

NEW PEP FORM

FREQUENTLY ASKED QUESTIONS

1. What form should I use?
If an employee does a performance evaluation for an employee, he/she is considered a supervisor and you should use the Supervisory Form. Otherwise, use the Non-supervisory Form. You may also use the Manager Form for supervisors of supervisors.
2. Should I still use the Supervisory Form if an employee supervises only contractual or temporary employees and is not required to do a performance appraisal?
Yes, that employee is considered a supervisor and you should use the Supervisory Form.
3. What do I put in for Fiscal Year?
Enter the Fiscal Year in which the rating period ends. For example, if a rating period begins in August 2008 and ends in August 2009, you'd enter 2010.
4. How do I determine an Employee's status?
Check the employee's time sheet in the EMPL. STATUS box. If the employee has a status other than MS, ES, SA, DA you do not need to check anything for Employee Status on the PEP Form. If your unit does not use Central Payroll, check with your Personnel Officer/liaison.
5. Where should I indicate the standards for meets, exceeds, and outstanding?
Performance standards should be listed in PART IV PERFORMANCE STANDARDS on the Position Description (MS-22) Form.
6. Can I add behavior elements to the ones listed?
No. If you want to comment on a specific behavior not listed, put it in the "Supervisor's Comments" section.
7. How do I add more lines or make the space larger for Position-Specific Performance Standards?
The PEP forms are protected Excel documents and contain formulas that will automatically calculate the ratings. If you need to make changes you should enlist the help of your IT specialist since any attempt to unprotect the document and change it may result in disabling the formulas.
8. How do I indicate that one Position-Specific Performance Standard or Behavior Element is less or more important than another?
The new form has no way to give weight to any of the listed position-specific performance standards or behavior elements. If you want to indicate any significant difference in importance you can note it in the "Supervisor's Comments" section. However, it will not affect the rating calculations.
9. If the employee has not had the opportunity to perform any of the Position-Specific Performance Standards and Behavioral Elements can I leave it blank?
Yes. DO NOT enter anything in the space or it will be counted.
10. What does "Use of FMLA-qualifying leave should not be considered" in the "Maintains good attendance" mean?
You should NOT consider absences for those on qualified Family or Medical Leave when evaluating "good attendance." The Family or Medical Leave Act requires employers to grant job-protected leave to eligible employees for a period of up to twelve weeks in any twelve month

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period and those absences may not be counted against an employee for attendance control purposes.

11. What should I do with “other duties as assigned?”
You can note significant performance in “other duties as assigned” in the “Supervisor’s Comments” section. However, it will not affect the rating calculations.
12. How should I write meets, exceeds and outstanding performance standards for Behavioral Elements?
You can begin by looking at the SAMPLE created for this class. This document was created from the Behavioral Elements by Job Family documents that were previously used in the PEP process. You can modify this example or use it as it is. It is important, however, that you realize this is not an “official” DHMH Office of Human Resources document.
13. Do you have some examples of what I should put in the Position-Specific Performance Standards space on the form?
The space has room for 56 characters so you can just list the Position-Specific Performance Standards with the understanding that SECTION IV of the Position Description has the full description of the standards at the meets, exceeds and outstanding levels.

**EXAMPLE: ON POSITION DESCRIPTION (MS-22) FORM:
Completes an average of 60 preventative health home visits per month according to established home visitation guidelines.
ON PEP FORM: Completes preventative health home visits.**
14. Why do some employees need to answer the question: “I understand that this is a: ___ Special Appointment; ___ Management Service; ___ Executive Service; ___ Political Special Appointment position in which I serve at the pleasure of the appointing authority.” What does that mean?
Employees with any status listed are “employees at-will” and they need to acknowledge that they know what it means. At will means that you or your employer can terminate your job on a moment's notice for any reason - good, bad, indifferent -- or no reason at all. Unless the termination violates federal or state law, company policies, or an implied contract, there is very little that an at-will employee can do to protest such action.
15. What is the Governor's Code of Fair Employment Practices, 01.01.2007.09?
This Executive Order deals with the Fair Practices Policy and the expectation that all Executive Branch appointing authorities and managers will assume personal responsibility and leadership in ensuring that fair employment practices are adhered to and that equal employment opportunity is a reality in Maryland State government.
16. Is the mid-cycle rating used in calculating the end-of-cycle rating?
No. The formula does not use the mid-cycle rating in determining the end-of-cycle rating. The mid-cycle rating is a snapshot of an employee’s performance at a specific point in time and should be considered as a mid-cycle check. The end-of-cycle rating should consider an employee’s performance for the entire year.

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17. The final signature for the Mid-Cycle rating is “Division Manager.” Is that the same as the Appointing Authority?

It could be. The Division Manager is the supervisor of the supervisor doing the PEP.

Answers to the following questions are part of Maryland Code/State Personnel and Pensions/Title 7. Employment in the State Personnel Management System/Subtitle 5. Employee Performance Appraisals

18. Do I have to do two evaluations a year?

§ 7-502. Intervals between appraisals; performance ratings.

(a) *Intervals between appraisals.*- An employee subject to this subtitle shall receive the following written performance appraisals at 6-month intervals based on the employee's entry-on-duty date:

(1) a mid-year performance appraisal; and

(2) an end-of-year performance appraisal with an overall performance rating.

