



THE “INS” AND “OUTS” OF PERFORMANCE EVALUATIONS

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WHY CONDUCT EVALUATIONS?

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- To give the employee written and verbal feedback on their performance
- To enhance individual and team performance
- To set goals and objectives



- To motivate employees
- To establish a written record on job performance
- To create a tool for setting salaries and other financial rewards



TIPS FOR CONDUCTING EFFECTIVE PERFORMANCE EVALUATIONS

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- Describe performance based on objective criteria and not subjective standards
- Be accurate and fact-check your statements
- Make sure you are consistent in assessing different employees



- Avoid surprises
- Set realistic goals and ones that have the consensus of management
- Let other supervisors review the evaluation before conducting it



- Avoid stray comments unrelated to performance
- If you are using a performance evaluation form, make sure it is up to date and timely
- Review the employee's personnel file before conducting the evaluation



RISKS AND REWARDS OF PERFORMANCE EVALUATIONS

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RISKS

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- The evaluations are inaccurate
- The evaluations overly praise the employee's performance
- The evaluations have subjective comments



- The evaluations are not conducted regularly
- The evaluations are retaliatory



RISKS OF RETALIATION

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Until the Summer of 2006

- Poor performance evaluations did not constitute a retaliatory action
 - unless the evaluation was used to demote, terminate or otherwise “adversely affect” the employee.



- In the 4th Circuit, prior to June 2006
 - unfavorable evaluation with potential negative impact on promotion **but** no actual denial of a promotion was not retaliation



After June 2006

- United States Supreme Court decision in *Burlington Northern and Santa Fe Railway Company v. White*
- Court expanded the scope of retaliation claims
- Test is whether a “reasonable employee” would be dissuaded from making or supporting a charge of discrimination in light of the evaluation



Now

- Employee must show that the performance evaluation would discourage a reasonable employee from engaging in a protected activity.
- Evaluations that affect the potential for promotions, compensation increases or additional compensation, such as bonuses, can be retaliatory.



Parson v. Wynne - 2007

- Performance evaluation that affected a bonus - not retaliation
- Summary judgment
- Discretionary bonus
- Employee's failure to receive a bonus as a result of an evaluation - not a significant detrimental effect on the terms and conditions of employment and not retaliatory.



- Performance evaluations can be a two-edged sword. They can be used to the advantage of the employee or the employer.
- If properly done, better to evaluate than not evaluate



RISKS OF INACCURATE EVALUATIONS

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- Raytheon Technical Services Co. v. Hyland
- False statements of fact made maliciously in an employment performance review are subject to defamation claims



- Pure expressions of opinion are not actionable
- Whether a statement is one of fact or opinion is a question of law



- Due to the risk of defamation and retaliation, have at least two supervisors review evaluations.



Sample Evaluations

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Name of Employee	Goal Previously Set with Supervisor - Division Objectives	Date Goal Set	% of total		
	Goal 3: Responsible for successfully managing all aspects of the _____ line of business.	12/31/2007	0.25	Meets/Exceeds	4
	Goal 4: Responsible for successfully managing all aspects of the _____ line of business.	12/31/2007	0.25	Meets/Exceeds	4
	Goal 5: Meet all service level agreements and standards.	12/31/2007	0.10	Meeting expectation	3
	Goal 6: Successfully support the custom product process.	12/31/2007	0.15	Exceeding expectation	5
	Goal 7: Support the product component of the _____ project.	12/31/2007	0.10	Meeting expectation	3
	Goal 8: Drive quality through continuous improvement of the _____ process positively affecting risk and portfolio management.	12/31/2007	0.15	Exceeding expectation	5
	Goal 1: Growth and Development for Current Role Identify 1-3 opportunities to enhance your knowledge, skills and/or abilities to improve service to your customers (e.g. Job Assignments, Projects, Mentors, _____)	For each opportunity identified, list the specific actions that Continue taking _____ and apply learned concepts within _____ Continue to develop management skills through internal mentoring _____ Participate in sales call with _____		Progressing as expected	
	Goal 2: Live The Values Associates are expected to model the new corporate values in order to drive customer delight.	1. Attend the 2007 values overview. 2. Determine your strengths and areas where you can _____ Participate in professional networking event such as _____ Provide White Paper to marketing to help direct product _____		Exceeding (mentoring and classes) Did not meet due to schedule conflicts Met expectations Met expectations Met expectations In Jeopardy	
Accomplishments					
Disappointments					
A					



