



## General PES Questions

### **What is PES?**

PES stands for Performance Evaluation System. It is the tool used to plan and measure employee performance on an annual basis. The Performance Evaluation System, or PES, is applicable to classified employees and is used to help develop employees into high-performing individuals aligning their performance with that of the agency's mission and goals.

### **If an agency establishes a PES policy does Civil Service need to review the agency policy?**

No. SCS does not require an agency to have a policy nor is SCS required to review the agency's policy, however, it is best practice that appointing authorities establish or provide information to employees on what is generally expected in accomplishing the PES tasks each performance year, such as internal timelines and deadlines, and who has the authority to review PES documentation or set goals and priorities, etc. When an appointing authority has a need to deviate from the Chapter 10 rules on PES, he is then required to obtain SCS Director or SCS Commission approval prior to implementing that change.

### **Does the PES apply to Classified WAE's?**

No. While SCS Rules 10.1 and 10.7 state that the PES applies to all classified employees, the intent of the rule is not such that would require that Classified WAE's be held to the same standards as full time, permanent classified employees. An agency may, however, choose to evaluate their Classified WAE's, but this is not a SCS requirement.

### **Are planning sessions required for employees on detail to special duty?**

No. SCS Rule 10.5(f)(2) states that a planning session is required after the permanent movement of an employee into a position having a different position number with significantly different duties. However, Evaluating Supervisors may choose to prepare a performance plan and conduct a planning session for an employee on detail to special duty since the job is likely a different assignment, and if the detail is for a lengthy period of time. The rule does not mandate a performance plan be created to accommodate short-term details.

### **Are evaluation sessions required for employees on detail to special duty?**

Yes. While a planning session is not required for a detail, the employee must be evaluated on performance, especially if the duration of the detail spans the entire performance year. SCS Rule 10.4(a) requires that each employee shall be evaluated on their overall performance. This means an evaluation must be conducted on performance regardless of the position in which it was conducted. If the detail spans the entire performance year, it is only necessary to conduct an evaluation on the duties that were performed, i.e. in the detailed position and not the "home" position.

**Who is considered the Evaluating Supervisor and the Second Level Evaluator?**

According to SCS Rules 10.2 and 10.3, the appointing authority of each agency is required to designate an Evaluating Supervisor and a Second Level Evaluator for each employee. It is typical for the Evaluating Supervisor to be the employee's direct supervisor and the second level evaluator to be the supervisor's supervisor, but the appointing authority has discretion in those assignments.

## Creating and Conducting Performance Planning and Evaluation

**What period is considered a performance year?**

A performance year is a 12-month period that begins on July 1<sup>st</sup> of each year and ends on June 30<sup>th</sup> of the following year.

**When are performance plans required to be completed?**

Performance Plans must be established at the beginning of each performance year during the period July 1 to September 30. The supervisor has to establish the plan, obtain the second level evaluator's approval of the plan, and meet/discuss the plan with the employee by September 30<sup>th</sup>. Creating and conducting the performance planning outside of this time period is in violation of the SCS rules, unless the employee was newly hired, transferred from another agency or permanently moved to a different position number.

**If an Evaluating Supervisor feels during any point in the performance year that a new planning needs to be done, can they?**

Yes, SCS encourages the Evaluating Supervisor, when significant duties or new projects that will affect the employee's day to day operations change, to meet with the employee and communicate those new expectations with them. Nothing in the SCS rules prohibit the employee receiving updated or revised performance plans and continuous feedback.

**If an employee begins employment within 90 days of the performance year ending, is an agency required to do a separate planning for the time between the start date and the end of the performance year?**

No. SCS Rule 10.5(f) requires that all planning sessions be conducted within three (3) calendar months following the appointment of a new employee, the movement of an employee into a position having a different position number with significantly different duties, or the beginning of the new performance evaluation year. If an employee starts employment within 90 days of the beginning of the new performance evaluation year, an agency may choose to conduct only one (1) planning session, which would satisfy the SCS Rule. However, agency personnel must ensure that the planning session not exceed the 90 day time limit from the date of appointment, even if there is time remaining in the planning period for the new performance year.

**When are performance evaluations required to be completed?**

Performance Evaluations must be completed after each performance year ends during the period July 1 to August 31. The supervisor has to evaluate the employee's performance, obtain the second level evaluator's approval of his comments on performance, and meet/discuss the evaluation with the employee by August 31. Just like the performance plan, conducting the performance evaluation activities outside of this time period is in violation of SCS rules.

**When is it appropriate to use the rating of “Not Evaluated”?**

The “Not Evaluated” rating is appropriate whenever an employee is active in an agency and worked less than 3 calendar months at the evaluating agency within the performance year, and the appointing authority determines that not enough time has elapsed to create an evaluation for the employee.

