

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PD-52 (rev. 6), “PERFORMANCE EVALUATIONS”
AUGUST 1, 2013
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TEXAS DEPARTMENT NUMBER: PD-52 (rev. 6)
OF
CRIMINAL JUSTICE DATE: August 1, 2013
 PAGE: 1 of 21
 SUPERSEDES: PD-52 (rev. 5)
 March 1, 2009

EXECUTIVE DIRECTIVE

SUBJECT: PERFORMANCE EVALUATIONS

AUTHORITY: Tex. Gov't Code §§ 493.006, 493.007, 659.2551

Reference: American Corrections Association (ACA) Standard: 4-4064
and 2-CO-1C-06

APPLICABILITY: Texas Department of Criminal Justice (TDCJ)

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The TDCJ reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the executive director's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the TDCJ and **do not** create any legally enforceable interest or limit the executive director's, deputy executive director's or division directors' authority to terminate an employee at will.

POLICY:

The TDCJ promotes equal employment opportunity through an employee performance evaluation system designed to evaluate employees' performance without regard to race, color, religion, sex (gender), national origin, age, disability, genetic information, or uniformed services status. The TDCJ has zero tolerance for all forms of employment discrimination in the employee performance evaluation process, and harassment or retaliation is prohibited. No employee shall be subjected to harassment or retaliation for opposing or reporting employment discrimination in the employee performance evaluation process.

DEFINITIONS:

“Discrimination” is unequal treatment of persons based on sex (gender), including sexual harassment, race, color, religion, national origin, age (40 or above), disability, or genetic information. Discrimination by employers falls into four general areas: (1) hiring and firing, such as failing or refusing to hire or discharging; (2) employment conditions, such as compensation, terms, conditions, or privileges; (3) segregation and classification, such as limiting, segregating or classifying employees in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual’s status as an employee; and (4) training programs.

“Dual Supervised Employee” is an employee who holds a position that is customarily departmentally budgeted, assigned to a unit or a Correctional Institutions Division (CID) regional director’s office, and reports to the department head for technical supervision and to the warden or CID regional director for administrative supervision.

“Signature Date,” for the purpose of this directive, is the date an employee signs the employee’s performance evaluation, or the date that indicates an employee refused to sign the performance evaluation.

“Technical Supervision” is the supervision of a dual supervised position by supervisors responsible for ensuring the employee is trained to perform specialized or technical essential functions, such as functions directly related to agriculture, human resources, or maintenance, and for evaluating and monitoring the employee’s performance of such job duties.

“Workday,” for the purpose of this directive, is a day when an employee is regularly scheduled to work.

DISCUSSION:

Performance evaluations indicate how well an employee is performing the essential functions of the employee’s position. The performance of essential functions by employees at a level that meets or exceeds performance standards is vital in accomplishing the TDCJ mission.

PROCEDURES:

I. Ongoing Communication or Counseling

Performance evaluations are a management tool, as well as an employee professional development tool that periodically provides employees with a formal written acknowledgment of their performance and a clear understanding of performance expectations and objectives. Performance evaluations also provide management with information that may be used as a basis for planning work assignments, as a justification for career ladder adjustments, to establish an employee’s eligibility for a merit increase in accordance with PD-90, “Merit Salary Increases,” to demonstrate a need for training, or

to justify disciplinary action for substandard duty performance in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees."

In addition to the communication occurring during the performance evaluation process, supervisors are expected to adopt a proactive approach to employee development and engage in regular, candid, and responsive communication with employees. Such communication may include informal discussions in which supervisors periodically: (1) appraise and inform employees of their overall performance; (2) provide immediate feedback to employees on specific job performance or conduct; (3) reinforce effective behavior; or (4) point out where opportunities for improvement exist.

If at any time an employee's job performance does not meet standards, the supervisor shall immediately counsel the employee regarding specific steps the employee should take to improve the employee's job performance. Training and close supervision are some other management techniques that should be considered in addition to ongoing supervisory counseling.

