

Colorado Department of Revenue

Performance Management Program

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**COLORADO DEPARTMENT OF REVENUE
PERFORMANCE MANAGEMENT PROGRAM**

Table of Contents	<u>Page</u>
I. Introduction-----	1
II. Performance Management-----	2
Performance Planning-----	2
Coaching and Progress Review-----	3
Performance Evaluation-----	3
III. Dispute Resolution-----	5
IV. Merit Pay-----	8
Merit Pay Eligibility-----	9
Establishing Merit pay Amounts-----	9
V. Training-----	11

COLORADO DEPARTMENT OF REVENUE
PERFORMANCE MANAGEMENT PROGRAM

I. Introduction

This document is the Department of Revenue's (DOR) Plan for the ongoing operation of the State Personnel Director's Performance Management Program (PMP). The Program complies with rules and procedures issued by the State Personnel Director regarding merit pay in the State Personnel System. Policy decisions regarding the operation of the Performance Management Program within the DOR are made by the Executive Committee. The Executive Committee is responsible for providing the leadership and support necessary for successful operation of this program.

The contents of the DOR Program are disseminated to all Department of Revenue employees through mandatory supervisor training, informational meetings, new employee orientation, the Human Resource home page on the DOR Intranet and other means.

The DOR Executive Committee will continuously monitor the operation of Revenue's Performance Management Program (PMP). The Executive Committee will also review the distribution of performance ratings to ensure the quality and consistency of ratings throughout the department.

The philosophy underlying the Revenue Department Program is that annual merit pay for employees should be based on the performance of the employee as measured in an annual performance evaluation. We are committed to utilizing the statewide evaluation and merit pay process to provide appropriate incentives, feedback and compensation to all DOR employees. This, in turn, will have a positive impact on the service that we provide to all of our many customers and clients. The plan is revised periodically in order to ensure that employees within the department are being fairly evaluated and compensated.

Program details are described below and follow closely the outline issued by the State Personnel Director.

Performance Management Important Dates	
Date	Activity
March 28	Pre-evaluation meetings with supervisors and employees. Supervisors (Raters) complete recommended evaluations
By April 11	Recommended evaluations sent to appropriate reviewers
By April 18	Evaluations reviewed and returned to raters
By April 25	Raters and employees discuss and sign final evaluation
By May 1	Performance plans developed
By July 1	Amount of merit pay determined, employees apprised of amounts
July 31	Merit pay reflected on July pay check
October	Mid-year reviews conducted

Designated raters failing to complete a plan or evaluation within 30 days of the established deadlines may receive disciplinary suspensions in increments of one workday.

II. Performance Management

Performance Management refers to the process of ensuring that performance plans for every employee support the goals of the work unit, division and the Department of Revenue. This is accomplished by linking individual plans and evaluations to the stated mission and goals of the organization. A discussion of the linkage is part of the Performance Planning phase of the PMP Program. The evaluation part of performance management provides an assessment of how well all employees are performing to reach established goals and objectives.

Performance Planning

Every DOR employee will receive a written performance plan on the Revenue Performance Evaluation form containing the Core Competencies, Job Performance Factors, Individual Performance Objectives and Performance Standards on which his/her performance will be evaluated.

Statewide uniform core competencies defined by the State Personnel Director will be incorporated into every employee's performance plan and considered as a part of every employee's evaluation. The five (5) statewide uniform core competencies are:

1. Communication
2. Interpersonal Relations
3. Customer Service
4. Accountability
5. Job Knowledge

A planning session between the supervisor and employee must occur within 30 days of the beginning of the performance evaluation period or within 30 days after appointment of a new employee. The Department of Revenue performance cycle begins on April 1 and ends the following March 31. Performance plans are to be approved by the second-level supervisor (the reviewer) before the plan is finalized and presented to the employee. Appointing authorities will ensure that plans and standards are consistent throughout their division. Supervisors are to ensure that each subordinate employee understands the plan and what is expected of his/her performance.

If a supervisor fails to plan and/or evaluate an employee's job performance, the reviewer is responsible for completing the plan and/or evaluation. If the reviewer fails to plan and/or evaluate in a timely manner, the reviewer's supervisor is responsible for completing the plan and/or evaluation and on up the chain of command until the plan and/or rating is completed as required by law. If an evaluation is not completed for an employee by July 1, the employee's performance will be considered to be Level 2 (Successful) for the relevant period.

