Performance Management: Performance Evaluation

Subject: Human Resources
Policy: Performance Evaluation
Revised
Effective Date: TBD
Review Date: TBD
Responsible Party: University Human Resources
Applicability: This policy applies to employees as specified and does not apply to temporary, fixed term, short-term, and student employees.

1. INTRODUCTION AND PURPOSE

MSU encourages regular feedback and evaluation of employee performance throughout the year. An annual evaluation of performance is required for classified employees and contract employees .5 FTE and above.

2. FACULTY

The MSU Faculty Handbook specifies the policies and procedures for annual review of tenurable faculty.

The NTT Collective Bargaining Agreement specifies the policies and procedures for the annual review of NTT faculty.

The departmental Role and Scope Documents specify the policies and procedures for review of other non-tenured faculty.

3. CLASSIFIED EMPLOYEES

Classified employees employed at .5 FTE or more who have completed the probationary period will have their performance evaluated by their immediate supervisor and/or department head. The evaluation must be completed and submitted to University Human Resources no later than June 30 of each year. Evaluators may request an extension of the deadline from University Human Resources. Evaluation forms for classified employees may be found at: (insert new link).
4. CONTRACT EMPLOYEES

Contract employees employed at .5 FTE or more for six (6) months or more will have their performance evaluated by their immediate supervisor and/or department head. The evaluation must be completed and submitted to University Human Resources no later than June 30 of each year. Evaluators may request an extension of the deadline from University Human Resources. Evaluation forms for contract employees may be found at: (insert new link). Evaluators may use the approved forms or may submit alternative forms to University Human Resources for approval prior to use.

5. EMPLOYEE REQUEST FOR EVALUATION

Any employee who does not receive a performance evaluation by the deadline may submit a written request for performance evaluation to the supervisor with a copy to the supervisor’s supervisor. The supervisor will have thirty (30) days in which to complete the evaluation and submit to University Human Resources.

6. EMPLOYEE REQUEST FOR REVIEW OF EVALUATION

An employee who disagrees with their evaluation may submit a written request for review to University Human Resources. The written request must be filed within thirty (30) days of the evaluation and must state the specific areas of disagreement and the reasons the employee disagrees with the supervisor’s evaluation. The decision of the evaluator’s supervisor will be the final decision on the evaluation. The employee’s written disagreement will be attached to the final performance evaluation and placed in the employee’s personnel file.

Procedures (insert by link)
Procedures (insert by link)

To assist supervisors in conducting performance evaluations, guidelines and approved forms are provided in the Performance Evaluation Guidelines (insert link). After the performance evaluation is completed, the form will be signed by the supervisor and employee. The employee’s signature is acknowledgement of receipt. If the employee declines to sign acknowledging receipt, the form may be forwarded without the employee’s signature. The original will be filed in the department with a copy for the employee and a copy sent to University Human Resources for inclusion in the employee’s personnel file.
Performance Management: Performance Management and Progressive Discipline

Subject: Human Resources
Policy: Performance Management and Progressive Discipline
Revised:
Effective Date: TBD
Review Date: Three (3) years from Effective Date above.
Responsible Party: University Human Resources
Applicability: This policy applies to classified employees who have completed the probationary period and contract employees.

1. INTRODUCTION AND PURPOSE
Montana State University supports the use of performance management and progressive discipline, where appropriate, to improve performance and prevent recurrence of undesirable employee actions and performance. This policy establishes the university expectations for imposition of performance management actions or discipline of university employees. For employees covered by a collective bargaining agreement, the provisions of the applicable agreement must be followed in administering disciplinary action.

2. DEFINITIONS
   a. PERFORMANCE MANAGEMENT
      Actions designed to address performance deficiencies and/or inappropriate job-related conduct of an employee through guidance on the improvements necessary to achieve or return to acceptable performance. Performance management may include coaching, letters of expectations, performance improvement plans, or other appropriate forms of guidance.
b. DISCIPLINARY ACTION

An action taken to address serious incidents of inappropriate conduct and/or performance deficiencies. Disciplinary action will be documented in the official employee personnel file.

3. USE OF DISCIPLINARY ACTION

The university supports the use of performance management to address and correct employee performance problems, where appropriate. The university also recognizes that misconduct, violations of policies and procedures, and continued failure to correct performance problems may require disciplinary action.

Employees may be subject to disciplinary action, up to and including termination, for:

a. failure to perform job duties in a satisfactory manner;

b. violation of work rules, policies, laws, CBA provisions, supervisory orders or directives, or other forms of inappropriate job-related conduct;

c. failure to meet applicable professional and performance standards; or

d. any behavior that interferes with or disrupts the efficient operation of the university, including off-duty conduct when it is harmful to the university's operation or reputation.

