

BACK TO THE FUTURE: TAKING A TIME MACHINE TO FIX THOSE ERRANT PERFORMANCE EVALUATION DECISIONS

Bob Smith's Evaluation...

Bob Smith, my assistant programmer, can always be found hard at work in his cubicle. Bob works independently, without wasting company time talking to colleagues. Bob never thinks twice about assisting fellow employees, and he always finishes given assignments on time. Often Bob takes extended measures to complete his work, sometimes skipping coffee breaks. Bob is a dedicated individual who has absolutely no vanity in spite of his high accomplishments and profound knowledge in his field. I firmly believe that Bob can be classed as a high-caliber employee, the type which cannot be dispensed with. Consequently, I duly recommend that Bob be promoted to executive management, and a proposal will be executed as soon as possible.

(Signed)

Project Leader

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AN EMAIL WAS SOON SENT FOLLOWING THE LETTER THAT STATED:

“That idiot was reading over my shoulder while I wrote the report sent to you earlier today, so I was unable to give an upfront evaluation of him. Kindly read only the odd numbered lines (1, 3, 5, ...) for my true assessment of him.

Regards –“

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A Quiz On Performance Evaluations

1. The critical purpose of annual evaluations is to:
 - (a) Provide the employee with a grade for his/her work.
 - (b) Determine whether the employee should receive a raise.
 - (c) Provide for a forum where the supervisor and employee can discuss whether the employee is meeting the expectations of the position.
 - (d) Ensure that the employee is satisfied and will continue his/her employment.
 - (e) All of the above.

2. Past annual evaluations:
 - (a) Should be thoroughly considered when preparing an annual evaluation.
 - (b) Should be ignored when preparing an annual evaluation.
 - (c) Should be considered but not relied upon when preparing an annual evaluation.
 - (d) Are the most important document when preparing an annual evaluation.
 - (e) Both (a) and (d) are correct.

3. Annual evaluations can subject you to liability.

True _____ False _____

4. Evaluating supervisors are rarely honest with employee annual evaluations because:
 - (a) They do not know whether the employee is truly meeting expectations.
 - (b) They are concerned about working alongside the employee over the next year.
 - (c) They believe that the annual evaluation may provide a boost to the employee's performance.
 - (d) Both (b) and (c) are correct.

5. The average time to complete a thorough annual evaluation is:
- (a) 5 minutes
 - (b) 30 minutes
 - (c) 1 hour
 - (d) 4 hours
6. The ideal number of people involved in an annual evaluation meeting is:
- (a) two
 - (b) three
 - (c) four
7. Corrective or disciplinary information should not be shared with employees for the first time during an annual evaluation.
- True _____ False _____
8. The most important part of the evaluation is:
- (a) The actual rating.
 - (b) The employee's comments.
 - (c) The descriptive explaining the areas in need of improvement.
 - (d) The descriptive explaining the employee's accomplishments.
 - (e) Both (c) and (d)
9. Compensation based evaluations are the best type of evaluations.
- True _____ False _____
10. It is appropriate for supervisors to take the following actions with poorly performing employees during the evaluation process:
- (a) Termination
 - (b) Suspension
 - (c) Probation
 - (d) All of the above

11. Employees should be permitted to refuse to sign the annual evaluation.

True _____ False _____

12. Employees should be permitted to provide comments or explain why they disagree with the evaluator.

True _____ False _____

**BUT the real secret
to successful performance evaluations...**

Umbrella-Based Job Descriptions & Four Goals

The Halo Effect

A County Emergency Management Coordinator earned high praise two years ago for her leadership during a major hurricane, successfully coordinating multi-agency response and public communication. Since then, however, she has struggled to keep up with routine tasks, missing grant application deadlines and failing to update critical emergency response plans. Several partner agencies have expressed frustration with communication delays and lack of responsiveness. Despite these issues, her supervisor continues to give her top ratings on the annual evaluation, largely relying on her past accomplishments and reputation rather than assessing her current work. Other team members feel this gives her an unfair advantage and lowers morale.

Discussion Questions

- What performance period should the evaluation cover?
- How can past achievements distort current assessments?
- How should the supervisor acknowledge prior success without inflating the rating?

Legal Risk Spotlight

Inflated or inaccurate evaluations undermine future discipline or termination and weaken the employer's credibility in grievances or litigation.

