

**UNIVERSITY OF COLORADO SYSTEM**  
*Boulder • Colorado Springs • Denver • System Administration*

**UNIVERSITY OF COLORADO**  
**PERFORMANCE MANAGEMENT PROGRAM**

Initially Submitted for Approval on January 31, 2001

Amended February 9, 2001 to reflect Executive Committee Decisions

Amended June 20, 2001 to make technical corrections for consistency with  
State Personnel *Director's Administrative Procedures* (Effective July 1, 2001)

Amended November 30, 2001 to make technical corrections for consistency with  
State Personnel *Director's Administrative Procedures* (Effective September 1, 2001)

Amended February 2002 to make further technical corrections for consistency with  
State Personnel *Director's Administrative Procedures* (Effective September 1, 2001)

Amended February 2005, pursuant to Department of Personnel & Administration Request

Amended March 2007, pursuant to Department of Personnel & Administration, change in Director's Procedure  
moving from four to three-level rating system.

Amended effective July 2007 to reflect additional Department of Personnel & Administration.

Amended May 2009 to make technical corrections for consistency with the Department of Personnel &  
Administration Rules and to revise Regent Policy making this document the only source of procedures.

# University of Colorado Performance Management Program (Amended May 2009)

## UNIVERSITY OF COLORADO PERFORMANCE MANAGEMENT PROGRAM

### I. SCOPE

This University of Colorado's *Performance Management Program* (Program) is a system-wide framework submitted on behalf of the entire University system for approval by the State Personnel Director. It also applies to state classified employees who are employed by the University of Colorado Hospital (UCH).

### II. GUIDELINES

Consistent with the guidelines from the State Personnel Director, the University of Colorado's Program consists of three components: (1) performance management, (2) Achievement Pay, and (3) dispute resolution. To ensure comprehensive implementation of the University's Program, the Board of Regents adopted, on January 18, 2001, the provision for supervisor accountability as a Regent Policy (amended February 24, 2005, see attachment A).

The Program applies to classified employees in the State personnel system (classified employees), who occupy regular (non-temporary) positions. It has been developed in response to a State mandate and is consistent with the current rules and guidelines issued by the State Personnel Director.

The Program, the CU performance management process, the *University of Colorado Performance Management Program User Guide*, and all performance planning and evaluation forms conform to State of Colorado statutes, the State's guidelines, and applicable rules and administrative procedures of the State Personnel System.

#### A. State Rules and Guidelines to be followed by State Agencies and Higher Education Institutions

The overall design of the Program, including the University's performance management process that forms the basis for Achievement Pay is consistent with the State guidelines that all agencies and higher education institutions must follow. In particular, the Program addresses the following state-mandated elements:

1. The inclusion of state-prescribed "core competencies" in every employee's performance plan and evaluation;
2. The use of three performance rating levels as follows: "Level 1" (Below Expectations); "Level 2" (Meeting Expectations); "Level 3" (Exceeding Expectations)(see Table 1, below);

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**TABLE 1 – RATING LEVELS DEFINITIONS  
Effective for the 2007-2008 Performance Cycle<sup>1</sup>**

**Definition of Level 3 (Exceeding Expectations):** This rating represents consistently exceptional and documented performance or consistently superior achievement beyond the regular assignment. Employees make exceptional contribution(s) that have a significant and positive impact on the performance of the unit or the organization and may materially advance the mission of the organization. The employee provides a model for excellence and helps others to do their jobs better. Peers, immediate supervision, higher-level management and others can readily recognize such a level of performance.

**Definition of Level 2 (Meeting Expectations):** This rating level encompasses a range of expected performance. It includes employees who are successfully developing in the job, employees who exhibit competency in the work behaviors, skills, and assignments, and accomplished performers who consistently exhibit the desired competencies effectively and independently. These employees are meeting all the expectations, standards, requirements, and objectives on their performance plan and, on occasion, exceed them. This is the employee who reliably performs the job assigned and may even have a documented impact beyond the regular assignments and performance objectives that directly supports the mission of the organization.

**Definition of Level 1 (Below Expectations):** This rating level encompasses those employees whose performance does not consistently and independently meet expectations set forth in the performance plan as well as those employees whose performance is clearly unsatisfactory and consistently fails to meet requirements and expectations.

Marginal performance requires substantial monitoring and close supervision to ensure progression toward a level of performance that meets expectations. Although these employees are not currently meeting expectations, they may be progressing satisfactorily toward a level 2 rating and need coaching/direction in order to satisfy the core expectations of the position.

3. The definition of specific actions to be taken if an employee is rated at Level 1 (Below Expectations);
4. The alignment of employee performance plans with the current University system vision and the vision and strategic goals of the respective campuses;
5. The guarantee, through a supervisor accountability provision, that all employees will be evaluated, in writing, at least annually based on job performance during the previous year;
6. A specific program to ensure that the mandated supervisory training is provided;
7. For supervisors who are classified staff, the inclusion in their performance plans of at least one distinct goal outlining supervisory duties, including an explicit definition of performance management responsibilities;
8. For all other supervisors, a specific discussion of the activities included in the supervision of classified staff as part of the process in which faculty expectations are discussed with the department chair and/or dean, or during the appropriate period in which annual performance planning for officers and exempt personnel occurs.
9. A supervisor accountability provision to specify the sanctions that will be applied to supervisors, whether classified staff, faculty, exempt personnel, or officers, who fail to evaluate classified staff annually according to the deadlines of the Program performance evaluation cycle schedule.

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<sup>1</sup> Also effective for subsequent performance evaluation cycles, subject to change by the State Personnel Director (as established by promulgated rule or procedure).

