

ARTICLE 11

PERFORMANCE EVALUATION

A. Evaluation

1. Performance Evaluation is a constructive process to acknowledge a doctor's performance. A doctor's evaluation shall be sufficiently specific to inform and guide her/him in the performance of her/his duties. The performance of each doctor shall be evaluated at least annually, in accordance with a process established by the University.
2. Before assigning a rating below "meets expectations" to sections of a doctor's performance evaluation involving clinical decision-making, a licensed practitioner of the same profession and scope of practice shall be consulted if the reviewer is not already of the same profession and scope of practice relevant to the practice being reviewed. In such cases, the employee shall be permitted to review the documents resulting from the consultant's review. The University may take measures to maintain the consultant's anonymity.
3. If a doctor has not been given an opportunity to perform on a particular element of his or her job, the University will note on the performance evaluation that the element was not applicable for the relevant time period and the employee's evaluation shall not be negatively impacted by the inapplicability of that element. Employee evaluations shall not be negatively impacted due to use of sick leave permitted under the terms of Article 25 - Sick Leave, unless the employee has received written counseling or related disciplinary action.
4. The University will, forty-five (45) calendar days prior to implementing a new performance evaluation tool, provide a copy of the proposed tool to UAPD. Following a request by the Union, the University will meet with UAPD to discuss the new tool. Discussions, if any, shall not delay implementation of the new tool.
5. Performance evaluations are not an independent step in the disciplinary process, although they may be used as a form of corrective action.
6. In the event a non-probationary career doctor does not receive a written performance evaluation within six (6) months of the conclusion of the campus's annual review period, the doctor's overall evaluation for the year shall be "meets expectations."

B. Notice

Doctors who receive an evaluation on an individual section, or an overall evaluation, below "meets expectations" shall have received oral or written notice of the deficient conduct and/or performance, including information about how to correct such deficiencies, as soon as was practicable.

C. Employee Responses to an Evaluation

As part of the performance evaluation process, a doctor may provide comments pertaining to her/his evaluation or add relevant materials that may supplement or enhance the evaluation. When such written comments or materials are received from the doctor, they shall be attached to the performance evaluation and placed in the doctor's official personnel file.

D. Grievability

1. A non-probationary career employee who receives a written performance evaluation with an overall rating below “meets expectations” may file a grievance pursuant to the provisions of Article 34 - Grievance Procedure to be processed through Step 2 of the grievance procedure. The decision at the second step is final. The remedy for such a grievance shall be limited to revision of the section(s) and rating(s) being grieved.
2. Disputes arising regarding the performance evaluation of employees, including but not limited to the form, timing, procedure, impact and effects, shall not be subject to the grievance or arbitration procedures of this Agreement, with the exception of §D.1., above.