

Policy Name:	Performance Management for Select Key SERS Positions Policy
Policy Number:	2023-POL-BD-02
Effective Date:	September 26, 2023
Reviewed Date:	September 19, 2023
Applies To:	SERS Board Members and Board Member Designees
Responsible Office:	SERS-Human Resources Office ("SERS-HR")
Contact Person:	HR Director

I. <u>Purpose</u>

The purpose of this policy is to establish policy, responsibilities, and procedures for the Performance Management of Select Key SERS Positions Policy.

To the extent that it made sense to do so, provisions within this policy are aligned with the guidance contained within *Management Directive 540.7, Performance Management Program.* SERS-HR may follow the direction, as applicable, within *Management Directive 540.7, Performance Management Program*, for situations not specifically addressed by this SERS policy.

This policy replaces in entirety:

- Performance Review Process SERS, Chief Investment Officer, January 1, 2019
- Performance Review Process SERS, Executive Director, January 1, 2019

II. <u>Definitions</u>

- Calendar Cycle: Ratings are for the period January 1 through December 31.
- Employee Performance Review ("EPR"): A periodic work performance evaluation by the Rater of how much, how well, and the manner by which an employee performed the duties and responsibilities of the position during the evaluation period.
- **Evaluation Period:** The period of time that an employee's work performance is assessed.
- Interim Review: A work performance review and rating by the Rater that takes place between regularly scheduled EPRs. Generally, occurs when a change takes place within an Evaluation Period, such as in supervision, position duties, and/or decreased work performance.



- **Performance Management:** The process of setting performance standards and expectations, monitoring progress, measuring results, appraising, and rewarding or correcting employee performance.
- **Progress Review:** An assessment of an employee's work performance that occurs at the mid-point of an Evaluation Period. A Progress Review does not include specific ratings.
- **Rater:** The individual completing the Employee Performance Review (EPR). See **Appendix A.**
- **Reviewing Officer:** The position immediately above the Rater in the organizational structure. See **Appendix A.**
- **Rating Cycle:** The designated time that commences the EPR.
- Select Key SERS Positions: Executive Director, Chief Investment Officer, Chief Counsel, Chief Compliance Officer, and Internal Audit Director

III. <u>Policy Statement</u>

Effective performance management is ongoing and involves setting performance expectations, monitoring progress, measuring results, and appraising performance. Board Members and Raters are encouraged to provide frequent, timely, constructive, informal feedback to the Select Key SERS Positions in addition to the formal, annual performance evaluation.

A. Rating Cycle

Select Key SERS Positions will be placed on the Calendar Cycle with the annual Rating Cycle commencing on January 1 and concluding on December 31.

B. Performance Evaluation Schedule (See Appendices B and C)

It is recommended that a Progress Review be completed at the mid-point of an evaluation period. Specific ratings are not to be assigned or referred to during a Progress Review. A Progress Review may be completed verbally or in writing. The Rater should maintain a record of the discussion and date on which the Progress Review occurred. A Rater may elect to seek input from Board Members for a Progress Review. Unlike the new appointment and annual performance evaluation process, the submission of Board input for a Progress Review will not be coordinated by SERS-HR.

1. New Appointment Reviews

An individual newly appointed to a Select Key SERS Position receives an interim EPR after six months in the position. The six-month interim EPR is



considered timely if it is received by SERS-HR by the six-month end date. The Rater should plan accordingly to allow the employee adequate time in advance of the EPR due date to review and make comments on the EPR. Typically, five working days is adequate; however, additional time may be agreed upon by the Rater and employee as circumstances warrant. SERS-HR will coordinate the process of obtaining Board input for this EPR.

A Select Key SERS Position serving a civil service probationary period receives an end of probation EPR instead of the six-month interim EPR. The EPR is considered timely if it is received by SERS-HR by the probationary period ending date. The Rater should plan accordingly to allow the employee adequate time in advance of the EPR due date to review and make comments on the EPR. Typically, five working days is adequate; however, additional time may be agreed upon by the Rater and employee as circumstances warrant. SERS-HR will coordinate the process of obtaining Board input for this EPR.