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10. The application of any mandated salary adjustments<sup>1</sup> before the calculation of Achievement Pay amounts.
11. The State regulates the types of Achievement Pay as permitted based on the employee's performance rating level and the employee's salary relative to the maximum of the pay range for the employee's job classification. The State Personnel Director specifies percentages for base and non-base Achievement Pay according to available statewide funding.
12. Completion of performance plans and evaluations and coaching and feedback sessions for employees in the state personnel system may not be waived by either the employee or the employee's supervisor.
13. An annual performance planning and evaluation cycle that is consistent across all state agencies

### **B. Elements that may be defined at the University's discretion**

For those elements that may be developed at the discretion of an agency or higher education institutions, the University either (1) has established a CU policy at the system level (e.g., the decision to implement a uniform numeric rating scale across all campuses); or (2) has delegated the discretion to the campuses with guidelines provided by the System Administration.

1. Elements That Are Uniform across the University System: The following elements will be applied in a standard manner at all campuses within the CU System.
  - a) Plan Submission: The University is submitting a single performance management program, on behalf of all campuses and the system administration, for State of Colorado approval.
  - b) Performance Planning and Rating Form: A template performance planning and evaluation form will be used system-wide. The uniform performance planning and evaluation form incorporates the "core competencies" that have been defined by the State Personnel Director.
  - c) Performance Evaluation Rating Scale: A standard performance rating scale will be applied consistently across the University system. The University has adopted a 100 to 300 point numeric rating scale. Final overall ratings may be in whole numbers only (not fractions or decimals).
  - d) Dispute Resolution Process: A uniform Dispute Resolution Process will be followed system-wide and the campuses may not modify the process. (For details, see Attachment B).
  - e) Performance Evaluation Entries to Payroll System: Campus and System Administration units enter the numeric score achieved (between 100 and 300 points) into the human resource database. The descriptive rating ("Level 1," "Level 2," or "Level 3"), is automatically completed based upon the score entered.
  - f) The Supervisor Accountability Provision (see Attachment A)
2. Elements for which Campus discretion may be exercised: Certain plan elements are recommended for use as campus prerogatives, with system-level guidance, to serve the unique culture and management needs of each campus.
  - a) Modifications to the Performance Management Process: Campuses may request approval to modify the performance management process. However, such modifications may not conflict with the basic structure and intent of the system-wide performance management program.

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<sup>1</sup> Mandated salary adjustments include, and are applied in the order listed: (1) system maintenance studies; (2) upward, downward, or lateral movements; (3) changes in pay grade minimums and maximums to implement approved annual compensation changes; (4) salary adjustments to base pay pursuant to approved annual compensation changes, subject to new grade maximum, if any; (5) salaries brought to new minimum as a result of compensation survey pay grade changes; (7) annual performance salary adjustments.

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- b) Modifications to the “Performance Planning and Evaluation Form” and/or “User Guide”:  
Campuses may request approval to modify the standard version of the performance planning and evaluation form, and/or the User Guide, provided such modifications do not conflict with the basic structure and intent of the system-wide form.
  
- c) Training Materials: Campuses must provide mandatory supervisor training programs, but may select the media and customize the training materials to best serve the learning styles and information needs of supervisors at the individual campus.

To ensure that any campus-customized elements reflect the intent of the system-wide Program and remain compliant with statewide requirements, any campus-unique modifications must be reviewed by the HR Directors and approved by the Senior Associate Vice President and Chief Human Resources Officer.

### III. MANAGING PERFORMANCE AT THE UNIVERSITY

#### A. General Outline of the Performance Management Process at the University of Colorado

The University’s process for managing classified staff performance, referred to internally as “CU Performance Management Program,” is a comprehensive performance planning and evaluation system that is active throughout the entire year, not merely at a single point in time when an employee is evaluated. It is a collaborative enterprise that engages supervisors and employees in mutual dialogues through which performance goals and expectations are developed. It provides a linkage between an employee’s performance and any individual Achievement Pay for which s/he may be eligible, although no Achievement Pay is guaranteed. As indicated previously, a campus may make approved modifications to aspects of this prototype performance management process (with exceptions such as the Supervisor Accountability Provision, the Dispute Resolution Process and the use of a point rating scale) and/or may customize the prototype planning, coaching and evaluation forms to increase managerial flexibility.

However, no campus changes may materially alter either the scope or the intent of the system-wide CU performance management process. The performance management system at every campus consistently includes:

1. Performance Planning: A planning session between the supervisor and employee working together near the beginning of the performance cycle to create performance expectations and a performance plan that is consistent with the Position Description Questionnaire (PDQ) and linked to the mission of the unit and the strategic goals of the campuses and; to identify what to assess and whether to use subjective or objective assessments; and to establish the assessment tools and measurement standards. A planning session must occur on or before June 1<sup>st</sup> of each year. The employee shall be given a copy of his/her performance plan.
  
2. Coaching: At least one documented Coaching and Progress Review session is required during the performance management cycle. Progress towards expectations should be discussed and adjustments to the plan should be made if necessary.
  
3. Performance Evaluation (Rating): A process that includes preparation by the evaluating supervisor (Rater) and employee for the performance appraisal; and Rater completion of the performance evaluation form and accompanying narrative comments. A formal evaluation session with discussion of the rating between the Rater and employee; and signoff on the evaluation by the employee and Rater, must occur before **May 1<sup>st</sup>** following the end of the performance management cycle. The employee shall be given a copy of his/her performance evaluation.
  
4. Review of the plan and evaluation rating: The Rater’s plan and evaluation of an employee’s performance must be reviewed by the individual at the next-higher level (Reviewer) or the reviewer’s designee before it is communicated formally to the employee.

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PLAN NOTE: Raters should schedule the planning meeting so that Reviewers and employees have at least five business days, each in succession, to review the plan, before the plan is due.

EVALUATION NOTE: Raters should schedule the final performance review so that Reviewers and employees have at least five business days, each in succession, to review evaluations, before the evaluation is due.