All supervisors will have a provision or "factor" in their own performance plans to evaluate the effectiveness of their performance management, including planning and performance evaluation of employees.

Employee performance plans will align with Department of Revenue goals and objectives.

Coaching and Progress Review

Coaching and feedback during the performance year are essential and required, including at least one mandatory and documented mid-year progress review.

Performance deficiencies are to be addressed as soon as they are recognized using progressive correction/discipline. If necessary, an interim evaluation may be completed in order to document performance deficiencies.

Performance Evaluation

Performance ratings will be qualitative throughout the department. Ratings will utilize the three established rating levels:

- Level 1 Needs Improvement
- Level 2 Successful
- Level 3 Exceptional

Evaluations are to be based upon facts and data; however the judgment of individual supervisors is important to the success of the PMP. Rating level descriptions are:

Level 1 - Needs Improvement This rating level encompasses those employees whose performance does not consistently and independently meet expectations set forth in the performance plan, as well as those employees whose performance is clearly unsatisfactory and consistently fails to meet requirements and expectations.

Marginal performance requires substantial monitoring to achieve consistent completion of work, and requires more constant, close supervision. Though these employees do not meet expectations, they may be progressing satisfactorily toward a Level 2 rating and need to demonstrate improvement in order to satisfy the core expectations of the position. A Level 1, Needs Improvement rating must be accompanied by a performance improvement plan or a corrective action and a specific amount of time during which the employee must improve performance.

Level 2 - Successful This rating level encompasses a range of expected performance. It includes those employees who exhibit competency in the work behaviors, skills, and assignments for the job, as well as those employees who are successfully developing in the job. These employees are meeting all the expectations, standards, requirements and objectives on their performance plan and, on occasion, may exceed them. This is the employee who reliably performs the job assigned.

Level 3 - Exceptional This rating represents consistently exceptional and documented performance or consistently superior achievement beyond the regular assignment. Employees make exceptional contribution(s) that have a significant and positive impact on the performance of the unit or the organization and may materially advance the mission of the organization. The employee provides a model for excellence and helps others to do their jobs better. Peers, immediate supervision, higher-level management and others can readily recognize such a level of performance.

All employees will be evaluated, in writing, at least annually based on their job performance during the previous year. In the case of a transfer or employee separation that occurs prior to the end of the performance evaluation cycle, the former immediate supervisor must prepare a written evaluation of the employee's performance within 30 days of separation. The annual performance evaluation period in the DOR is April 1 through the following March 31.

Quotas or forced distribution processes for determining the number of ratings in any of the three performance levels is prohibited.

Sanctions for failure to plan or evaluate will be imposed. Absent extraordinary circumstances, the responsible supervisor will be given a corrective action and no more than 30 days to complete the plans or evaluations. Absent extraordinary circumstances, failure to complete the corrective action within the time period will result in a pre-disciplinary meeting and possible disciplinary action including suspension

without pay or equivalent disciplinary action. A supervisor who fails to complete performance plans or evaluations will be ineligible for any monetary merit pay under the Performance Management Program.

Review Process

In order to assure a high level of quality and consistency throughout the department, a rigorous review process will be a part of the Evaluation phase of PMP. At a minimum, a higher-level supervisor/manager must review the supervisor's evaluation of the employee's performance. The evaluation is not final until reviewed by the designated person or panel. The persons to be involved in the review will be determined by DOR appointing authorities. The appointing authority, designee or panel will review all Level 1 (Needs Improvement) and Level 3 (Exceptional) evaluations. Level 3 evaluations will be accompanied by a narrative justification. The review process is intended to ensure that raters are using challenging and realistic standards that are consistent with department philosophy and other supervisors. Reviewers are to confirm that performance ratings are supported by documented and persuasive evidence. The reviewer/review panel has the authority to return a rating to the rater for more information or to make changes to the rating. A reviewer/review panel also has the authority to change a rating.

Prior to the allocation of merit pay, the Executive Committee will review the distribution of evaluations in the DOR. Inconsistencies will be investigated and corrected to ensure that evaluators are "using the same ruler" to measure performance.

