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Employee Performance Appraisals

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ABSTRACT

This Research Project concerns the development of an improved Harris County Sheriff's Department employee performance appraisal system through an analysis of the evaluation process. Appraisal systems are relevant to the measurement of police performance in accordance with policy expectations. The focus is not centered on trying to reinvent the wheel by attempting to create a brand new appraisal form. This research will show that although some forms can be classified as "good" or "bad" this is not where the real problem lies. Several evaluation systems were examined from major law enforcement agencies across the country and it was discovered that it is not the form that is at issue, but the manner in which each agency trains its raters. Liability issues, and benefits, will be discussed regarding training raters involved in the employee performance appraisal process. The author concludes by noting that ~~employee~~ the quality of any appraisal system is largely dependent upon the quality of training focussed toward the raters, rather than on the type of form that is used. Performance appraisals, if well designed, will be a well-communicated system that will help achieve organizational objectives and motivate employee performance.

Introduction

Employee performance appraisals, by nature of their content, are a two edged sword. They can enhance the overall production of employees or they can diminish the morale of an entire operation. They are considered one of the most misunderstood and least effectively used tools available to the manager (Morrisey 133). Despite their shortcomings, such programs have proven to be necessary. When done properly they can assist departments in making salary, training, and promotion decisions.

An employee performance appraisal is used to ensure employees always know where they stand in the organization. They know what is expected of them by management and they know what it takes to advance within the organization. To accomplish this effectively, supervisors must be trained thoroughly in completing appraisal forms and in conducting performance reviews. This will help ensure that the appraisal forms reflect accurate (and not skewed) ratings and that employee's weaknesses and areas for improvement are communicated clearly to employees. Such steps should also help preclude any claims of negligence in the appraisal process by any employees who may be terminated for performance reasons. Unfortunately, such training is rarely provided for raters. Instead, it is taken for granted that supervisors will automatically know to judge a subordinates performance objectively and without bias. Without sound training for raters, an employee performance appraisal system will lose its effectiveness.

The problem involved with an effective performance appraisal system is a topic of deep concern for many employees in the Harris County Sheriff's Department. The current performance appraisal system used has been painstakingly exhausted for well over a decade. The Harris County Sheriff's Department's performance appraisal system has become known as one of those required tasks for a supervisor and a dreaded process endured by both the supervisor and the subordinate. Instead, the performance appraisal system should be regarded as a very effective tool for both supervisor and subordinate to judge performance and as an opportunity to make clear expectations of the organization.

The purpose of this paper is to examine the current Harris County Sheriff's Department's appraisal process. Specifically, a comparison will be made between the Harris County Sheriff's Department's evaluation process and other systems regarding rater training and relevant legal issues. Information will be compiled from professional journals and other department's policies. The intent is to provide information to the Harris County Sheriff's Department's executive staff that will support the implementation of sound training procedures for the supervisors expected to evaluate the department's employees. The intended outcome of this project is to improve the performance appraisal process at the Harris County Sheriff's Department.

Legal Context

Performance appraisals have been shaped tremendously by litigation and legislation. One of the most significant pieces of legislation to affect performance appraisals was Public law 95-

454, The Civil Service Reform Act of 1978. Although this law was primarily aimed at federal agencies, it had far reaching effects on state and local government agencies as well (Morrisey 5). This legislation established that agencies must develop a performance appraisal system that encourages employee participation. It also allowed the appraisal to be a basis for training, rewarding, and punishing employees. It further dictated that performance standards be set and used for evaluation purposes. Some sources suggest that the Civil Service Reform Act does not remove the subjectivity, but rather enhances it (Morrisey 5). As in most forms of legislation, the problem lies with the interpretation.

There are additional legal issues that affect performance appraisals. In some states, employee handbooks are being recognized as implied contracts of employment (Nobile 7). If employees conduct appraisals less frequently than what is dictated in the employee manual, it could be construed as a breach of contract. The frequency at which we evaluate personnel can be a source of liability.

