

**SOUTH CAROLINA STATE FISCAL ACCOUNTABILITY AUTHORITY
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
POLICY AND PROCEDURE**

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. General Information

All performance appraisals will be made in writing by the employee's supervisor (the rater) who has direct experience or knowledge of the work being performed. The appraisal will be reviewed by the next higher level supervisor (the reviewer) prior to the appraisal being discussed with the employee (unless the rater is the agency head). The reviewer may attach additional comments to the appraisal, and in the attachment may take exception to the rater's appraisal. In addition, the reviewer has the authority to change the appraisal completed by the rater. If the reviewer elects to change the rating, the change and associated justification should be noted on the appraisal document. Whenever an employee's job responsibilities change significantly, the appraisal document should be revised to reflect that change. The final appraisal must bear the signature of the rater, the reviewer and the employee. If any party refuses to sign the appraisal, a notation shall be made on the document and a witness should sign to acknowledge the party's refusal to sign.

All performance appraisals will become part of the employee's official personnel file. Upon request, the agency will furnish the employee with a copy of the performance appraisal with copies of all pertinent attachments.

The provisions of this policy address the appraisal process of both probationary and covered employees. TERI employees, rehired retired employees, and other employees who are exempt from coverage under the State Employee Grievance Procedure Act will not receive an EPMS end of year rating under this policy.

II. Training

Employees receive introduction to the Employee Performance Management System through new employee orientation, general information sessions and communication from the office or division.

III. Levels of Performance

There will be three levels of performance to rate employee performance:

1. Exceptional
Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerably and consistently above the requirements of the job duties and objectives.
2. Successful
Work that meets the requirements of the job duties and objectives.
3. Unsuccessful
Work that fails to meet the requirements of the job duties and objectives.

IV. Planning Stage

Each employee will have a position description that is reviewed at the beginning of the review period and serves as a planning stage. The supervisor and employee will discuss each job duty, the projects and objectives that should be accomplished for each specific duty area, and supervisor's expectations, including the standards for performance that will be considered unsuccessful, successful, and exceptional.

All supervisory position descriptions will include a duty that requires timely completion of performance appraisals and promotion of equal opportunity.

V. Establishing and Maintaining Review Dates

All employees will be given a performance review no more than 60 days prior to the employee's performance review date. An employee on approved leave with or without pay for more than 30 consecutive workdays may have the performance review date advanced up to 90 days after those first 30 workdays. An employee whose performance review date is advanced in accordance with the State Human Resources Regulations may receive an abbreviated planning stage and review. This will be done to bring the employee back to the Universal Review Date of February 1st.

A covered employee who is reassigned to a position in the same class and agency or transfers to a position in the same class from another agency and is more than six months from the review date will not have the review date re-established.

A covered employee who is reassigned to a position in the same class and agency or transfers to a position in the same class from another agency within six months or less of his/ her review date will have the performance review date advanced six months from the date of the transfer or reassignment.

An employee who receives any in-band increase or decrease within the current class will maintain the review date.

A list of the performance review dates presently established in accordance with the State Human Resource Regulations will be maintained so that they may be reinstated, if necessary. Any personnel action that requires the establishment of an employee's review date will follow the provisions of this policy.

VI. Abbreviated Review

An abbreviated process may be used for any review period that becomes due within two months of the previous review. If the job duties have not changed, the supervisor will review and initial the previous EPMS to document that the supervisor and subordinate have reviewed the Position Description and that performance of the duties has not changed since the last review. If the job duties have changed since the last review, the employee should receive an updated Position Description for the review period. The revised Position Description should then be used to evaluate the employee's performance for the review period. Any review period of more than two months must be a full review.

VII. Probationary Period

Each new employee in probationary status will be rated prior to the completion of a twelve-month probationary period. If that employee does not receive a performance appraisal prior to the performance review date, the employee will receive a "successful" rating by default and obtain covered status as a State employee. The probationary period may not be extended. The performance review date marks the beginning of a new review period. In order to bring the employee back to the February 1st Universal Review Date after completion of the twelve-month probationary period, it may be necessary for the employee to receive an abbreviated review.

A probationary employee who receives a promotion, demotion, reclassification, transfer or is reassigned to a position in a different class is given a new original appointment in the new class and the twelve-month probationary period begins again from the date of the promotion, demotion, reclassification, transfer or reassignment to a position in a different class. A probationary employee who transfers from another state agency to a position in a different class will be required to serve twelve (12) months with the State Fiscal Accountability Authority prior to attaining covered status. An employee who is reassigned or transferred to a position in the same class or who receives any in-band increase or decrease within the current class will not have the review date re-established.

If an employee is not performing satisfactorily during the probationary period, the employee will be terminated before becoming a covered employee. Until an employee has completed the probationary period and has a “successful” or higher rating on the employee’s evaluation, the employee has no grievance rights under the State Employee Grievance Procedure Act; therefore, an agency is not required to follow the “Substandard Performance Process” to terminate a probationary employee. The “successful” rating is the equivalent to the “meets” performance rating referenced in the State Employee Grievance Procedure Act.

VIII. Annual Performance Reviews

All employees will be given an annual appraisal no more than 60 calendar days prior to the employee's performance review date. An employee on approved leave with or without pay for more than 30 consecutive workdays may have the performance review date advanced up to 90 days after those first 30 workdays. A covered employee who within 30 calendar days of his performance review date receives a “Warning of Substandard Performance” shall have the performance review date advanced up to 90 days. If the advanced date is within 60 days of the employee performance review date, it may be necessary to complete an abbreviated review to bring the employee back to the Universal Review Date of February 1.