5. Dispute Resolution Process: A formal review process for those items that may be disputed and suggestions for preliminary steps to avoid disputes.
6. A general description of how Achievement Pay will be awarded by the State Personnel Director.

### **B. Linkage of Performance Management to the University's Mission and Strategic Goals**

The President, in consultation with the chancellors, articulates a vision for the University of Colorado System and each campus (including System Administration) and develops goals and strategies to achieve this system-wide vision.

The CU performance management process explicitly links an employee's performance plan to the University's strategic vision by aligning the employee's performance goals with the campus goals. This alignment enables supervisors to measure an employee's performance contributions not only in terms of skills, competencies, and outcomes and how her/his individual position contributes to achieving the goals of the work unit, but also in terms of a positive contribution to the strategic direction of the campus.

The appropriate campus mission statement (or, for System Administration, its role statement), as well as the most current campus strategic goals, will be preprinted on the "Performance Planning and Evaluation" form to facilitate making this linkage.

### **C. CU Performance Planning and Evaluation Cycle**

Performance evaluation cycles will run from April 1 through March 31 of each subsequent year, or as otherwise prescribed by the State Personnel Director through promulgated rule or procedure.

All University classified staff employees, with exception of temporary employees, will be evaluated, in writing, at least annually based on their job performance during the previous year. The evaluation cycle is uniform system-wide. In the case of new employees, whether by new hire, promotion or transfer, the supervisor must meet with the employee to develop a performance plan within 30 calendar days of the hiring, transfer or promotion date. If an employee moves to another appointing authority or department during a performance cycle, an interim overall evaluation shall be completed and delivered to the new appointing authority or department by the date the employee leaves that supervisory authority.

If an employee is hired less than 30 days from the end of any given evaluation cycle, the supervisor must develop a performance plan for the new employee. However, in this circumstance the supervisor may develop the performance plan based solely upon core competencies. The supervisor must also conduct at least one coaching session with the new employee before the end of the evaluation cycle and the new employee must be evaluated based upon work performance through the end of the evaluation cycle.

### **D. Performance Management Forms**

The University has designed two standard forms for use system-wide to document performance management activities by supervisor and employee:

1. Planning Evaluation Form: This form documents each step of the performance planning and evaluation process, including recording the performance goals and/or objectives, determining the measures of results, and assigning relative weights to each goal and/or objective. This form contains the 100-300 point rating scale and indicates that range of points that result in each of the rating levels. The form includes the mandatory "Coaching and Progress Review" to document

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all relevant sessions that include the employee and supervisor and requires signatures of both the employee and supervisor at each step of the performance management process. The form also documents the next-level review and the employee's agreement or disagreement with the plan and/or the final overall performance evaluation rating.

The form also incorporates the statewide uniform core competencies, and their definitions, which must be included in every classified employee's performance plan. These competencies are 1) communication, 2) interpersonal skills, 3) customer service, 4) accountability, and 5) job knowledge. Core competencies cannot be disregarded in the final overall rating for each employee. The University may define competencies in relation to mission and operational needs and may designate additional competencies.

### **2. Dispute Resolution Process "Request for Internal University Review" form.**

#### **E. CU Performance Rating Levels**

Performance plans are developed and evaluations conducted using three performance levels. All final evaluation ratings must be reported as one of three performance rating levels (i.e., 1, 2, or 3). A point rating scale will be employed as follows:

- Total numeric scores with values from 100 to 180 points, shall be equivalent to a Rating Level of One (Below Expectations);
- Numeric scores with values from 181 to 270 of the total available points, shall be equivalent to a Rating Level of Two (Meeting Expectations);
- Numeric scores with values from 271 to 300 of total available points shall be equivalent to a Rating Level of Three (Exceeding Expectations).

The University will not direct any campus as a whole, or any specific campus unit, to determine employee ratings according to a quota or forced distribution of ratings (for definitions of rating levels, see Table 1, above).

#### **F. Independent Review of Ratings for Quality Assurance**

Before the final overall performance rating is formally presented to and discussed with the employee, it must first be reviewed by the Reviewer, or the Reviewer's designee. The final overall performance rating must be signed by the Reviewer before the employee receives her/his final overall performance rating.

The review process is not interpreted to be a means of adjusting ratings for reasons of funds availability, forced distributions, or any other factor that is not directly related to the appropriateness and completeness of the performance planning and evaluation process. However, a Reviewer may require a Rater to change a rating based on issues relating to fairness and consistency, or any other reasonable basis as deemed necessary by the Reviewer. If a Reviewer requires that a Rater change a rating, such decision must be documented with information that justifies the decision and written notice of the changes must be given to the employee.

In the event that an employee has more than one supervisor during the course of the evaluation cycle, each supervisor must complete a close-out evaluation for the employee. The employee's final overall evaluation score is determined by the supervisor who supervises the employee at the close of the evaluation cycle. That supervisor is responsible for gathering any close out evaluation(s) from past supervisor(s) for that evaluation cycle and determining the employees' final overall evaluation score.

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## IV. SUPERVISOR ACCOUNTABILITY

### A. Mandatory Supervisor Training

The University has developed a detailed training program to comply with the mandatory supervisory training requirement of the State Performance Management System. Supervisors will be required to participate in either on-line training (Web based modules), or campus-based classroom instruction.

1. Web-Based "Core Concepts" Training for Supervisors: Performance Management Program training for supervisors at all campuses of the University will be available through a self-paced, modular, web-based training program available at any time to persons using desktop computers for access. The web-based training will present instruction about "core" concepts of performance management and the Program and will provide competency testing to assist individuals in assessing their progress. The course content may be studied in modules and completed as time permits so that pacing will be at the individual's speed. The log-on I.D. required to enter the web site will provide a verifiable record that a supervisor has accessed the training.
2. Additional Training Opportunities for Supervisors and Employees: The University foresees that individual and group training will continue as it has in the past, using regularly scheduled classroom training, one-on-one training upon request of organizational units, access to printed materials, and customized, in-depth training about specialized topics related to performance management, such as writing goals and objectives.

