

<b>DOUGLAS COUNTY SHERIFF'S OFFICE</b>		<b>Policy and Procedure</b>
<b>Specific Personnel/ Administrative Policies</b>		<b>P&amp;P-D-100</b>
<b>Employee Evaluations</b>		
Effective Date: 03-28-22 Supersedes: 04-29-21	Approval: Sheriff	Number of Pages: 8
References:	Reevaluation Date: Annually or as needed	Standards: CALEA LE 35.1.1, LE 35.1.2, LE 35.1.4, LE 35.1.5, LE 35.1.6, LE 35.1.7, LE 35.1.8 COM 3.4.1,3.4.2, 3.4.3, 3.4.4, 3.4.6, PREA 115.17

## I. POLICY

It is the policy of this Office that supervisors shall periodically evaluate their subordinates' performance using standardized measures. The evaluation is intended to provide an objective measurement of performance; to provide an opportunity to reinforce productive job behaviors; to identify and correct unsatisfactory performance, training, or education; and to identify potential for growth and promotion among employees. All employees promoted to supervisory status will receive training in the proper employee evaluation process before evaluating subordinates. <LE 35.1.1c >> LE 35.1.1d> <COM 3.4.1d> The evaluations occur in the Talent Center, which is accessible from DCSONet, and if properly provisioned, from a smartphone.

## II. EMPLOYEE MEASUREMENT DEFINITIONS

### A. For all employees/members -

#### ***Exceptional:***

Performance significantly and consistently exceeds expectations in all essential areas of responsibility, resulting in an overall superior quality of work. Work is a consistent model of excellence. Acts as a resource, by providing guidance and help to others. Takes initiative to anticipate and resolve potential problems. Regularly identifies improvement opportunities.

#### ***Successful:***

Performance consistently exceeds expectations in all essential areas of responsibility, and the overall quality of work is excellent.

#### ***Proficient:***

Performance meets expectations in essential areas of responsibility. The overall quality of work is good to very good.

#### ***Developing:***

Performance did not consistently meet expectations and may indicate that the employee is still learning his/her role. The employee is making progress toward meeting expectations.

***Needs Improvement:***

Performance did not meet expectations in one or more essential areas of responsibility, and/or one or more critical goals was not met. Requires continued guidance and supervision to complete job duties, exhibit expected behaviors, and/or achieve results. Immediate and consistent improvement is needed. <LE35.1.1a><COM3.4.1>

**III. PROCEDURE**

**A. Evaluation Process**

All employees and reserve deputies (except for the Sheriff) will be evaluated either:

**1. Semiannually**

- 1<sup>st</sup> Six Month [October 1 - March 1]
- 2<sup>nd</sup> Six Months [April 1 – September 30]

The 2<sup>nd</sup> Six Month Evaluation will be considered the Annual Performance Evaluation – Completed during the month of October

All civilian managers, lieutenants, captains, chief deputies, and the Undersheriff.

**2. Annually**

Annual evaluations should be completed each year following the same rating period cycle (*month of the year*) that the members are currently in (anniversary date). Employees shall have an evaluation rating period of no less than every twelve months. \*

All Sheriff's Office members who are not cited as part of the semiannually category above.

Evaluations will be completed by their immediate supervisor in accordance with this policy. All employees' semiannually or annual performance evaluations will be documented. The DCSO Talent Center Performance Evaluations will be used to evaluate all employees. <LE 35.1.1b><LE 35.1.2><COM 3.4.1b-c><COM 3.4.2a>

As noted above, civilian managers, lieutenants, captains, chief deputies, and the Undersheriff are evaluated semiannually to provide timely feedback on the duties, responsibilities, expectations, and progression on goals. The semiannual evaluation is done to hold these upper-level management positions to a continuous and high standard of performance.

Employees will be evaluated on their performance in the assignment held during the evaluation period. Ratings of **Successful** and **Exceptional** require supporting documentation in the narrative portion.

Any evaluation that has **Needs Improvement** as the overall rating should be marked as a **NOTICE Evaluation (see below)**, must have the written reason(s) for

the rating, and a **Performance Improvement Plan (PIP)** must be initiated if a **PIP** has not already been started. The PIP is also documented within the DCSO Talent Center.