19. Do employees have to do a self-assessment?

§ 7-503. Appraisal procedure.

***Employee self-assessment.*- Each employee shall participate in the employee's performance appraisal by preparing a self-assessment that:**

(1) evaluates the employee's performance during a rating period;

(2) indicates the employee's suggestions for ways that the employee and the employee's supervisor can enhance the employee's contribution to the unit's mission, goals, and objectives; and

(3) suggests training or other methods to promote the development of the employee's career objectives in the unit.

20. What should I do if my supervisor/manager doesn't do my PEP?

§ 7-501. Performance evaluations required; duty of appointing authority;

(a) *Required.*- The performance of each employee in the skilled service, professional service, and management service shall be evaluated in accordance with this subtitle.

(b) *Duty of appointing authority.*- The appointing authority shall ensure that each of the unit's employees who is subject to this subtitle has performance evaluations in accordance with this subtitle and procedures established by the Secretary.

21. What happens if I, as a supervisor/manager, do not do PEPs for employees I supervise within the specified time frame?

§ 7-501. evaluation of managers and supervisors.

(d) *Evaluation of manager's or supervisor's performance - In general.*- Factors in evaluating a manager's or supervisor's performance shall include:

(1) attendance at any required performance appraisal training;

(2) adherence to established methods and procedures in conducting performance appraisals;

(3) the timely completion of performance appraisals for employees assigned to the supervisor; and

(4) except as provided in subsection (e) of this section, the results of an anonymous survey of employees assigned to the supervisor in accordance with procedures established by the Secretary.

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Answers to the following questions are part of Collective Bargaining/Article 17/ Job Description and Article 18/ Performance Evaluation

22. How do I know if the Collective Bargaining considerations apply to an employee?
Collective Bargaining considerations apply to all employees EXCEPT: Managerial employees, Supervisory employees, Special appointees, Executive service, Political Special Appointment, Student employees, Contractual employees, Temporary employees, Members of boards or commissions, and Confidential employees.
23. Do I have to indicate the standards for meets, exceeds, and outstanding?
Article 18 - Performance Evaluation: Performance Standards: Performance outcomes considered to be “Outstanding”, “Exceeds” and “Meets Standards” shall be described for each performance standard and behavioral element.
24. Do employees have to be offered the opportunity of anonymously rating their supervisor if the supervisor has more than 5 employees?
Article 18 - Performance Evaluation: Appraisals of Supervisors: Employees may anonymously evaluate the performance of supervisors who have at least five employees assigned to them. Employer shall ensure that employees are given opportunity to evaluate prior to supervisor’s year-end evaluation. Forms will be considered in the supervisor’s evaluation.
25. How should the Appraisal of Supervisors be administered?
This is not specified in the MOU. However, DHMH Office of Human Resources recommends that each appointing authority establish a process that will be fair, timely, reasonable, and accurate. Such a process should ensure that:
- the Supervisor Feedback Instrument (Form OHR-SFI-1, dated 6/97) is used by employees who choose to participate;
 - only one form is completed by each employee who chooses to participate;
 - the timing of the survey is based on the supervisor’s evaluation cycle (EOD date), not the employees’ evaluation cycle;
 - an “Independent Third Party”, preferably an objective in-house resource, receive the completed Supervisor Feedback Instruments, compile a summary report, and forward the completed Supervisor Feedback Instruments and summary report to the supervisor’s supervisor;
 - participating employees be permitted to copy and retain any Supervisor Feedback Instrument they have completed; and
 - the completed Supervisor Feedback Instruments and summary report be retained by the supervisor’s supervisor in his/her secure working file, and not in the supervisor’s official personnel file.
26. Can an employee who deals with private service providers be penalized due to poor performance by the private service provider?
Article 18: A State employee whose job duties require interaction with a private service provider may not be penalized solely due to poor performance by the private service provider unless the employee was responsible for ensuring that the performance of the private service provider was satisfactory.

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27. What happens when an employee transfers?

Article 18 - Performance Evaluation: Appraisal Procedure: When an employee is transferred, he shall be given an exit appraisal, and it shall be used in conjunction with his new supervisor's year-end appraisal, unless the employee has performed the new duties for more than 6 months. If both appraisals are used they shall be averaged in accordance with the number of months evaluated by each appraisal. Evaluating supervisor must have actual knowledge of the employee's performance.

Additional questions relating to a transfer (not specifically answered in the MOU).

28. If an employee's job duties change, do you have to start a new PEP?

Yes. If major duties change within a performance period, you must start a new PEP with the appropriate performance standards for the new duties; the new and old PEPs are considered in the same way as a transfer.

29. What should a supervisor do if there is no exit appraisal from the previous supervisor?

If there is no exit appraisal, you can assume that the employee's appraisal is "meets."

30. When should the Position Description (MS-22) be updated if job functions change in the middle of a cycle?

Article 17- Job Description: When duties change, the employee and supervisor should meet to discuss the changes and prepare a new job description. Any new performance standards may only be considered for the period during which they were in effect.

31. Can I email the PEP Statistical Data Collection Form?

Send the original as the form requires a signature.

32. Do I send the actual PEP with the mid-cycle and end-of-cycle Statistical Data Collection Form?

Send completed PEP ONLY at end-of-cycle.