In addition, classroom-based training will remain the sole training delivery mode for non-English speaking supervisors and employees.

- B. Completion of Supervisory Duties Related to the Performance Management** On February 24, 2005, the Board of Regents of the University of Colorado amended its "Supervisor Accountability Provision" (see attachment A), renewing its support of the State requirement that all supervisors perform the responsibilities associated with the Performance Management Program in a timely manner that does not disadvantage the employee supervised.

The Board-approved "Supervisor Accountability Provision" applies to all supervisors – whether classified staff, exempt personnel, faculty, or officers. It requires that:

1. All supervisors must have a provision or "factor" in their own performance plans that measures and evaluates the effectiveness of their performance management of subordinate employees. Fulfillment of supervisory activities shall be reflected in the performance evaluations of supervisors.
2. Supervisors' successful completion of performance management activities within the timelines of the University's performance management cycle will be tracked.
3. Sanctions will be applied to non-compliant supervisors.

Specific steps in the tracking process, deadlines, and details of the sanctions are described in the complete document that is provided as Attachment A to this plan.

### C. Employee "Fail Safe" if Supervisor Fails to Perform Performance Management Duties

The University believes that an employee deserves to be evaluated upon actual performance, and should not be disadvantaged by the supervisor's failure to comply with the statutory requirements of the State performance management system.

If a supervisor fails to plan and/or evaluate an employee's job performance, the supervisor is subject to application of the sanctions described in the "Supervisor Accountability Provision," and the next-higher level superior is responsible for completing the plan and/or final overall performance evaluation. This responsibility will be transferred upward through as many successive levels of the organization as are necessary to ensure that an annual evaluation is completed and an "earned" rating is assigned prior to June 1 each year. However, if a performance evaluation is not completed

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within the specified time, the employee will be given a default rating of "Meets Expectations" (Level 2) pursuant to procedures established by the State Personnel Director.

As the responsibility is transferred upward through the organization, any responsible individual at a successively higher level who also fails to complete the evaluation also shall be subject to the sanctions contained in the "Supervisor Accountability Provision."

Lacking any other performance-related information, if a higher-level supervisor must provide the performance rating, in lieu of the more-qualified rater (the immediate, but non-compliant, supervisor), s/he may take into consideration the employee's prior performance rating, especially if the prior rating was higher than Level 2.

### **V. CONSEQUENCES FOR EMPLOYEES RECEIVING A (LEVEL 1) RATING OF NEEDS IMPROVEMENT**

If a classified employee receives a final overall performance evaluation rating of "Below Expectations" (Level 1), the appointing authority has the following options: (1) a performance improvement plan or (2) an immediate corrective action (in compliance with the state personnel administrative rules in effect at the time).

#### **A. Improvement Plan**

An improvement plan is not considered a corrective or disciplinary action.

If an improvement plan is provided to the employee rated at Level 1 for the prior evaluation period, it will contain specific actions and behaviors that the employee is expected to demonstrate, consequences for failing to meet these expectations, specific target and checkpoint dates, etc. The improvement plan must be achieved within a reasonable length of time and that must be documented by a reevaluation. If the expected improvement is not achieved, a corrective action will be issued.

#### **B. Corrective Action**

In the case of proceeding immediately to a corrective action, the University will comply with the appropriate State Personnel Rules, including notification of grievance rights.

### **VI. ACHIEVEMENT PAY**

#### **A. Policy Considerations**

See Section II.A.11

#### **B. Budgeting Funds for Achievement Pay**

Colorado public colleges and universities do not receive a line-item appropriation (the so-called "central pots" funding) for any mandated classified staff salary expenditure, including Achievement Pay. Instead, the University must budget an amount at each campus sufficient to meet State requirements for classified staff costs and generate enough revenue (from general funds, tuition, and other cash sources) to cover these expenses.

The University will budget a total amount at each campus for Achievement Pay that is consistent with the state guidelines for any given fiscal year.

#### **C. Determining Values of Achievement Pay Percentages**

Prior to the payment of annual Achievement Pay, the Director of the Department of Personnel and Administration shall specify and publish the percentage for performance levels based on the available statewide performance management funding.

Source of funds (e.g., cash or general), method of funding (e.g., appropriated or memorandum of understanding), and length of state service shall not be criteria.

#### **D. Individual Achievement Pay**

Individual Achievement Pay will be expressed as a percentage of salary and will be effective on the statewide common date of July 1. Individual salary adjustments will be subject to the following state requirements:

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1. **Mandated Base Salary Adjustments:** As stated previously, an employee's base salary will be adjusted for any applicable mandated increases before the Achievement Pay percentage is applied. The test to determine if the employee is below or above the pay range maximum will be based on the adjusted base salary.
2. **Achievement Pay Limitations**
  - a) No base building adjustment may be granted that results in a base salary that exceeds the pay range maximum.
    - i. If base pay is at grade maximum or in saved pay above the maximum, the employee is ineligible for base building Achievement Pay;
      - 1) If the final overall rating is "Below Expectations" (Level 1) the employee is ineligible for an annual Achievement Pay;
      - 2) An employee granted annual Achievement Pay shall not be denied the adjustment because of a corrective or disciplinary action issued for an incident after the close of the previous performance cycle;
      - 3) Base building adjustments are paid as regular salary.
    - b) Level 3 performers may receive an adjustment to base pay that shall not exceed the grade maximum. Level 3 performers may also be eligible for a fixed-percentage, non-base building payment, paid as a one-time lump sum in the July payroll.