Bias or Prejudice

A Road & Bridge Superintendent supervises two Equipment Operators who have similar job responsibilities and productivity records. One operator shares the supervisor's communication style and cultural background and is consistently described in evaluations as "reliable and dependable." The other operator communicates differently, sometimes challenging decisions, but meets all job expectations. The supervisor's evaluation rates this employee significantly lower, citing vague concerns about attitude and teamwork. Neither employee's actual output justifies the difference. The lower-rated employee feels the evaluation is unfair and is considering filing a complaint with HR.

Discussion Questions

- How can unconscious bias influence evaluations?
- What safeguards reduce bias in ratings?

Legal Risk Spotlight

Biased evaluations can support discrimination claims and violate equal employment and civil service principles.

Not Knowing Employees

A County Finance Director oversees a team of Budget Analysts but works remotely and rarely engages with the staff beyond periodic email check-ins. During the annual evaluation cycle, the director relies heavily on outdated job descriptions and past reputation rather than reviewing recent work or consulting with direct supervisors. As a result, the analysts receive generic evaluations that fail to reflect the complexity, accuracy, and volume of their recent projects. Several analysts express frustration that their efforts have gone unnoticed, while leadership questions the validity of the evaluation process.

Discussion Questions

- What makes an evaluation credible?
- How can supervisors ensure they understand employee work?
- What role should direct observation and documentation play?

Legal Risk Spotlight

Evaluations lacking factual basis are easily challenged and may be disregarded in legal or administrative proceedings.

Overemphasis on Isolated Events

A Code Enforcement Officer, who generally maintains a strong record with timely inspections and positive citizen feedback, makes a critical error by failing to upload proper documentation for a significant inspection the week before evaluations are due. The supervisor, who is under pressure to improve departmental compliance rates, focuses almost exclusively on this recent mistake in the annual evaluation, rating the officer poorly and making no mention of the months of otherwise solid work. The officer feels the evaluation is unfair and demoralizing.

Discussion Questions

- How can recency bias distort evaluations?
- What documentation practices prevent this?
- How should isolated mistakes be addressed?

Legal Risk Spotlight

Overweighting recent events creates unfair evaluations and weakens consistency and defensibility.

Lenient or Inflated Appraisals

A Human Resources Generalist in a busy county department consistently misses deadlines, submits incomplete work, and requires coworkers to redo her assignments. The supervisor, wanting to avoid conflict and believing the technician will improve with time, gives “meets expectations” ratings year after year, accompanied by vague positive comments. When the technician’s performance issues escalate and formal discipline is necessary, HR points to the prior positive evaluations and questions the supervisor’s judgment. This weakens the county’s ability to enforce corrective actions and undermines trust among other team members.

Discussion Questions

- Why do supervisors inflate ratings?
- How do inflated appraisals harm both the county and the employee?
- What support do supervisors need to rate honestly?

Legal Risk Spotlight

Consistently positive evaluations can bar effective discipline and increase discrimination and retaliation exposure.

Appraisal of Potential Worth

A newly hired Assistant County Planner demonstrates enthusiasm, strong academic credentials, and eagerness to learn. However, she struggles to complete independent site reviews accurately and on schedule during her probationary period. The supervisor rates her highly on the evaluation, citing her “potential to be an outstanding planner” rather than her current shortcomings. As a result, performance problems are masked, delaying necessary coaching and development. The probationary period ends without clear documentation of areas needing improvement, creating challenges if further action is needed.

Discussion Questions

- What should evaluations measure—potential or performance?
- How should supervisors address growth separately?
- Why is this especially risky during probation?

Legal Risk Spotlight

Evaluations that misstate actual performance undermine probationary decisions and corrective action.

Postponing or Skipping the Appraisal

A Parks & Recreation Supervisor delays conducting annual employee evaluations due to competing deadlines, budget preparations, and staffing shortages. Evaluations are not completed until several months past the scheduled date. Employees receive little to no formal feedback during the delay and begin to assume management does not value their contributions. Morale and productivity decline, and when evaluations finally occur, employees are disengaged and distrust the process, feeling their work was neither recognized nor fairly assessed.

Discussion Questions

- What message does delay send to employees?
- How does timeliness affect credibility?
- What are best practices during busy periods?

Legal Risk Spotlight

Delayed evaluations weaken documentation and may violate policy, contract, or civil service requirements.

Poor Preparation

A County Facilities Manager schedules an evaluation meeting but arrives with no notes, performance data, or concrete examples. When the employee asks for specifics on ratings or areas needing improvement, the supervisor struggles to provide clear answers, relying instead on vague impressions. The employee questions whether the supervisor understands her job duties and wonders if the evaluation process is meaningful or fair.