Revised November 9, 2008

MARINE EMPLOYEE DEVELOPMENT AND EVALUATION FORM

NAME _____ R/V _____
 POSITION _____ MASTER _____
 DATE _____ EVALUATION PERIOD FROM _____ TO _____

Were performance expectations reviewed with the employee at the start of the appraisal period? _____
 Was employee given periodic performance feedback during this period? _____

This section is designed to assist in measuring an employee's actual job performance against the standards of the assignment, rather than against the performance of others who have done or are doing similar work. N Is for No Opportunity to Observe, #1 Unsatisfactory, #2 Needs Improvement, #3 Generally meets the requirements, #4 Generally exceeds requirements, #5 Exceptional. Start with #3 and then decide if the performance can support a move to the right or left. This review is conducted by the supervisor, with oversight and assistance as necessary, by the Master. Completing this form once per year for regular employees, on the anniversary date, would be one method of distributing the work load. Temporary employees should be evaluated EACH time either the Master or Individual rotates off the vessel.

GENERAL/ALL

DEMONSTRATES SAFETY CONSCIOUSNESS	N	1	2	3	4	5
COMMITTS TO TEAMWORK	N	1	2	3	4	5
ACTS QUICKLY IN EMERGENCIES	N	1	2	3	4	5
COOPERATES WITH SCIENTIFIC PERSONNEL	N	1	2	3	4	5
ASSUMES RESPONSIBILITY WILLINGLY	N	1	2	3	4	5
DISPLAYS POSITIVE ATTITUDE	N	1	2	3	4	5
ACCEPTS CONSTRUCTIVE FEEDBACK	N	1	2	3	4	5
DEMONSTRATES WATCHSTANDING SKILLS	N	1	2	3	4	5
DEMONSTRATES ATTENTION TO COST CONTROL AND INVENTORY	N	1	2	3	4	5

LICENSED OFFICERS AND DEPARTMENT HEADS

EXHIBITS LEADERSHIP SKILLS	N	1	2	3	4	5
COMMUNICATES EFFECTIVELY	N	1	2	3	4	5
PLANS WORK EFFICIENTLY	N	1	2	3	4	5

TO BE COMPLETED BY SUPERVISOR: (ATTACH ADDITIONAL SHEETS AS NECESSARY)

WHAT ARE THE PRIMARY RESPONSIBILITIES OF THIS POSITION?

DOES THE INDIVIDUAL UNDERSTAND THESE REQUIREMENTS? DOES HE/SHE READILY ACCEPT ADDITIONAL RESPONSIBILITY FOR AREAS NOT CONSIDERED PRIMARY?

B(1)



Revised November 9, 2006

MARINE EMPLOYEE DEVELOPMENT AND EVALUATION FORM

AREAS OF DEMONSTRATED STRENGTHS AND ACCOMPLISHMENTS:

AREAS IN WHICH THIS PERSON CAN IMPROVE:

SUPERVISOR'S SUGGESTIONS TO MEET IMPROVEMENT REQUIREMENTS, OR TRAINING RECOMMENDATIONS.

Other Comments:

*****Employee signature does not necessarily indicate agreement with the supervisor's comments, either in part or in total.

Department Head	_____	Date	_____
Employee	_____	Date	_____
Master	_____	Date	_____

Print then Sign Name

B(2)



ADMINISTRATIVE STAFF PERFORMANCE REVIEW (Supervisor to Complete)

Employee's Name: _____ Title: _____
Department: _____ Date in Current Position: _____

PERFORMANCE EVALUATION: Using the performance standards below as guidelines, comment on performance aspects during the evaluation period. Include assessments of employee's job knowledge, skill in accomplishing tasks, communication and interpersonal skills (written and oral), initiative, supervisory responsibilities if applicable, and any other areas you feel are appropriate. Additional sheets may be attached.

Performance Standards:

UNSATISFACTORY – Performs at an unacceptable level to meet position standards.

NORMAL AND EXPECTED – Consistently meets position standards; performance is fully acceptable and demonstrates sound balance between quality and quantity.

EXCEPTIONAL – Routinely exceeds the acceptable standards for position by demonstrating outstanding performance and knowledge to carry out and improve the most complex and demanding portions of the job.

SUMMARY ASSESSMENT: Using the performance standards described above, indicate your overall assessment of the employee's performance.