The issue of what criteria to use is also a major legal consideration. Subjectivity is a pitfall of many performance appraisals, and is also the source of much litigation. In *Rowe v. General Motors Corporation*, an employee of General Motors alleged that the performance evaluation system used foremen's recommendations for promotion without any written qualifications or guidelines. The court held that it was a violation of Title VII of the Civil Rights Act of 1964. The lack of appraiser training was condemned, subjective performance standards was condemned, and communication of performance standards was required.

Case law has outlined criteria that a sound performance appraisal system should include documentation, training, communications, job analysis, work behaviors, and monitoring (Daley

7; Walsh 98). Employers who fail to include these elements in their appraisal systems open the agency to litigation involving improper employment practices. And, regardless of the reason, employers are always open to unlawful discharge litigation (Gage 16). A lawsuit filed by an employee, (*Carpenter v. Stephen F. Austin State University* 1983), resulted in a 5th Circuit of Appeals ruling that appraiser training is required.

Communication is an important factor in obtaining feedback and it is essential for the improvement of performance. A sound communicator must be trained properly in the appraisal system to ensure legal issues are always met. This due process type of approach will assist the supervisor in staying focussed on the issues applicable to the job requirements. While some training is usually offered for the use of complex, technical equipment, managers rarely receive training in the aspects of human behavior. The courts must step in to ensure this trend is overcome. Supervisors cannot be left without guidance in the application of the performance appraisal (*Rowe v. General Motors*, 1972; *Harper v. Mayor and City Council of Baltimore*, 1972; *Carpenter v. Stephen Austin State University*, 1983).

Due Process considerations also underlie the requirement for monitoring. Organizations must not only check to see that their appraisal systems are up-to-date (*Carpenter v. Stephen Austin State University*, 1983) but that they are also not being abused (*Rowe v. General Motors*, 1972).

The evaluation process is full of pitfalls for the biased supervisor. Each evaluation should be made as if you were going to justify it to the employee, your boss, and a jury (Walsh 98).

Review of Literature or Practice

Current research estimates reveal that 92% of all U.S. organizations utilize some form of performance appraisals (Brophy 59). Although they are widely used, they are not effective. It is estimated that less than 20% are effective in accomplishing their intended purpose (Longnecker and McGinnis 12-16). Why is something so widely used so woefully ineffective?

The shortcomings stem from using systems that did not fit the organization and supervisors that were untrained in administering performance appraisals (Daley 7). Longnecker and McGinnis (12-16) conducted a survey of 401 members of a Fortune 100 company who held specialized jobs. The critical question asked was, "From your experience, what factors cause the annual performance appraisal and review to be ineffective? The following are the top ten reasons given by Longnecker and McGinnis (13):

1. Manager lacks information of subordinate's actual performance	56.3%
2. Unclear standards by which to evaluate subordinate's performance	45.1%
3. Manager not taking the appraisal seriously	44.0%
4. Manager not prepared for the appraisal review with the employee	42.9%
5. Manager not being honest/sincere during evaluation	42.0%
6. Manager lacking appraisal skills	28.4%
7. Subordinate not receiving ongoing performance feedback	26.9%
8. Insufficient resources provided to reward performance	18.3%
9. Ineffective discussion of employee development	14.2%
10. Manager using unclear/ambiguous language in the evaluation process	13.8%

The manager is the key in almost every response. The importance of training raters cannot be overstated. The majority of respondents to the Longnecker and McGinnis survey make it clear that when the manager lacks knowledge of the subordinate's actual performance and has not been trained properly in the standards used to judge performance the entire appraisal

process will be ineffective. The manager's attitude sets the stage for the performance appraisal interview. If the manager gives the impression to the employee that he is not taking the process seriously or is not prepared to conduct the interview with the employee, the effectiveness of the appraisal process will suffer.

