



Fitchburg State University Police Department

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| Subject: EMPLOYEE EVALUATION | |
| Reference: IACLEA: 3.1.1; 3.1.2; 3.1.3 MPAC: 35.1.1; 35.1.2; 35.1.5; 35.1.7; 35.1.9 | |
| Effective Date: December 17, 2019 | Revised Date: January 25, 2022 |
| By Order of: Michael J. Cloutier, Chief of Police | |

General Order

3.1.1

GENERAL CONSIDERATIONS AND GUIDELINES

An evaluation of a member's work activities is an important means for management to ensure that continued high standards of performance are achieved by all members. The department is committed to providing feedback to all employees on their level of performance so the employee can work to improve deficient performance, know that the department recognizes good or outstanding performance, and know that documentation of the actual performance will occur.

Oftentimes, certain signs which are detectable in an employee's performance may become evident and may need to be addressed prior to the annual evaluation. By identifying criteria that tend to indicate potential problem areas early, it is possible to save an employee's career.

The use of counseling and remedial training, rather than more formal discipline, may be used to correct rather than punish. The goal is to ensure that issues are addressed in a timely manner, and action addresses the root cause prior to any more substantive impact it may have on the department member, the department itself, or the university.

To achieve this end, and to comply with collective bargaining and department guidelines, it shall be the policy of the Fitchburg State University Police Department to adopt a Performance Evaluation System as follows, (Performance Evaluation forms and instructions can be printed from the University's Human Resources website).

POLICY

It is the policy of the Fitchburg State University Police Department to monitor, evaluate, and take an active role in each department member's professional wellbeing. This is done by

providing an annual evaluation of job performance, monitoring for potential identifiers that may signal an escalating pattern of conduct that would be detrimental to the department members' employment, the department, or the university; and to encourage personal well-being of officer's physical and mental health.

PROCEDURES:

Members of the Fitchburg State University Police Department are either a member of THE ASSOCIATION OF PROFESSIONAL ADMINISTRATORS, MTA/NEA (APA), or a member of the AMERICAN FEDERATION OF STATE AND COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 1067 /COUNCIL 93, AFL-CIO (AFSCME).

As such, each Collective Bargaining Agreement (CBA) stipulates the detail of how an employee evaluation should be conducted. This General Order provides additional guidance to assist supervisors with conducting performance evaluations. The entirety of the three processes can be found in the individual CBA as indicated:

- A. Article 27; Probationary Employees (AFSCME)
- B. Article 31; Evaluation of Employees (AFSCME)
- C. Article IV; Evaluation of Administrators (APA)

I. EVALUATIONS:

A. Once each year, all benefited full-time employees will receive a written evaluation from their immediate supervisor. The employee will be given the opportunity to review the written performance evaluation. The evaluation will be based on the job descriptions/duties of that employee for that prior rating period. Guidelines for evaluations can be found in respective Collective Bargaining Agreements (CBA). The employee will be evaluated for the specific period from the last reported evaluation to submission of the present evaluation, as stipulated in the respective CBA.

- 1. Evaluations for ASCME members will occur within 30 days of the date of the initial service anniversary date and cover the previous 12 months of employment.
- 2. Evaluations of APA members are conducted in accordance with Appendix E of the APA CBA, which provides guidance on both the biannual self-evaluation as well as the annual evaluation conducted by the area supervisor.

IACLEA 3.1.1a; 3.1.2 a / MPAC 35.1.2; 35.1.5 a

B. Entry-level probationary employees (Sworn Officers and Communications) upon hire, will be under the supervision of the "Field Training Program (FTP)." The FTP, to include Daily Observation Reports and evaluation measurements can be found in greater detail in **General Order 6 Training and Professional Development**.

- 1. Probationary employees shall also be evaluated at the completion of the first three (3) months of probationary service and again at the completion of the first six (6) months of probationary service using the prescribed form and process of the annual performance evaluation.

MPAC 35.1.3

C. It is the responsibility of all supervisory personnel to provide professional development to all of their immediate subordinates on an ongoing basis. Supervisors should be familiar with career opportunities, specialized assignments, and training opportunities

available through the department, and periodically coach, mentor, and/or counsel their subordinates about professional development issues.

- D. A copy of the employee's job description shall also be provided to each employee and used while conducting both the evaluation as well as reviewing the supervisory completed performance evaluation with the employee.
- E. A member of the APA (Lieutenants) will conduct all evaluations of AFSCME members (sergeants, officers, and dispatchers).
 - 1. When evaluating officers or those who are not direct reports, the lieutenant should seek input from all direct supervisors.
 - 2. Once input is received and incorporated into the evaluation, the lieutenant will submit the evaluation to the Chief of Police for additional input and feedback.
 - 3. Once all members of command staff have an opportunity to provide feedback and insight, the final version will be reviewed with the employee.