UNSATISFACTORY NORMAL AND EXPECTED EXCEPTIONAL

PROFESSIONAL DEVELOPMENT: Describe any specific action you would recommend to enhance the employee's professional and personal qualifications as related to future professional development.

PERFORMANCE DEVELOPMENT: To have a better understanding of the employee's performance, list the strengths and outstanding areas of the employee in which the employee has demonstrated high level of performance. Include a space for additional and target dates.

Supervisor's Signature: _____
Supervisor's Title: _____
Print Name: _____
Date: _____

C(1)



Performance Evaluation Form

Employee Name: _____ Supervisor's Name: _____
 Title: _____ Title: _____
 UC Hire Date: _____ Department: _____
 Evaluation Period: _____ Length of time you have supervised employee
 Years: _____ Months: _____

FUNCTIONAL AREAS OF RESPONSIBILITY

List below the essential functions of the position, and/or projects for which the employee is evaluated.

Rating Standards

- Unacceptable Work performance is inadequate and inferior to the standards of performance required for the position. Performance at this level cannot be allowed to continue.
- Improvement Needed Work performance does not consistently meet the standards of performance for the position. Serious effort is needed to improve performance.
- Meets Expectations Work performance consistently meets the standards of performance for the position.
- Exceeds Expect. Work performance is consistently above the standard performance for the position.
- Outstanding Work performance is consistently superior to the standards required for the job.
- Not Applicable The employee is not required to perform in a specific rating factor, and it cannot be measured.

Not Appl	Unaccept	Impr Needd	Meets Expec	Exceeds Exp	Outstanding	Rating Factors	Evaluate each of the rating factors below by checking the appropriate box to the left of each factor. (For those factors not evaluated, please check "not applicable.") Pertinent comments may be made in the box provided to the right of the factor. They are required for ratings of "Unacceptable" or "Improvement Needed." Explanations of the rating factors are available on the campus Gopher system.
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TECHNICAL SKILLS *(Effectiveness with which the employee applies job knowledge and skill to job assignments)*

						Job Knowledge	Comments (if appropriate)
						Analyzes Problems	
						Provides Suggestions for Work Improvement	
						Employs Tools of the Job Competently	
						Follows Proper Safety Procedures	

QUALITY OF WORK *(Manner in which the employee completes job assignments)*

						Accuracy or Precision	Comments (if appropriate)
						Thoroughness / Neatness	
						Reliability	
						Responsiveness to Requests for Service	
						Follow-Through / Follow-Up	
						Judgment / Decision Making	

D(1)



Not Appl	Unaccept	Imp/ Needful	Meets Expec	Exceeds Exp	Outstanding	Rating Factors Evaluate each of the rating factors below by checking the appropriate box to the left of each factor. (For those factors not evaluated, please check "Not Applicable.") Pertinent comments may be made in the box provided to the right of the factor. They are required for ratings of "Unacceptable" or "Improvement Needed," and are encouraged for ratings of "Outstanding." Explanations of the rating factors are available on the campus Gopher system.
INTERPERSONAL SKILLS <i>(Effectiveness of the employee's interactions with others and as a team participant)</i>						
					With Co-workers	Comments (if appropriate)
					With Supervisors	
					With Other Faculty, Staff, Students, and / or the Community	
					Team Participation	
					Team Contributions	
					Commitment to Team Success	
COMMUNICATION SKILLS <i>(If applicable to the job)</i>						
					Written Expression	Comments (if appropriate)
					Oral Expression	
					Shares Information Willingly	
					Tact and Diplomacy	
APPROACH TO WORK <i>(Characteristics the employee demonstrates while performing job assignments)</i>						
					Actively Seeks Ways to Streamline Processes	Comments (if appropriate)
					Open to New Ideas and Approaches	
					Initiative	
					Planning and Organization	
					Flexible / Adaptable	
					Follows Instructions	
					Challenges Status Quo	
					Processes in Appropriate Ways	
					Seeks Additional Training and Development	
					Attendance	
QUANTITY OF WORK <i>(Employee's success in producing the required amount of work)</i>						
					Priority Setting	Comments (if appropriate)
					Amount of Work Completed	
					Work Completed on Schedule	

D(2)