3. **Special Evaluations:**

*Note: A special evaluation will be completed as part of any transfer to a new supervisor due to a change in status or assignment. <COM 3.4.1c>*

- a) **Quarterly Probationary Evaluation.** <LE 32.2.10> All personnel, including reserve deputies, are initially hired on probationary status for a prescribed period (see below). Members may be placed back on probationary status because of disciplinary action and be subject to the same conditions as probationary members when first hired.

A promotion or demotion (a skill level change other than reclassification) will be cause for the employee to be placed on a six (6) month probationary period.

- b) **Transfer Evaluation.** When an employee is transferred to another assignment a **Transfer Evaluation** will be completed contemporaneously with the transfer with the prior supervisor completing it within thirty (30) days of the employee's transfer.

A **Transfer Evaluation** is completed to capture the performance rating and memorialize the work completed for this portion of the member's rating period. When logical, the **Transfer Evaluation** may be combined with the time-appropriate, **Notable, Semiannual, or Quarterly Evaluation**. It is expected that whenever there is a divisional change resulting in a crossover of supervision within a rating period that the performance of both assignments will be evaluated through a joint effort of the supervisors from each assignment. This is easily done by adding the additional supervisor as a co-planner within Talent Center. <LE 35.1.4><LE 35.1.5a><LE 35.1.5b><COM 3.4.1b-c><COM 3.4.2b>

- c) **Notable Evaluation.** When an employee has completed or performed a special function or assignment and it is felt by the COC that this should be memorialized outside of the standard evaluation. A **Notable Evaluation** may be combined with the time-appropriate first period **Semiannual Evaluation**. A **Notable Evaluation** is intended to capture remarkable work and/or work product on behalf of an employee/member. A **Notable Evaluation** may transpire based on a member's distinguished effort on complex and sustained special assignment(s)/project(s).

*Note: A Notable Evaluation should be completed when an employee promotes and is a substitute for a Transfer Evaluation under this condition.*

- d) **NOTICE Evaluation.** When a member's performance falls into a **Needs Improvement** rating a **NOTICE Evaluation** should be completed. A

***NOTICE Evaluation*** is intended to make the member aware that their performance has dropped into or remains in the rating category that indicates that they are no longer meeting the requirements of their job and immediate improvement is required.

In most instances, a **Performance Improvement Plan (PIP)** is drafted within the Talent Center to provide guidance to the member receiving the ***NOTICE Evaluation***. A ***NOTICE Evaluation*** may follow or be the result of an unsuccessful **PIP**. A ***NOTICE Evaluation*** and/or a PIP is not a required precursor to take disciplinary action of any kind against a member for violations of policy - including Unsatisfactory Performance. A ***NOTICE Evaluation*** should be completed when an employee is demoted (not by choice) and in this instance substitutes for a ***Transfer Evaluation***.

**\*While the Office is transitioning to the Talent Center, members that are on an anniversary date Performance Evaluation will be evaluated in the Talent Center on or before their scheduled anniversary date up to the Office's overall Annual Performance Evaluation ending date of September 30<sup>th</sup>. If prior to the September 30<sup>th</sup> date, the member will receive a second Annual Performance Evaluation ending on September 30<sup>th</sup> (the evaluation is completed during the month of October). This is done to reset the 12-month period for the entire Office to one annual date for all members. The content of the previous Performance Evaluation can be carried over to the standard Annual Evaluation ending on September 30<sup>th</sup>, to include any updates needed. Each of these will be launched in the Talent Center by a member of Professional Standards**

**Within the Talent Center, a supervisor can create a preset goal titled Performance Notes, which will remain open during the evaluation period and will automatically transfer all entered notes into the Annual Performance Evaluation. NOTE: Only document items in this preset goal that are intended to appear in the member's official Annual Performance Evaluation.**

## **B. Supervisor Duties When Evaluating Members**

While explaining the results of the written performance evaluation, supervisors will counsel their employees on the level of performance expected during the next rating period and as well as the goals of the employee. Career counseling and suggested training will also be discussed with the employee during the evaluation and noted on the written evaluation in the designated field. <LE 35.1.7><COM3.4.1c><COM3.4.3>