The performance review date marks the beginning of a new review period. If an employee does not receive an appraisal prior to the performance review date, the employee will receive a “successful” rating by default. A covered employee may not be issued an “unsuccessful” rating on the annual EPMS without following the Substandard Performance process.

IX. Trial Periods

Each covered employee who has been demoted, promoted, reclassified, reassigned or transferred to a position in a different class will be appraised prior to the completion of a six-month trial period in the position. Upon satisfactory completion of the trial period, an abbreviated review may be required to bring the employee back to the February 1st Universal Review Date. The performance review date marks the beginning of a new review period. If an employee does not receive a performance appraisal prior to the performance review date, the employee will receive a “successful” rating by default and obtain covered status in the new classification. Once an employee has completed a successful trial period and obtained covered status in a class, the employee retains covered status in the class throughout the employee’s continuous service. The six-month trial period may be extended up to 90 calendar days upon written notice to the employee prior to the end of the six-month trial period.

The “Substandard Performance Process” is not required to demote or reclassify downward an employee in trial status to the same class from which the employee was

promoted, if the demotion or reclassification occurs within the trial period. The “Substandard Performance Process” is also not required to demote or reclassify downward an employee in trial status to a class in an equal or higher pay band from which the employee was promoted, if the demotion or reclassification occurs within the trial period. The employee in trial status may not grieve such demotion. The employee in trial status may not be terminated or demoted to a class in a lower pay band than that from which promoted for performance reasons without following the “Substandard Performance Process.”

X. Substandard Performance Process for Covered Employees

A covered employee is entitled to adequate notice of substandard performance and the opportunity to improve the substandard performance before receiving an “unsuccessful” rating and being removed from the position. To ensure this occurs, the following procedures will be followed:

- a. A rater will issue a “Warning of Substandard Performance” prior to issuing an “unsuccessful” rating to a covered employee. If during the performance period an employee is considered “unsuccessful” on any essential job duty which significantly impacts performance, the rater will provide the employee with a written “Warning of Substandard Performance”. The warning notice will provide for an improvement period of no less than 30 days and no more than 120 days. The warning notice may be issued at any time during the review period. Ordinarily, the warning period may not extend beyond the employee’s review date. However, if the warning notice is issued less than 30 days before the employee's review date, the review date will be advanced up to 90 days. Should the review date advance and the employee receives a “successful” or above rating, the employee may require an abbreviated review in order to bring the employee back to the Universal Review Date.
- b. The rater will prepare a Warning of Substandard Performance Notice that includes a list of ways to improve the deficiencies and other appropriate performance-related recommendations.
- c. During the warning period, the employee and the rater will have regularly scheduled meetings during which they will discuss the employee's progress. Documentation is required to verify that these meetings were held. Copies of this documentation will be placed in the employee's official personnel file. The employee may receive a copy of these documents from the Authority’s Office of Human Resources upon request.
- d. If the employee is performing unsuccessfully as noted in the warning notice by the end of the warning period, the employee will be removed from the position immediately (i.e., terminated, reassigned, demoted). If the employee's

performance is rated "successful" or above by the end of the warning period, employment will continue.

- e. Once a time frame for improving substandard performance has been given, the employee must receive a written appraisal prior to the end of the warning period or the employee will receive a "successful" rating by default.
- f. If an employee has been issued two warning notices within a 365-day period and performance drops to a substandard level on any essential job duty which significantly impacts performance for a third time within a 365-day period, the employee will be removed from the position upon the third recurrence of such substandard performance by issuing the "unsuccessful" rating. A warning notice is not required on the third occurrence.

XI. Warning Notice of Substandard Performance

The requirements of a "Warning of Substandard Performance" are:

- a. The warning must be in writing, labeled as a "Warning of Substandard Performance," and signed by the employee (witnessed, if employee will not sign). See the Authority's Office of Human Resources for an approved Warning of Substandard Performance template.
- b. The warning must list the areas on the employee's Position Description that are considered "unsuccessful," with an explanation of the deficiencies for each job duty.
- c. The warning must include the time period for improvement and the consequences if no improvement is noted (i.e., termination, demotion, reassignment).
- d. The warning must include a plan for meetings to discuss employee progress during the warning period.
- e. The warning must be approved by the Authority's Office of Human Resources.
- f. A copy of the warning must be given to the employee and placed in the employee's official personnel file.

XII. Definitions

Performance Appraisal – the official performance management document that is turned in at the end of the rating period to the Authority's Office of Human Resources that

indicates whether the employee has achieved an Unsuccessful, Successful, or Exceptional performance rating.

Established Review Date – The employee’s review date as established in accordance with the State Human Resources Regulations.

Universal Review Date – The date a new annual review period begins. February 1st will be the Universal Review Date for the Offices/Divisions of the State Fiscal Accountability Authority. (Exceptions: “probationary” and “trial” employees)

Abbreviated EPMS Review – Any performance appraisal that evaluates an employee’s performance for two months or less prior to the Universal due date. (Exceptions: trial period reviews and warning notice reviews)

Successful Rating – Equivalent to the “meets” performance rating referenced in the State Employee Grievance Procedure Act.