

Non-Management Performance Program

3.3.3

PURPOSE

To provide guidelines for appraising the work performance of City employees who are not appraised under the Management Performance Program (MPP).

AUTHORITIES

San Jose Municipal Code, Section 3.04.1700 states that the Director of Human Resources, in cooperation with the appointing authority, shall establish and maintain a method of rating the performance of employees in the classified service and that ratings shall be done not less than annually.

Memoranda of Agreement with individual bargaining groups include provisions regarding performance appraisals.

POLICY

1. Probationary Performance Appraisals

An employee on probation should receive sufficient performance appraisal information that will allow them to succeed on the job. This information should include, at a minimum:

- a. An initial discussion in which rating criteria (key elements and performance targets) and other job expectations are communicated. This should occur on or shortly after the day the employee begins a new job on probationary status. The employee should be provided a copy of the key elements and targets.
- b. An evaluation of job performance approximately halfway through the probationary period. The evaluation should include specific performance feedback on the key elements and targets; it may be given in written form, or in the form of oral feedback. The timing for completing this appraisal is based on the length of the probationary period. For an employee with a six (6) month probation period, the form should be completed before the end of four months in the classification. For an employee with a twelve (12) month probation period, the form should be completed before the end of the eighth month.
- c. An end of probation performance appraisal, completed shortly before the probation end date. This appraisal should include complete information covering key elements, targets, and other aspects of performance during the entire probation period.

2. Passing Probation

Passing probation results in a permanent appointment to the class the employee is serving in. A permanent appointment should be given only to an employee who has unquestionably demonstrated their ability to effectively perform the duties and responsibilities of the assigned position. No probationary employee whose overall rating is

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“Improvement Needed” or “Unsatisfactory” should be recommended for retention on permanent status. (See City Administrative Policy Manual Section 3.3.1, [Probationary Periods](#), for procedures covering extension of probation.)

3. Merit Increases

The Appointing Authority may advance an employee more rapidly than scheduled to a higher step in the appropriate salary range on the basis of merit. Merit increases are subject to the following conditions:

- a. Merit increases may be no greater than one salary step in the appropriate class salary range, and given no more than once in a period of six (6) months.
- b. Merit increases will be granted only to employees who have clearly displayed above standard or outstanding work performance for a period of at least six (6) months in their classification. The performance should be substantiated in terms of quantitative measures or descriptions of specific accomplishments.
- c. If an employee receives a merit increase within sixty (60) days of their anniversary date for a step increase, then the employee shall be entitled to also receive the scheduled step increase.

4. Appraisal Reviews

- a. All performance appraisals, regardless of type, must be discussed with and reviewed by the affected employee.
- b. If, after review, the employee refuses to sign the appraisal, the rater should enter in the employee’s signature block, “Employee refused to sign,” the date and time of the refusal, complete the processing procedures within the department and forward the appraisal to the Human Resources Department for filing. The employee is still required to sign for acknowledgement of the City Policies page of the appraisal.

5. Step Increases

Employees shall not receive an automatic salary step increase if they have an Annual Performance Appraisal with an overall rating below that of “Meets Standard” dated within twelve (12) months prior to the salary step increase.

To initiate the withholding of a scheduled step increase, a Department Director may file a statement with the Director of Human Resources describing why the employee’s scheduled salary increase should be withheld. The Director of Human Resources or designee shall determine if sufficient documentation/reason exists for withholding a step increase. If it is determined that the step increase is to be withheld, the Human Resources Department will send a letter to the employee notifying them of the step withholding and describing appeal rights, including applicable timelines.

Non-Management Performance Program**3.3.3****6. Annual Performance Appraisal Dates**

An employee's work performance is to be rated according to a schedule determined by the Director of Human Resources, but not less than annually. Generally, an employee's date to receive a performance appraisal is the date that they last received a step increase in the classification, which is typically the date that the employee received annual step increases to steps 2 through 9. If the employee received a merit increase, the effective date of the merit increase becomes the new anniversary date for performance appraisal.

Temporary (classified) and provisional employees are subject to the same appraisal reporting schedules as probationary employees.

For employees who change positions within the same classification, whether or not the employee also changes departments at the same time during the rating period, supervisors should either do one of the following:

1. Collaborate to ensure completion of the performance appraisal with input from both supervisors. The Department/Division where the employee was at the end of the rating period shall ultimately be responsible for submission of the appraisal.
2. Complete two different appraisals, each covering the respective time periods the employee was in each position.