A. Use of the PERS 401, TDCJ Employee Performance Log (Attachment A)

The PERS 401, TDCJ Employee Performance Log, is a management tool that can assist in the completion of an employee's performance evaluation. Supervisors may use the PERS 401 throughout the year to record issues needing corrective action as well as exceptional achievements, ensuring all entries are objective, job-related, and applicable.

1. When counseling an employee whose job performance does not meet standards, supervisors shall use the PERS 401, Employee Performance Log to document observation dates and notes regarding discussions, expectations, action plans, time lines, and measures to assist the employee in meeting established performance goals. Additional pages may be added to the PERS 401 form if needed.
2. Supervisors are also encouraged to use the PERS 401, Employee Performance Log to maintain written records of significant events concerning the job performance of an employee who meets or exceeds performance standards.
3. Wardens or department heads may establish supplemental procedures regarding the use of the PERS 401, Employee Performance Log. Wardens or department heads shall ensure that supplemental procedures are consistently applied to all unit or department employees.

- B. Maintenance of the PERS 401, Employee Performance Log, and Other Counseling or Job Performance Records.

Supervisors shall maintain such records in accordance with the procedures in PD-55, "Human Resources Records and Files," relating to supervisory files. Such documentation shall not be attached to the employee's PERS 11, Employee Performance Evaluation.

II. Performance Evaluation Participants

Performance evaluation participants may include a senior rater and a reviewer in addition to a rating supervisor. The position of the employee being rated is a factor in determining if a senior rater or reviewer shall be involved in the rating process.

A. Rating Supervisor

1. The rating supervisor shall complete an employee's performance evaluation when it becomes due.
2. The rating supervisor is an employee's first line supervisor or an employee designated as the rating supervisor by the employee's unit or departmental policy or by written notice from the warden or department head.

B. Senior Rater

1. The senior rater shall review and sign the performance evaluation in accordance with the procedures within this directive. A senior rater is not required if the rating supervisor occupies a division director position or higher. A senior rater is required in all other instances.
2. A senior rater is:
 - a. An employee's second line supervisor; or
 - b. An employee designated as the senior rater by the employee's unit or departmental policy or by written notice from the warden or department head.

For dual supervision positions, the rating supervisor and the senior rater shall be determined by mutual agreement of the administrative and technical lines of authority.

C. Reviewer

A reviewer, if applicable, shall review and sign the performance evaluation in accordance with the procedures within this directive. A reviewer participates in

the evaluation process only when the employee being evaluated is a dual supervised employee as defined in this directive. Participation by a reviewer is not required. The reviewer represents the technical line of supervision.

1. The department head in the technical line of supervision shall be provided the opportunity to:
 - a. Perform this function;
 - b. Have a designee perform this function; or
 - c. Elect to not participate in the evaluation process.
2. If the department head elects to use the reviewer function, the reviewer shall review and sign the performance evaluation in accordance with the procedures in this directive. The reviewer may consult with another supervisor in the employee's line of supervision.

III. Performance Evaluation Intervals

Rating supervisors shall be responsible for conducting performance evaluations in accordance with the intervals established by this directive.

A. Interim Performance Evaluations

1. An interim performance evaluation shall be completed when a rating supervisor is leaving the position and shall no longer be the employee's rating supervisor or an employee is moving to another TDCJ position, excluding separation of employment, and shall no longer be reporting to the same rating supervisor, and the following conditions are met:
 - a. There has been a working relationship of at least 120 calendar days between the rating supervisor and the employee; and
 - b. The rating supervisor has not previously provided an annual performance evaluation for the employee, or it has been more than 120 calendar days since the employee's annual performance evaluation.
2. An interim performance evaluation may be completed to document an employee's qualification for advancement in a career ladder.
3. The completion of an interim performance evaluation shall not affect the due date of future annual performance evaluations.

B. Annual Performance Evaluations

1. Due Date Notification

The Payroll/Personnel system (PPS) identifies annual performance evaluation due dates and displays them on the EVALLS screen. The system identifies the initial performance evaluation due date by the employee's anniversary date of employment with the TDCJ, and subsequent performance evaluations by the signature date of an employee's previous performance evaluation.

a. The human resources representative shall:

- (1) Access the PPS EVALLS screen in accordance with the *PPS Performance Evaluation Reference Guide* and review each monthly report;
- (2) Notify the appropriate rating supervisor of performance evaluation due dates; and
- (3) Advise the warden or department head on a monthly basis of any past due evaluations.

b. The warden or department head shall take the appropriate steps to ensure rating supervisors complete performance evaluations in accordance with the timeframes established in Section III.B.2.

