Performance Improvement Plans

1007.1 PURPOSE AND SCOPE

The Performance Improvement Plan (PIP) is intended to be a positive approach designed to assist employees who have demonstrated substandard performance or behavior and who may benefit from intervention before it results in discipline or other negative consequences. The PIP is not intended as discipline. Rather, it is intended to aid employees by implementing a structured, written improvement plan focused on achieving desirable performance or behavior outcomes.

In addition, the PIP serves as an integral tool of the performance appraisal process in that it provides for timely, constructive feedback while creating opportunities for an employee(s) to receive supervisory guidance and assistance to correct deficient work. This proactive strategy reflects the Union City Police Department's commitment to maintaining employee performance and behavior to the standards reflected in the Department's performance evaluation dimensions and policies.

1007.1.1 DEFINITION

The Performance Improvement Plan (PIP) is a written and structured intervention plan designed to assist employees to achieve acceptable performance and/or behavior outcomes when they have demonstrated a pattern of substandard performance or behavior.

1007.2 PROCEDURE

The components of the Performance Improvement Plan include Identification of Need, Plan Development, and Plan Administration.

1007.2.1 IDENTIFICATION AND SELECTION

The purpose of identification and selection is to first recognize a pattern of performance and/or behavior that fails to meet measurable performance expectations or policy standards. Supervisors and managers are charged with continuously evaluating subordinate work and to identify those employees who may benefit from a performance or behavior intervention. Supervisors and managers are expected to analyze the substance of substandard performance and/or behavior to determine the most appropriate course of corrective action. The PIP is not intended to replace disciplinary intervention when supervisors and managers determine discipline to be the most appropriate course of action.

In most cases, when there is a minor policy violation or performance deficiency, supervisors and managers may institute progressive intervention. Progressive intervention may include, but is not limited to verbal counseling, training, monitoring or other strategies. Intervention efforts should be documented on a memorandum. The supervisor(s) and manager of the affected employee may consider selection for a Performance Improvement Plan once progressive intervention efforts fail to produce desired results. Should the supervisor or manager identify employee performance or behavior for which a PIP is warranted, the manager shall first seek the approval of the affected employee's division commander. Upon approval of the division commander, the manager and/

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or supervisor(s) shall, as soon as possible, notify the affected employee of their intention to implement a PIP.

1007.2.2 PLAN DEVELOPMENT

The affected employee's supervisor(s) and manager will be responsible for authoring the content of the PIP, unless otherwise directed by the responsible division commander. The PIP document will consist of six distinct categories in memorandum format as follows:

(a) **Summary**: Provide a brief description of the pattern of performance or behavior demonstrated by the affected employee and how it fails to meet published performance expectations or policy standards.

(b) **Specific Circumstances**: Detail the circumstances and specific examples of the affected employee's performance or behavior that established a pattern of concern warranting supervisory intervention. Additionally, previous intervention efforts should be referenced in support of cause to select the affected employee for PIP participation.

(c) **Substandard Performance and/or Policy Violations**: Identify the specific performance dimension(s) or policy standards and how the affected employee failed to meet them.

(d) **Impact of Employee's Performance and/or Behavior**: This section of the PIP should help the affected employee understand the impact and associated consequences of their substandard performance or behavior.

(e) **Strategies to Achieve Desirable Performance and/or Behavior Outcomes**: Listed in this section are collaborative objectives, crafted by the PIP's author(s) and the affected employee working together to map a successful outcome. Objectives should be SMART:

1. Specific: Write expectations that are clear and concise to help ensure the employee grasps an understanding of them.
2. Measurable: Install benchmarks so that progress or lack thereof is readily discernible.
3. Attainable: Make reasonable efforts to ensure the employee has ample opportunity and resources to meet the expectations of the objective.
4. Relevant: Draw a clear nexus between the expectation and named performance dimension(s) or policy standard(s).
5. Time-based: Develop a reasonable timeline to help define expectations and motivate positive progress.

