

State Police Commission



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November 20, 1998

Transmittal Sheet No. 25

Subject: Repeal and Reenactment of State Police Commission Rules

Effective Date: November 16, 1998

At its November 16, 1998 meeting, the State Police Commission voted to repeal and reenact Chapters 10 and 19 of the State Police Commission Rules. Attached hereto are complete copies of these chapters for inclusion in your rules.

Sincerely,

Debra L. Johnson

Debra L. Johnson
Director

Attachments

CHAPTER 10

Performance Planning and Review

10.1 Performance Planning and Review System; Required Components.

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

- (a) a performance planning and review form approved by the Director;
- (b) a five-level rating system; and
- (c) a performance planning and review training manual that is reasonably accessible to rating supervisors.

Other components may be incorporated upon prior approval by the Director.

10.2 Rater; Reviewer.

The rater shall be the employee's immediate supervisor unless unavailable, in which case, the Superintendent shall designate a person most familiar with the employee's performance. The reviewer shall be someone in the employee's supervisory chain of command.

10.3 Performance Factors to be Rated.

- (a) Each employee shall be rated on the following performance factors : Work Product; Dependability; Cooperativeness; Adaptability; Communication; and Daily Decision Making/Problem Solving.
- (b) Supervisory employees shall be rated on the following additional performance factors: Work Group Management and Leadership; and Performance Planning and Review.
- (c) An employee may be rated on additional performance factor(s) applicable to the employee's job.

10.4 Ratings.

- (a) 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

(b) 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

10.5 Performance Planning Session.

- (a) 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.
- (b) 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 position having a different position number and significantly different duties.
- (c) 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.

10.6 Rating Process.

- (a) 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.
- (b) For new employees, the provisions of subsection (a) shall occur within 45 calendar days prior to the employee's eligibility for a merit increase.
- (c) For current employees, the provisions of subsection (a) shall occur within 45 calendar days before the employee's anniversary date.

10.7 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.

10.8 When a Rating or 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).

10.9 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.

10.10 Effects of "Needs Improvement" or "Poor" Rating or Re-Rating.

- (a) A rating or re-rating of "Needs Improvement" or "Poor" is not a disciplinary action.
- (b) An employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" is ineligible for merit increases or promotion.
- (c) Apart from the ineligibilities provided for in subsection (b), an employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" may be separated or disciplined under the rules applicable to the employee's status.

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

- (a) If the Department neglects to rate an employee prior to his/her anniversary date, the employee shall be considered as having a rating of "Good". If the Department fails to timely re-rate an employee rated "Needs Improvement" or "Poor", the employee shall be deemed to have a re-rating of "Good", as of six (6) months after the employee's anniversary date.
- (b) If a performance rating or re-rating has not been possible because of the excused absence of the 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 employee's return to duty on a full time basis. Under such circumstances, the rating existing prior to the employee's absence shall continue in effect in the interim.

10.12 Record-keeping and Reporting Requirements.

- (a) Completed performance planning and review forms shall not be part of the official personnel file and shall not be accessible to the public.
- (b) Each official overall rating of "Needs Improvement" and "Poor" and each official re-rating shall be reported to the Director within thirty (30) days after a copy of the performance planning and review form has been given to the employee.
- (c) By July 31 of each year, the appointing authority shall report to the Director, in such form as the Director prescribes, information about ratings given during the previous year ending June 30.

10.13 Review of Ratings and Re-Ratings.

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

- (a) A permanent 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 Superintendent 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 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 Superintendent within thirty (30) calendar days following receipt by the employee of the Performance Planning and Review Form.
- (b) Upon receipt of a timely request for review, the Superintendent shall:
 1. Review the employee's request (including any attachments) and the official Performance Planning and Review Form (including the attached documentation) if any.

2. In accordance with Rule 12.8(b), within sixty (60) days after receipt of the request for review, provide the employee with written notice of the outcome of the review.
- (c) In the discretion of the Superintendent, a review may be based solely on the request and any attached documentation, or on other informal proceeding determined by written Departmental policy.

The informal review proceedings, if any, may be conducted by the Superintendent or his designee, who has not participated in the rating or re-rating.

- (d) Ratings not reviewed in substantial compliance with these rules shall be deemed "Good".

10.14 Appeal of Ratings and Re-ratings.

An employee who is dissatisfied with the review outcome provided for by Rule 10.13 may appeal to the State Police Commission in accordance with State Police Commission Rules.

CHAPTER 19

Transaction to New Pay Structure

19.1 Purpose and Scope.

These rules are interim rules for the purpose of effecting transition from the old State Police Schedule (SPS) pay structure to a new pay structure. This Chapter temporarily supersedes all other rules that are now in conflict.