2. Completion Period

A performance evaluation shall be completed after a one year period following the signature date of an employee's previous performance evaluation. The performance evaluation shall be completed no earlier than 30 calendar days prior to or no later than 30 calendar days following the date the performance evaluation is due.

a. If an employee is on leave for 30 consecutive calendar days or less during the completion period, the performance evaluation shall be completed either prior to the employee being placed on leave or after the employee returns to work.

If the completion period expires while the employee is on leave, the performance evaluation shall be completed immediately upon the employee's return from leave.

- b. If the employee is on leave for more than 30 consecutive calendar days during the completion period, the performance evaluation shall be postponed and completed in accordance with the procedures in Section III.B.3.b of this directive.

3. Postponements

a. Change in Assignments

- (1) An annual performance evaluation should be postponed whenever:
 - (a) An employee whose annual performance evaluation is due has not been working in a position for a period of at least 120 calendar days; or
 - (b) A newly assigned rating supervisor has observed an employee's performance for a period of less than 120 calendar days.
- (2) The rating supervisor and the employee may agree to waive the 120-calendar day observation period, and their signatures and date of signatures on the performance evaluation shall constitute agreement to the waiver. If the 120-calendar day observation period is not waived, the performance evaluation shall be completed immediately after the end of the 120-calendar day observation period.

b. Employees on Leave

A performance evaluation for an employee who is on leave for more than 30 consecutive calendar days during the evaluation completion period shall be postponed until after the employee returns to work.

- (1) If the employee is out on leave for less than 120 consecutive calendar days, the performance evaluation shall be completed within 30 calendar days of the employee's return to work.
- (2) If the employee is out on leave for 120 consecutive calendar days or more, the performance evaluation shall be completed no earlier than 90 calendar days after the employee's return to work and no later than 120 calendar days after the employee's return to work.

c. Rating Supervisor Responsibilities

After being informed by the human resources representative that an employee's performance evaluation is due, the rating supervisor shall inform the employee and the appropriate human resources representative if a postponement of the performance evaluation is necessary.

d. Human Resources Representative Responsibilities

When the human resources representative is notified that an employee's performance evaluation is being postponed, the human resources representative shall indicate the postponement of the evaluation on the PPS EVALU screen in accordance with the *PPS Performance Evaluation Reference Guide*.

e. Effect on Future Performance Evaluations

A postponement extends the overall rating period for the next evaluation by the length of the postponement. For example, if a review is postponed by two months, the rating period will be extended by two months.

IV. Completing the PERS 11, Employee Performance Evaluation, Attachment B

The PERS 11 form shall be completed in accordance with the following guidelines:

A. Part I - Administrative Data

The human resources representative shall complete Part I of the PERS 11, Employee Performance Evaluation, blocks one through seven, based on information provided in the PPS EVALU screen. Block two, "Period of Report" shall reflect the full evaluation period in the "From" and "To" blanks regardless of any postponement.

1. If the performance evaluation was postponed, the rating supervisor shall ensure that "Postponed to (date evaluation was provided to employee)" is typed above the "To" in block two, "Period of Report."
2. If an employee has only worked for the rating supervisor for a portion of the evaluation period, for example an employee transferred or was promoted from another unit or department, statements may be included in the written justification area to clarify the actual period of supervision.

B. Part II.A - Essential Functions

1. Identification of Essential Functions

The human resources representative shall generally be able to provide the rating supervisor access to a PERS 11, Employee Performance Evaluation with the employee's essential functions pre-printed on the PERS 11 form. If a pre-printed PERS 11 form is not available, the rating supervisor shall write the employee's essential functions in areas one through six. The essential functions shall be identical to the essential functions in the employee's job description. If more than six essential functions are listed in the employee's job description, an additional sheet shall be used. A copy of the job description shall not be attached to the PERS 11 form.