III. Dispute Resolution

The Performance Management Program dispute resolution process differs from the grievance procedure and the appeal process that pertain to other personnel-related matters. The PMP dispute resolution system will have two parts —
1) Resolution within the Department of Revenue and 2) Resolution of unresolved issues by the Department of Personnel and Administration (DPA). Informal resolution of disputes at the lowest level is encouraged.

The dispute resolution process must be open and impartial and must allow the parties an opportunity to have issues heard.

Employees will be informed of their right to dispute a performance plan or lack of a plan, a final overall performance evaluation or lack of an evaluation, and an allegation that the Department of Revenue did not follow its own PMP Program. An employee must meet with or communicate with the rater within five (5) workdays of receiving a plan or evaluation that he disputes in an attempt to resolve the dispute. If the dispute is not resolved and the employee wishes to ask for review of the disputed plan or evaluation by the appointing authority, he/she must present an explanation of the

dispute and his/her issues to the appointing authority within five (5) workdays of receipt of the rater's decision. The notice of dispute must be in writing and must state:

1. Why the employee disputes the plan/evaluation,
2. Specific facts that bolster the employee's point of view,
3. The remedy requested by the employee.

Dispute Resolution Process	Time Frame
1. Employee and supervisor attempt to resolve dispute	ASAP, but not more than 5 workdays from receipt of the plan or evaluation
2. If the dispute is unresolved, the employee files a written notice of dispute with the appointing authority *	Within 5 workdays of the decision in step 1
3. Appointing authority determines who will consider the dispute	Upon receipt of notice of dispute
4. Meeting conducted by the person or panel designated to consider the PMP dispute	Within 10 workdays of receipt of notice of dispute
5. Written decision to employee	5 workdays of meeting

The appointing authority may address the dispute personally or may delegate this to another manager or a dispute resolution committee. Within ten (10) workdays of receipt of the notice of dispute the appointing authority or committee will meet with the employee.

The employee will be apprised in writing of the final decision within five (5) workdays after the meeting. Timelines may be waived by mutual consent of the parties.

Employees may only dispute the following issues:

- ❖ Their own performance plan, (or lack of a plan),
- ❖ Their own final performance evaluation, (or lack of an evaluation),
- ❖ Application of the Department of Revenue's performance management program to the individual employee's plan and/or evaluation,

The following issues are not subject to dispute:

- ❖ The content of the department's performance management program,
- ❖ Matters related to the funds appropriated, and
- ❖ The performance evaluations and merit pay of other employees.

* Department of Revenue appointing authorities or designees shall be the decision-makers in the internal dispute resolution process. Senior Directors or the Executive Director shall be the decision-maker on disputes of an appointing authority's rating of a direct report. Appointing authorities may delegate the authority to resolve disputes. The delegation must be in writing and publicized in advance. All employees must be notified of the authorized decision-maker for their disputes.

Decision-makers are limited to addressing facts surrounding the current action and shall not substitute their judgment for that of the rater and reviewer, but may instruct raters to

- ❖ Follow the Department of Revenue's program,
- ❖ Correct errors,
- ❖ Reconsider a performance plan or overall performance rating,
- ❖ Suggest other appropriate processes such as mediation.

Decision-makers cannot render a decision that would alter the Department of Revenue's Performance Management Program.

A description of the internal dispute resolution process including time limits and name or position of the appointing authority shall be communicated to employees annually.

Final resolution of issues concerning the individual's performance plan (or lack of plan) and the individual's final performance evaluation (or lack of evaluation) shall occur at the internal level. Employees will have no further recourse for resolution of these disputes.

Only those original issues involving the application of the department's performance management program to the individual performance plan and/or evaluation may proceed beyond the Department of Revenue to the State Personnel Director (external dispute process) after completion of the internal process.

Employees must be given written notice that they may, after completion of the internal process, submit a written request to the State Personnel Director (external process), provided it concerns the application of the department's performance management program. Notice shall include deadlines for filing, a list of what must be included in the request, and the address for filing.

The employee must make the request to the State Personnel and Administration Director within five working days of the Department of Revenue's final internal decision and must include copies of the original issues and the final decision.

Only issues originally presented in writing shall be considered throughout the dispute resolution process.

No party has an absolute right to legal representation, but may have an advisor present. The parties are expected to represent and speak for themselves. The definition of an advisor shall be included in the Director's Procedures.

Retaliation against any person involved in the dispute resolution process is prohibited.