2. Annual Reviews

After the initial six-month interim or end of probation EPR, Select Key SERS Positions move to the annual Rating Cycle which is the Calendar Cycle of January 1 through December 31. Evaluations are due January 1, but are considered timely if received by SERS-HR by January 31. The Rater should plan accordingly to allow the employee adequate time in advance of the EPR due date to review and make comments on the EPR. Typically, five working days is adequate; however, additional time may be agreed upon by the Rater and employee as circumstances warrant. SERS-HR will coordinate the process of obtaining Board input for this EPR.

3. Interim Reviews

An interim EPR may be completed for situations, such as but not limited to: change in supervision (Rater), employee is changing positions within SERS, employee is separating from SERS, or there are performance issues. A Rater may elect to seek input from the Board for an Interim Review. Unlike the new appointment and annual performance evaluation process, the submission of Board input for an Interim Review will not be coordinated by SERS-HR.

Interim reviews are to be considered and incorporated when completing an annual EPR.

C. Performance Evaluation Methodology

Performance evaluations for Select Key SERS Positions will be completed using



the Commonwealth of Pennsylvania's *363L Employee Performance Review* form. This form evaluates seven job factors: job knowledge, work results, communications, initiative/problem solving, interpersonal relations/equal employment opportunity, work habits, and supervision.

If requested by the Rater, SERS-HR will provide the *Senior Management Service* evaluation form for use instead of the 363L form. None of the Select Key SERS Positions are in the Senior Management Service as defined by commonwealth policy.

D. Performance Evaluation Content

An EPR is issued to the employee only after it has been signed by the Rater and the Reviewing Officer, if one is assigned (see **Appendix A**).

Performance ratings and supporting comments should be job-related with consideration given to how performance relates to the agency's core values, vision, mission, strategic plan, position duties as documented and regularly updated on the position description, SERS General Performance Standards, and any documented performance goals. The overall EPR rating is a composite assessment of the employees' work performance across all of the individually evaluated job factors. The performance evaluation is also an opportunity to identify strengths and opportunities for development.

A Select Key SERS Position is permitted to include comments on the performance evaluation. Comments may be included as an attachment if the comments exceed the space available on the EPR form.

The performance evaluation is not to be the official notification to the employee of an adverse action during the evaluation period. While the performance evaluation may be used to document that employee discipline has occurred, it must not be used as a method of discipline.

E. Disputes

1. Preparing EPR

The Rater and Reviewing Officer, if one is assigned (see **Appendix A**), should work together to reach consensus on EPR ratings and comments. If disagreement exists between the Rater and the Reviewing Officer, the decision is made by the Committee Chair or Board Chair, as appropriate (see **Appendix A**). Both the Rater and Reviewing Officer are to have relevant position information and documentation to support their performance assessments.



2. Issuing EPR

If an employee is dissatisfied with a rating or comment on the EPR, the employee should first work to resolve the concern with the Rater who may elect to edit the EPR, if appropriate, and after consulting with the Reviewing Officer if one is assigned (see **Appendix A**).

If the employee and Rater cannot resolve the concern amongst themselves, the employee may request that the Rater make arrangements for the employee to discuss the EPR with the Reviewing Officer. If no Reviewing Officer is assigned, then the discussion occurs with the appropriate Committee Chair or Board Chair (see **Appendix A**). The Rater is responsible for coordinating the discussion; not the employee.

3. Meetings should occur within two weeks of the date of the request.

The employee is encouraged to sign the EPR, but if refuses, then the Rater should note "Employee Refused to Sign" in the employee comments section of the EPR and the Rater then signs and dates this notation. The EPR still becomes part of the employees' Official Personnel File ("OPF") whether or not it is signed.

F. Performance Standards, Goals, and Reporting (See Appendices B and C) All Select Key SERS Positions are covered by the *SERS General Performance Standards* and should acknowledge the standards at appointment to the position and once annually.

Certain Select Key SERS Positions may have requirements for performance goals, mid-year, and year-end performance reporting. It is recommended that performance goals adhere to the SMART format – <u>specific</u>, <u>m</u>easurable, <u>a</u>ttainable, <u>r</u>ealistic, and <u>t</u>ime-bound.