If an employee performs additional essential job functions that are not included in the current job description, the rating supervisor shall identify and prepare a draft document of the additional job functions on an additional sheet of paper for discussion with the senior rater and HR representative prior to distribution. The rating supervisor shall:

- a. Indicate there are additional essential functions by checking the "No" checkbox in Part II.A of the PERS 11 form;
- b. Complete the performance evaluation using the essential functions on the employee's current job description; and
- c. Send a copy of the completed performance evaluation, the current job description, and the additional essential functions to the unit or department human resources representative or regional human resources coordinator.

The human resources representative or regional human resources coordinator shall review the suggested additional essential functions with the rating supervisor before contacting the Employee Classification Section of the Human Resources Division for assistance in review of the suggested additional functions and revision of the job description, if required, in accordance with PD-93, "Employee Classification."

2. Rating the Performance of Essential Functions

The rating supervisor shall indicate which rating is the most accurate description of the employee's overall performance of the essential function listed. An employee's performance rating for one essential function shall

not affect the employee's performance rating for another essential function, either positively or negatively.

- a. When a rating supervisor is rating the performance of essential functions for an employee whom the rating supervisor has supervised for only a portion of the evaluation period, the rating supervisor shall take into consideration the ratings on an interim performance evaluation if:
 - (1) The interim performance evaluation was completed within the annual period being reviewed; and
 - (2) The employee is in the same position the employee held at the time of the interim performance evaluation.

Consideration of the ratings on an interim performance evaluation allows the rating supervisor to make an accurate assessment of the employee's performance for the complete period of evaluation.

- b. If the employee does not perform an essential function, the rating supervisor shall:
 - (1) Write the following note next to the essential function: "Does Not Perform This Function;"
 - (2) Check the "No" checkbox in Part II.A of the PERS 11 form;
 - (3) Complete the performance evaluation based on the essential functions performed by the employee;
 - (4) Discuss the evaluation and removal of the essential function with the senior rater and division director for approval; and
 - (5) If approved, send a copy of the completed performance evaluation, the current job description, and the request to remove an essential function to the department human resources representative or regional human resources coordinator.

The human resources representative or regional human resources coordinator shall review the essential functions with the rating supervisor before contacting the Employee Classification Section of the Human Resources Division for assistance in review of the

essential functions and revision of the job description, if required, in accordance with PD-93, "Employee Classification."

C. Part II.B - Standards of Conduct

The rating supervisor shall indicate whether the employee has adhered to the expected standards of conduct, including the rules of conduct described in the Listing of Employee General Rules of Conduct and Disciplinary Violations identified in PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees." The rating supervisor shall indicate "no" if the employee has received a disciplinary action within the evaluation period and, in the area provided for comments in this section, identify the specific rule violation and disciplinary action imposed.

D. Part II.C - TDCJ Safety Policy

The rating supervisor shall indicate whether the employee has adhered to the provisions in ED-10.61, "TDCJ Safety Policy." If the employee has not adhered to the TDCJ Safety Policy, the rating supervisor shall, in the area provided for comments within this section, identify the deficiency and the corrective action taken.

E. Part II.D - Fraud Risk Assessment

This section applies to all employees in salary groups B19 or C4 and above. The rating supervisor shall indicate whether an employee has proactively addressed the potential of fraud in the discharge of the employee's assigned duties. If "no", the rating supervisor shall identify the deficiency and corrective action that has been taken.

F. Part II.E - Supervisory Functions

If the employee's essential functions include supervisory functions, the rating supervisor shall complete this section.

1. Time Management, Training, and Counseling Functions

The rating supervisor shall rate the employee's overall performance of time management, training, and counseling functions.

2. Equal Employment Opportunity (EEO) Support

The rating supervisor shall indicate whether a supervisor has adhered to the TDCJ EEO policies, PD-12, "Equal Employment Opportunity," PD-13, "Sexual Harassment and Discourteous Conduct of a Sexual Nature,"

and PD-31, "Discrimination in the Workplace." If the supervisor has not adhered to the TDCJ EEO policies, the rating supervisor shall, in the area provided for comments within this section, identify the deficiency and the corrective action taken.