19.2 Rates in the Pay Plan.

The pay range for each job shall consist of designated Salary Rates representing the following career achievements:

- (a) *representing the entrance salary or hire rate,
- (b) **representing the attainment of Police Officer Standards and Training (POST) certification and graduation from the State Police Training Academy,
- (c) ***representing the successful completion of the Field Officer Training (FTO) Program or successful performance of four months of service following POST certification and graduation from the State Police Training Academy,
- (d) twenty consecutive annual rates representing a full year of State Police Officer service from date of hire,
- (e) a longevity salary rate representing twenty-five years of State Police Officer service from date of hire.

19.3 Pay Upon Movement of Jobs to New Structure Grades.

- (a) Each officer's individual pay rate shall become the rate of pay assigned to the Salary Rate column representing his/her service tenure as defined in 19.2 (a) through (e) as applicable for the pay level assigned to the job for which his/her position is allocated, except as provided in accordance with 19.3 (b).
- (b) If the officer had one or more merit increases withheld as a result of substandard performance or insufficient length of active duty due to an extended illness, the State Police Superintendent may set the officer's individual pay rate at the rate assigned to a Salary Rate column equal to his/her number of years State Police Officer service minus a year of

service for each merit increase withheld. If this option is applied in the conversion from the old pay plan to the new pay plan, it must be implemented in a uniform manner.

- (c) Special pay not included in the Officer's base pay such as hazardous duty, shift differential, on-call, extraordinary duty, etc. in effect at the time of movement from the old pay plan to the new pay plan shall remain in effect.
- (d) Red circled rates in effect immediately prior to the implementation of the new pay plan shall remain in effect unless the rate of pay for the salary rate column in which the Officer meets eligibility under Rule 19.3 (a) is equal to or greater than the officer's red circled rate.

19.4 Hiring Rate

- (a) Pay upon employment shall be established at the hire rate (* Salary Rate Column) of each job.
- (b) All Special Entrance/Retention Rates are canceled with the implementation of the new structure.
 - 1. In order to reestablish Special Entrance Rates above the hire rate and Special Retention Rates above any of the designated rates of pay in a pay range including the highest salary rate, the State Police Superintendent must make a request under established procedures.
 - 2. Upon approval of a Special Entrance/Retention Rate, provisions of Rule 6.5 (b) shall apply.

19.5 Implementation

The new pay plan shall be implemented in its entirety as the first action to occur on the effective date set by the governor. Any other action(s) occurring on the same date must take place following implementation.

STATE POLICE PAY PLAN

EFFECTIVE 1/1/99

JOB CODE	JOB TITLE	PAY LEVEL
133380	STATE POLICE CADET	P-1
143120	STATE POLICE TROOPER	P-2
154730	STATE POLICE MASTER TROOPER	P-3
	[No job title(s) assigned to this pay level.]	P-4
143130	STATE POLICE SERGEANT	P-5
	[No job title(s) assigned to this pay level.]	P-6
143140 133990 133550 113610	STATE POLICE LIEUTENANT; STATE POLICE POLYGRAPHIST; STATE POLICE TECHNICAL SUPPORT OFFICER; and STATE POLICE PILOT	P-7
113700 133660	STATE POLICE MASTER PILOT; and STATE POLICE FINANCIAL INVESTIGATOR	P-8
133390	STATE POLICE CAPTAIN	P-9
151670	STATE POLICE DEPUTY COMMAND PILOT	P-10
133460	STATE POLICE MAJOR	P-11
141210	STATE POLICE COMMAND PILOT	P-12
133400	STATE POLICE LIEUTENANT COLONEL	P-13

**TRANSITION GUIDE TO THE JANUARY 1, 1999 PAY PLAN
AND STATE POLICE PAY SCALE SUMMARY**

JOB TITLE	CURRENT PAY LEVEL	PROPOSED PAY LEVEL
STATE POLICE CADET	SPS-13*	P-1
STATE POLICE TROOPER	SPS-14*	P-2
STATE POLICE MASTER TROOPER	SPS-15*	P-3
[No job title(s) assigned to this pay level.]	SPS-16*	P-4
STATE POLICE SERGEANT	SPS-17*	P-5
[No job title(s) assigned to this pay level.]	SPS-18*	P-6
STATE POLICE LIEUTENANT; STATE POLICE POLYGRAPHIST; STATE POLICE TECHNICAL SUPPORT OFFICER; and STATE POLICE PILOT	SPS-19*	P-7
STATE POLICE MASTER PILOT; and STATE POLICE FINANCIAL INVESTIGATOR	SPS-20*	P-8
STATE POLICE CAPTAIN	SPS-21*	P-9
STATE POLICE DEPUTY COMMAND PILOT	SPS-22*	P-10
STATE POLICE MAJOR	SPS-23*	P-11
STATE POLICE COMMAND PILOT	SPS-24*	P-12
STATE POLICE LIEUTENANT COLONEL	SPS-25*	P-13

Current Pay Level reflects previous market grade adjustments (*) above the evaluation level derived from the State Job Evaluation System developed by the Department of State Civil Service for the June 29, 1987 pay plan.

NOTE: Hourly rates are not exact due to rounding up to the whole cent for .005 or greater and down for .004 or less.