**Are agencies required to provide supporting documentation when evaluating an employee?**

Documentation is always good to have to support any evaluation (attached or documented on the PES form) because it provides feedback to the employee and supports the overall rating. When an employee’s rating results in a “Needs Improvement/Unsuccessful” or “Exceptional”, documentation must be included fully supporting the rating, in accordance with SCS Rule 10.7(c)2.

**Does SCS have any standards on the types of documentation that is required to justify an evaluation of “Unsuccessful/Needs Improvement” or “Exceptional?”**

No. Agencies may set internal standards for documentation. SCS does not require a specific type/form of documentation nor does SCS require hard copies of documentation to be attached to the PES form. However, it is always best practice to ensure supporting documentation exists for an “Unsuccessful/Needs Improvement” evaluation especially when this type of overall rating is used to support disciplinary action. Appointing Authorities should determine to what extent they will set standards for documentation, in order to comply with SCS Rule 10.7(c)2.

**Does the agency have to attach documents to the PES form or can documentation be provided in the comments portion of the PES form?**

Appointing authorities may choose to require specific types of documentation to be attached to the PES form, but there is no specific requirement, other than the requirement to provide said documentation in SCS Rule 10.7(c) 2.

**Are agencies required to have signatures for planning and evaluation sessions on the same form?**

Ideally, all required signatures for both the planning and evaluation sessions would be on the same PES form. However, it is acceptable for one form containing planning signatures and another form containing evaluation signatures. The forms, however, must be stored together and must be able to be presented together upon request.

**If an Evaluating Supervisor establishes a plan but the Second Level Evaluator does not sign or approve, does this make the evaluation at the end of the performance year invalid and should the rating be considered “Unrated” and in violation of the Rules?**

No, the Evaluating Supervisor is in compliance with the rule. The Evaluating Supervisor, however, should remain in contact with the Second Level Evaluator to get signature prior to the planning deadline. If the Second Level Evaluator refuses to comply, the Evaluating Supervisor should report this to HR for further action. The appointing authority would then determine next steps (assign a different Second Level Evaluator, instruct the Second Level Evaluator to comply with his responsibilities, etc.).

**What if an employee who was active as of June 30<sup>th</sup> of the performance year transfers from an agency before the evaluation period is over, i.e., between July 1<sup>st</sup> and August 31<sup>st</sup>? Is the losing agency required to conduct an evaluation session for this employee?**

Whenever an employee transfers from one agency to another after the performance year has ended and during the evaluation period (July 1 – August 31), the gaining agency is authorized to assign a “Not Evaluated” rating without officially preparing an evaluation on work or behavior standards performed in another agency. In this situation, the gaining agency may not have knowledge of or access to performance during the prior year in another agency. The losing agency may, however, choose to share information with the gaining agency in order for an appropriate evaluation to be assigned by the gaining agency, if applicable. Additionally, for LA Gov HCM entry purposes, the gaining agency would be required to authorize the losing agency to apply the entry of the overall evaluation assigned containing the July 1<sup>st</sup> evaluation effective date.

**What if an employee who was active as of June 30<sup>th</sup> of the performance year separates from an agency before the evaluation period is over, i.e. between July 1<sup>st</sup> and August 31<sup>st</sup>? Is the losing agency required to conduct an evaluation session for this employee?**

No. According to SCS Rule 10.7(b) the official evaluation must be rendered no later than August 31<sup>st</sup>. So, if an employee who was active on June 30<sup>th</sup> resigns before the end of the evaluation period (8/31), the agency would not be required to evaluate that employee and no rule would be violated. The employee’s evaluation record for the entire performance year (7/1-6/30) must be deleted. The employee would not reflect on the annual PES report because his performance evaluation record would be non-existent for the performance year.

**Do both the Evaluating Supervisor and the Second Level Evaluator have to meet with the employee for the planning/evaluation?**

No, the rule only requires that the evaluating supervisor meets with the employee, but both must sign off on the planning and evaluation prior to the employee receiving it, in accordance with SCS Rules 10.5 and 10.7.

**How should the plan/evaluation be handled if the Evaluating Supervisor is out of the office during the planning/evaluation period? Does the Second Level Evaluator automatically become the Evaluating Supervisor?**

SCS Rules 10.2 and 10.3 require that the appointing authority shall designate an Evaluating Supervisor and a Second Level Evaluator. While these requirements are typically fulfilled by the first and second line supervisors for an employee, the appointing authority may designate someone outside of the direct chain of command to conduct either level of the evaluation. If supervisors or staffs have questions regarding the appropriate person to conduct performance plans or evaluations, consult with agency Human Resource staff for direction.