G. Record Retention

1. Progress Reviews

Progress Review records should be retained by the Rater and are not filled in the OPF.

2. EPR

Performance evaluations, including annual, interim, and probationary reviews, are considered to be formal and official documents and will be filled in the OPF by SERS-HR. Performance evaluations will be retained in accordance with retention schedules.



3. Performance Standards

SERS General Performance Standards are filled in the OPF by SERS-HR and will be retained in accordance with retention schedules.

4. Performance Goals

Performance goals, when possible, will be attached to the EPR covering the same time period as the goals and will be filled in the OPF and retained consistent with how EPRs are handled.

5. Reporting

Mid-year and year-end performance reports will be retained consistent with the current agency policy for Board records.

H. Responsibilities

1. Board

- Provide frequent, timely, constructive, informal performance feedback.
- Respond to requests for performance feedback as part of the Progress Review, new appointment, and annual performance evaluation processes.
- Resolve issues with EPR ratings and comments as outlined in the Disputes section of this policy.

2. Rater

- Provide frequent, timely, constructive, informal performance feedback.
- Articulate performance standards and performance goals, if required, for the upcoming evaluation period.
- Complete Progress Reviews. Maintain adequate documentation to support the performance feedback and keep record of the Progress Review in the supervisory file.
- Discuss performance evaluations and obtain comments, signature, and date on the EPR.
- Complete EPR by the submission deadline. Maintain adequate documentation to support ratings.
- Review position description for accuracy. Update it at least once annually.

3. Select Key SERS Position

- Perform the duties of the position.
- Adhere to SERS General Performance Standards.
- Work toward achievement of performance goals, if identified.



• Review and respond to EPR within a reasonable time frame, typically five working days, unless additional time is agreed upon with the Rater.

4. SERS-HR

- Manage the performance evaluation process including monitoring Rating Cycles, due dates, and EPR return dates.
- Monitor compliance with established policy and procedures.
- Disseminate internal agency instructions regarding performance management responsibilities. SERS-HR will strive to provide a minimum of 30 calendar days' notice prior to an EPR required completion date.
- Collect Board feedback on performance and goals for the new appointment and annual performance evaluation processes.
- Follow-up on delinquent performance evaluations.
- Quality check returned paperwork.
- File and purge paperwork from OPF as outlined in Record Retention section of this policy.
- Provide technical assistance on this policy and the performance management process.

IV. <u>Related Information</u>

A. Related Policies

- Board Committee Charters (See Appendix D)
- Management Directive 505.18, Maintenance, Access, and Release of Employee Information
- Management Directive 540.7, Performance Management Program
- Management Directive 210.5, The Commonwealth of Pennsylvania State Records Management Program
- Manual 210.7, State Records Management
- Manual 210.9, The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule
- **B.** Related Processes

N/A

C. Related SERS Interpretive Statements N/A



D. Related Laws or Regulations

• Act 71 of 2018 (Civil Service Reform) References probationary periods for classified service

E. Background Information

A self-assessment process of Pennsylvania SERS Board governance was conducted by Funston Advisory Services LLC during the period of January through April 2021. The scope of the self-assessment included ten areas of governance, one of which was "evaluation of Board direct reports." Funston developed several recommendations from the self-assessment process. The recommendations pertaining to evaluation of Board direct reports were:

- Establish a more collaborative process in setting goals, including consideration of annual goals linked to the strategic plan, and link compensation to the achievement of goals to the extent permitted by the State. (9.1)
- Provide more informal feedback to direct reports on an ongoing basis, e.g., semi-annually. (9.2)

At the April 28, 2021, Board meeting the Board took action to: (1) accept Funston Advisory Services LLC's SERS Fiduciary Review and Self-Assessment Final Report dated April 19, 2021, and (2) direct staff to engage with the appropriate standing committees to: (a) review the Final Report's recommendations, and (b) make recommendations to the Board for action, as appropriate.