### **E. Achievement Pay Notification to Employees**

Consistent with statewide guidelines, the University will provide each classified employee with written notification of her/his Achievement Pay, if any, expressed as a percentage of her/his salary. The notice will indicate whether the adjustment is base building, non-base building or a combination; and, in the case of base building adjustments, the amount of the new (increased) monthly salary effective July 1.

### **F. Payment of Achievement Pay**

Base building Achievement Pay is reflected beginning with the end-of-July paycheck. The University will pay non-base building Achievement Pay as a one-time payment not later than July 31. If an employee terminates employment with the University prior to July 1, any base or non-base building Achievement Pay will be forfeited.

The University will withhold all normal deductions (including the employee's PERA contribution) and taxes from both types of Achievement Pay (base and non-base). The University and its classified employees understand that both base-building and non-base building Achievement Pay will be counted by the Public Employee's Retirement Association (PERA) in the computation of the employee's Highest Average Salary.

## **VII. DISPUTE RESOLUTION**

The University acknowledges that the State Personnel Director retains jurisdiction for disputes related to performance evaluations that do not result in corrective or disciplinary action and that the State Personnel Director has developed a formal Performance Management dispute resolution process, including establishment of timelines regarding the deadlines for filing and completion of the process.

The University's Dispute Resolution Process will be uniform at all campuses and may not be modified. The process, described in detail in Attachment B, specifies all aspects of the internal review stage, including time limits for filing written requests, who will review and decide disputed issues, and time limits for the appointing authorities (or designees) to issue written notice of the decisions. It also includes information about the conditions under which employees may advance disputes for external review by the

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State Personnel Director. Campuses may choose to pre-print the major steps and deadlines of the Dispute Resolution Process on the "Planning and Evaluation" form.

The University's formal dispute resolution process includes two stages: (1) the first stage is internal to, and conducted by, the University; (2) the second stage is external and conducted by the Department of Personnel and Administration (DPA). The University' process makes clear which types of decisions are final upon completion of the internal stage.

Highlights of the University's "Dispute Resolution Process" include:

- A.** Explicit encouragement of informal resolution of disputes at the lowest level, preferably between the employee and the supervisor prior to and without the need for recourse to, the formal internal process.
- B.** Explicit requirement that all reviews and decisions be open and impartial, and that the parties are allowed an opportunity to have issues heard.
- C.** Express statement prohibiting retaliation against anyone involved in a good-faith dispute.
- D.** Clear definition of the types of issues that are and are not disputable.
- E.** A provision of the internal dispute resolution process to ensure that the employee is notified, at the time of her/his final overall performance evaluation, about the internal dispute process (including timelines and the name or position of the appointing authority, or designee, who will review the dispute).
- F.** Clear specification that final resolution of issues concerning the individual's performance plan (or lack of plan) and the individual's final overall performance evaluation shall occur at the internal level and that employees will have no further recourse for resolution of these disputes.
- G.** Clear specification that appointing authorities, or their designees, will resolve the disputes and provision for appointing authorities to delegate this authority in writing and in advance of the evaluation cycle (i.e., prior to April 1 annually).
- H.** Clear explanation of the prerogatives appointing authorities, or their designees, may exercise (e.g., instruct Raters to follow the department or higher education institution program, correct errors, reconsider a performance rating or plan, suggest other appropriate processes such as mediation, etc.).
- I.** Explicit directions that employees are given written notice that they may, after completion of the internal process, submit a written request to the Director (external process) provided it concerns the application of the department or higher education institutions' performance Management program. Notice is defined to include deadlines for filing; a list of what must be included in the request, and the address for filing.
- J.** Clear explanation of how external review by the State Personnel Director can be pursued, including deadlines for making a written request, supporting documentation needed, and clarification that only disputes concerning application of the department or higher education institution's performance Management program, policies or processes may proceed to the Director (external process) and only after completion of the internal process.
- K.** Reinforcement that only issues originally presented in writing shall be considered throughout the dispute resolution process, at either the internal or external level.
- L.** Clear explanation that no parties have an absolute right to legal representation, but may have an advisor (as defined by the State Personnel Director) present, and are expected to represent and speak for themselves.

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### **VIII. QUALITY ASSURANCE**

As necessary, a system-wide group of university officers will be designated to review the quality of the University's Performance Management Program, including an analysis of the distribution of performance ratings and Achievement Pay within the University.

### **IX. RECORD KEEPING AND REPORTING RESULTS**

#### **A. Quantitative Information**

The University will collect sufficient data to be able to evaluate the effectiveness of the CU Performance Management Program, to monitor its compliance with statewide guidelines and to report, for the CU System as a whole, appropriate quantitative information requested by the State Personnel Director about supervisor training, employee performance rating, Achievement Pay, or dispute resolution

#### **B. Qualitative Outcomes Evaluation**

The University acknowledges the program evaluation strategies recommended by the State Personnel Director, such as surveys to measure improved quantity and quality of performance, improved "stakeholder" (employee, supervisor, and management) satisfaction, improved customer services, positive cost/benefits, and improved employee retention. The University will study the various qualitative tools that it might employ to meet this evaluation expectation.

#### **C. Reports to the Governing Board and the University Community**

The University will report the overall Achievement Pay distributions for each campus and for the CU system as a whole to its Board of Regents, in the format requested by the governing board, to assist the Board in its fiduciary responsibility.

The University also will employ the appropriate communication tools to inform the University community about the overall results of each CU performance management cycle.

