

General Circular No. 146

Issue Date: April 9, 2009

Subject: Revision of State Police Commission Rule 2.9 and 3.1 as well as the adoption of State Police Commission Rule Chapter 20

Pursuant to the provisions of State Police Commission Rule 2.10(a), the State Police Commission will hold a public hearing on Tuesday, May 26, 2009, to consider revision of State Police Commission Rules 2.9 and 3.1 and the adoption of State Police Commission Rule Chapter 20. The hearing will begin at 9:00 a.m. in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana.

Chapter 2

ORGANIZATION, RULES, PROCEDURES AND POWERS OF THE STATE POLICE COMMISSION

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2.9 Powers of the Commission

- (j) Ensure a yearly, independent, audit of the Commission's accounts and equipment is conducted. The Commission is authorized to hire a firm to conduct this audit or enlist the services of an outside state agency to conduct this audit. A complete report of this audit will be submitted to the Commission members upon completion of the audit.

Chapter 3

DUTIES OF THE DIRECTOR

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3.1 Duties of the Director

- (t) Present a monthly report to the Commission detailing all expenditures for the previous month. The Director shall also provide, if requested by any Commission member, documentation in support of this report.

CHAPTER 20

PERFORMANCE PLANNING AND REVIEW FOR DIRECTOR AND COMMISSION EMPLOYEES

20.1 Performance Planning and Review System for Director and Commission Employees; Required Components.

The Commission shall use a performance planning and review system that complies with this Chapter and consists of the following components:

- (1) a performance planning and review form approved by the Commission;
- (2) a seven-level rating system; and
- (3) a performance planning and review training manual that is reasonably accessible to rating supervisors.

Other components may be incorporated upon prior approval by the Commission

20.2 Rater; Reviewer.

- (1) The rater of the Director shall be the Chairman of the Commission. The reviewer shall be the Commission.
- (2) The rater of Commission employees shall be the Director. The reviewer shall be the Chairman of the Commission.

20.3 Performance Factors to be Rated.

- (1) The Director and each employee shall be rated on the following performance factors: Work Product; Dependability; Cooperativeness; Adaptability; Communication; Customer Service; and Daily Decision Making/Problem Solving.

- (2) The Director and Supervisory employees shall be rated on the following additional performance factors: Work Group Management and Leadership; Accountability; and Performance Planning and Review.
- (3) The Director and an employee may be rated on additional performance factor(s) applicable to the employee's job.

20.4 Ratings.

- (1) The rater shall rate the employee on each applicable performance factor, using the following ratings and points:
 1. Outstanding = 5 points
 2. Very Good – 4 points
 3. Good = 3 points
 4. Needs Improvement = 2 points
 5. Poor = 1 point
- (2) The performance factor ratings shall then be averaged and the employee's overall rating shall be assigned based upon the following scale:
 1. Outstanding = 4.50 – 5.00
 2. Very Good = 3.50 – 4.49
 3. Good = 2.50 – 3.49
 4. Needs Improvement = 1.50 – 2.49
 5. Poor = 1.00 – 1.49

20.5 Performance Planning Session.

- (1) The rater shall conduct a performance planning session, during which the rater shall discuss with the employee the factors upon which the employee will be rated, and the performance that will be expected during the coming rating period. Thereafter, the rater and the employee shall sign and date the performance planning and review form to document the session.
- (2) A performance planning session shall be conducted no later than 30 calendar days after the appointment of a new employee, or the anniversary date of a current employee, or the assignment of an employee into a different position or when the employee is given significantly different duties.
- (3) A performance planning session may be conducted when an employee is assigned a new supervisor or when performance expectations change due to changes in work.

20.6 Rating Process.

- (1) The rater shall complete the performance planning and review form and shall provide the form and any documentation to support a rating of “Needs Improvement” or “Poor” to the reviewer. The reviewer, if satisfied, shall sign the form and return it to the rater who shall then give a copy to the employee and discuss the rating.
- (2) For new employees, the provisions of subsection (1) shall occur within 45 calendar days prior to the employee’s eligibility for a merit increase.
- (3) For current employees, the provisions of subsection (1) shall occur within 45 calendar days before the employee’s anniversary date.

20.7 Re-Ratings.

An employee whose official overall rating is “Needs Improvement” or “Poor” shall be re-rated no earlier than 3 nor later than 6 months after the employee’s anniversary date.

20.8 When a Rating or a Re-Rating Becomes Official.

A rating or re-rating becomes official upon the employee’s receipt of the performance planning and review form. Receipt is governed by Rule 12.8(b).

20.9 Employee’s Refusal to Sign Form.

If an employee refuses to sign any part of the form, the rater shall note on the form that the employee was given the form, refused to sign, and the date.

20.10 Effects of “Needs Improvement” or “Poor” Rating or Re-Rating.

- (1) An employee whose official overall rating or re-rating is “Needs Improvement” or “Poor” is ineligible for merit increases or promotion.

20.11 Effects of Absence of Official Rating or Re-Rating.

- (1) If the Commission neglects to rate the Director or if the Director neglects to rate an employee prior to his/her anniversary date, the Director or employee shall be considered as having a rating of “Good.” If the Commission fails to timely re-rate the Director or if the Director neglects to re-rate the employee rated “Needs Improvement” or “Poor,” the Director or employee shall be deemed to have a re-rating of “Good,” as of six (6) months after the Director’s or employee’s anniversary date.
- (2) If a performance rating or re-rating has not been possible because of the excused absence of the Director or employee due to medical reasons, the rating or re-rating shall be delayed until no earlier than 3 nor later than 6 months after the Director or employee’s return to duty on a full time basis.

Under such circumstances, the rating existing prior to the Director's or employee's absence shall continue in effect in the interim.

20.12 Record-keeping and Reporting Requirements.

- (1) Completed performance planning and review forms shall not be part of the official personnel file and shall not be accessible to the public.
- (2) Each official overall rating of "Needs Improvement" and "Poor" and each official re-rating shall be reported to the Commission within thirty (30) days after a copy of the performance planning and review form has been given to the Director or employee.

20.13 Review of Ratings and Re-Ratings.

Ratings and re-ratings are subject to review as follows:

- (1) The Director or an employee who disagrees with and desires a review of an official overall rating or re-rating of "Needs Improvement" or "Poor" must present a written request to the Commission for review of the rating or re-rating.

The request for review must conform to the following:

1. Include a copy of the Performance Planning and Review Form, and any documentation provided to the Director or employee with the form, to request the review.
 2. Attach any other documentation supporting the request for review.
 3. List the performance factor ratings that are in dispute and for each factor explain why they believe a higher rating was deserved.
 4. Be postmarked or received by the Chairman of the Commission within thirty (30) calendar days following receipt by the Director or employee of the Performance Planning and Review Form.
- (2) Upon receipt of a timely request for review, the Commission shall:
 1. Review the Director's or employee's request (including any attachments) and the official Performance Planning and Review Form (including the attached documentation) if any.
 2. Within sixty (60) days after receipt of the request for review, provide the Director or employee with written notice of the outcome of the review.

Please review this proposal and furnish, in writing, by May 1, 2009 any comments which you consider pertinent. If you would like to appear before the Commission and present your comments orally, you are invited to do so. You must notify this office by May 1, 2009 of your intention to address the Commission, in order to be placed on the agenda.

Please post this General Circular in a prominent place, so that all employees will receive notice of this public meeting. If any special accommodations are needed, please notify us prior to the meeting date.

Sincerely,

Jodi Patterson

Jodi Patterson

Deputy Director