Not Appl	Unaccept	Impr Needed	Meets Expec	Exceeds Exp	Outstanding		Evaluate each of the rating factors below by checking the appropriate box to the left of each factor. (For those factors not evaluated, please check "Not Applicable.") Pertinent comments may be made in the box provided to the right of the factor. They are required for ratings of "Unacceptable" or "Improvement Needed," and are encouraged for ratings of "Outstanding."
						Rating Factors	
SUPERVISORY/LEADERSHIP SKILLS <i>(applies only to employee who is a manager, supervisor, or lead)</i>							
						Support of UCI Diversity Efforts: Programs Trains and Develops Staff	Comments (if appropriate)
						Properly Aligns Responsibility, Accountability, and Authority	
						Evaluates Staff Regularly	
						Faces Performance Problems Squarely	
						Supports Responsible Risk Taking	
						Controls Costs and Maximizes Resources	
						Instills Pride in Performance, Service, Innovation, and Quality	
						Sets High Standards for Self, as Well as Others	
						Employs Broad Institutional Goals in Evaluating Unit Effectiveness	
						Supports Useful Debate and Disagreement	
						Welcomes Constructive Criticism	
						Fosters Respect for Facts, Data, and Objective Analysis	
						Uses Analytical Tools and Models for Process Improvement	
						Uses Data to Measure Outcomes, Track Quality, and Enable Improvement	
						Sets Specific Goals for Simplicity, Productivity, and Process Improvements	
						Supports Experimentation and Brainstorming that leads to Innovation and Learning	
						D(3)	



OVERALL PERFORMANCE RATING				
UNACCEPTABLE <input type="checkbox"/>	IMPROVEMENT NEEDED <input type="checkbox"/>	MEETS EXPECTATIONS <input type="checkbox"/>	EXCEEDS EXPECTATIONS <input type="checkbox"/>	OUTSTANDING <input type="checkbox"/>
Work performance is inadequate and inferior to the standards of performance required for the position. Performance at this level cannot be allowed to continue.	Work performance does not consistently meet the standards of performance for the position. Serious effort is needed to improve performance.	Work performance consistently meets the standards of performance for the position.	Work performance is consistently above the standard performance for the position.	Work performance is consistently superior to the standards required for the job.
Place an "X" in the box which describes the employee's overall performance rating				
Supervisor's Comments <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>				
Action Plans / Training and Development Goals <small>If applicable, summarize any specific projects, performance objectives, or training and development plans for the next review period.</small> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>				
Employee Comments / Reactions <small>Optional. If employee wishes to do so, any comments concerning the appraisal may be indicated in this section.</small> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>				
Employee Signature _____ Date _____ <small>I have read and discussed this evaluation with my supervisor and I understand its contents. My signature means that I have been advised of my performance status and does not necessarily imply that I agree with either the appraisal or the contents.</small>				
Supervisor _____ Signature _____ Date _____		Department Head _____ Signature _____ Date _____		
AUL/Division Head Signature _____ Date _____				

D(4)



**Performance Management Program
Employee Evaluation Summary Form**

Competency	Unacceptable Performance	Marginal Performance	Acceptable Performance	Commendable Performance	Exceptional Performance	Mid-Year Review
Customer/Citizen Service						
Adaptability/Flexibility						
Work Habits						
Communication						
Project Management						
Decision Making/Judgment						
Supervision/Management						
Continuous Improvement						
Strategic Thinking						
Fiscal/Resource Management						
Average of Part II (Job Specific Responsibilities)						
Overall Rating						
Developmental Activity Assessment						

Overall Statement of Performance

Employee Comments

Supervisor Signature: _____ Date: _____

Reviewer's Signature: _____ Date: _____

Employee Signature: _____ Date: _____

(Signature does not necessarily signify agreement with ratings)

E(1)



PART I: Core Competencies

(1-4 apply to all employees and 5-10 typically apply to supervisors and managers)