An informal survey of 15 area law enforcement agencies in Harris County was taken in order to review the training being provided for their performance raters. It was learned that no formal performance appraisal training is provided for supervisors at any of the agencies surveyed. Also, examples of performance appraisal forms currently being used by other departments were compared with the form being used by the Harris County Sheriff's Department. It was learned through this study that some forms could be rated as "good" or "bad" depending on the content requirements. Although some improvements could be made on some of the appraisal forms studied, this research will support that it is not the "form" that is in need of improvement, but rather it is the process in which the employee performance appraisal is conducted. The majority of the departments surveyed provided some written guidelines on what was expected to be evaluated, but failed to provide clear information on *how* to evaluate. A common denominator found in all of the agencies surveyed was that all of the agencies had some type of appraisal system in place. It stands to reason that if the trend is for most agencies to have some type of an appraisal system in which to gauge the performance of its employees, it ought to be done right. No manager enjoys sitting face to face with an employee and saying, "Your performance during the past quarter has been below par..." But no matter how much you dislike giving a negative performance appraisal, there's often no way out of it (Gage 16). It has been said that the appraisal process can either be a problem solving or a problem creating activity

(Longnecker and McGinnis 12-16). A negative experience in the appraisal process can cause motivation to suffer, trust to diminish, loss of faith between manager-subordinate working relationship, and the subordinate's attitude toward the entire process can become cynical (Longnecker and McGinnis 14).

Training supervisors to communicate better would help. The usual communication techniques are not enough. Memos, meetings, and instruction manuals are ineffective if certain key points have not been addressed in the evaluation's design and continuing application (Sahl 53). No matter how clearly goals are presented and administered, if the review is an annual event that employees and supervisors don't think about until a week or two before evaluation time, the process is not achieving its purpose. Good communication between supervisors and subordinates is a skill that must be *learned*. It is not an automatic skill that comes with a promotion. The practice of most law enforcement agencies conducting employee performance appraisals without any type of formalized training for its raters is a risky business, at best. This research will show that appraisal systems without trained raters are likely to fail.

Discussion of Relevant Issues

The question that needs to be answered is why do we appraise in the first place? It is simply human nature to appraise one another and we do so in everything we do. An appraisal system is meant to gauge whether an employee is helping or hindering an operation. The appraisal system can also be used to match employees where they can be most effective within the organization. It really is not a question of whether we will appraise performance, but rather one of how we will do it (Daley 14).

The next question that must be answered is what do we appraise? Legal issues currently support that raters must remain focussed on the job-related standard so the rating is specifically directed toward job-specific criteria. Supervisors must be able to discriminate between employees solely in terms of their job performance and the organization must be able to prove or demonstrate the existence of that relationship (Daley 23).

Next, we must learn when do we appraise? Performance appraisals should be based on a time period sufficient for the accomplishment of the job responsibilities expected from the individual. Whether this period is quarterly, every six months, or once per year should depend on the task being performed. The issue here is not the frequency of the performance appraisal, but rather it is the quality of the way it is carried out (Daley 27-28).

Finally, it must be decided who does the appraising? In most police departments it is the immediate supervisor that is selected to do the appraising. This is the management individual deemed most knowledgeable as to both the employee and the job. From this it is easy to see the magnitude of responsibility being placed on the rater. The performance appraisal is often viewed as a key management system tool in establishing a supervisor's command and control authority. Contrastingly, from a more humanistic perspective, the appraisal process is also viewed as being designed to strengthen the employee-supervisory relationship through the encouragement of mutual understanding (Daley 29).

Employee performance appraisals are usually the subject of high stress for both the supervisor and the subordinate. For the supervisor, the stress comes from a lack of training in the appraisal process. For the subordinate, the stress comes from the lack of communication with the supervisor. Many supervisors tend to rate their employees high so they will be accepted by their

subordinates as a peer rather than a manager. Other supervisors tend to rate their employees low without making it clear what performance standards were used in the appraisal. If a supervisor is not properly trained in the appraisal process it may be viewed primarily as one more administrative burden which carries little or no personal benefit and for which he or she is ill-prepared. Ultimately, the organization is the one that loses.

The costs incurred by a law enforcement agency as a result of a poor appraisal system can be measured by more than just dollars and cents. The result can create a low morale within the agency which will eventually result in a loss of quality service to the public it serves. On the other hand, in a system that works, communication is improved and production increases.