Employees will be provided written notice of disciplinary action.

4. ROLE OF UNIVERSITY HUMAN RESOURCES

University Human Resources will provide assistance and guidance to supervisors encountering performance problems with employees they supervise. It is recommended that University Human Resources be contacted when problematic behavior needs to be addressed.

University Human Resources must be consulted prior to imposing disciplinary action to assure compliance with collective bargaining agreements and applicable state and federal laws. However, failure to consult with University Human Resources prior to disciplinary action is not grounds for a grievance or for a grievance committee or arbitrator to overturn a disciplinary action.

5. PROGRESSIVE DISCIPLINE

Progressive discipline will be used when appropriate. Progressive discipline is a process of applying the appropriate type of discipline based on the severity of the employee misconduct or performance deficiencies and the employee’s work history. Progressive discipline may range
Performance Management and Progressive Discipline

from letters of warning to involuntary termination of employment. The number of steps may vary and steps may be repeated or skipped.

Disciplinary actions include letters of warning, suspension without pay, and termination of employment. Disciplinary action will be taken only for good cause. Disciplinary actions may be combined and may include other requirements such as mandatory training, job transfer or reassignment, cancellation of leave, last chance agreement, requirement to provide a doctor's verification of illnesses, etc. Notice of non-renewal of an employment contract and expiration of an employment contract are not disciplinary actions.

When it becomes necessary to take disciplinary action, each situation needs to be analyzed on a case-by-case basis in consultation with University Human Resources to determine what step or steps may be appropriate.

**Level 1. Letter of Warning:**
Letters of warning are issued when an employee fails to correct a problem or engages in misconduct. It may be used as the first step of progressive discipline if appropriate.

Employees have the right to request the letter of warning be removed from their personnel file after one (1) year if the reason for the warning letter has been corrected and the employee has no other performance deficiencies or disciplinary actions.

**Level 2. Suspension:**

*Suspension With Pay* – Suspension with pay is not a disciplinary action but may be appropriate when it is necessary to remove the employee from the workplace during an investigation or while information is being gathered. If the investigation exonerates the employee, the employee will be reinstated without discipline. If misconduct or other inappropriate conduct is verified, the employee may be subject to discipline, up to and including termination of employment.

*Suspension Without Pay* – Suspension without pay is a disciplinary action that removes the employee from the workplace and results in reducing employee’s salary for the period of suspension. Suspension without pay may be appropriate if an employee fails to correct the issues identified in a letter of warning or as the first step of progressive discipline for misconduct or inappropriate behavior. The length of the suspension will depend on the nature of the employee’s unacceptable behavior and any previous disciplinary action that may have been taken. Suspensions normally will not exceed ten (10) days.

**Level 3. Involuntary Termination of Employment**
Involuntary termination of the employee’s employment with the university may result after other disciplinary action has failed to return the employee to acceptable levels of performance.
or as the first and only step of discipline in response to serious types of misconduct or inappropriate behavior, such as:

a. endangering or threatening the health or safety of others,
b. using illegal drugs on university property or during work hours or reporting for duty under the influence thereof,
c. falsifying official records,
d. sick leave abuse,
e. unauthorized absence from work in excess of three (3) working days,
f. using or authorizing another to use university property for other than university purposes,
g. physical violence or fighting on the employer's premises,
h. brandishing any firearm or weapon on the employer's premises,
i. immoral or indecent conduct on the employer's premises,
j. serious or pervasive sexual harassment,
k. theft,
l. willful destruction or abuse of the employer's or another employee's property or materials,
m. failure to maintain a valid and current MT driver's license or other professional license when required to perform job duties, or
n. other conduct that interferes with or disrupts the efficient operation of the university, its students, employees, or visitors, including off-duty conduct when it is harmful to the university's operation or reputation.

6. PRE-TERMINATION MEETING

Prior to an involuntary termination of employment, an employee will be offered a pre-termination meeting to give the employee an opportunity to respond to the reasons for termination of employment with an administrator (other than the supervisor who is recommending termination) or Human Resource employee.
7. RIGHT TO FILE GRIEVANCE

Employees covered by a collective bargaining agreement may file a grievance for the reasons and using the procedures outlined in the applicable collective bargaining agreement. Employees who are union exempt may file a grievance related to disciplinary action as outlined under the Employee Grievance Policy (insert link).