(f) **Performance Improvement Plan Terms**: This section of the PIP defines the duration of the plan, identifies the PIP administrator(s), prescribes supervisor feedback intervals, and includes other necessary terms applicable to the performance or behavior needing improvement. The following guidelines should apply to the PIP terms:

1. Duration: The duration of a PIP should be no longer than three months unless the affected employee's division commander determines an extension is likely

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to benefit both the affected employee and the department. An extension shall not exceed three additional months. The PIP may be tolled to compensate for the affected employee's leave of absence or inability to perform regular duty and may resume upon their return to full duty.

2. Feedback intervals: The PIP administrator is expected to provide timely feedback and on-going guidance to the affected employee. The administrator should make reasonable efforts to meet with the employee no less than bi-weekly unless circumstances require a change of administrator or other unanticipated need(s).

3. Other necessary terms: Other necessary terms may include, but are not limited to the following:

   (a) The employee may be required to attend training prescribed by the PIP administrator.

   (b) The employee may submit to a voluntary assignment transfer.

   (c) The PIP administrator may limit or restrict the affected employee from participating in work activities outside the scope of their primary assignment including, but not limited to ancillary responsibilities, voluntary overtime assignments, or other work that the PIP administrator reasonably believes may impede the employee's progress or success.

   (d) Employees who are participating in a PIP will not be placed into a special assignment. If an employee identified for a PIP already occupies a special assignment, the Chief of Police may deviate from the special assignment procedure and duration if the best interests of the department would be served by the employee's PIP being administered in a different assignment or work environment (Administrative Assignment Transfer Process Policy).

1007.2.3 PLAN ADMINISTRATION

The Performance Improvement Plan will be administered in the following manner:

(a) Supervisor responsibilities:

1. Once an employee is selected for a PIP intervention, his/her supervisor and/or manager should meet with the affected employee to receive input on the content of the PIP.

2. The supervisor/manager should prepare a draft PIP and forward it through the chain of command to the affected employee's Division Commander for approval.

3. The affected employee's supervisor should summarize the PIP intervention in the employee's performance evaluation within the same rating period as the PIP intervention.

(b) PIP Administrator responsibilities:

1. The supervisor charged with administering the PIP will be known as the PIP administrator. The PIP administrator may be different than the affected employee's supervisor based on, but not limited to, the terms of the PIP,

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needs of the employee or the department, unanticipated absence, or change of assignment.

2. The PIP administrator should present the final version of the PIP to the affected employee to explain its content, expectations, and terms.
3. The PIP administrator is expected to execute the terms of the PIP.
4. The PIP administrator will document counseling sessions, feedback, employee progress or lack thereof, final review, or any other relevant information on a memorandum and attach it to the PIP.

(c) Division Commander responsibilities:

1. Review the draft PIP, make changes or recommendations as necessary, and provide final approval to execute the PIP.
2. Review written rebuttals properly delivered in the manner described below and direct changes or recommendations to the PIP as deemed necessary.
3. Ensure feedback memoranda, final review, written rebuttals or other relevant documents are attached to the PIP.
4. Forward the PIP and related attachments to the Professional Standards Unit where it can be maintained in the affected employee's personnel file until eligibility to be expunged as described below.

(d) Employee responsibilities:

1. The affected employee will meet with his or her supervisor as directed and provide input into the development of the PIP in a reasonable and constructive manner.
2. The employee will review and acknowledge he/she has read the final version of the PIP by signing his/her name and date in the designated area of the PIP.
3. The employee maintains the opportunity to prepare a written rebuttal to the PIP and forward it through his/her chain of command to the responsible Division Commander. The written rebuttal must be presented by 5:00 p.m. on the seventh day after the start date of the PIP.
4. The employee will honor the terms of the PIP to the best of his/her ability.

1007.3 RECORDS RETENTION

Once the PIP is completed, it will be retained in the affected employee's department file for up to two years (pursuant to Personnel Records Policy 1026, Government Code § 34090, and the City's Records Retention Schedule (RRS)), if the following qualifications apply:

(a) The affected employee has successfully satisfied the terms of the PIP and has not repeated a pattern of similar substandard behavior and/or performance.

(b) The affected employee continues to meet performance standards established by published department policy and/or performance evaluation dimensions following the administration of the PIP for a period of two years.

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(c) The affected employee is not being investigated by the department for alleged misconduct.

(d) The affected employee is not a party to a civil suit in their capacity as an employee of the city.

1007.4 REVISIONS

Procedure Adopted: June 21, 2019

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