

MANAGING THE PERFORMANCE REVIEW PROCESS FOR REPRESENTED STAFF EMPLOYEES

Most of the collective bargaining agreements contain provisions regarding the timing and purpose of written performance reviews for career employees including:

- During a probationary period; and
- Once per year following the conversion to regular status.

Answers to Common Questions Regarding Performance Reviews for Represented Employees

1. When should written performance reviews be conducted?

- *Probationary Employees*

The language in most of the union contracts sets an expectation that at least one written performance review will be conducted prior to the completion of a probationary period. The review is usually done near the midpoint of the probationary period to allow sufficient time for the employee to adjust performance if needed.

- *Regular Status Career Employees*

Managers and supervisors are expected to provide employees with formal performance feedback, in writing, at least once a year, and the following contracts **require** that employees receive an evaluation “at least annually”: Clerical (CX-Teamsters 2010); Health Care Professional (HX-UPTÉ); Patient Care Technical (EX-AFSCME); Police (PA-FUPOA); Registered Nurses (NX-CNA); Staff Research Support (RX-RX); Service (SX-AFSCME); Technical (TX-UPTÉ); Doctors (DX-UAPD).

In addition, some union contracts include specific language regarding notification to the employee about a performance deficiency in advance of the written performance process, e.g. , NX, DX, TX, HX, RX, CX.

2. What is the performance review cycle for a represented employee?

- Timing of the annual (non-probationary) written performance review cycle is not specified in the union contracts and constitutes a matter of past practice. This accommodates the timing preferences of individual campuses and departments.
- A department’s action to change the timing for administering written performance reviews for represented employees should follow the procedures for changing a past practice. If a department is contemplating such a change, the department should contact their Human Resources Partner who will work with Employee and Labor Relations.

3. What form should be used to evaluate a represented employee?

- The performance review form used for represented employees is a matter of past practice. Some departments have long-standing department-specific and/or title-specific forms and practices, e.g. UCPD/Police and UHS/Nurses, that should continue to be used. Other departments use forms that have been approved by the unions for the entire campus.
- If a department manager wishes to change the performance review form currently in use for represented employees, such an action would be a change in past practice. The department manager should contact their Human Resources Partner who will work with Employee and Labor Relations. Please be sure to allow sufficient

lead time, because such changes generally require union notice and the opportunity to meet with the union regarding the proposed change.

- The campus-wide forms for represented employees can be found at the following website address: <https://hr.berkeley.edu/hr-network/forms-letters>. The forms are located under the section titled *Performance Review and Planning Forms for Represented Staff*.
 - Performance Evaluation #1: Can be used for all represented employees **except for** employees in the **Clerical Unit (CX)**.
 - Performance Evaluation #2: Can be used for all represented employees **including the Clerical unit (CX)**.

Resources

Clerical Unit (CX-Teamsters 2010) Contract:

- [Article 26 Performance Evaluation](#)
- [Article 29 Probationary Period](#)

Health Care Professional (HX-UPTE) Contract:

- [Article 25 Performance Evaluation](#)
- [Article 28 Probationary Period](#)

Patient Care Technical (EX-AFSCME) Contract:

- [Article 28 Performance Evaluation](#)
- [Article 31 Probationary Period](#)

Police (PA-FUPOA) Contract:

- [Article 10 Performance Evaluation](#)
- [Article 9 Probationary Period](#)

Printing Trades -Library Bindery (GS-Teamsters DC 2) Contract:

Performance evaluations are a past practice not specified in the agreement.

Nurse (NX-CNA) Contract:

- [Article 12 Performance Evaluation](#)
- [Article 9 Probationary Period](#)

Staff Research Support (RX-UPTE) Contract:

- [Article 29 Performance Evaluation](#)
- [Article 32 Probationary Period](#)

Service (SX-AFSCME) Unit:

- [Article 28 Performance Evaluation](#)
- [Article 31 Probationary Period](#)

Skilled Crafts (KB-ACBCTC) Unit:

Performance evaluations are a past practice not specified in the agreement.

Technical (TX-UPTE) Unit:

- [Article 29 Performance Evaluation](#)
- [Article 32 Probationary Period](#)

Doctors (DX-UAPD) Unit:

- [Article 11 Performance Evaluation](#)
- [Article 10 Probationary Period](#)