



Commonwealth Performance Management Program

Addressing Performance Deficiencies

This is a guide for handling deficient performance, whether the employee is management, union-covered, civil service, or non-civil service.

Deficient performance is that which is less than satisfactory, such as Employee Performance Review ratings of "Needs Improvement" or "Unsatisfactory," or performance that drops below the satisfactory level at any time during the evaluation period.

Keep in mind that this guide provides general guidance. Raters and reviewing officers are encouraged to work closely with their Labor Relations Coordinator, since various labor relations issues are often associated with managing performance. There also may be other issues related to work performance that are not covered here. Additional information on the Performance Management Program is contained in Management Directive 540.7.

This guide addresses:

- How supervisors can identify deficient performance
- What causes contribute to deficient performance
- What actions raters and reviewing officers can take to address and resolve deficient performance

Proper performance management starts with clear, written performance standards that are specific, measurable, achievable, realistic, and time-bound.

Performance standards define what constitutes satisfactory performance and serve as chief measures of an employee's performance. Standards must be in place and communicated to each employee at the outset of an evaluation period.

Chronic or continuous performance deficiencies exist when an employee fails to meet the minimally acceptable standards of performance for the job over a period of time. Chronic deficient performance often includes time and attendance issues, poor work quality, excessive mistakes, missed deadlines, and low productivity. Other behaviors that may be observable in conjunction with deficient performance are mood swings, attitude changes, poor working relationships with co-workers, and a decline in physical appearance.

Situational performance deficiencies exist when an employee occasionally fails to meet the performance levels for the job. Any of the performance deficiencies mentioned previously can occur, but they will generally happen in a scattered or inconsistent way. Situational lapses can often be addressed by prompt supervisory intervention/correction; but if not addressed, or if the employee does not respond to the intervention, such lapses can evolve into chronically deficient performance.

It is important for raters and reviewing officers to determine if their employees are meeting the performance standards of the job and, if not, whether the deficiencies would merit a rating that is less-than-satisfactory. The extent and impact of the deficiencies should also be identified: are they present in one, several or all performance factors? If they are present in only one or a few, is the importance of those factors to the overall successful performance of the job such that the deficiencies undermine satisfactory performance of the job as a whole? These assessments will dictate the approach to be taken to address the problem. An overall unsatisfactory rating will warrant the imposition of a corrective work plan and generally is accompanied by discipline. An overall rating of needs improvement will not trigger the same reactions, but should be the basis for supervisory intervention in the form of coaching, counseling, additional training, other assistance, or correction aimed at affording the employee the opportunity to improve.

In any event, when an employee is not meeting performance standards, the supervisor should make the employee aware of deficient performance as it occurs. Supervisors should not wait for the employee's next scheduled employee performance review (EPR) or until the problems become excessive. The supervisor should document deficient performance before speaking to the employee. When meeting with the employee, it is critical for the supervisor to stay focused on the performance problem(s) and to remain undistracted by unrelated issues. Good documentation helps the supervisor accomplish this, and addressing problems as they arise can often prevent them from expanding.

Deficient performance is typically an employee-based problem. However, in some cases, the supervisor may have the means to help correct the problem. Generally, issues related to deficient performance take one of three forms:

1. Lack of job knowledge
2. Unsuitability to the job
3. Emotional or external factors

Lack of Job Knowledge can usually be corrected with the transfer of information. The supervisor is responsible to determine if the employee knows how to perform his or her job. If not, training or instruction often can help. Probationary periods are the appropriate time to focus on and determine if an employee has the capacity for the work and if he or she has acquired sufficient knowledge to do the job satisfactorily.

Supervisors should use probationary periods properly, whether dealing with lack of job knowledge or other reasons for deficient performance. This means considering extensions of probation where performance is less than satisfactory, but the employee shows promise of being able to attain a satisfactory level of performance within a reasonable period of time; and using the probationary period to separate employees who demonstrate that they are unlikely to improve to a satisfactory level. These are areas where the Labor Relations Coordinator's help is invaluable.

Whether an employee is well suited to the job depends, in part, on whether he or she is capable of performing the job's essential functions. If he or she is capable, the supervisor must hold the employee accountable to produce the desired results. If the employee is not capable, then he or she is not well suited to the job and transfer, demotion, or dismissal may be necessary.

Emotional or external factors may affect the employee's performance. However, the supervisor should not diagnose or become involved in an employee's personal problems. If deteriorating job performance is identified, the supervisor should inform the employee of the professional services available from SEAP, 1-800-692-7459, (or TTY 1-800-824-4306).

SEAP referrals are appropriate whether work-related or non-work related factors are present.

Developing an action plan is essential. When supervisors identify deficient performance, they should discuss the problem with the reviewing officer and the Labor Relations Coordinator. Together, they can create an action plan to deal with the employee's performance problem.

Generally, the following actions will be taken:

Review the employee's work against the performance standards and document the specific instances of the employee's deficient performance.

Discuss the documented performance issues with the employee. This involves counseling about the gap between expectations/performance standards and outcomes, to include the offer of suggestions/ recommendations of actions the employee can take to close this gap and the provision of notice that continued performance deficiencies might have potential disciplinary consequences. If deficient performance persists, counseling should generally be repeated. (The number of times it is repeated will depend upon the nature of the employee's job and the type and degree of deficient performance.) All such counseling should be well-documented.

If counseling does not correct the deficient performance, develop an EPR based upon the documented instances of deficiencies and how they deviate from performance standards.

After discussion with the reviewing officer, present the signed and dated EPR to the employee and discuss the reasons for the rating. During meetings to discuss deficient performance, employees covered by a collective bargaining agreement or memorandum of understanding are in some circumstances entitled, at their request, to obtain union representation. Again, the Labor Relations Coordinator's advice should be sought.

An overall rating of "unsatisfactory" can serve as the basis for disciplinary action. If this course is pursued, the employee's rights to just cause and due process must be ensured. (Consultation with the Labor Relations Coordinator should occur.) While an overall rating of "needs improvement" does not warrant discipline, action to address the underlying performance deficiencies must nonetheless be undertaken.

Whether or not discipline is taken, it is critical that the supervisor work with the employee to develop a work or action plan which outlines the steps that will be taken to address the performance problem(s). Identify all areas of deficient performance and give the employee the recommendations for improvement. Solicit employee feedback and cooperation on ways to improve his or her performance. With an overall unsatisfactory rating and the accompanying disciplinary implications, it is particularly important that this work plan be specific and well-documented. Then:

- Inform the employee of the intent to assess employee work assignments and work products relative to the established work plans and standards.
- Inform the employee that progress reviews (for overall "needs improvement") and/or interim EPRs (for overall "unsatisfactory") will be used to provide feedback/document his or her performance. Provide the planned review schedule to the employee.

- Inform the employee that he or she will be held accountable to produce work results that meet job standards.
- Refer the employee to SEAP. Supervisors should not diagnose or become involved in the employee's personal problems.

Follow through and document. Hold progress reviews as planned and/or interim EPRs with the employee and continue documenting and providing appropriate feedback to the employee as he/she progresses.

Be sure to consult with the Labor Relations Coordinator throughout the process. It is very important to maintain appropriate documentation throughout the performance management process.

Need more info?

Check out [performance resources online](#).

Need to know how to recognize employees for a job well done?

Check out [employee recognition resources](#).

Questions? Contact OA, Bureau of Employee Relations at 717.787.5514.