**If any employee is out on active military leave during the year, how is an agency supposed to handle the evaluation session?**

In accordance with SCS Rule 10.6(b), an Evaluating Supervisor may assign an evaluation of “Not Evaluated” only when the employee is active as of June 30<sup>th</sup> of the performance year, has worked less than three (3) months at the evaluating agency within the performance year, and the appointing authority determines that not enough time has elapsed to create an evaluation for the employee. For employees on active military duty or out for extended absences, performance must still be evaluated even if the employee is not actually at work. SCS would recommend an agency assign an evaluation and notate in comments that the employee was on extended absence due to active military duty or whatever the circumstance may be. In this situation, SCS Rule 10.7(d) would apply. The agency can notify the employee by mail; the evaluation will be deemed timely

if it is mailed to the employee's most recent address on or before August 31<sup>st</sup>, as evidenced by official proof of mailing.

**How is the PES handled when a classified employee is on leave of absence and appointed to an unclassified position in the Executive Career Service?**

When the classified employee is temporarily appointed to an unclassified position in the Executive Career Service, the employee is temporarily removed from the classified service and PES requirements don't apply. When the appointing authority determines that the unclassified employee's performance is satisfactory, the employee's classified salary may be adjusted for when he returns to that position.

**When evaluating the classified employee who is serving on an unclassified appointment, is the agency required to have both an Evaluating Supervisor and Second Level Evaluator signature on the PES document?**

No. The only requirement of the appointing authority is to determine satisfactory performance of the unclassified duties.

**Can an Official Evaluation be altered/updated if there is still time remaining within the Evaluation Period after the performance year has ended?**

No. Once the conditions in SCS Rule 10.7(c) have been met, the evaluation is considered to be "official." Any change to this evaluation must be made as part of either the Agency Review process (SCS Rule 10.11) or a review by the Director of Civil Service (SCS Rule 10.12).

**What happens when an Evaluating Supervisor does not establish a performance plan?**

Evaluating Supervisors who do not create performance plans within established timelines in the rules are considered to be in violation of the rules. The PES planning period spans a three month period at the beginning of each performance year from July 1 – September 30. It is recommended that agencies inform their employees of their responsibilities for PES planning and evaluation. The absence of a performance plan within stated timelines does not cause the evaluation at the end of the performance year to be "unrated" and it is recommended that a plan is created as quickly as possible to inform the employee of his expected performance. The purpose of the 2<sup>nd</sup> level evaluator is to ensure **this does not happen** and that supervisors are accountable for preparing performance plans for their employees.

**What happens when an Evaluating Supervisor does not establish an evaluation?**

Evaluating Supervisors who do not create evaluations within timelines established by the rules cause an employee's performance to be "unrated". The PES evaluation period spans a 2 month period at the end of each performance year from July 1 – August 31<sup>st</sup>, and the absence of the official evaluation within given deadlines nullifies any rating that may have been rendered untimely by the Evaluating Supervisor. The "Unrated" rating has no effect on the employee and is equivalent to "Successful". Again, the purpose of the 2<sup>nd</sup> level evaluator is to ensure **this does not happen** and that supervisors are accountable for creating performance evaluations for their employees.

**How does an Evaluating Supervisor submit the planning and evaluation to Human Resources?**

Agencies should establish internal processes and/or deadlines that determine how, when and to whom the performance plans and evaluations should be submitted.

## PES Reviews

### **Who is considered the Agency Reviewer(s)?**

The appointing authority of each agency designates the Agency Reviewer(s) or Agency Review Panel. The Reviewer(s) shall not be either the Evaluating Supervisor or Second Level Evaluator who signed the evaluation being reviewed.

### **Can an employee be re-rated in the PES system?**

There are no provisions for re-rating in the PES System.

### **If an employee is assigned an “Unrated” due to a rule violation of the Evaluating Supervisor or the Second level Evaluator and chooses to request an Agency Review, what options do the Agency Reviewer(s) have to address this type of evaluation?**

The Agency Reviewer(s) cannot reverse a rule violation unless there is an extenuating circumstance and he requests exception from the SCS Director. When an “unrated” rating is assigned, there is no impact to the employee because the rating is equivalent to that of “Successful”.

### **If, during the course of the agency review process, the Agency Reviewer(s) discovers that there is a rule violation, can they change the evaluation to “Unrated” immediately and end the review process without discussing with the employee and/or Evaluating Supervisor?**

No. Once an evaluation has been submitted for review in accordance with SCS Rule 10.11(e), the Agency Reviewer(s) is obligated to complete the review based on the employee’s request. If during that review, a rule violation has been discovered, the Agency Reviewer(s) can determine the resulting evaluation to be “Unrated” explaining the violation discovered. Best practice recommends, however, that PES documents are reviewed for compliance prior to submitting to the Agency Reviewer. Agencies should keep in mind that “Unrated” evaluations will be reported to the SCS Commission in the annual PES report for each Agency.

### **Can an employee who receives an “Unrated” request a Director’s review?**

No. According to SCS Rule 10.12, the SCS Director’s review is only for those employees who received an overall evaluation of “Needs Improvement/Unsuccessful” following an Agency Review.