<p>1. Customer/Citizen Service: Treatment of people who receive the employee's product/service; management of difficult or emotional customer/citizen situations; response to customer/citizen needs and requests; solicitation of customer feedback to improve service; meeting commitments to customers/citizens; building constructive, cooperative and pleasant relationships. Commitment to serve the public; focus on finding and meeting the needs of others.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance
<p>2. Adaptability/Flexibility: Adjustment to changing priorities, proactive thinking, pursuit of opportunities and appropriate action; accommodation of new or changing conditions; adaptation to changes in the work environment; management of competing demands; utilization of an approach or method to best fit the situation; dealing with anger, frustration and disappointment; dealing with frequent changes, delay or unexpected events.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance
<p>3. Work Habits: Individual behaviors which impact work and over which an employee has independent control; consistency with the vision and values of the City, department and work unit including acting in ways that are equitable, ethical and legal; treating all people with respect; keeping commitments; inspiring the trust of others; working with honesty and integrity; safety habits; appearance and personal hygiene is appropriate to the job duties performed; use of paid time off; time management; confidentiality as appropriate; use of work hours for personal business.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance
<p>4. Communication: The exchange of information and ideas; ability to get a message across effectively as well as understand verbal messages; ability to read and interpret written information; listening without interrupting; ability to write clearly and appropriately; manner in which one verbally interacts with others; shares work related information with others as appropriate.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance
<p>5. Organizing/Planning/Project Management: Forward focus, resulting in scheduling work, setting goals, anticipating and preparing for future assignments and establishing priorities; demonstrating initiative and follow-through, coordinating all resources to ensure work is completed on time; maintains appropriate records as needed.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance
<p>6. Decision-Making/Judgment: Choice of an appropriate course of action; willingness to make decisions in a timely manner; exercising sound and accurate judgment; support and explanation of reasons for decisions; including appropriate stakeholders in decision-making.</p> <p>Comments/Examples of Performance: _____</p>	<ul style="list-style-type: none"><input type="radio"/> Unacceptable Performance<input type="radio"/> Marginal Performance<input type="radio"/> Acceptable Performance<input type="radio"/> Commendable Performance<input type="radio"/> Exceptional Performance

E(2)

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PART I: Core Competencies (Continued 7-10)

<p>7. Supervision/Management/Coaching: Improving the performance of others and creating a positive work environment; helps others build self-confidence and motivation; evaluating performance and providing opportunities for growth of employees' knowledge and skill levels; ability to achieve organizational goals through others by directing, guiding, encouraging and giving staff room to act; recognizing contributions and success.</p> <p>Comments/Examples of Performance: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>
<p>8. Continuous Improvement/Innovation: Orientation toward new or unexplored work methods, materials or equipment; looks for ways to improve and promote quality service; displays original thinking and creativity; meets challenges with resourcefulness; generates suggestions for improving work; develops innovative approaches and ideas; presents ideas and information in a manner that gets others' attention.</p> <p>Comments/Examples of Performance: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>
<p>9. Strategic Thinking: Balance of short and long term goals with available financial assets; identification and evaluation of options and alternatives as a part of the planning process; change in plans and/or goals as conditions and situations require.</p> <p>Comments/Examples of Performance: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>
<p>10. Fiscal/Resource Management: The effective use of and level of control of City resources. Development, implementation and effective monitoring a budget that is driven by the vision, principles and policies of the City Council and the overall mission of the City; accurate forecast of resource needs for operations, capital improvement and programs, taking into account the overall organizational revenue and expenditure situation.</p> <p>Comments/Examples of Performance: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>

PART II: Job Specific Responsibilities and Results

Six-eight primary responsibilities, typically from the position description, when coupled with the core competencies, are sufficient to evaluate an employee's overall work performance. A performance contract, performance matrix or other tool may be used in lieu of this format.

<p>1. Responsibility: _____</p> <p>Measure: _____</p> <p>Results: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>
<p>2. Responsibility: _____</p> <p>Measure: _____</p> <p>Results: _____</p>	<p><input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input checked="" type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance</p>

E(3)



PART II: Job Specific Responsibilities and Results (Continued 3-6)

3. Responsibility: _____ Measure: _____ Results: _____	<input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance
4. Responsibility: _____ Measure: _____ Results: _____	<input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance
5. Responsibility: _____ Measure: _____ Results: _____	<input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance
6. Responsibility: _____ Measure: _____ Results: _____	<input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance
AVERAGE PART II RATING:	<input type="radio"/> Unacceptable Performance <input type="radio"/> Marginal Performance <input type="radio"/> Acceptable Performance <input type="radio"/> Commendable Performance <input type="radio"/> Exceptional Performance

PART III: Developmental Activities - Optional

An individualized developmental action plan for the upcoming year designed to support personal development, job related knowledge, skills and/or abilities that increases employee value to the organization, personal progression and marketability.

Activity	Expected Learning	Resources/Assistance Needed	Section 1.01 Results
1.			
2.			
3.			

E(4)