For the appraisal to be any less stressful, it must be viewed as a five part process. If the manager thinks of the appraisal as an *event*, the stage is set for trouble down the road (Longnecker and McGinnis 14). According to Longnecker and McGinnis here is how the process should work:

- Step 1: Clarify the Purpose of the Appraisal
- Step 2: Establish Clear Performance Standards
- Step 3. Monitor Performance and Provide Ongoing Feedback
- Step 4. Conduct a Thorough Written Evaluation
- Step 5. Conduct a Professional Appraisal Review

Training raters responsible for employee performance appraisals is an opportunity for success in the overall operation of the organization. It can be accomplished through the use of discrete skills that can be learned by most people with supervisory responsibility. These skills are concentrated in three primary areas: performance measurement criteria, interpersonal

communications (before, during, and after the performance measurement period), and documentation (Morrisey 11). Unfortunately, some large departments do not have the resources necessary to adequately train its supervisors so that a uniformed method of evaluating its employees can be developed. Instead, they allow their appraisal system to remain just an administrative necessity rather than an effective means of developing quality personnel.

If properly used, performance appraisals can be one of the most powerful supervisory tools available. The fact that it is not meeting its potential in many organizations is no secret, particularly to those in middle- and first-line supervision who have the greatest responsibility for its effective use (Morrisey 12). We must take advantage of the opportunities involved in having a well designed employee performance appraisal system by implementing formal rater training for supervisors.

A well developed employee performance appraisal system with sound training for its raters can save the department more than just dollars and cents. The cost of developing an in-service training program within the department for rater training is almost non-existent when compared to the alternative. It doesn't have to be expensive and time consuming to train raters. Clearly written instruction booklets, easily understood forms, helpful hints from human resource professionals, *coupled with periodic refresher courses* can be time saving vehicles (Sahl 58). A good program will result in reduced liability for potential legal action related to noncompliance, discrimination, or "reverse" discrimination in personnel actions. It can reduce cost of litigation and reduce employee turnover. It can reduce losses resulting from ineffective performance, gross negligence, or willful misconduct. Some of the valuable benefits that may be realized are: improved over all-productivity, more effective and efficient use of personnel,

improved internal communications, more motivated employees, recognized compliance with Civil Service reform Act and other relevant legislation (Morrisey 2).

Conclusion/Recommendations

The purpose of this research is to develop an improved Harris County Sheriff's Department employee performance appraisal system. The intent is not directed toward trying to design a new form, but rather to try and improve the manner in which the appraisals are being conducted.

Since the employee performance appraisal process appears as if it is here to stay, it would stand to reason that we should strive to make it as efficient as possible. All of the data collected supports the need for training and developing good communication skills between management and its employees. It has been said that the appraisal process can either be a problem solving or a problem creating activity (Longnecker and McGinnis 14). The emphasis on training raters involved in employee performance appraisals cannot be stressed enough. Although guidelines are helpful for filling out forms it does not provide the adequate training necessary to conduct a face to face interview with an employee.

Structured training seminars must be developed with the focus on training raters responsible for evaluating employee performance. Raters should also be required to attend in-service training designed to keep the rater abreast with the latest techniques in evaluating performance.

Legal issues which suggests employers must be able to support the manner in which employees are rated cannot continue to be overlooked. Documented court cases have already

ruled against some employers with poor appraisal systems, largely due to the lack of rater training. Management training has all too often been an overlooked component of the performance appraisal process. Training ensures the uniform application of policies and procedures as new managers become responsible for appraisals and different objectives are introduced into the system (Sahl 58). The main goal of an appraisal system is to improve performance. Traditional performance appraisals are bad simply because they tell too many people they are losers. Effective managers want all the people who work for them to be winners so they are always looking for ways to make everyone look like a winner.

A well-designed, well communicated system helps achieve organizational objectives and motivates employee performance (Sahl 60). We as managers should strive to do everything we can to help our subordinates understand the department's objectives. If we continue to simply "fill in the blank" when it comes to employee appraisals we will lose an otherwise effective tool in management. We do not want to create losers; we want to create winners. Give everyone a chance to be above average (Behn 70). As we progress into the future of law enforcement, we as police managers, must implement formal training for our employee performance raters if we expect to keep up with the demands of an ever changing profession.

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