Document Properties

- a. Document Owner: SERS-Human Resources Office
- **b.** Document Author: Katie Mathews, HR Director.
- c. Summary of Changes:

Date	Version	Author	Summary
09/26/2023	2023-	Katie Mathews	Biennial review. Combined the
	POL-		Performance Review Process documents
	BD-02		for the Executive Director and CIO into
			one new policy for clarity and consistency.
			Additionally, the Chief Counsel, Internal
			Audit Director, and Chief Compliance
			Officer positions were added as Key Board
			Reports subject to the Board Performance
			Management Review Policy.



Appendix A: Performance Evaluators for Select Key SERS Positions

Position	Rater (Evaluator)	Reviewing Officer
Executive Director	Board Chair . Input will be obtained from the full Board for new appointment and annual EPRs.	N/A. The SERS Human Resources Director may sign-off as the Reviewer if current or future EPR system configuration requires entry to this field.
Chief Investment Officer	Investment Committee Chair and Executive Director . Input will be obtained from the full Board for new appointment and annual EPRs.	N/A. The SERS Human Resources Director may sign-off as the Reviewer if current or future EPR system configuration requires entry to this field.
Chief Counsel	Executive Director . Input will be obtained from the full Board for new appointment and annual EPRs.	N/A. The SERS Human Resources Director may sign-off as the Reviewer if current or future EPR system configuration requires entry to this field.
Chief Compliance Officer	Chief Counsel for so long as the Chief Compliance Officer role is filled by a lawyer and is administratively housed in the legal office. Input will be obtained from the Audit, Risk and Compliance Committee for new appointment and annual EPRs.	Executive Director
Internal Audit Director	Executive Director . Input will be obtained from the Audit, Risk and Compliance Committee for new appointment/probation and annual EPRs.	N/A. The SERS Human Resources Director may sign-off as the Reviewer if current or future EPR system configuration requires entry to this field.



Appendix B: Required Action by Select Key SERS Position

New in Position*

Action	Executive Director	Chief Investment Officer	Chief Counsel	Chief Compliance Officer	Internal Audit Director
Performance Goals	Required	Required	Optional	Optional	Optional
3-Month Progress Review	Optional	Optional	Optional	Optional	Required if will receive an end of probation EPR
6-Month Interim EPR	Optional	Required	Required	Required	Required when appointed with regular Civil Service status in accordance with Merit System rules
End of Probation EPR	N/A	N/A	N/A	N/A	Required when appointed with probationary Civil Service status in accordance with Merit System rules

Annual*

Action	Executive Director	Chief Investment Officer	Chief Counsel	Chief Compliance Officer	Internal Audit Director
Mid-Year Status Report	Required to provide to Board Governance and Personnel Committee	Required to provide to Investment Committee	Optional to provide to Board Governance and Personnel Committee	Optional to provide to Audit, Risk and Compliance Committee	Optional to provide to Audit, Risk and Compliance Committee
Mid-Year Progress Review verbal feedback acceptable	Optional	Optional	Optional	Optional	Optional
Year-End Status Report	Required to provide to Board Governance and Personnel Committee	Required to provide to Investment Committee	Optional to provide to Board Governance and Personnel Committee	Optional to provide to Audit, Risk and Compliance Committee	Optional to provide to Audit, Risk and Compliance Committee



Annual* Cont.

Action	Executive Director	Chief Investment Officer	Chief Counsel	Chief Compliance Officer	Internal Audit Director
Annual EPR	Required	Required	Required	Required	Required
Performance Goals	Required	Required	Optional	Optional	Optional

*Actions may be combined, overlap, or skipped depending on the timing of an individual's appointment to a position in relation to the annual, calendar year performance review process. Judgment and discretion will be applied by the Human Resources Director to best manage the various actions.



