

# Considerations for Conducting Annual Performance Evaluations During the Pandemic

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## Overview of Discussion

- ▶ General guidance and best practices for conducting the annual performance evaluation that apply both during and beyond the pandemic;
- ▶ Suggestions for "evaluating achievements relative to opportunity," to account for the broad impacts of the pandemic on employees and moving forward;
- ▶ Considerations for mitigating the role of bias in reviews and suggestions for avoiding inequities in the evaluation process; and
- ▶ Policy and legal considerations unique to this review season.

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## Purpose of the Annual Performance Review

- ▶ To assess how the work performed in your division, College, department, or program aligns with and supports or advances the mission of the institution;
- ▶ To recognize exemplary faculty and staff performance; and
- ▶ To clarify areas for improvement and, as appropriate, create plans in collaboration with employees to help them meet or exceed expectations moving forward



Two UNC Charlotte employees working in the University Emergency Operation Center

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### General Guidance for Conducting Performance Reviews

- ▶ Encourage direct reports to provide a self-assessment, to ensure you are aware of their perspective on their performance prior to initiating or finalizing your review;
- ▶ Challenge yourself to reflect on the employee's performance for the entire review period;
- ▶ Align feedback and ratings with the criteria under review, unless shifting workplace dynamics made the criteria unmanageable or more difficult to satisfy;
- ▶ Avoid broad generalizations and provide specific examples of how the employee demonstrated competencies or commitment to the specific objectives under review, to support your rating.

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### From Academic Affairs:

- ▶ Expectations for performance in each of the areas of evaluation consistent with the mission of the institution, college, department and program must be clearly written and discussed with the faculty member at the time of appointment and reviewed and updated as appropriate as part of the annual review process.
- ▶ The role of peers in the annual review process should be clearly defined in the statement of criteria and procedures established by each department and college.
- ▶ Information to be provided by the faculty member as part of the review process must be clearly defined.
- ▶ The written evaluation prepared by the department chair should clearly and specifically address strengths and weaknesses in the performance of the faculty member, providing for a clean plan and timetable for improvement of any deficiencies in performance. Effective annual evaluations should eliminate "surprises" in the comprehensive reviews pertaining to reappointment, promotion, and conferral of permanent tenure.



*UNC Charlotte students, faculty, and staff helped vaccinate thousands of people through clinics held at Haddon Arena*

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### From HR Guidance for Staff Reviews:

- ▶ The [SHRA Performance Appraisal Policy](#) is the policy of The University of North Carolina System to provide an annual performance appraisal system that (1) identifies performance goals necessary to achieve the University's mission; and (2) evaluates covered employees' accomplishments toward these goals. It consists of three phases: (a) setting expectations for employee performance, (b) maintaining a dialogue between supervisor and employee to keep performance on track, and (c) measuring actual performance relative to performance expectations. The first phase is accomplished by the performance plan — a document that describes the work to be completed by an employee within the performance cycle, the performance expected, and how the performance will be measured. The second phase, performance feedback, is documented via an Off-Cycle Review. The third phase is accomplished through the annual evaluation process. All phases are document in NinerTalent.

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### Inject Some Empathy Into the Review

- ▶ Be mindful of the difficulty some employees faced, trying to manage both home life and work-life, including potentially increased child or elder care demands, unexpected financial burdens, decreased productivity due to distractions or home office inadequacies, or emotional stress.
- ▶ Be particularly mindful of those who have actually suffered personally from the pandemic for example in the form of physical illness, symptoms, or caring for a family member who has the virus.
- ▶ Seek ways, in the review, to recognize the resilience of employees as they facilitated front-line essential work that continued as others transitioned to remote status or to recognize those who transitioned from in-person to remote working environments without the resources available to them in the office.

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### Evaluating Achievements Relative to Opportunity

- ▶ Encourage employees to address how the pandemic impacted their ability to achieve objectives set a year ago, before we knew the direction of the pandemic;
  - ▶ Staff: Self-Evaluations in NineTalent
  - ▶ Faculty: Personal Statements/Pandemic Impact Statements
- ▶ If former criteria have little to no application in the current review period, consider whether or how employees pivoted to address the challenges presented;
- ▶ Recognize increased demands of shifting work responsibilities.
- ▶ This is a positive acknowledgement of what a staff member can and has achieved given the opportunities available to them and results in a more calibrated assessment of their performance.
  - ▶ It is not about providing "special consideration" or expecting lesser standards of performance.



On April 21, 2021, Ninerrhan hosted their Thon fundraising event virtually.

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### Countering Bias in the Review Process

- ▶ Ensure you are utilizing clear, operationalized criteria
- ▶ Pay careful attention to relevant factors
- ▶ Allow yourself ample time for conducting the assessment
- ▶ Consider utilizing implicit bias tools, so you are more aware of the role of implicit bias in your decision-making: <https://implicit.harvard.edu/implicit/takeatest.html>
- ▶ Challenge your assumptions and review your decisions and those of your colleagues

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### Key Policy and Legal Considerations this Review Season

- ▶ Nondiscrimination Law and Policy
  - ▶ Ex. Caregiver status as pretext for discrimination
- ▶ In 2007, the EEOC published guidance on unlawful disparate treatment of workers with caregiving responsibilities
  - ▶ While federal EEO laws do not explicitly prohibit discrimination against caregivers as a protected class, there may be circumstances in which discrimination against caregivers might otherwise constitute unlawful disparate treatment
  - ▶ Ex. Disparate treatment of workers with: caregiving responsibilities based on sex, caregiving responsibilities for an individual with a disability, harassment resulting in a hostile work environment for a worker with caregiving responsibilities

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### Key Policy and Legal Considerations this Review Season (cont.)

- ▶ Expansion of Protected Federal Leave
  - ▶ Families First Coronavirus Response Act (FFCRA) afforded workers paid sick and expanded family and medical leave opportunities related to COVID-19
    - ▶ FFCRA leave benefits expired 12/31/2020
    - ▶ Accordingly, workers are afforded protection from retaliation for their utilization of this leave
  - ▶ The University has also implemented COVID-19 Paid Administrative Leave (PAL)
  - ▶ Avoid retaliation for authorized leave by considering any leave an employee may have taken, which may have impacted the employee's ability to achieve certain goals

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### Key Policy and Legal Considerations this Review Season (cont.)

- ▶ Employees generally have a right to object to and request removal of misinformation in their personnel files
- ▶ Right to file a rebuttal for inclusion in the personnel file.
- ▶ Take the circumstances surrounding COVID-19 into consideration when completing evaluations, as this could be a valid basis for an employee to object to their evaluation or file a rebuttal, as information that would be contained in their personnel file

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