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To maximize the impact of pro bono engagement by connecting a network of attorneys with nonprofits in need of free business legal services.





Pro Bono Partnership of Atlanta Eligibility & Other Information

- In order to be a client of Pro Bono Partnership of Atlanta, an organization must:
 - ✓ Be a 501(c)(3) nonprofit organization.
 - ✓ Be located in or serve the greater Atlanta area.
 - ✓ Serve low-income or disadvantaged individuals.
 - ✓ Be unable to afford legal services.
- Visit us on the web at www.pbpatl.org
- Host free monthly webinars on legal topics for nonprofits
 - ✓ To view upcoming webinars or workshops, visit the Workshops Page on our website





Objectives of Webcast

At the conclusion of this webcast, you will know:

- The benefits of conducting regular employee performance evaluations;
- The "Don'ts" of conducting employee evaluations;
- Best practices for conducting more thorough and legally sound employee evaluations;
- The impact of employee evaluations in litigation;
- How to evaluate the problem employee; and
- What to do when an employee disagrees with your evaluation





What Is An Employee Evaluation?

- A formal written assessment and review of an employee's job performance during a particular period, and in relation to certain preestablished criteria and organizational objectives.
- An employee evaluation is typically performed on a regular basis (once or twice a year) as determined by the organization.





Should Your Organization Conduct Employee Evaluations?





Quality is impossible if people are afraid to tell the truth.

- W. Edwards Deming





Why Conduct Employee Evaluations?

- Provides a way for managers/supervisors to help achieve agency missions, goals and objectives;
- Improves communication with employees;
- Provides written documentation to support personnel decisions, and of employee performance in general;
- Helps employees know clearly what their job duties are and what is expected from them;





Why Conduct Employee Evaluations?

- Allows managers and supervisors to measure the productivity of their employees in executing their duties;
- Improved employee productivity;
- Enhanced quality of employee workforce; and
- > Employee development;





Employee Evaluations Should Address the Following Questions

- What was the employee expected to accomplish?
- Was the employee provided the tools necessary to accomplish expected tasks?
- What did the employee actually accomplish?
- How did the employee achieve these accomplishments?
- What was expected of the employee that was not accomplished, and why?
- In what areas of performance does the employee need to improve?





Preparing to Conduct Employee Evaluations





Preparing to Conduct Employee Evaluations

- ➤ Know the organization's objectives and strategic plan for the next year, or review period;
- ➤ Know the employee's major accomplishments during the review period;
- ➤ Be aware of the employee's development efforts in the past review period;
- ➤ Be aware of problems with the employee's performance during the current review period;





Preparing to Conduct Employee Evaluations

- Be prepared to support negative feedback with documentation, if relevant or applicable;
- Determine whether the evaluator can conductive an objective and unbiased evaluation of the employee; and
- ➤ Be clear about whether the employee is being compared to his/her colleagues or against a pre-determined standard.





Types of Employee Evaluations





Types of Employee Evaluations – **Ratings Scale Method**

Ratings:

- Unsatisfactory
- Needs Improvement
- Meets Expectations
- Excellent
- Outstanding:

CONTENTS OF PERFORMANCE APPRAISAL FORM:

1. Quality of work

- Accuracy, thoroughness, effectiveness.
- Pressure, ability to meet standards of quality.
 Use of time and volume of work accomplished.
- Work output matches the expectations

2. Quantity of work

 Competence, thoroughness, and efficiency of work regardless of volume.

3. Teamwork:

- Establish and maintain effective working relationships
- Follows instructions of supervisor and responds to requests from others in the team in a helpful manner.





Types of Employee Evaluations – Essay Method

Sample essay questions:

- 1. Describe the employee's accomplishments for this review period.
- 2. Describe the employee's strengths.
- 3. Describe the overall quality of the employee's written work?
- 4. Give examples of the employee's strengths?
- 5. Provide examples of the employee's weaknesses?
- 6. Are there areas in which the employee needs to improve upon his/her performance?





Problems in Performance Evaluations





Problems in Employee Evaluations

- Errors In rating
- Stereotyping/Personal bias
- Failure to communicate standards
- Failure to give timely feedback
- Failure to allow employees to correct performance
- Inconsistency in measuring performance
- > Failure to document performance objectively





Avoiding Discrimination in Employee Evaluations

- In general, the behaviors or characteristics measured by a performance appraisal should be related to an employee's job and the employee's success on the job.
- Accordingly, employee evaluations should never be based on an employee's race, sex, color, religion, or any other protected characteristic, but only on whether the employee meets the standards of performance.









- Develop an evaluation form that relates to the employee's job;
- Complete evaluations on a regular basis for employees;
- Avoid the use of completely vague and subjective evaluation criteria
 use descriptive and objective criteria;
- Train managers and supervisors on how to conduct employee evaluations;
- Always conduct evaluations in writing never verbal;





- Compliment good performance;
- Identify and address problem performance;
- Create new performance goals;
- Include observations, not assumptions;
- > Be brief, but complete;





- Avoid Bias;
- Give employees the opportunity to review the evaluation and comment in writing;
- Require employees to review and sign evaluations after they have reviewed and commented; and
- Follow up with the employee regarding any reports, inferences and/or allegations of discrimination, harassment, retaliation or other illegal treatment.





Best Practices – Documenting Employee Performance

- Document performance of all employees;
- > Provide complete and accurate information;
- Document performance on a regular basis; and
- Make sure documentation is objective.





What NOT To Do When Conducting Employee Evaluations

- Lightheartedness
- Surprises
- Lack of Preparation
- Insensitivity
- Discrimination/Harassment
- Retaliation





What NOT to say when evaluating employees – Example

- **Supervisor:** Employee, I would like to conduct your semi-annual performance evaluation. I will start by commending your performance since your last review. However, there are some issues with your performance that we must address.
- **Employee:** What areas?
- Supervisor: We've received complaints from managers about your attitude and the quality of your work.
- **Employee:** Can you be more specific about the complaints? When did you receive them?
- Supervisor: I received the first complaint about four months ago, and receive others weekly.
- **Employee**: This is the first time anyone has said anything to me about the complaints.
- Supervisor: We are discussing the issue now. Further, your co-worker has not had as many complaints as you. Also, in my opinion, I don't think you like your work or me because you don't talk to me as much as you talk to other people.
- Employee: I don't have anything against you, but I don't think it is appropriate to chat with my supervisor. Again, can you please show me documentation of the complaints or at least be more specific so that I know how I might improve?





What NOT to say when evaluating employees – Example 1, continued

- Employee was not given any notice between the last employee evaluation and the current one about problems with performance
- Supervisor compared Employee's performance to that of a coworker.
- Supervisor made the employee's evaluation personal.
- Supervisor was vague and nonspecific in the evaluation.
- Supervisor did not produce documentation to support review





How To Avoid Legal Problems When Conducting Employee Evaluations

- Counsel supervisory employees to create a thorough and accurate record regarding employee performance.
- > Be candid in assessing strengths AND weaknesses.
- Document, and relay to employee, failure to meet legitimate requirements or expectations of the job
- Consistent evaluations;
- Utilize witnesses for evaluations;
- Follow discipline policy, if applicable; and
- Remember that "no good deed goes unpunished".





QUESTIONS?





For More Information:

If you would like more information about the services of Pro Bono Partnership of Atlanta, contact us at:

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