IACLEA 3.1.2 c / MPAC 35.1.5 c
 - 4. The employee's immediate supervisor will review and discuss the evaluation with the employee, and then forward the form to the next level for review after the employee and supervisor both sign the evaluation. *IACLEA 3.1.2.d / MPAC 35.1.5 d*
 - a) The employee receiving the evaluation as an opportunity to provide comments to each evaluation prior to signing the evaluation.
 - 5. The supervisor will then forward it to the Chief of Police.
 - 6. The Chief of Police will review and sign the form and submit it to the Office of Human Resources for placement in the employee's Personnel File.
- F. A copy of the Evaluation will be made available to the employee.

IACLEA 3.1.1 c & d / MPAC 35.1.1 b 35.1.5 e

II. Measurements Used in Evaluation

The areas of evaluation are based on the individual Collective Bargaining Agreements and are as follows:

- A. Those employed under the American Federal Municipal County State Employee (AFMCSE) Contract will be evaluated using the following criteria:
 - 1. Performance Evaluation for Classified Employees
 - a. Quality and Quantity of Work;
 - b. Work Habits;
 - c. Work Attitudes;
 - d. Working Relationships with Others; and,
 - e. Supervisory Ability (if an employee supervises others).

2. Each of the above sections shall have a comment box that allows a narrative explanation. An explanatory statement should be included when performance in a given section is unsatisfactory (Unacceptable) or outstanding (Commendable)
IACLEA 3.1.2 b / MPAC 35.1.5 b

3. The evaluation will be rated using the following scale:

- a. **Not Applicable:** Not applicable to the job
- b. **Unacceptable:** Many goals unrealized or many tasks not performed
- c. **Needs Improvement:** Below average performance but improving and potentially acceptable
- d. **Competent:** Average performance; meets departmental standards
- e. **Above Standard:** Performs all tasks above departmental standards
- f. **Commendable:** Accomplished all goals or performed all tasks and excels in a substantial manner

- B. Those employed under the Administrative Professional Association (APA) Contract will be self-evaluated using the following criteria:

1. Bi-Annual Report to Administrative Supervisor:

- a. Accomplishments/successes during this reporting period:
- b. Challenges during this reporting period:
- c. Project updates, planning, or review this reporting period:
- d. Professional development activities – seminars, lunch & learns, lectures, etc.
- e. Process improvements, efficiencies, or suggestions:

2. Annual Performance Evaluation:

- a. Year in Review
 - i. Accomplishments and Success
 - ii. Areas for Improvement or Challenges
 - iii. Strategic Goals
 - iv. Goals for the upcoming year
 - v. Professional Development Plans
- b. Professional Competencies
 - i. Leadership/Management
 - ii. Communication/Interpersonal Skills
 - iii. Responsiveness
 - iv. Teamwork
 - v. Problem-solving/Judgement & Discretion

3. APA Evaluations do not utilize a rating scale, yet uses a narrative form of describing the performance of the administrator against his job duties.

IACLEA 3.1.1b / MPAC 35.1.1 a

III. UTILIZATION OF PERFORMANCE EVALUATION FORMS:

The **Performance Evaluation Form** will be utilized to identify areas that may require retraining, assist in the selection of employees for advanced training, assist in determining

personal career goals and objectives, and as an aid in selecting employees for special assignments. During the interview with his/her immediate supervisor, the employee should be counseled in results of the evaluation just completed, levels of performance expected, goals for the new rating period, future training, advancement possibilities, and any specialties the employee may work toward. **The form will not be used for any disciplinary purpose.** *MPAC 35.1.7*

A. Each Performance evaluation should be completed as instructed in the respective Collective Bargaining Agreement. When it comes to what materials and/or evidence that may be considered, the following shall apply:

1. AFSCME evaluations shall follow Sections 4 of Article 31
2. APA evaluations shall follow Section D of Article IV

IV. RATER/ EVALUATOR TRAINING:

All supervisory personnel will receive instruction in the performance evaluation process. This instruction will include methods of evaluation, rater responsibilities, counseling techniques, and standard procedures for the completion of the Performance Evaluation Form(s). This training will be conducted either by Human Resources or by a member of the Fitchburg State University Police Department's Command Staff, or both.

IACLEA 3.1.1 f / MPAC 35.1.1 d

V. RESPONSIBILITY OF RATER/EVALUATOR:

It will be the responsibility of the Rater/Evaluator to conduct each employee evaluation in an **impartial and objective manner**. The evaluation should be as complete as possible. Every attempt should be made to ensure that an employee receives recognition for outstanding work performance, as well as areas, which may need improvement.

IACLEA3.1.1e / MPAC 35.1.1 c

VI. RATER EVALUATION:

Raters will be evaluated by their supervisors **regarding the quality of the ratings they gave** to the employees they supervise and rate. The rater's supervisor shall review the performance evaluation to ensure fairness and impartiality, the rater's participation in counseling and guiding the employee, and that the evaluation itself adequately outlines the job responsibilities and performance expectations regarding the employee.

IACLEA 3.1.2c / MPAC35.1.8

VII. INTERVIEW WITH IMMEDIATE SUPERVISOR:

During the interview with the immediate supervisor, the evaluated employee will be given the opportunity to review, read, and sign his/her Performance Evaluation Form(s) indicating that the supervisor's comments have been read. The evaluated employee will be advised by his rater of the level of performance and expectations that will be expected of the employee during the next rating period, and also what criteria will be used to evaluate the employee. In addition, the employee may choose to comment in writing on the form or on an attachment concerning the entire evaluation or any specific area. This session must be held in a restricted private area.