G. Part III - Performance Description

1. Justification of Ratings

Rating supervisors shall provide specific written justifications for ratings of "needs much improvement," "needs some improvement," and "exceeds standards." The annual performance evaluation shall not contain an assessment rating of "needs much improvement" unless the employee has received ongoing documented supervisory counseling in the area requiring such improvement.

2. Additional Comments

Additional comments made by the rating supervisor shall be limited to one single page. Additional comments may include recognition of the employee's performance of other duties that are not an essential function, for example, being a qualified Spanish interpreter, an alternate grievance investigator or a collateral duty safety officer. The page shall include the following:

- a. Employee's name;
- b. Employee's social security number;
- c. Period of report;
- d. The rating supervisor's signature and date of signature;
- e. A space for the senior rater's signature and date of signature;
- f. If applicable, a space for the reviewer's signature and date of signature; and
- g. A space for the employee's signature and date of signature.

3. Supporting Documentation

Examples of work or background information, such as commendations or counseling documentation, shall not be attached to the original PERS 11, Employee Performance Evaluation. However, if specific documentation

maintained in a supervisory file was used to support the performance rating determinations, such documentation shall be identified as reference material in the comments provided for the performance evaluation. This allows such documents to be produced in accordance with a request under the *Public Information Act*, subpoena, or other legitimate request.

V. Performance Evaluation Review Process

Discussion of an employee's performance evaluation shall be limited to authorized personnel who require the information on a need-to-know basis for the implementation of their official duties.

A. Discussion with Senior Rater or Reviewer, if applicable

1. Rating Assessments

After the rating supervisor has completed a draft of the PERS 11, Employee Performance Evaluation, the rating supervisor shall discuss the proposed performance evaluation with the senior rater and reviewer, if applicable, before the rating supervisor provides the evaluation to or discusses the evaluation with the employee.

a. The rating supervisor, senior rater, and reviewer, if applicable, shall ensure the assessment of the employee's performance is in compliance with the TDCJ's EEO policies by determining that:

(1) The assessment is objective;

(2) The assessment is based on the employee's job-related performance; and

(3) The standards used to determine the performance ratings are consistent with the standards used in determining performance ratings for other employees within the unit or department.

b. If there is any rating assessment not agreed upon by the rating supervisor, senior rater, or reviewer, if applicable, the senior rater shall determine which rating assessment is the most objective and consistent with standards used for other employees within the unit or department. That assessment shall be the one reflected on the final PERS 11, Employee Performance Evaluation, presented to the employee.

2. Signatures

After the final ratings have been assessed, the rating supervisor, senior rater, and reviewer, if applicable, shall sign and date the PERS 11, Employee Performance Evaluation, before discussing the ratings with, or providing the form to, the employee.

3. Comments

The senior rater and reviewer may provide comments that support the employee's rating assessments on the PERS 11, Employee Performance Evaluation, or on a separate page. If the rating supervisor already provided additional comments on a separate page, the senior rater's and reviewer's comments shall be included on that same page. If the rating supervisor did not provide additional comments on a separate page, the senior rater and reviewer may provide additional comments on a separate page in accordance with Section IV.G.2. The senior rater and reviewer shall sign and date any separate page on which additional comments are provided. The separate page shall include a space for the rating supervisor's and the employee's signature and date of signature.

B. Discussion with Employee

After the rating supervisor, senior rater, and reviewer, if applicable, have signed and dated the PERS 11, Employee Performance Evaluation, and any attachments, the rating supervisor shall discuss the performance evaluation with the employee. If the employee being evaluated is a dual supervised employee and the rating supervisor is not assigned to the same location as the employee, the rating supervisor may request the senior rater to conduct the discussion with the employee.

Discussion of all aspects of an employee's job performance is required for a complete review. The employee's accomplishments shall be recognized, improvement encouraged where it is needed, and goals set for the next review period. Any differences, if applicable, that the rating supervisor, senior rater, or reviewer may have had regarding the employee's rating assessments shall not be discussed.

