Performance Improvement Process
Introduction and Welcome

Why are we here?
In the performance improvement process, HR involvement is always necessary.

Our goal is to better equip you to work with your managers in implementing the Performance Improvement Process.

We will discuss the following:
• The new CNA policy and procedures that are being introduced
• When and how the policy should be applied
• Potential pitfalls in implementing the policy
• Methods of investigation and documentation
Coaching and Feedback vs. Performance Improvement

Differences between Coaching and Performance Improvement:

<table>
<thead>
<tr>
<th>Coaching and Feedback</th>
<th>Performance Improvement Process</th>
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</thead>
<tbody>
<tr>
<td>Informal</td>
<td>Formal</td>
</tr>
<tr>
<td>Done before serious problems arise or when performance is improving</td>
<td>Done after problem is of a more serious nature or performance is trending downward.</td>
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<tr>
<td>Not necessarily documented</td>
<td>Should always be documented</td>
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<tr>
<td>May not need HR involvement</td>
<td>Must involve HR</td>
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Using Performance Improvement Process

Once performance falls below the expected level, the more formal Performance Improvement Process begins.

Outline of Possible Steps

A. Warning
   1. Verbal or written warning, or
   2. First and final warning

B. Performance Improvement Plan
   1. As a follow-up to a warning, if performance does not improve, or
   2. If appropriate, as the first step

C. Termination
   1. As a follow-up to an unsuccessful warning or performance improvement period, or
   2. If appropriate, as the first step
Purpose of Performance Improvement Process

- To give employee formal notice of deficiencies in performance or conduct
- To give employee opportunity to improve
- To inform employee of the business impact of their performance or conduct deficiencies (impact on customers, clients, shareholders, peers, others)
- To provide employee with clear expectations for improvement
- To inform employee of the consequences of their failure to improve
- To provide necessary tools, if appropriate, to reach performance goals
Steps of Performance Improvement Process

The following steps are appropriate in many situations, however, if circumstances warrant, the process may be altered.
Warning

1. Verbal or Written Warning
   - May be the appropriate first step to notify employees of performance deficiencies.
   - Used when performance is poor enough to warrant concentrated attention, e.g., overall performance is trending downward, an area of employee’s job has deteriorated rapidly, or a first time but relatively serious performance problem that needs to be addressed.
   - Typically a verbal warning may be enough but a written warning may be appropriate depending on the circumstances, e.g., an employee responds better to written direction.
   - Verbal and written warnings can be used interchangeably.
First and Final Warning – certain situations warrant a “first and final” warning, which advises the employee that if the behavior is repeated at any time during their employment with CNA, the employee’s employment will be terminated.

Note:
For Civil Service Employees the infraction can be serious enough for the University to begin the process of an intent to discharge, but a second chance is giving by providing the First and Final Warning which will include waiving the rights for a civil service hearing if the infraction is committed again.
Warning

- All warnings, verbal or written, should be documented by the employee’s manager.
- Warnings should always be reviewed by HR prior to implementation.
- A copy of the warning should be put in the employee’s desk file and their personnel file.
Performance Improvement Plan may be appropriate as a follow-up to a warning, if performance does not improve or may be an appropriate first step.

1. Generally 30-60 days is an appropriate time period to bring performance to expected level. However, in some cases a shorter or longer period may be appropriate. Factors to consider include: specific job duties, level of job, dependency on outside factors, severity of deficiency, etc. If a longer timeframe is used, specific milestones may be appropriate. For example, certain results must be achieved at the 30 day mark.
Performance Improvement Plan

A Performance Improvement Plan should typically:

a) summarize prior discussions
b) clearly identify the performance problem
   • Rely on facts and specific instances
   • Avoid generalizations, rationalizations, or personal opinions when describing the unsatisfactory performance
c) clearly identify the impact to the business (impact on customers, clients, shareholders, peers, others)
d) clearly identify what action must be taken by the employee to improve performance
e) set goals for improvement
f) indicate that manager may meet routinely with employee, and provide any additional coaching or training and feedback that is needed.
A Performance Improvement Plan should typically:

g) Indicate to the employee that the performance problem, if not corrected, could result in further disciplinary action (including termination).

h) Indicate that the employee may be terminated at any time during the performance improvement period if the employee does not show immediate and sustained improvement.

i) Be discussed with employee and signed by manager and employee.

j) A copy of the Performance Improvement Process should put in the employee’s desk file and their personnel file.
Performance Improvement Plan

If employee achieves performance improvement, a memo documenting improvement should be provided.

The document should also state that if performance again falls below expected level, immediate termination may be appropriate.

This document should be placed in the employee’s personnel file.
Termination

Termination may occur as a follow-up to an unsuccessful warning or Performance Improvement Plan, or may be an appropriate first step.

Important things to consider **BEFORE** beginning the termination process include:

- Have we been fair?
- Have we followed our policy? If not, why not?
- Do we have all the facts?
- How good is our documentation?
- Who are the potential witnesses?
- Can I convince someone outside the University we’re right and did the correct thing?
- Was appropriate time devoted to investigation?
- Are other employees being treated the same?
Recap:
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General guideline

Remember:
While the University has general guidelines for the Performance Improvement Process, not all circumstances warrant this process. Certain situations can not or should not be resolved through the Performance Improvement Process and warrant immediate termination.

The University’s intent is not to just follow the letter of the law but to always try to do the “right” thing.
Remember:

- Work WITH the employee to the greatest extent possible.
- Develop a clear plan for positive resolution.
- Track and document progress.
- Investigate carefully. It is often important to look at a wide range of factors.
Investigation

Why are investigations important?
- We want fair and appropriate resolution

Overriding characteristics of a quality investigation:
- Listen carefully and sincerely.
- Be objective and keep an open mind.
- Get specific information and a broad picture of the person and situation.
- Be thorough and keep notes of your interviews.
- Treat everyone professionally.
- Initiate and complete the investigation swiftly.

In all interviews:
- Begin with the purpose and background and ask for full cooperation.
- Give assurance that the matter will be kept as confidential as possible.
- Dedicate enough time for a thorough investigation.
Documentation

In all aspects of documentation, including the Performance Improvement Process, the following should be kept in mind:

1. When documenting conversations and verbal warnings:
   - Use bullet points, rather than a narrative, to summarize key aspects of a conversation
   - Include enough detail to refresh your memory for future reference
   - Keep comments objective

2. Conversations should be documented as soon as practicable after they have taken place.

3. Written warnings and Performance Improvement Plans should clearly identify what needs to be changed and the consequences of failing to do so.
4. Documentation (including internal memos, e-mails, verbal and written warnings, performance improvement plans, and notes of conversations) concerning an employee’s performance and/or disciplinary problems should never reference age, race, color, national origin, gender, disability, sexual orientation, or marital status unless it is necessary because the discrimination or if an employee asserts that a disability is related to the performance at issue.

5. Documentation should not be written in an overly personal, formal or harsh tone.

6. All documentation (including written documentation and emails) is “discoverable” and may be used in a lawsuit.
Any questions or concerns?

Contact the Office of Human Resources at x2040