

The Annual Performance Evaluation: Necessary Evil or Golden Opportunity? **

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Death, taxes, and the annual performance evaluation commonly appear as topics on top ten lists of unpleasant but inevitable life experiences. While death and taxes may truly be inevitable, something can be done to make the performance evaluation a positive experience for both law library managers and those they supervise.

¶1 For law library managers and their employees, each new year brings a series of events and tasks that require planning and preparation. Many of these tasks will be repeated each year. The budget will be drafted, presented, approved, modified, and tracked. The composition of the staff may change as some leave for new opportunities and others begin their service. Collection resources will be reviewed for renewal or cancellation. National Library Week and the infusion of new students, new associates, or new judges mark the changing seasons.

¶2 Taken alone, none of these recurring events in the annual administrative life cycle of a law library carry negative emotional baggage. Each presents both challenges and opportunity. Yet anxiety and unease often accompany one of the staples of library management. The annual performance evaluation commonly causes both those who prepare and those who receive the assessment more than momentary discomfort.

¶3 If the performance evaluation process brings with it so much negative baggage, why do organizations across the workplace spectrum devote so much time and effort to it year after year?

¶4 Law library managers and those they supervise engage in this annual process for a variety of reasons. Law libraries that are units within a larger parent organization often fall under evaluation formats and mandates driven by the human resource needs of the entities that house them. Self-contained libraries responsive to oversight bodies such as boards of trustees may establish employee evaluation

* *Editor's Note:* "Managing by the Book" is a regular feature of *Law Library Journal*. In each article, author Jean Holcomb highlights a book outside the field of librarianship that has a message about management topics that will resonate with law librarians.

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patterns that model the overall workplace segment they serve. Even libraries with a small staff generally have at least an informal process in place.

¶5 At the core of the reasoning behind the existence of the annual performance evaluation process rests the belief that people want to do a good job.¹ For an employee to do a good job, the organization must provide the tools its workers need to succeed. The annual performance evaluation functions as one tool to measure and guide worker productivity.

¶6 What can library managers and those they supervise do to change the prevailing culture that surrounds the annual performance process?

¶7 Rather than searching for that spoonful of sugar to make the medicine go down, supervisors can turn to *How to Make Performance Evaluations Really Work: A Step by Step Guide Complete with Sample Words, Phrases, Forms and Pitfalls to Avoid* by Glenn Shepard² for tips to turn the evaluation process into a collaborative and positive experience for all involved. An author, entrepreneur, and motivational speaker, Shepard heads a training and consulting firm specializing in self-improvement, motivation, and modifying human behavior in the workplace.³ He designed this resource to be used as an easily accessible guide for managers.

¶8 At just over 140 pages in length, this paperback includes a step-by-step approach to the annual employee performance review process evenly divided between five chapters of text and three appendixes devoted to sample words and phrases for use by evaluators, sample performance evaluation forms, and examples of employee self-evaluation forms. Designed as an aid for “supervisors who need to understand the subject without over complicating it,”⁴ 80% of the text is devoted to the preparations that precede the formal evaluation interview. This balance reflects Shepard’s belief that the employee evaluation process works best when supervisors provide regular feedback and employees become involved in setting future goals, both personal and institutional.⁵

¶9 *How to Make Performance Evaluations Really Work* argues that providing feedback once a year is not enough. Ensuring that interactions between supervisors and employees occur more frequently responds to the basic human need for feedback and validation. The tone of the feedback message content will vary throughout the year. Shepard acknowledges that no one likes bad news, but distinguishes between correction, punishment, and prevention.⁶ To be effective, feedback must be constructive.

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1. George A. Rieder, *Performance Review—A Mixed Bag*, HARV. BUS. REV., July–Aug. 1973, at 61, 64. For a more updated perspective, see Tim McGuire, *Good Job: Focus on Quality Brings Success, Expert Says*, WINSTON-SALEM J., Nov. 27, 2005, at D2.
 2. GLENN SHEPARD, *HOW TO MAKE PERFORMANCE EVALUATIONS REALLY WORK: A STEP BY STEP GUIDE COMPLETE WITH SAMPLE WORDS, PHRASES, FORMS, AND PITFALLS TO AVOID* (2005).
 3. Glenn’s Bio, <http://www.glennshepard.com/bio.htm> (last visited Apr. 19, 2006).
 4. SHEPARD, *supra* note 2, at ix.
 5. *Id.* at 5.
 6. *Id.* at 6.