Paramount to supervisory personnel is the evaluation of their subordinate's performance. Supervisors will be evaluated regarding their fairness and impartiality of ratings given, their participation in counseling rated employees, and their ability to carry out the rater's role in the performance evaluation

system. The supervisors will ensure that the raters apply ratings uniformly. Each supervisor evaluation needs to have documented within the narrative portion that as a supervisor they fairly and impartially evaluate their subordinates. <LE 35.1.8><COM 3.4.1c><COM 3.4.6>

The employee will review their evaluation with their supervisor and may also add written comments within Talent Center. The employee will receive a copy of the completed evaluation within the Talent Center. The member's evaluation is available for review at any time by employee's Chain of Command (COC). Talent Center documents the signature of employee and the supervisor(s). All past reviews completed in Talent Center and are available for examination by the member, the member's Chain of Command, and Command Staff in Talent Center. <LE 35.1.5c><LE 35.1.5d><LE 35.1.5e><COM 3.4.1b-c><COM 3.4.2c-e>

IAU personnel conducted criminal background checks annually on all employees and reserve deputies. <115.17>

**C. Probationary Employees** <LE 32.2.10>

All newly hired probationary Sheriffs' Office personnel (including volunteers) are required to be evaluated every Quarter.

All personnel, including reserve deputies, are initially hired on probationary status for a prescribed period. Members may be placed back on probationary status as a result of disciplinary action and be subject to the same conditions as probationary members when first hired. The probationary period is:

Commissioned Personnel	One (1) Year
Dispatcher	One (1) Year
Lab Technician	One (1) Year
Detention Specialist	One (1) Year
Other Civilian Personnel	One (1) Year

A promotion or demotion (a skill level change other than reclassification) will be cause for the employee to be placed on a six (6) month probationary period. All ***newly promoted or demoted*** probationary employees will receive a quarterly evaluation from their immediate supervisor during the first six (6) months of their promotion or demotion. All ***newly hired*** probationary employees, **including reserve deputies**, will receive a quarterly evaluation from their immediate supervisor during the first year of their employment. The [Probationary Quarterly Employee Evaluation Form](#) will be used for this purpose. <LE35.1.1b><COM 3.4.1b-c>

**IV. DISSEMINATION/FILING OF COMPLETED EVALUATION REPORTS**

A. All evaluation reports will become a permanent part of the employee's Office personnel file. A copy of all evaluations will be maintained in the employee's file along with the supervisor documentation relating to the evaluations. All evaluations and supervisory documentation are kept in the Talent Center. <LE 35.1.5g><COM 3.4.2g>

- B. All FTO packages will be forwarded to Professional Standards upon the successful/unsuccessful completion of the program or when the final *Daily Field Activity Report* is completed and will be imaged.
- C. A copy of the completed evaluation report will be provided to the employee. This copy is available to the employee in the Talent Center.

**V. WRITTEN NOTIFICATION OF NEEDS IMPROVEMENT PERFORMANCE RATING**

Written notification shall be provided to any employee whose performance is rated as *Needs Improvement* at any time during the rating period. Section (III) (3) (c) of this policy covers when and how to complete a *NOTICE Evaluation*. The *NOTICE Evaluation* shall be provided to the employee in the Talent Center at least 90-days before the annual evaluation if a *Needs Improvement* performance rating is present unless the *Needs Improvement* behaviors fall within the 90-days before the employee's annual evaluation. It is the intent to provide adequate time for the employee to re-mediate *Needs Improvement* performance. <LE 35.1.6><COM 3.4.4>

This same concept is inherent in the quarterly or semiannually evaluation process, both for probationary employees and upper-level management. Being evaluated every 90-days provides this same notification of a rating that falls into the *Needs Improvement*.

**VI. APPEAL PROCESS**

Any employee who wishes to contest the content(s) of an evaluation shall, within five (5) business days of receipt of the evaluation, forward a memorandum to their division captain (or equivalent), through their Chain of Command, substantiating the basis for appeal. The Chief Deputy shall act as the appellate authority for all personnel below the rank of captain.