## Attachment A

### UNIVERSITY OF COLORADO SYSTEM PERFORMANCE MANAGEMENT PROGRAM

Supervisor Accountability Provision  
(Amended by the Board of Regents: February 24, 2005)

#### I. ASSUMPTIONS AND GUIDING PRINCIPLES:

- A. All supervisors of classified staff at the University of Colorado are responsible for completing performance plans, conducting at least one performance coaching session, and completing a written performance evaluation annually for each classified staff employee they supervise.
- B. For purposes of this provision, “supervisor” shall mean that individual who has been designated within the academic or non-academic unit (the “unit”) to carry out the performance planning, coaching, and evaluation duties for a particular classified staff employee. There may be multiple supervisors within a unit based on the number of classified staff employees and the organizational structure of the unit.
- C. Based on the needs of the unit, a supervisor may be selected from any personnel category at the University: faculty, officers, exempt personnel, or classified staff. At UCDHSC, supervisors may also include employees of University Physicians, Inc. or of University of Colorado Hospital. In some special cases, employees of other entities affiliated with the University of Colorado may supervise the University’s classified employees.
- D. Successful fulfillment of supervisory responsibilities, especially the completion of the performance management activities outlined in I.A, shall be reflected in the performance evaluations of any individual who supervises classified staff employees as follows:
  1. Classified Staff Supervisors: It should appear as a distinct goal or objective in the performance plans of any supervisor who is a classified staff employee.
  2. All Other Supervisors: It should constitute an explicitly discussed consideration in performance expectations for any faculty member, officer, or exempt staff member who is a supervisor of classified staff.

#### II. PROCESS FOR TRACKING SUPERVISORY COMPLIANCE

- A. The Tracking Process Is Related to the University’s Annual Performance Management and Achievement Pay Cycle.
  1. It is essential that annual performance evaluations of classified staff be completed by supervisors in a timely and uniform manner university-wide. Therefore, a uniform process for tracking supervisory compliance—with the pay for performance program duties described in I.A—will be followed at all campuses and the system administration of the University. (At the chancellor’s discretion, individual campuses may include additional procedural steps provided they are performed within the schedule defined for the tracking process in II.B.2.)
  2. The timeline for conducting the classified staff pay for performance cycle is:
    - **Sixty days after the start of the current evaluation cycle:** Deadline by which performance plans for all classified staff must be in place (e.g., if the evaluation cycle starts on April 1, a performance plan must be in place by June 1).
    - **Thirty days after the end date of the previous evaluation cycle:** Deadline by which performance evaluations for the previous period must be completed, reviewed at the next highest level in the organization, and submitted to the campus Human Resources department (e.g., when an evaluation cycle ends on March 31, performance evaluations must be completed, reviewed and submitted by May 1).

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- **July 1:** Date on which any performance pay award is effective if a classified staff employee is eligible, based on the result of the performance evaluation, applicable State and University compensation policies, and availability of funds.

#### B. Steps in the Process for Tracking Supervisory Compliance.

1. Specifying the expected duties of individuals who supervise classified staff:
  - a. Classified Staff Supervisors: The performance plans of all supervisors who are classified staff shall contain at least one distinct goal or objective outlining supervisory duties, including an explicit definition of the performance management responsibilities outlined in I.A above.
  - b. All Other Supervisors: Specific discussion of the activities included in the supervision of classified staff will occur as part of the process in which faculty expectations are discussed with the department chair and/or dean, or during the appropriate period in which annual performance planning for officers and exempt personnel occurs.
2. Tracking to make sure that supervisors have successfully completed performance evaluations of classified staff employees.
  - a. The tracking process consists of three steps:
    - i. a proactive, advance reminder of the due dates by which supervisors must complete written performance evaluations for classified staff whom they supervise;
    - ii. a "final notice" to deans, vice chancellors, and other officers who are appointing authorities about performance evaluations that have not yet been received by the campus Human Resources department, and the sanctions that they must then apply to supervisors who remain delinquent in completing the evaluations;
    - iii. the application of specific sanctions to supervisors who are out of compliance.
  - b. At least three months prior to the University of Colorado's deadline for completing evaluations of classified staff employees' performance during the prior appraisal year, the campus Human Resources department will send out appropriate campus-wide reminders about the reviewing these evaluations by the next-highest level individuals, and submitting the written evaluation documents to the campus Human Resources department (e.g., when the university deadline for completing evaluations is May 1, reminders should be sent out to deans, vice chancellors, and any other appointing authorities by February 1 of that year).
  - c. Within thirty days after the University of Colorado's deadline for submitting classified staff performance appraisals, the campus Human Resources department will provide a "final notice" to the appropriate deans, vice chancellors, or other officers who are appointing authorities (e.g., when the university deadline for submitting evaluations is May 1, the human resources department will notify deans, vice chancellors, and any other appointing authorities of evaluations that have not yet been received by May 31).
    - i. Such notice will identify classified staff employees for whom a performance evaluation has not been submitted and will list the supervisor believed to be responsible for completing the evaluation.
    - ii. Such notice will indicate that, absent extraordinary circumstances, the supervisor must complete the delinquent evaluation no later than fifteen days after receipt of the notice

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- iii. Such notice will indicate that sanctions must be imposed in accordance with state rule for a supervisor's failure to complete the performance evaluations including: for classified supervisors - corrective action, ineligibility for a performance pay award and unpaid suspension; and for faculty, officers, and exempt staff supervisors - disciplinary action, unpaid suspension, and potential impact on salary merit increases.