C. Employee Comments and Signature for Performance Evaluation

1. Immediately after discussing the employee's job performance, the rating supervisor or senior rater who held the discussion with the employee shall advise the employee of the following:

- a. The employee may indicate in the area designated for employee comments whether the employee agrees or disagrees with the performance evaluation. In this same area, the employee may provide additional comments on issues covered by the current performance evaluation.
 - b. The employee's signature and date of signature in the space indicated for the performance evaluation acknowledges receipt of the PERS 11, Employee Performance Evaluation; it does not indicate concurrence or non-concurrence with the performance assessments.
 - c. If the employee provides comments on the PERS 11, Employee Performance Evaluation, the employee shall sign and date the PERS 11 form. If the employee provides comments as an attachment, the attached comments shall be limited to a single page and include the heading "Employee Comments," the employee's printed name, social security number, signature, and date of signature.
 - d. If the employee chooses not to provide comments at the time of discussion, only those comments submitted to the rating supervisor or senior rater who conducted the discussion within three workdays from the discussion date may be attached to the PERS 11, Employee Performance Evaluation. If the rating supervisor or senior rater who conducted the discussion is not available, the employee may submit comments to the human resources representative.
2. If an employee who did not provide comments on the PERS 11, Employee Performance Evaluation, refuses to sign in the space indicated for the performance evaluation, the rating supervisor or senior rater who held the discussion with the employee shall attempt to resolve the issue(s) by reiterating that the employee's signature only indicates receipt of the PERS 11 form and does not indicate whether the employee agreed or disagreed with the performance ratings.

If the employee still refuses to sign in the space indicated for the performance evaluation, the rating supervisor or senior rater shall notate in this space the employee's refusal to sign, enter the date of the discussion and initial the PERS 11 form above the area designated for the employee signature.

D. Confidential Information Agreement

The employee shall read this section when reviewing the annual performance evaluation and shall sign the agreement in the space indicated.

The Information Technology Division's Confidential Information Agreement is included on the PERS 11, Employee Performance Evaluation, to comply with ED-15.08, "TDCJ Information Resources Security," which requires each employee to read and sign such an agreement on an annual basis.

E. Submission to and Review by Human Resources Representative

After the rating supervisor or senior rater has completed the review of the performance evaluation with the employee and received any comments provided by the employee, the rating supervisor or senior rater shall submit the PERS 11, Employee Performance Evaluation, and any additional employee comments to the human resources representative. The human resources representative shall review the PERS 11 form to ensure the document has been accurately completed, to include:

1. The employee's name and social security number appear on all pages;
2. Written justification for ratings of "needs much improvement," "needs some improvement," and "exceeds standards";
3. Removal of all unnecessary attachments; and
4. The employee's signature in the space indicated for the performance evaluation, unless the employee refused to sign, and the employee's signature in the space indicated for the Confidential Information Agreement.

VI. Maintaining and Distributing Documentation

A. Documents Developed During Evaluation Process

The rating supervisor shall be responsible for ensuring all PERS 11, Employee Performance Evaluation forms and comments, including drafts of such documents, are maintained in a secure area prior to the discussion with the employee in order to prevent access by unauthorized persons.

B. Interim Performance Evaluations

After the human resources representative has reviewed an interim PERS 11, Employee Performance Evaluation, the human resources representative shall

provide one copy to the employee and provide the original form to the employee's new rating supervisor. The new rating supervisor shall maintain the interim PERS 11 form in a supervisory file in accordance with PD-55, "Human Resources Records and Files."

C. Annual Performance Evaluations

After the human resources representative has reviewed an annual PERS 11, Employee Performance Evaluation, the human resources representative shall:

1. Enter the appropriate data into the PPS EVALU screen in accordance with the *PPS Performance Evaluation Reference Guide*. This data shall be entered within 21 calendar days of the date the employee signed or refused to sign the PERS 11, Employee Performance Evaluation.
2. Distribute the PERS 11, Employee Performance Evaluation, within 30 calendar days of the date in the space indicated for the employee's performance evaluation signature.
 - a. The original PERS 11 form with applicable attachments shall be forwarded to the Employee Services Section, Human Resources Division, for imaging into the employee's Master Human Resources File in accordance with PD-55, "Human Resources Records and Files."
 - b. One copy of the PERS 11 form with applicable attachments shall be forwarded to the employee.
 - c. One copy of the PERS 11 form with applicable attachments shall be retained in the employee's unit or department human resources file.