The Undersheriff shall be the appellate authority for the rank of captain or civilian manager who wants to contest the contents of their evaluation and the Sheriff shall be the appellate level for chief deputy or any positions that report directly to the Undersheriff. The decision of the appellate authority shall be rendered in writing to the employee within five (5) business days of receipt of the memorandum contesting the evaluation and shall be considered final. <LE 35.1.5f><COM 3.4.2f>

**VII. SALARY ADJUSTMENT**

Douglas County Human Resources publishes the Annual Compensation Plan, which is accessible on DCNet. Salary adjustments are based, in part, utilizing the Annual Compensation plan, the budgeted amount available within the annual merit pool, and supervisory input through performance evaluations. Executive Command Staff and more specifically the Undersheriff oversee and have final approval on all salary adjustments.

Commissioned members at the ranks of deputy and sergeant have their compensation set within the Law Enforcement Tiers, which is published in the above-mentioned Annual Compensation. Every deputy hired or sergeant promoted

is placed in the proper Law Enforcement Tier based on applicable years of service by the Personnel Coordinator and approved by the Undersheriff or designee.

Every salary adjustment is documented within the employment records of the member.

An employee receiving an evaluation marked as overall *Needs Improvement* may not receive a pay raise during the annual December merit increases or Law Enforcement Tier movement. For any employee not yet being evaluated in the standard annual performance evaluation ending on September 30<sup>th</sup>, and receiving a *Needs Improvement* evaluation during the first half of a calendar year, a **Special Evaluation** will be submitted by December indicating if most of the year was overall *Proficient* or *Needs Improvement*. If most of any calendar year is deemed to be *Needs Improvement*, the commissioned employee will not advance to the next Tier, or if civilian, the employee will not receive a salary increase. If a subsequent *Needs Improvement* evaluation is completed, an *Unsatisfactory Performance* Internal Investigation (IA) will be initiated, and the employee may be subject to demotion or termination. Waiting to address the *Needs Improvement* performance until a subsequent evaluation has been written is not required by this section; however, if the subsequent evaluation with a *Needs Improvement* occurs, this section requires an IA.

\*This does not include any market changes in the Commissioned Tier plan where there is an increase within tier structure. Commissioned employees should NOT fall in-between Law Enforcement Tiers. If the Law Enforcement Tier plan moves upward, the employee will still move within their Tier, even with a *Needs Improvement* evaluation, but they will not move to the next Tier.

\*\*An overall *Developing* evaluation is NOT *Needs Improvement*. However, categories rated in *Developing* should only be done so for an employee for the first or second year within a position or assignment. After that time, an employee who is overall *Developing* should be re-categorized as overall *Needs Improvement*.

#### A. Performance Improvement Plan (PIP)

Non-commissioned and commissioned employees currently on active Performance Improvement Plan (PIP), although they received an overall **Proficient** evaluation during the year, will not receive a pay raise or advance to the next Tier until the Performance Improvement Plan (PIP) is completed successfully.

### Commissioned Employee Tier Plan Evaluation and Pay

Throughout Current Year	Evaluation	December of Current Year Pay	
Completion of # of years of service during current year results in below top tier or will become top Tier upon advancement	<b>Proficient or above</b> evaluation at any time that year	Movement to next Tier+ Market movement if available	
Completion of # of years of service results in below top Tier or will become top Tier upon advancement	<b>Needs Improvement</b> evaluation within the first 6 months of the year.	Special Evaluation conducted to see if most of the year is <b>Proficient</b> or <b>Needs Improvement</b>	<ul style="list-style-type: none"> <li>• <b>Proficient:</b> Tier movement and Market movement if available</li> <li>• <b>Needs Improvement</b> no Tier movement but Market movement if available</li> </ul>
Completion of # of years of service results in below top Tier or will become top Tier upon advancement	<b>Needs Improvement</b> evaluation within the last 6 months of the year.	No movement to the next Tier. Market movement within that Tier if available.	
Commissioned Employee is already at Top Tier	<b>Proficient</b> evaluation anytime that year	Market movement within that Tier if available	
Commissioned Employee is already at top Tier	<b>Needs Improvement</b> evaluation anytime that year	Market movement within that tier if available	The employee should already be on a PIP, which should result in an improvement to Proficient at the next evaluation. If not, and another year is <b>Needs Improvement</b> , an <i>Unsatisfactory Performance</i> IA should be initiated if not already done, and the employee should be subject to possible demotion or termination.

By Order of the Sheriff