#### C. Applying Sanctions to Non-Compliant Supervisors.

1. Classified Staff Supervisors: Absent any extraordinary circumstances, classified staff supervisors who have not completed evaluations for the classified employees whom they supervise by 15 days after notice is provided to the appointing authority:
  - a. Shall receive an immediate corrective action with terms and conditions governed by the State Personnel Rules; and
  - b. Will be ineligible for Achievement Pay. (That is, even if the classified staff supervisor receives an overall performance rating that is higher than Level 1, s/he will not receive a performance pay award if the supervisory duties cited in I.A have not been fulfilled within the timeframe described in this supervisor accountability provision.)
  - c. If, within 30 days following the corrective action, supervisors have still not completed an evaluation, they shall be disciplinarily suspended in increments of one work day following the pre-disciplinary meeting. (in addition, State law requires that all supervisors must complete evaluations by July 1 or face further sanctions).
2. All Other Supervisors: Absent any extraordinary circumstances, faculty, officer, or exempt staff supervisors who have not completed evaluations for the classified employees whom they supervise by 15 days after notice to is provided to the appointing authority:
  - a. Shall receive a disciplinary action from the dean (for faculty) or from the appointing authority (for officers and exempt personnel):
    - i. For faculty supervisors: Disciplinary action by the dean shall be for "neglect of duty." The specific nature of the disciplinary action shall be the prerogative of the dean.
    - ii. For officers and exempt personnel supervisors: Disciplinary action by the appointing authority shall be for "neglect of duty." The specific nature of the disciplinary action shall be the prerogative of the appointing authority.
  - b. Such disciplinary action will be effective upon issuance.
  - c. Further disciplinary action shall include suspension from work without pay for a period of not less than one work week if faculty, officer, or exempt staff supervisors have still not completed evaluations fifteen days following the initial disciplinary action.

The continued failure to complete evaluations for classified staff may affect the annual merit increases for faculty, officers, or exempt staff supervisors.

## Attachment B

### UNIVERSITY OF COLORADO SYSTEM PERFORMANCE MANAGEMENT PROGRAM

#### Dispute Resolution Process

In some cases, employees classified in the state personnel system may question or disagree with matters regarding their performance plans and/or final overall performance evaluation ratings. Therefore, the State Personnel Director has established a formal dispute resolution process to resolve contested performance management program and Achievement Pay issues as quickly and efficiently as possible.

The formal dispute resolution process defined by the State Personnel Director consists of two stages: internal and external. The internal stage occurs within the University; the State Personnel Director administers the external stage. (Specific details are explained below in "Stages in the Dispute Resolution Process.")

The University of Colorado Dispute Resolution Process conforms to the State Personnel rules and procedures that prescribe which issues may be disputed and the timeframes for filing disputes and rendering decisions. The State Personnel Director will have approved this process in advance of it being applied at the University.

- I. **Guiding Principles:** The dispute resolution process is intended to be an open, impartial process that allows the parties an opportunity to have issues presented. The process is not intended to be adversarial. Rather, it encourages dialogue and communication to resolve problems. In addition, a dispute resolution process can be structured to preserve working relationships and promote quality assurance in performance planning and evaluation.

The dispute resolution process is a non-adversarial administrative procedure. Therefore, no party has an absolute right to legal representation. The parties normally are expected to represent and speak for themselves about matters related to performance management and evaluation. However, any party may have an advisor present. (An "advisor" is defined in the State personnel rules and administrative procedures as an "individual who assists a party during a grievance or the performance management review process by explaining the process, helping identify the issues, preparing documents, and attending meetings"(Board Rule 1-27).

**Retaliation against any person(s) involved in the Dispute Resolution Process is prohibited. For purposes of the University's Dispute Resolution Process internal stage, retaliation means any adverse action against individuals because they have, in good faith, initiated a request for review of a disputable issue related to a performance plan or final overall performance evaluation and/or have participated in the process to resolve the dispute.**

- II. **Disputable Issues:** The State Personnel Director retains jurisdiction for disputes related to performance evaluations that do not result in corrective or disciplinary action. Therefore, the Director has the authority to define the specific performance management program matters that may be disputed by an employee and to specify the stages (levels) at which these matters will be reviewed.
  - A. The Director has determined that only the following matters may be disputed and reviewed as part of the dispute resolution process:
    1. The individual performance plan, including lack of a plan during the performance planning cycle.
    2. The individual final overall performance evaluation rating, including lack of a final overall rating;
    3. The application of the University's performance management program (or an approved campus modification of the program) to the individual employee's plan and/or final overall performance evaluation.

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The first two issues must be decided at the first stage and are not reviewable further. The third issue, if not resolved at the agency or higher education institution level, may be reviewed at the second stage.

- B.** The following matters may not be disputed and are not subject to consideration in the dispute resolution process:
1. The content of the University's performance management program (or an approved campus modification of the program);
  2. Matters related to the funds appropriated for Achievement Pay;
  3. The performance evaluations and Achievement Pay of other employees.

- III. Stages in the Dispute Resolution Process:** The formal dispute resolution process defined by the State Personnel Director consists of two stages: internal and external. The internal stage is conducted by, and occurs within, the University and may include review of any or all listed disputable issues. The external stage is administered by the State Personnel Director and review at this stage is limited to the application of the University's performance management program (or an approved campus modification of the program) to the individual employee's performance plan and/or final overall performance evaluation.

Final resolution of issues concerning the individual's performance plan (or lack of plan) and the individual's final overall performance evaluation— (disputable matters "1." and "2." above), will occur at the internal stage (within the University) and employees will have no further recourse for resolution of disputes related to these matters.

Disputes concerning application of the University's performance management program (or an approved campus modification of the program) may proceed to review by the state personnel director (external stage) – but only after completion of the internal (University) stage.

- A. Internal Stage: University Of Colorado**  
The internal dispute resolution process for the University of Colorado will be uniform across all campuses and in System Administration.

Every effort should be made by the employee and rater (normally the employee's supervisor) to resolve the issue at the lowest possible level. Informal resolution – between the employee and her/his supervisor— is strongly encouraged before an employee initiates a formal dispute. That is, it is assumed that the employee and her/his supervisor will have discussed and attempted to resolve any disagreements or concerns during the meeting at which the supervisor formally presents the employee with her/his final overall performance evaluation.

