



Performance Evaluations—Are They Helping Us or Hurting Us?

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Why are we conducting performance evaluations and *how* are they making the agency better? These are fundamental questions for agencies that require standardized performance evaluations. Without clearly answering these questions, supervisors are often put in the position of pursuing the “path of least resistance” when it comes to conducting performance evaluations. This path is understandably tempting for supervisors, but it often results in serious agency problems relating to legal liability in discipline and promotions—not to mention officer morale.

The “text book” answers to these aforementioned questions are straightforward:

Why are we conducting performance evaluations? We conduct these evaluations to ensure that supervisors give subordinates detailed feedback regarding their current performance, areas of needed improvement, and reasonable supervisor expectations.

How are they making the agency better? The agency is made better by this process as supervisors and subordinates are “on the same page,” expectations are clear and performance issues do not result from employees’ ignorance of expectations or ways to accomplish agency goals.

Unfortunately, for too many public safety agencies, the honest answers are: we do them because we are required to do them/we’ve always done them, and as far as making the agency better—your guess is as good as mine.

It would be bad enough if these evaluation systems simply failed to produce positive results in the form of detailed and documented feedback on performance strengths and weaknesses. Even worse, however, is the fact that **broken performance evaluations actually damage agencies across the country by (1) giving inaccurately positive documentation to officers that is later used to reverse important disciplinary decisions in court or in arbitration and (2) giving standard “meets expectations” evaluations to officers whose performance merits much greater recognition.**

Broken Performance Evaluation Systems—One of a Toxic Employee’s Best Friends

It is hardly a secret within public safety agencies that there are a small group of problem people who wreak havoc inside the agency and cause the lion’s share of stress and liability year after year. These individuals become much more difficult to deal with in an effective and legally defensible way when they are awarded “meets expectations” or even “exceeds expectations” with every performance evaluation.

Making difficult personnel decisions—from discipline to promotions to terminations—is essential for public safety leaders looking to meet their obligations to the communities that they serve. But **when problem employees are given positive performance evaluations as standard operating procedure, personnel decisions become much more difficult to defend in court or in arbitration.**

When agencies are arguing that a personnel decision was not arbitrary or discriminatory, their arguments are often contradicted by the agency’s own evaluations. Chiefs and sheriffs across the country are frequently placed in the painfully awkward position of asserting that the agency’s performance evaluations don’t mean what they purport to mean. The officer in question *has been a problem* for years and the court or arbitrator should *not* be swayed by performance evaluations that are incompatible with reality. Put more simply: **inaccurate evaluations force agency leaders to argue against their own documentation.**

Do Broken Performance Evaluation Systems *Short Change* High Performers?

Inaccurate performance evaluations in which supervisors are simply “circling down the middle” of the performance rating scale tend to underrate the hard work of many employees in the same way that they minimize the severity of problem behavior. This makes it much more difficult for agency leaders to discipline a high-level performer for an isolated mistake in a manner that is less severe than the discipline given to a problem employee who regularly engages in misconduct. Similarly, the promotional process is made more challenging when differences in past performances (one below standards and the other above) are not reflected in performance evaluations.

In seeking to promote or otherwise advance high-level performers, agency leaders should be aware of the problems posed by documentation that indicates that all agency employees are essentially the same. **The overwhelming majority of the agency may recognize the difference between the high-level performers and the problem employees, but if it’s not in writing it didn’t happen.** Even worse—the agency may be cementing a false narrative in the form of inaccurate performance evaluations that aren’t taken seriously throughout the agency. **Often times, performance evaluations don’t seem to mean anything until they are part of a heated debate in costly litigation or arbitration.**

To minimize the damage done by broken performance evaluation systems, agency leaders would be well-served to (1) decide if performance evaluations are a net positive for their agency in the first place, (2) create performance evaluation systems that are closely related to agency priorities, and (3) train all supervisors sufficiently on the practicalities of the evaluation system so that

these evaluations reflect reality and are detailed enough to give employees notice of areas for improvement and the means of improving. **If all of the agency supervisors are not on the same page when it comes to performance evaluations, it is nearly impossible to see how the pitfalls discussed here can be avoided.**