plan with the employee after six months. The supervisor and employee should review the employee’s progress toward meeting his or her performance goals. This discussion also provides an opportunity for the supervisor to recognize the employee’s progress to date, as well as to offer direction where needed. Changing business conditions may warrant revising plans and objectives.

## **PERFORMANCE IMPROVEMENT PLANS**

When an employee is experiencing difficulty in either a specific area or in overall performance, the development of a Performance Improvement Plan (PIP) may be implemented to provide the employee with guidance and clear expectations for performance improvement.

The PIP should identify areas of performance needing improvement and strategies on how that improvement could be achieved. The PIP should also identify a timeline of when performance improvement is expected to occur. Failure to demonstrate improvement either during the PIP or at the review date could result in disciplinary action up to and including the possibility of termination.

Issuance of a PIP does not in any way alter the at-will employment status, nor does the timeline for anticipated improvement imply an employment contract.

**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.