IV. Merit Pay

Merit pay will be driven by the evaluations completed by raters and reviewers and will be within system boundaries. When funded, Department of Revenue employees will receive base building merit pay per DPA rules and guidelines. Employees receiving a Needs Improvement rating are not eligible for base building or non-base building merit pay. Base building merit pay when added to the employee's base pay, may not exceed the pay range maximum in the state pay plan.

The annual total compensation survey will continue to be conducted according to statute. Market-based salary increases by occupational groups are base building merit and are separate and apart from Performance Management Program merit pay.

For employees at or above the pay range maximum, only non-base building amounts may exceed the pay range maximum.

Merit pay will be a percentage of base salary, effective on the statewide common date of July 1.

All awards are subject to available funding and no merit pay will be guaranteed.

Eligibility for Merit Pay

Level 1 performers are not eligible for merit pay.

For those below the pay range maximum, the merit pay amounts will be those listed below:

For Employees Below Pay Range Maximum	
Performance Level	Merit Pay
Level 1	Not eligible
Level 2	May not exceed pay range maximum
Level 3	Only non-base building amounts may exceed the pay range maximum

Merit pay for employees at or above the pay range maximum are as shown below.

For Employees at or Above the Pay Range Maximum	
Performance Level	Merit Pay
Level 1	Not eligible
Level 2	Not eligible
Level 3	Only non-base building amounts may exceed the pay range maximum

Establishing the Amount of Merit Pay

All performance salary adjustment distributions adhere to the performance management system rules outlined in Chapters 3 and 6 on performance awards and summarized below.

1. *Needs Improvement* performers (employees receiving the lowest rating) are not eligible for merit pay.
2. All performance salary adjustments are effective on July 1 and payable in the July paycheck. The salary adjustment is based on the final overall evaluation and the performance management program for the employee's current department as of July 1.

3. Prior to payment of merit pay, the State Personnel Director shall specify and publish the percentage for any merit pay increase for priority groups.
4. Employees must be employed with the State on July 1 to be eligible for non-base building salary adjustments resulting from the prior evaluation period.
5. Employees hired during the performance cycle will receive a pro-rated merit pay adjustment based on the number of months worked during the performance cycle. Employees who transfer to DOR during the performance cycle will receive the appropriate full merit pay adjustment.
6. Employees transferring to DOR from another department between April 1 and July 1, receive a salary adjustment based on the final overall evaluation from the other department's performance management program, including an employee who moves to another department after receiving a final overall evaluation, but prior to payment of the award.
7. Non-base building awards must be earned each year. They do not become a permanent part of regular salary. Non-base building awards are paid in one lump sum in July.

V. Training Plan for the Performance Management Program

Department of Revenue supervisors must attend a Performance Management Program training session that covers the following subjects:

An overview of the main features of the Performance Management Program:

- ❖ Requirement for a plan, mid-year review and final evaluation,
- ❖ Rating levels,
- ❖ Core competencies,
- ❖ Base building and non-base building merit pay,
- ❖ July 1 effective date,
- ❖ No quotas or forced distribution,
- ❖ How to complete the new Department of Revenue evaluation form.

The planning process

- ❖ An explanation of the Core Competencies and how to incorporate them,
- ❖ An explanation of performance factors and individual performance objectives,
- ❖ How to write performance objectives,
- ❖ Weighting of factors,
- ❖ How to effectively include employees in the process,
- ❖ The Department mission and objectives - the "line of sight."

Mid-year review

- ❖ The important things to cover,
- ❖ On course or correction needed,
- ❖ Revising the plan.

Annual evaluation

- ❖ Pre-evaluation conference,
- ❖ Preparing the recommended evaluation,
- ❖ The review process,
- ❖ The review process for Needs Improvement and Exceptional evaluations,
- ❖ Communicating the final evaluation to subordinate employees.

Dispute resolution

- ❖ Steps and deadlines,
- ❖ Contrasting appeals/grievances/PMP dispute resolution,
- ❖ What is open to dispute,
- ❖ What is not open to dispute,
- ❖ Internal vs. external process.

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Establishing merit pay amounts

- ❖ Merit pay based on performance,
- ❖ Merit pay equal for everyone at a rating level,
- ❖ All merit pay below range maximum is base building,

Approved. Barbara Brohl, Executive Director Date

Performance Pay System Program created March 2001, revised November 2004,
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