#### 1. Decision Makers for the Internal Stage

Due to the size and complexity of the University's multi-campus system, the President has delegated appointing authority to the campus chancellors and the chancellors have delegated various degrees of appointing authority downward throughout the campuses' organizational structures.

For purposes of the University's Performance Management Program Dispute Resolution Process, the chancellors have delegated (in writing) the decision-making authority to resolve CU Performance Management Program disputes to appointing authorities (or

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designees) within the campus. This particular delegation of authority for CU Performance Management Program dispute resolution, and any annual changes to the delegation, is made no later than the last day of March in order to be in effect prior to the period during which employee performance evaluations are conducted. For System Administration employees classified in the state personnel system, the appointing authority's designee for the dispute resolution process is the Associate Vice President for Human Relations and Risk Management.

The written delegation includes the provision that, if the appointing authority (or designee) is also responsible for rating one or more employees classified in the state personnel system, the delegated decision-making authority shall revert to the next-highest level so that the rater will not be the decision-maker in the event of a dispute. The role of the appointing authority (or designee) is to review the information presented, to address facts surrounding the disputed issues, and to render an impartial decision. However, the appointing authority may not render a decision that would alter the University's (or approved campus-customized) performance management program, policies, and processes. In reaching a decision to resolve the dispute, the appointing authority (or designee) has the authority to instruct a rater to: (1) follow the University's (or approved campus-customized) performance management program, (2) correct an error, (3) reconsider a final overall performance evaluation; (4) suggest other appropriate processes such as mediation; or (5) require the rater to change an employee's performance rating

#### 2. Procedural Steps in the Internal Stage:

The employee must initiate the internal review process by requesting a review of the disputable issue or issues in writing. The request must be submitted on the standard University form for this purpose. A copy of the form is attached to this plan.

When disputing the individual performance plan, the written request must be filed within five (5) working days after the meeting at which the rater (normally the employee's supervisor) formally presents the employee with her/his performance plan. When disputing the individual final overall performance evaluation rating, the written request must be filed within five (5) working days after the meeting at which the rater formally presents the employee with his/her final overall performance evaluation and during which the employee and rater discuss the performance rating.

The request must be submitted to the appointing authority (or designee), whose name will be provided to the employee by the rater when both parties sign the cover sheet of the "Performance Planning and Evaluation Form." Copies of the written request must be submitted to the supervisor and to the campus Human Resources Department.

Within five (5) working days after the request is received by the appointing authority (or designee), unless there are mitigating or extenuating circumstances that impede meeting this deadline, the appointing authority (or designee) must meet with the employee, the rater (normally the employee's supervisor) and, as far as is practicable, with any others whom the employee and/or the rater deem to have pertinent information. Regardless of the number of parties involved, the appointing authority (or designee) remains responsible for scheduling the meeting(s) with the affected parties and for adhering to the schedule for completion of the review.

Within five (5) working days after all necessary meetings are conducted, unless there are mitigating or extenuating circumstances that impede meeting this deadline, the appointing authority (or designee) must render a written decision. In making the decision, the

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appointing authority (or designee) is limited to considering only those issues described earlier as disputable issues.

#### 3. Written Notices

Within five (5) working days of completion of the internal stage, the appointing authority (or designee) will provide a written notice of the decision to the employee and will submit a copy of the decision to the campus Human Resources Department.

The employee will also receive a written notice explaining that s/he may submit a written request to the State Personnel Director for further (external) review, provided the original dispute concerned the application of the University's performance management program (or an approved campus modification of the program). This notice will indicate the address to which the written request for external review should be mailed.

#### B. External Stage: State Personnel Director

An employee may request review by the State Personnel Director. However, only the original issues involving the application of the University's performance management program (or an approved campus modification of the program) to the individual employee's plan and/or final overall performance evaluation may advance to the external stage for review by the State Personnel Director. And, this issue may not advance to the State Personnel Director until it has been reviewed at the internal (University) stage and an internal decision has been rendered.

An employee must file a written request for external review with the State Personnel Director within five (5) working days from the date the internal (University) decision is received. A copy of this written request also must be sent to the campus Human Resources Department.

The written request for external review by the State Personnel Director must include: (1) a copy of the original written performance management issue(s) raised by the employee (i.e., the form submitted by the employee to the appointing authority); and (2) the final written decision from the internal review stage.

All requests for review by the State Personnel Director are subject to an initial screening to determine if review is warranted. Such screening shall be based on specific criteria established by the State Personnel Director. If determination is made that further review is not warranted, such decision is final and binding and the employee will be notified accordingly.

For an issue being reviewed at the external stage, these individuals shall not substitute their judgment for that of the rater, reviewer, or the department's dispute resolution decision maker at the internal dispute stage.

If further review is warranted, the Director, or designee, may select a qualified neutral third party to review the matter. The Director has 30 days to issue a written decision, which is final and binding.

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**Retaliation against any person(s) involved in the Dispute Resolution Process is prohibited.**

Date: \_\_\_\_\_

Employee's Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Department: \_\_\_\_\_

Person who completed my performance plan or final overall performance evaluation: \_\_\_\_\_

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I wish to have the following reviewed:

\_\_\_\_ 1. My performance plan or lack of a plan. I believe the error or problem is:

\_\_\_\_ 2. My final overall performance evaluation or lack of an evaluation. I believe the error or problem is:

\_\_\_\_ 3. The application of the CU Performance Management Program to my individual performance plan or final overall performance evaluation. I believe the error or problem is:

To resolve this issue, I have taken the following actions:

I request the following resolution:

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

For additional information, consult your supervisor or the Human Resources Department. Submit the original of this form to the appointing authority (or designee) whose name was provided by your supervisor during discussion of your final overall performance evaluation. Submit copies: (1) to your supervisor and (2) to the Human Resources Department.