Discussion Questions

- How does preparation affect employee trust?
- What should supervisors bring to an evaluation?
- How does poor preparation affect legal defensibility?

Legal Risk Spotlight

Unprepared evaluations appear arbitrary and are difficult to defend if challenged.

Using the Evaluation as Corrective Action

During a Library Branch employee's annual evaluation, the supervisor raises multiple disciplinary issues—excessive absenteeism, failure to follow policy, and customer complaints—that had never been previously discussed or documented. The employee is caught off guard and feels blindsided by the negative feedback delivered in a formal performance review setting. Combining discipline and appraisal generates tension, distrust, and a formal grievance.

Discussion Questions

- Why should discipline be addressed immediately?
- How does mixing discipline and appraisal harm the process?
- What should the evaluation focus on instead?

Legal Risk Spotlight

Surprise discipline increases grievance risk and may violate due process expectations.

Overemphasizing Good Performance

A Utilities Customer Service Representative receives an evaluation filled with glowing praise for her excellent communication skills and helpfulness with customers. However, the supervisor omits any mention of frequent data entry errors that have caused billing delays and confusion. The employee leaves the evaluation believing her performance is flawless, only to be surprised when a corrective action plan is later initiated to address these errors.

Discussion Questions

- How can over-praising mislead employees?
- Why must evaluations be balanced?
- What happens when later discipline contradicts praise?

Legal Risk Spotlight

Overly positive evaluations weaken future corrective action and termination decisions.

Not Following Through

A County IT Supervisor and an employee agree during an annual evaluation on goals including technical training and a plan to redistribute workload to reduce burnout. Several months later, the promised training sessions have not been scheduled, and workload imbalances persist. The employee grows frustrated, feeling the evaluation was a meaningless formality and loses motivation to improve.

Discussion Questions

- Why is follow-through essential?
- How does lack of follow-up affect morale?
- What systems help ensure accountability?

Legal Risk Spotlight

Failure to follow through can support claims of bad faith and undermine performance management systems.

Avoiding the Tough Issues

A Public Works Crew Leader consistently arrives late and ignores safety protocols, but his supervisor hesitates to address these issues because the employee is well liked and has decades of service. Over time, coworkers complain about unsafe practices and the supervisor's failure to act. Eventually, the issues escalate into a workplace injury that could have been prevented with earlier intervention.

Discussion Questions

- Why do supervisors avoid difficult conversations?
- What happens when issues are ignored?
- How does delay affect team performance?

Legal Risk Spotlight

Unchecked performance issues increase safety risks and reduce management credibility.

Evaluating Attitude

A County Purchasing Agent frequently questions vendor selections and contract compliance during meetings, often voicing concerns about potential conflicts of interest. Her supervisor evaluates her as having a “negative attitude” and “resistance to authority,” citing her questioning as problematic rather than focusing on the validity of her concerns. The employee feels penalized for advocating for transparency and compliance.

Discussion Questions

- Why is “attitude” risky to evaluate?
- How can supervisors reframe concerns objectively?
- What should evaluations focus on instead?

Legal Risk Spotlight

Subjective “attitude” ratings are vulnerable to discrimination and retaliation claims.

Accepting Excuses

A Building Inspector repeatedly misses assigned inspection quotas, citing heavy traffic, bad weather, and understaffing as reasons. The supervisor accepts these excuses without verifying their validity or exploring solutions such as route optimization or support staffing. As a result, performance issues continue unaddressed, frustrating coworkers and delaying permit approvals.

Discussion Questions

- How should supervisors assess explanations?
- When are excuses legitimate?
- What should follow a valid explanation?

Legal Risk Spotlight

Failure to address root causes can create liability for continued poor performance and inequitable treatment.

Ignoring Employee Feedback

A Social Services Caseworker raises serious concerns during her evaluation about excessive caseload volumes, outdated software, and resource constraints impacting service quality. The supervisor listens but takes no action and fails to follow up. The same issues persist in subsequent evaluations, leaving the employee feeling ignored and undervalued, which negatively impacts morale and retention.

Discussion Questions

- Why ask for feedback if it won't be considered?
- How does ignoring input affect engagement?
- What follow-up should occur after evaluations?

Legal Risk Spotlight

Ignoring employee input undermines the interactive process and damages trust, increasing complaints and turnover.

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