

## 9 Ways To Improve The Employee Evaluation Process

By **Jim McMackin** and **Allyson Britton DiRocco** (May 29, 2019, 12:32 PM EDT)

As summer approaches, many human resources departments are gearing up for performance evaluations.

Not all evaluation programs are created equal, and many employers fall flat in using the process effectively to inspire talent, provide critical feedback and “paper” performance issues. Many legal issues arise from the review process. Many more issues arise from avoiding difficult discussions with poor performers.

Employers need not fret. Performance management can be improved with planning on the front end of the process.

### Process

#### ***Audit Protocols, Processes and Documents***

It is important for HR departments to audit all performance management materials, processes, protocols and communications. Review and update resource guides, evaluation forms, job descriptions and feedback forms. Evaluate and improve your communication plan for initiating evaluations. The goal is to create a precise road map for performance evaluations. We recommend beginning this step well before you start conducting reviews.

#### ***Execute Performance Evaluation Process***

Implement your communication plan and inform everyone of the timeline connected to your company’s performance evaluations. Ensure managers are aware of deadlines to conduct evaluations and return forms to HR. It is equally important to inform employees of the critical dates for their evaluations, so they are prepared.

Meet with your managers to discuss the performance evaluation process, documents and expectations. Use this meeting to address questions, concerns and issues. Managers often need help with providing constructive feedback, so use this time to provide training and explain company protocols.

Instruct managers to complete performance forms and discuss results with their staff members. Provide



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managers and staff members job descriptions and past evaluations to be used during this conversation. This is an opportunity to review and clarify expectations.

Consider directing employees to complete a self-evaluation using the same template that the manager will complete. In doing so, managers and direct reports can have an improved dialogue about overall performance, areas for improvement and goal setting for the next year.

### ***Goal-Setting and Performance Planning for the Coming Year***

Performance management should not end at the completion of evaluation. It is important for HR departments to ensure that employees understand the outcomes of evaluations and expectations for the next year. If performance issues are identified, HR should work with both managers and employees to outline a plan for improvement with established timelines.

Managers should also work with their employees to discuss employee's goals for professional development, as well as the department's goals. Review job descriptions, and be sure the information remains an accurate depiction of the position and expectations. The best managers use performance evaluations as an opportunity for overall talent management.

### **Key Takeaways**

#### ***Make the Expectations Clear for the Employee***

It is best practice for the employee to have a clear understanding of the practical results and milestones that need to be reached in order to meet the employee's individual goals and the company's goals. Employers should also explain the criteria being measured. If the goals are described appropriately, it leaves little room for differing opinions on productivity.

#### ***Beware the Landmines***

If an employee took protected job leave, it is unlawful to hold that leave against their inability to meet deadlines. Treat all similarly situated employees similarly. For example, all sales representatives must be treated similarly regardless the employee's protected characteristics (e.g., race, age, sex, etc.) or the fact an employee may have engaged in protected activity (e.g., complained of discrimination or taken job-protected leave).

Treating similarly situated employees differently can open the door to discrimination claims against the employer. If a supervisor is going to provide negative feedback about an employee's performance, be sure other employees are not being treated more favorably, even if they have a different supervisor. It is best practice to have two managers present during each review, and have the employee sign an acknowledgment of receiving the review even if the employee does not agree with the review.

#### ***Give Constructive Feedback***

If there are performance deficiencies, it is best practice to document and explain those issues to the employee in the performance review. Supervisors can be hesitant to discuss negative areas in a performance evaluation. However, many courts disregard undocumented performance issues in Title VII discrimination and retaliation cases.

Hold managers accountable when they are too lenient on poor performers because, for example, they are protective of their turf, do not want to hurt feelings, are too lazy to confront problem employees, or play favoritism. Below is a hypothetical example of how a supervisor's failure to give constructive feedback can hurt the employer:

- John Jenkins has demonstrated poor performance for the past few years at work. Sally Supervisor has had some verbal conversations with him about his performance, but she has not documented these issues in his annual performance evaluations. Sally has provided positive feedback only in his performance evaluations. Sally has decided that she wants to terminate him for performance-related issues. The company is located in an at-will employment state. Sally terminates John. John Smith files a charge of discrimination claiming that he suffered discrimination because he was terminated based upon his age. The replacement employee is significantly younger than John. The employer needs to articulate a legitimate nondiscriminatory reason for terminating John. Sally states John was terminated because of his poor performance. The company will have a difficult time defending against this charge because Sally has not documented John's performance deficiencies in his performance evaluation. According to his performance evaluations, John appears to be a stellar employee.

If Sally had documented her verbal conversations with John and noted his deficiencies in his performance evaluations, the employer would have a much stronger defense against John's discrimination claim. The employer would be able to provide evidence of John's performance deficiencies in support of its legitimate nondiscriminatory reason for terminating John.

### ***Manage Expectations in the Review Process***

Do not make a promise that an employee's contract will be renewed, or that they will be getting a bonus that year if that is not true or you do not know. That can only lead to problems later.

### ***Have the Employee Perform a Self-Evaluation***

It is important to learn what the employee believes are his/her strengths and weaknesses and to identify areas of interest. This enables an employer to develop the employee and identifies for the manager in advance areas of dispute with regard to strengths and weaknesses.

### ***Follow Up After the Annual Review Process***

Check in on goals and provide regular feedback to employees. If the supervisor discusses needs for improvement, it should be discussed with the employee periodically after the review (certainly before the next annual review) to determine if the employee is making the necessary improvements.

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