D. Employee Moving to Position with Different Rating Supervisor

When an employee moves to a position with a different rating supervisor, the human resources representative at the losing unit or department shall ensure that:

1. A copy of the employee's interim PERS 11, Employee Performance Evaluation, is forwarded to the new rating supervisor under separate cover for maintenance in a supervisory file;
2. A copy of the employee's current annual PERS 11, Employee Performance Evaluation, is included in the employee's unit or department human resources file when the file is forwarded to the gaining unit or department, or the current annual PERS 11 form is forwarded to the human resources

representative at the gaining unit or department under separate cover within 30 calendar days of the employee's move.

The human resources representative at the gaining unit or department shall maintain the evaluation in the employee's unit or department human resources file.

VII. Grievances

The TDCJ encourages an employee to discuss any negative performance ratings with the employee's rating supervisor. However, an employee who is dissatisfied with any performance rating(s) or other aspects of the performance evaluation may file a grievance. The responding authority shall be designated, make response, and take action in accordance with PD-30, "Employee Grievance Procedures."

If corrective action is taken as a result of findings under the grievance proceedings, a new PERS 11, Employee Performance Evaluation, shall be completed. The PERS 11 form shall be clearly marked "Corrected Copy" and distributed in accordance with Section VI.C.2. Upon receipt of the corrected PERS 11 form, the Employee Services Section, Human Resources Division, shall ensure the corrected form is filed on top of the original copy of the performance evaluation that was the source of the grievance. PERS 11 forms and related documents that have been grieved may not be expunged or removed from the employee's Master Human Resources File or the employee's unit or department human resources file.

VIII. Maintenance of Documentation

PERS 11, Employee Performance Evaluation and any attached documents are considered official state records and shall be stored, managed and disposed of in accordance with the TDCJ *Records Retention Schedule* and ED-02.29, "Records Management."

Brad Livingston
Executive Director

Texas Department of Criminal Justice EMPLOYEE PERFORMANCE EVALUATION

| PART I - ADMINISTRATIVE DATA | | |
|---|---|---|
| 01. DATE: | 02. PERIOD OF REPORT: FROM: _____ TO: _____ | 03. REASON: <input type="checkbox"/> INTERIM <input type="checkbox"/> ANNUAL |
| EMPLOYEE | 04. NAME: (Last, First, MI) | 05. JOB TITLE: _____ |
| | 06. SSN: | 07. UNIT/DEPARTMENT: |
| RATING SUPERVISOR | 08. NAME: (First Line Supervisor) | 09. JOB TITLE: |
| | 10. SIGNATURE: | 11. DATE: |
| SENIOR RATER | 12. NAME: (Second Line Supervisor) | 13. JOB TITLE: |
| | 14. SIGNATURE: | 15. DATE: |
| REVIEWER (If Applicable) | 16. NAME: (Warden/Facility Administrator/Department Head/Designee) | 17. JOB TITLE: |
| | 18. SIGNATURE: | 19. DATE: |
| PART II - PERFORMANCE ASSESSMENTS | | |
| A. Essential Functions: The rating supervisor has reviewed the essential functions and determined that all essential functions are aligned with the duties performed by this position. YES <input type="checkbox"/> NO <input type="checkbox"/> If no, follow procedures in PD-52, "Performance Evaluations," Section IV.B, Part II.A --Essential Functions. | | |
| 1. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 2. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 3. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 4. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 5. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 6. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| 7. | <input type="checkbox"/> NEEDS MUCH IMPROVEMENT <input type="checkbox"/> NEEDS SOME IMPROVEMENT <input type="checkbox"/> MEETS STANDARDS <input type="checkbox"/> SOMEWHAT EXCEEDS STANDARDS <input type="checkbox"/> EXCEEDS STANDARDS | |
| B. Standards of Conduct: Employee has adhered to expected standards of conduct, including the rules of conduct described in the Listing of Employee General Rules of Conduct and Disciplinary Violations identified in PD-22. <input type="checkbox"/> YES <input type="checkbox"/> NO If no, identify the specific rule violation and disciplinary action imposed. Attach additional page if necessary. COMMENTS: | | |
| C. TDCJ Safety Policy: Employee has adhered to TDCJ Safety Policy. <input type="checkbox"/> YES <input type="checkbox"/> NO If no, identify specific safety policy deficiency and corrective action that has been taken. Attach additional page if necessary. COMMENTS: (Rating Supervisor) | | |