November	December rating cycle ends Dec. 31	January rating cycle begins Jan. 1	June	July
• SERS-HR notifies Select Key SERS Position to prepare end-of year performance report for presentation at the appropriate December Board Committee meeting (see Appendix B)	 Select Key SERS Position provides end-of year performance report at appropriate Board Committee meeting (see Appendix B) SERS-HR requests performance feedback and performance goals from the Board. A minimum of 10 business days will be provided; 5 business days of which occur after the conclusion of the December Board Committee meeting at which the end-of year performance report was provided (see Appendix B) SERS-HR provides EPR form, goals template, SERS General Performance 	 Completed EPR is submitted to SERS-HR by Jan. 31 Completed SERS General Performance Standards are submitted to SERS-HR by Jan. 31 Performance goals are submitted to SERS-HR by Jan. 31 (see Appendix B) 	 SERS-HR notifies Select Key SERS Position to prepare mid-year performance report for presentation at the appropriate July Board Committee meeting (see Appendix B) SERS-HR provides reminder to Rater about mid-year progress review (see Appendix B) 	 Select Key SERS Position provides mid-year performance report at appropriate Board Committee meeting (see Appendix B) Rater provides mid-year progress review (see Appendix B)
	<i>Standards</i> , and compiled performance feedback to Rater	If Board meeting dates change, SE timing accordingly.	RS-HR, to the extent feasible and p	racticable, will adjust action

Appendix C: Schedule of Annual Performance Management Activity for Select Key SERS Positions



Appendix D: Committee Charter and Policy Language Pertaining to Select Key SERS Positions

SERS-HR may update this appendix when applicable charter or other policy language is adopted without additional Committee action on this policy.

Select Key SERS Position	Charter Language Pending Adoption	Current Charter Language	Other Policy References
Executive Director	 Board Governance and Personnel Committee April 25, 2023 The Committee shall collaborate with SERS staff to oversee executive searches for the Executive Director. The Committee shall have input into the candidate search process and hire recommendation of the Executive Director. The Board approves the Executive Director selection. The Committee shall develop quantitative performance goals for the Executive Director to be incorporated in the Executive Director's performance expectations. The Committee shall obtain input from the Board and oversee the annual performance evaluation process of the Executive Director. The performance evaluation will be completed by the Board Chair who provides the performance evaluation to the Executive Director. 	Motion 2022-06 March 4, 2022 The Committee shall collaborate with SERS staff to oversee executive searches for the Executive Director. The Committee shall develop quantitative performance goals for the Executive Director to be incorporated in the Executive Director's performance expectations. The Committee shall obtain input from the Board and oversee the annual evaluation process of the Executive Director. The results of the annual evaluation are to be presented to the Executive Director by the Board Chairperson. The Committee may recommend discipline or the termination of the Executive Director to the Board, if appropriate.	The authority of the Board to hire the Executive Director is implicit in Retirement Code sections 5901 and 5902. Retirement Code, 71 Pa C.S. § 5901(a) Status and membership The board shall be an independent administrative board and consist of 11 members Retirement Code, 71 Pa C.S. § 5901(a) Corporate power and legal advisor For the purposes of this part, the board shall possess the power and privileges of a corporation. The board shall be an independent agency under the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act. Retirement Code, 71 Pa C.S. § 5902(a)(1) Effective 30 days after the effective date of this paragraph, the positions of secretary,



	The Committee may recommend discipline or the termination of the Executive Director to the Board, if appropriate.		assistant secretary and investment professional shall be placed under the unclassified service provisions of the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, as those positions are vacated. All other positions of the board shall be placed in either the classified or unclassified service according to the definition of the terms under the Civil Service Act. SERS Bylaws. Article IV Officers Pay. September 20, 2021
			Rev. September 29, 2021 The Secretary shall be appointed by the Board
	Investment Committee	Motion 2021-60	Retirement Code, 71 Pa C.S. § 5902(a)(1)
	April 25, 2023	September 29, 2021	Effective 30 days after the effective date of
	The Committee shall have input into the candidate search process and hire recommendations of the CIO. The Board approves the CIO selection.	The Committee shall have input into the candidate search process and selection of the CIO.	this paragraph, the positions of secretary, assistant secretary and investment professional shall be placed under the unclassified service provisions of the act of
Chief Investment Officer	The Committee and the Executive Director, shall develop quantitative performance goals for the CIO. The performance goals will be provided to the CIO jointly by the Committee Chair and Executive Director.	The Committee, along with the Executive Director, shall develop quantitative performance goals to be incorporated in the CIO's performance expectations, and perform an annual evaluation of the CIO in correspondence with such performance expectations.	August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, as those positions are vacated. All other positions of the board shall be placed in either the classified or unclassified service according to the