¶10 Regular communication and coaching coupled with collaboratively developed finite, clear, and specific goals set the parameters of the supervisory relationship. The intangible recognition provided by a manager's availability to address employee questions and concerns helps to ensure job satisfaction and productivity.⁷ While a discussion of the role such intangible recognition plays in this relationship is not unique to *How to Make Performance Evaluations Really Work*, Shepard provides a clearly articulated rationale to support the expenditure of managerial time and effort on supervisory interaction.⁸

¶11 In a chapter addressing the legal side of performance evaluations, Shepard describes timely and systematic supervisor interaction as the first defense against legal actions for wrongful termination or discrimination.⁹ He outlines strategies for avoiding the legal pitfalls that surround the performance evaluation process.¹⁰ Stressing the need for documentation at each step of the review process, Shepard highlights the critical importance of training the evaluator in advance of the formal review.

¶12 An appeals process must be provided for those whose performance will be reviewed.¹¹ He suggests that cross-checks of the evaluator be implemented by upper management to screen for bias and to ensure the legitimacy of the process. Employees must be required to sign their evaluations, even if they disagree, to verify the content of the information provided. The written evaluation should include language that defines the legal nature of the employment relationship, particularly in an employee-at-will work environment.¹² Supervisors must be trained to avoid the use of vague concepts in their evaluations too broad or general to support.

¶13 After providing thumbnail descriptions of the major federal labor laws relevant to the employment relationship, Shepard concludes the chapter on the legal side of performance evaluations by advising that the entire process and accompanying documentation be reviewed by the organization's legal counsel.¹³ Sound advice. Even in a law library environment, familiarity with employment law concepts and access to state and federal labor law resources could contribute to a false sense of security about the validity of existing performance evaluation practices.

¶14 During a discussion of the planning process that leads up to the performance evaluation, *How to Make Performance Evaluations Really Work* emphasizes the need to avoid making the event more stressful or unpleasant for both employees and evaluators than it has to be. A key to stress reduction rests on the premise that good supervisors provide *ongoing* feedback so that employees will not receive any major surprises at the time of the annual review.¹⁴

7. BOB NELSON, 1001 WAYS TO REWARD EMPLOYEES 86 (2005).

8. SHEPARD, *supra* note 2, at 6.

9. *Id.* at 11.

10. *Id.* at 12.

11. *Id.* at 14.

12. *Id.* at 15.

13. *Id.* at 16.

14. *Id.* at 29.

¶15 Seeking ways to reduce stress does not mean, however, that difficult issues should not be discussed. Rather, the author believes that since a supervisor's job requires the constant recognition and acknowledgement of employee behavior throughout the year, opportunities are available at all times, not just during the annual review, to both praise good work habits and to provide notice of behaviors that must be improved or corrected. In this setting, the employees themselves hold the power to define the emotional tenor of the review process by how they respond to regular management communications about their performance. Supervisors who keep their employees informed of their performance as the year progresses help to eliminate the fear of the unknown that tips the emotional coloration of the evaluation process toward the dark side.

¶16 As a part of the process of planning the evaluation, Shepard cautions supervisors against succumbing to various natural biases linked to ordinary human behaviors.¹⁵ He reviews many bias-based tendencies, including stereotyping, leniency, severity, rating everyone as average, rating everyone in a group similarly, rating the job rather than the performance, and length-of-service bias. While most supervisors would be familiar with this list, *How to Make Performance Evaluations Really Work* details other less common bias patterns that might impede the evaluation process. Describing what he calls the "halo or horn" effect, Shepard warns against letting one positive or negative factor obscure all other factors to produce an artificially high or low ranking.¹⁶ In similar fashion, he cautions against what he describes as "recency bias," the tendency to let one recent performance event overshadow the general balance of performance indicators.

¶17 Seasoned managers who routinely perform employee performance evaluations will find the tips in the chapter on delivering the evaluation message especially helpful. Following his theme of highlighting strategies to make the evaluation event less stressful, Shepard suggests conducting the evaluation in a neutral location other than the manager's office that will assure privacy.¹⁷ He advises supervisors not to sit behind a desk to support the concept of framing the evaluation event as a conversation. Sufficient time should be allotted to ensure that the participants will not be rushed.¹⁸

¶18 Because the employees' awareness of their own performance plays such a crucial role in their future growth in their positions, *How to Make Performance Evaluations Really Work* recommends that the annual evaluation process begin by having employees complete a self-evaluation to be shared with their supervisor. As a part of the self-evaluation, questions that solicit information about the supervisory relationship should be included. Employees could be asked about what the supervisor currently does that supports the employee's effort, what the supervisor

15. *Id.* at 34.

16. *Id.* at 38.

17. *Id.* at 61.