Employee Name: _____

SSN: _____

D. Fraud Risk Assessment (applies only to Salary Group B19 or C4 and above):

Proactively addresses the potential of fraud in the discharge of assigned duties. If no, identify deficiency and corrective action that has been taken.

YES NO

E. Supervisory Functions (if applicable):

1. Schedules employee's work and off duty time.

NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS SOMEWHAT EXCEEDS STANDARDS EXCEEDS STANDARDS

2. Provides training and instruction to subordinate employees.

NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS SOMEWHAT EXCEEDS STANDARDS EXCEEDS STANDARDS

3. Evaluates and counsels subordinate employees.

NEEDS MUCH IMPROVEMENT NEEDS SOME IMPROVEMENT MEETS STANDARDS SOMEWHAT EXCEEDS STANDARDS EXCEEDS STANDARDS

4. EEO Support: Adheres to TDCJ EEO Policy. If no, identify deficiency and corrective action that has been taken.

YES NO

PART III - PERFORMANCE DESCRIPTION

Needs much improvement - Does not meet standard requirements. All aspects of performance are poor. Corrective action is needed.

Needs some improvement - Inconsistently meets standard requirements, performance still needs improvement.

Meets standards - Meets standard requirements. Performance has been as expected of employees in same or related positions.

Somewhat exceeds standards - Always meets standard requirements. Performance exceeds that normally expected of employees in same or related positions.

Exceeds standards - Consistently meets and exceeds standard requirements. Performance is outstanding on a regular basis.

Written justification required for ratings of "Needs Much Improvement", "Needs Some Improvement" and "Exceeds Standards":

Employee may attach comments or provide comments within three workdays of performance evaluation review:

EMPLOYEE SIGNATURE (for Performance Evaluation): _____ DATE: _____

The employee's signature acknowledges receipt of this Employee Performance Evaluation form and does not indicate concurrence or non-concurrence with the performance assessments.

Note to Employee: With few exceptions, you are entitled upon request: (1) to be informed about the information the Agency collects about you; and (2) under Texas Government Code §§ 552.021 and 552.023, Texas Government Code, to receive and review the collected information. Under Texas Government Code § 559.004, you are also entitled to request, in accordance with the Agency's procedures, incorrect information the Agency has collected about you be corrected.

CONFIDENTIAL INFORMATION AGREEMENT

I understand that information concerning any person, system, or asset of the Texas Department of Criminal Justice that is obtained while performing my duties is to be held in strictest confidence and may not be disclosed except as required by job duties or law. I understand that computer system passwords I receive or devise are confidential. I will NOT disclose any password or post them where they may be viewed by others; this includes a co-worker, manager, supervisor, friend, partner, administrative assistant or others. The only exception to this rule is in the event an information technology specialist requires the password to resolve an access problem. Once the problem has been corrected I will immediately change my password. Use of a password not issued specifically to me or to a group of which I am a member is expressly prohibited. I am responsible for any computer transaction performed as a result of access authorized by use of my password. I agree to abide by all written conditions and restrictions imposed by the Information Security Manual. I agree further NOT to attempt to circumvent the computer security system by using or attempting to use, any transaction, hardware, software, files or resources I am not authorized to use. I understand that any copyrighted material, including but not limited to commercial software, which may be made available, is protected by copyright laws and is not to be copied for any reason without permission from the copyright owner. I understand that the violation of copyright laws, including those applicable to computer software, may result in fines and other legal action. I also understand that unauthorized access or use of the computer system of the Texas Department of Criminal Justice constitutes a "Breach of Computer Security" as defined under Chapter 33 of the Texas Penal Code, and may be a criminal offense under Texas Penal Code, § 33.02.

EMPLOYEE SIGNATURE: _____ DATE: _____