	The Committee shall seek input from the Board on the CIO's performance. Board input shall be reflected in performance evaluation ratings and summarized through supporting comments. The performance evaluation will be jointly completed by the Executive Director and Committee Chair who then jointly issue the performance evaluation to the Chief Investment Officer. The Committee may recommend discipline or the termination of the CIO to the Board and Executive Director, if appropriate. Input will be obtained from the Executive Director.	The Committee shall seek input from the Board and collaborate with the Executive Director in the annual evaluation of the CIO. The Committee Chair, along with the Executive Director, shall deliver the Committee's annual evaluation to the CIO. The Committee may Page 4 of 4 recommend discipline or the termination of the CIO to the Board and Executive Director, if appropriate.	definition of the terms under the Civil Service Act. SERS Compensation Policy for Investment Professional Staff Rev. January 21, 2021 SERS Board has the authority to hire the Chief Investment Officer. Recruitment for this position will be conducted internally or through the services of an executive search firm, as determined by the Board.
Chief Counsel	Board Governance and Personnel Committee April 25, 2023 The Committee shall obtain input from the Board on the Chief Counsel's performance. Board input shall be reflected in performance evaluation ratings and summarized through supporting comments on the performance evaluation. The performance evaluation will be completed by the Executive Director who provides the performance evaluation to the Chief Counsel.	Motion 2022-06 March 4, 2022 The Committee shall collaborate with the Executive Director in obtaining input from the Board in the annual employee performance review process of the Chief Counsel, with the input received from each member to be included in the evaluation.	Retirement Code, 71 Pa C.S. § 5901(a) Corporate power and legal advisor For the purposes of this part, the board shall possess the power and privileges of a corporation. The board shall be an independent agency under the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act. § 409 of Act 2017-05 Notwithstanding the amendment of 24 Pa.C.S. §8501(e) and 71 Pa.C.S. §5901(e), the Governor's Office of General Counsel shall continue to provide legal counsel and legal services to the Public School Employees' Retirement Board and the State



			Employees' Retirement Board until such time as each board appoints a chief counsel and such other counsel as it deems necessary to provide it with legal services and through its secretary gives such notice to the General Counsel.
	Audit, Risk and Compliance Committee September 19, 2023	Motion 2022-06 March 4, 2022	Motion 2018-75, 3. October 24, 2018
Chief Compliance Officer	The Committee shall have input into the candidate search process and selection of the Chief Compliance Officer, with input from the Chief Counsel for so long as the Chief Compliance Officer role is filled by a lawyer and is administratively housed in the legal office. The Committee shall provide input on the Chief Compliance Officer's performance. Committee input shall be reflected in performance evaluation ratings and summarized through supporting comments on the performance evaluation. The performance evaluation will be completed by the Chief Counsel who provides the performance evaluation to the Chief Compliance Officer for so long as the Chief Compliance Officer role is filled by a lawyer and is administratively housed in the legal office.	The Committee shall have input into the candidate search process and selection of the Chief Compliance Officer. In addition, the Committee shall provide input to the Executive Director and, if the Chief Compliance Officer position is administratively housed in the Chief Counsel's Office, the Chief Counsel, in the evaluation of the Chief Compliance Officer, with the input received from each member to be included in the evaluation.	Delegate to the chief counsel, with the concurrence of the Board Secretary, the authority to retain, hire, terminate, reclassify or promote any other counsel, either in- house or outside counsel, as they deem necessary and appropriate, and subject to Commonwealth personnel and procurement rules; provided, however, that for so long as the chief compliance officer role is filled by a lawyer and is administratively housed in the legal office, that the Board retain the decision to hire and terminate the chief compliance officer after input from the chief counsel;



	Audit, Risk and Compliance Committee September 19, 2023	Motion 2022-06	
	September 19, 2023	March 4 2022	
		March 4, 2022	
Internal Audit Director	Director's hire recommendation for the	The Committee shall provide input to the Executive Director in the evaluation of the Internal Audit Director, with the input received from each member to be included in the evaluation.	