For employees who change classifications, the former supervisor should complete an appraisal within 60 days of the employee vacating their former classification unless the change in classification stems from a promotion and the most recent performance appraisal was issued within the prior 60 days. A new rating period will begin when an employee changes classifications.

Departments are expected to complete annual performance appraisals within 60 calendar days of the end of the rating period. This allows for time to draft the appraisal, have it reviewed within the Department and delivered to the employee. An appraisal will be considered untimely if it is given beyond 60 days after a rating period ends, absent an extenuating situation, such as the employee to receive the appraisal being on a leave of absence.

Department Directors are responsible for ensuring performance appraisals are completed on an annual basis and are timely filed with the Human Resources Department. Departments shall have access to reports to show when appraisals are due for both annual appraisals and in situations where an employee may have changed departments, but not classifications, during the rating period. Departments are expected to run these reports themselves on a regular basis, with oversight from the Human Resources Department and the City Manager's Office.

7. Special Performance Appraisals

A performance appraisal may be completed at any time to appraise an employee's performance. These non-scheduled special appraisals may be used to recognize

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outstanding or substandard performance, identify short-term performance targets, identify a change of supervisor, or for other special circumstances.

8. Appeals

Employees who are not on probation have the right to appeal performance ratings. The general appeal process is described on the performance appraisal form; however, specific bargaining units may have appeal processes that supersede this. Consult the appropriate Memorandum of Agreement for further information on appeals applicable to a specific bargaining unit.

9. Appraisal Schedules for Part-time Employees

Part-time benefited employees should receive an annual performance appraisal. Part-time unbenefited employees who work more than one consecutive year, regardless of the number of hours worked per year, should receive annual performance appraisals beginning in their second year of employment. The rating period shall be based on the employee's date of entry in their current classification and departments are expected to complete annual performance appraisals within 60 calendar days of the end of the rating period. This allows for time to draft the appraisal, have it reviewed within the department and delivered to the employee. An appraisal will be considered untimely if it is given beyond 60 days after a rating period ends, absent an extenuating situation, such as the employee to receive the appraisal being on a leave of absence.

10. Need for Continuous Feedback

Appraising performance is a continuous process involving frequent feedback and interaction between the supervisor and the employee. In the event that an employee's performance appears to need improvement, the supervisor should immediately acknowledge the problem through informal or documented oral counseling.

11. Resources

- a. Training: requests for performance appraisal training can be made at any time to the City Manager's Office of Employee Relations.
- b. Online Resources: can be accessed on the City Manager's Office of Employee Relations's "[Resources for Supervisors](#)" webpage.

PROCEDURES

Department

1. Regularly run reports to identify employees nearing the end of their rating period. For employees who have changed positions during the rating period, ensure coordination between supervisors (or departments where applicable) occurs.

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| Supervisor | <ul style="list-style-type: none"> 2. At the beginning of an appraisal period, discuss performance rating criteria and process with the employee. Provide employee with a copy of the agreed upon key elements and targets. 3. Regularly monitor employee’s progress. Provide feedback on performance and coaching. 4. Before the end of the appraisal period, collect all data regarding the employee’s performance and complete the performance appraisal, including ratings and narrative. If appropriate, review the overall appraisal with management and/or the Department Director. 5. Schedule delivery of the performance appraisal with the employee a few days in advance. |
| Employee | <ul style="list-style-type: none"> 6. Prepare for and participate in the appraisal meeting. 7. After discussing the appraisal document, check one of the boxes on the form indicating <ul style="list-style-type: none"> a. “I accept the evaluation.” b. “I disagree with the evaluation.” 8. Sign and date the form acknowledging receipt and responsibility of Key City Policies. |
| Department Director or Designee | <ul style="list-style-type: none"> 9. Sign and date the appraisal. Return to supervisor or department liaison. 10. Ensure that original signed appraisal is sent to the Human Resources Department. Retain copies for department and employee. |
| Human Resources | <ul style="list-style-type: none"> 11. Review appraisal for any non-routine salary actions. If appropriate, implement any merit increases, withholdings of step increases, or other actions. File the original copy in the employee’s personnel file. |

Approved:

/s/ Jennifer Schembri
Director of Employee Relations
Director of Human Resources

June 25, 2024
Date

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Approved for posting:

/s/ Jennifer A. Maguire
City Manager

June 25, 2024
Date