IACLEA 3.1.2 d / MPAC 35.1.7

VIII. APPEAL PROCESS:

An employee may not grieve the substance of his/her evaluation, except where such evaluation results in a negative action. Any grievance will follow the grievance process outlined in their CBA. MPAC 35.1.5 g

IX. NOTICE OF UNSATISFACTORY PERFORMANCE:

Any time during the evaluation period, if any employee's performance is felt to be unsatisfactory in any area, his/her supervisor should notify the employee in writing, advising the employee to correct his/her performance. Supervisors are expected to attempt to correct deficiencies of their subordinates on an on-going basis. In all cases such notification of unsatisfactory performance shall be given to the employee within a reasonable time (at least 90 days) prior to the end of the rating period, which would allow the employee an opportunity to correct their deficiencies. MPAC 35.1.6

X. PERSONNEL EARLY INTERVENTION WARNING SYSTEM:

A comprehensive Personnel Early Warning or (Intervention System) is an essential component of good discipline in a well managed law enforcement agency. This order establishes a system to identify agency employees who may require intervention efforts.

The department should not be faced with investigating an employee for a serious incident involving misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. As such when a pattern of conduct or behavior is identified as a possible "red flag" it should be reported to the employee's immediate supervisor.

A. Provisions to initiate a review based on current patterns of collected material:

1. When the level of significance or frequency of identified incidents is determined to be beyond that which is typically observed, a shift supervisor or a lieutenant may request a PEWS review. A PEWS review may also be requested based on a single significant incident.
2. The Chief will determine whether to initiate a PEWS review based on the supervisor's input and assign an appropriate command staff member to conduct the review. Materials to be evaluated during a PEWS review may include, but are not limited to:
 - a) Past Performance Evaluations
 - b) Internal Affairs investigations
 - c) Citizen complaints
 - d) Disciplinary action
 - e) Use of Force incidents
 - f) Motor vehicle pursuits
 - g) Supervisory and employee reports
 - h) Sick time usage/officer injury (temp disability)
 - i) Tardiness/Absenteeism
 - j) Interference/Obstruction/Resisting charges
 - k) Assault on officer/employee
 - l) Officer injury report
 - m) Vehicle accidents
 - n) Civil litigation

IACLEA 3.1.3 b / MPAC 3.1.9 a

- B. The role of a supervisor in this process is critical to its success. Supervisors have daily contact with subordinates and are best positioned to observe when issues with conduct or behavior arise. Supervisors should be vigilant for concerns about subordinates and report through the chain of command.
1. Supervisors should meet with their employee to discuss the suspected issues of concern and determine if there are mitigating circumstances or a need for department intervention.
 2. Supervisors are required to report and document subordinates conduct and behavior when in violation of law or department policy. Other times where no violation has occurred, a supervisor should make note of any conversation or counselling made.
 3. When a supervisor reasonably believes, after a review of the collected materials and meeting with the employee, that remedial action is needed, the supervisor will inform the Chief of the findings. The Chief will review the findings and recommend a course of corrective action.
 - a) A supervisor may suggest remedial training to subordinates at any time, to aid in their professional development.
 - b) Lieutenants will both assist the front line supervisors (sergeants) in their own development, but will also receive updates on employees that the sergeants supervise.

IACLEA 3.1.3 a & c / MPAC 35.1.9 b & d

- C. Remedial action may be in the form of positive discipline through training or counseling, and/or punitive in nature in conformance with progressive discipline described in Collective Bargaining Agreements. All remedial action should be documented, and evaluated on its success of intended outcomes.
- IACLEA 3.1.3 d / MPAC 35.1.9 e*
- D. The Employee Assistance Program offered through the university offers services to employees facing a range of issues that may be of assistance.

See their website at: <http://www.fitchburgstate.edu/offices-services-directory/human-resources-payroll/employee-assistance-program>.

“The Employee Assistance Program or "EAP" is a pre-paid benefit that provides short-term counseling and, when needed, referral services to Fitchburg State University faculty and staff, and their household members. This free service is provided by AllOne Health. The EAP is staffed by licensed counselors who respond quickly to your request for help in a caring, respectful and confidential manner.

Chapter 3 - Personnel Services

- 1. An EAP counselor will listen, help sort through issues, feelings and goals, and work with you to find solutions. Referrals to other services can be provided; most are covered entirely or in part by health insurance. The EAP works with people facing everyday life challenges, including:
 - a) Financial Assistance
 - b) Legal Assistance
 - c) Counseling Referrals
 - d) Information and Other Referral Services

IACLEA 3.1.3 e / MPAC 35.1.9 f

- E. Annually the Chief and a designee should review all PEWS issued during the year to see if early intervention efforts were successful, or if further progressive discipline had to occur. This review should be documented to include how many early interventions were conducted, and did they lead to progressive discipline.

IACLEA 3.1.3 f / MPAC 35.1.9 c

Approval:



Chief of Police

01/25/2022
Date