18. *Id.* at 63.

could do in the future to help the employee succeed, and what the supervisor might discontinue doing. Providing an opening for a part of the conversation to focus on the effectiveness of the supervisory relationship from the employee's perspective demonstrates a willingness on the part of the supervisor to share in the ownership of the supervisory relationship. To help supervisors who don't currently include a self-evaluation tool as a part of the review process, the book's appendix provides sample self-evaluation forms.¹⁹

¶19 The book next shifts to the formal evaluation tool itself. To help managers prepare this tool, the first appendix of *How to Make Performance Evaluations Really Work* offers thirty-five pages of sample words and phrases that cover every common evaluative criterion. While some have the ring of the classic "plays well with others" stereotypical performance review language from kindergarten days, many will help refresh an evaluator's tool kit.

¶20 With its focus on an open dialogue based on ongoing monitoring and feedback about performance, the methodology described in *How to Make Performance Evaluations Really Work* can sound very daunting to already time-pressed law library managers. How can suggestions offered by Shepard be implemented in a way that doesn't overwhelm existing time-management parameters?

¶21 Because Shepard's work really refines rather than re-invents the common wisdom about the annual performance evaluation process, a similar approach for law librarians to consider about finding time for the ongoing employee monitoring process may be realistic. Most law library managers already have regular, if not daily, contact with those they supervise. Even in the largest libraries, most managers already use some form of "management by walking around."²⁰

¶22 A manager's first step toward implementing a more open performance feedback system could be to run a brief self-check. For whatever time period makes sense, keep a mental note of the number of workplace conversations held with supervisees about ongoing projects or goals. Such an exercise will help the supervisor determine what's already being done.

¶23 The second step involves devising a way to translate these existing practices into a more structured dialogue where both parties will be aware of the content of the exchanges of information and a written record of the conversations will be created. To do this, the supervisor can implement a *management moment* program. A management moment brings the supervisor and the employee together in a setting removed from the employee's workstation for a structured conversation about the employee's ongoing projects or goals. Both participants keep a written log of topics discussed, next steps to be taken, and time lines for completion. The log can be as simple as running notes on a legal pad kept specifically for that purpose. During this

19. For additional information about the role employee self-evaluation can play, see Laura Morgan Roberts et al., *How to PLAY to Your Strengths*, HARV. BUS. REV., Jan. 2005, at 74.

20. For a brief overview, see Brian Babcock, *Time for a Walk*, Mar. 28, 2003, <http://www.brianbabcock.com/management-by-walking-around.shtml>.

conversation, opportunities exist to re-order priorities, request additional support, and recognize achievements and task completions.

¶24 Responsibility for setting the time to hold individual management moments will be shared. The frequency of the meetings will depend on the individual employee and the nature of his or her project load. Some employees may prefer a regular time slot calendared with a tool like their e-mail calendar function. Others will find that setting the date for the next meeting at the end of one management moment session works best. The duration of the meeting too will be a function of both the temperaments of the employee and supervisor and the complexity of the tasks.

¶25 This management moment approach to performance communication has an intended by-product to help address both supervisor and employee time constraints. When it's the supervisor's time to prepare the annual review and the employee's time to prepare the annual self-evaluation, both parties will have the "minutes" from their management moment conversations to help refresh their memories. These minutes also will provide a record of ideas for future projects or changes in library operations that will be helpful in generating employee goals for the next review cycle.

¶26 Finally, in addition to implementing some form of management moment practice to foster open performance communication, managers need to ensure that both supervisors and those being evaluated receive annual training about the performance review process. Refresher training for supervisors in advance of preparations helps to counteract the types of evaluator bias identified in *How to Make Performance Evaluations Really Work*. Refresher training in advance of preparation of the self-evaluation and formal review process provides an opportunity for supervisors to counter employee anxiety about what will occur during the annual review.

¶27 When a law library changes the focus of its annual performance evaluation program from a one-sided conversation between supervisor and employee to an exchange of feedback between employee and supervisor that recognizes progress toward established goals and acknowledges the growth of personal skills, the evaluation process will become a tool to foster employee success. Personal and organization drift will be lessened. Both supervisors and those they oversee will develop an enhanced sense of ownership of the law library's mission and objectives.

¶28 By changing the focus, the annual performance evaluation can become a useful planning tool for forecasting future challenges and opportunity for the library. Ultimately, as ownership of the process becomes more open and responsibility rests with both supervisors and employees, the apprehension and negativity that flowed from a more one-sided model will dissipate. The spoonful of sugar approach that surrounds the stereotypical performance review process will be replaced by a sense of shared purpose. Let the sugar appear in the cake and cookies served at events celebrating the achievement of library goals.