

## NORTH CAROLINA

### INTER-OFFICE CORRESPONDENCE

**TO:** City Personnel

**FROM:**

**DATE:** 7-6-2012

**SUBJECT:** Formal Grievance Regarding Performance Priority Measure Evaluation System

#### MESSAGE:

Pursuant to Raleigh City Policy 300-18 4.2 "any employee may pursue resolution of a problem or grievance without fear of reprisal in accordance with this procedure and the Raleigh Civil Service Act, April 23, 1981". It is of the utmost importance that this policy is adhered to and strictly followed by all supervisors. There is currently an atmosphere within the Raleigh Police Department where employees are discouraged from providing suggestions for improvement or any constructive criticism to the leadership of the Department.

I am an active City employee working in the police department and have a serious and legitimate complaint concerning the Priority Performance Measure Evaluation System that became effective July 1, 2012. I have consulted with several of my fellow employees and they are equally concerned with this new performance based evaluation system. This system is strongly opposed by countless officers and civilian staff at every rank ranging from senior management to recently graduated officers. In fact, there are several employees who have been assigned the development and implementation of this system who strongly oppose it.

I am respectfully submitting this formal grievance regarding the recent implementation of the Priority Performance Measure Evaluation System. As the Personnel Department is responsible for hearing workplace concerns, I believe that it is most appropriate to bring this issue to the direct attention of this office.

The implementation of this rating system has been rushed, maligned and is at best, incomplete. The fundamental defects that exist within this system are extremely significant and cannot be simplified to a few basic performance measures when consideration is given to the complexity and unpredictability of police work.

I feel comfortable bringing these concerns to the attention of this office as I know that the ultimate goal in this matter is objectivity and accuracy. As such, I appreciate your time and attention regarding this matter.

The entire rating system is fraught with inaccuracies, inconsistencies and errors, however, for the sake of brevity; I will limit my comments to the most egregious concerns with this evaluation system. This list is not all inclusive, but relates to the most serious problems that will have a detrimental effect on the City employees, their work performance and ultimately the citizens of the Raleigh.

- Statistical and empirical concerns - Specifically the fact that the statistical methods that are being used are only reliable for the experimental design. This problem is two-fold. There is no control group to see how effective a measure or dependent variable is. A zero (0) reported for a specific category on any given day will count as if it could have occurred on that day but did not. Therefore a zero (0) will have a negative effect instead of no effect on days where a zero (0) is reported. Obviously the difference is subtle, but highly significant to an overall output.

The “system” is only able to measure quantity and not quality. The system is built on an accounting software system known as Excel. Excel is not capable of measuring anything but raw (quantities) numbers. There is no ability for supervisors to create performance notes for subtle nuances or the intangible aspects of work performance.

Most important is the fundamentally broken foundation and assumptions that this system is built on that are the biggest concerns. It assumes every officer (officers are compared to others similarly situated) has the exact same amount of training, opportunity, and desire. These are subjective measurements for a non subjective, self reported quantity of activities. For example, if an officer is better trained to detect drug activity, then it stands to reason that their traffic stops will take longer to complete. The extra time taken to conduct a thorough investigation will unfortunately hurt the officer’s performance score in two ways:

1. The officer will not have the same amount of available time to stop as many cars as officers who are manipulating the system by just stopping cars to increase the numbers in their rating (quantity vs. quality)
2. The other way the system penalizes officers is that it does not recognize the quality of the stop. The officer gets no credit for their training and experience that alerted them to the drugs in the car. Additionally, all of the extra time required to fill out paperwork and log evidence counts against the officer’s traffic stop scores when compared to a less experienced officer not looking past the initial traffic stop (quality is not rewarded).

- This Priority Performance Measure Evaluation System is a fluid based measurement approach and makes the assumption that the quality of sworn and non-sworn personnel will always fall on a normal bell curve. There will always be underachievers; however the system only takes into account quantity and not quality or other intangibles of excellent performance.
- Quality of work performance - The measure of an employee’s performance should always consider the quality of work completed by that employee. The Priority Performance Measure Evaluation system fails to take into account the quality of work performed by an employee, instead focusing on quantity. As quoted in the Performance based proposal which reads “When employees perform within 20% of one another, the employees within the work unit are rated Outstanding for the Annual Evaluation”. This statement is a clear

example of using a percentage or a quantity to measure an employee's performance level. Once the employee reaches a predetermined percentage of work performed they receive an outstanding performance evaluation. The system does not take into consideration the quality of work performed by the employee. As employees focus more on quantity and less on quality, the level of service provided to the citizens of our City will diminish.

With this standard, an employee will not be recognized or rewarded for providing excellent service.

- The Priority Performance Measures Evaluation System is extremely complex and is very difficult for employees to understand how they are being evaluated. The proposal submitted by the implementation team consists of an 82 page instruction manual regarding how an employee will be evaluated. During various training sessions, numerous police officers, as well as civilian support personnel, posed valid questions and concerns about the evaluation system that have not been answered by management. Furthermore the questions posed by employees during the training sessions were met with animosity, sarcasm and a lack of concern from the implementation team. This lack of knowledge and understanding has been an ongoing problem for the entire three year period that this pilot program has been in effect. Currently, supervisors remain uncertain about how the "numbers" will be applied and how they will be calculated to evaluate their subordinate's performance levels. A majority are unable to tell their subordinates what the numbers actually mean or how to improve their performance error. The measures are not clearly defined leaving their meaning subject to interpretation between squads, divisions and work locations. A tremendous disparity exists and leaves employees feeling that they are being treated unfairly and inequitably.
- There are legitimate concerns that this system thinly veils a true quota system. Officers looking to improve their scores are left with little or no options but to target citizens in situations where discretion would normally have been used. Or worse, the employee will be required to write a minimum amount of tickets or make a certain number of arrests. Documentation of senior management ordering officers to stop a specific number of vehicles per day and make a certain number of arrests exists and is available upon request. These types of orders corroborate that this is a quota system and quotas are not only illegal, but should never be used in police work. The quota system will create a work environment where the employee uses less discretion and makes arrests for the sole purpose of meeting the quota.
- Civilian support staff members are being treated differently than other similarly situated civilian employees throughout the city. In some instances they are being compared to officers, while in other cases they are being rated differently than other employees at the same pay grade and scale who work in other City departments. Furthermore, the police

department is the only department in the City that is implementing this Priority Performance Measure Evaluation System. This raises serious concerns when consideration is given to treating all employees who work for the City of Raleigh equitably. Our City Manager, Russell Allen, takes tremendous pride in creating a work place where all employees are treated equally with dignity and respect. This evaluation system is completely contradictory to Mr. Allen's principle of treating all employees equally. There should be one evaluation standard for ALL city employees. When management implements one evaluation system for one group of employees but makes no changes for another group of employees this creates disparity and a sense of resentment and injustice within the work place.

In closing, I have listed what I believe are the most serious concerns and issues with implementing the Priority Performance Measure Evaluation System. Again, this list is not all inclusive but does address the most serious concerns that my fellow employees and I have discussed during the pilot program of this evaluation system. I respectfully request this evaluation not be implemented and that the affected police officers and civilian support staff be treated equitably and in the same fashion as all other city employees, using the evaluation system that has been used previously. I believe that the further implementation of the Priority Performance Measure Evaluation System will not only have a detrimental effect on the city employees who are subjected to this evaluation, but I also believe that the citizens of our City will ultimately suffer from the ramifications of an evaluation system that is not truly reflective of an employee's actual performance.