

## Performance Coaching Basics: Best Practices For Employee Feedback

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## Organizational Culture: Why Do We Care?

- Attracts and retains top talent.
- Encourages employees to engage with their work and the organization.
- Positively affects employee happiness and satisfaction.
- Improves overall performance.



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## Feedback and Organizational Culture

Feedback is one of the most important tools to cultivate a healthy work environment and positive company culture.



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## What Impacts Feedback?

- Leadership;
- Policies and philosophies;
- People; and
- Communication.



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## Legal Implications



Employers must take care to ensure that they adequately consider their legal obligations when developing policies and issuing feedback.

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## Legal Implications

- The statements communicated when delivering feedback, as well as the consistency in which the feedback is documented, **can open the door for employment discrimination charges.**

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## Employment Discrimination Basics

- **Title VII** prohibits discrimination on the basis of race, color, religion, national origin, or sex.
- **ADEA** protects people who are 40 or older from discrimination because of their age.
- **ADA** makes it illegal to discriminate against a person with a disability.

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## The Prima Facie Case

The charging party must establish that he or she:

- (1) Belongs to a protected class;
- (2) Suffered an adverse employment action;
- (3) Met his or her employer's legitimate expectations at the time of the adverse employment action; and
- (4) Was treated differently from similarly situated employees outside his or her protected class.

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## The Employer's Defense

- If the charging party can establish all of the elements of the prima facie case, the employer must present evidence that its reason for the adverse employment action was **legitimate and non-discriminatory**.
- From there, the charging party must present evidence that the employer's reason was **pretext** for discrimination.

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## Employee Feedback: The How-To Guide



- Be accurate.
- Develop a feedback form specifically tailored to the employee's position and job duties. The form should be succinct and accurately capture the most important and "essential" job duties for the employee.

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## Employee Feedback: The How-To Guide

- Consider who delivers the feedback.
  - Ensure that the manager/supervisor who provides the feedback is an individual who works closely with the employee and frequently monitors and evaluates the work product.

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## Employee Feedback: The How-To Guide

- Document "informal feedback."
  - Often, some of the most valuable and important feedback occurs "informally" like after an assignment is complete or in the midst of a project. This feedback should be documented and treated just like a "formal" evaluation.

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## Employee Feedback: The How-To Guide

- Avoid unconscious bias.
  - Be cautious in word choice. Well-intentioned phrases like “lacks energy” can be perceived as exhibiting bias or outright discrimination (i.e. age discrimination, in this case).

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## Employee Feedback: The How-To Guide

- Determine the frequency of reviews.
  - All employees in the same job classification should be evaluated on the same cycle.

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## Employee Feedback: The How-To Guide

- Request self-assessments.
  - Part of the feedback and evaluation should include an employee's self-assessment. This helps the employer identify any issues that may otherwise go unnoticed and allows it to provide support in those areas.

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## Employee Feedback: The How-To Guide

- Be transparent.
  - Employees should receive a copy of the rubric for the evaluation at the outset of their employment, or at least several months before their next performance review.

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## Employee Feedback: The How-To Guide

- Periodically audit results.
- Be consistent!

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## Mistakes to Avoid

- Do not imply future employment.
- Avoid discussing employee health issues in a negative light—particularly if there was an impact on performance.



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## Mistakes to Avoid

- Retaliation!
- Boilerplate language.



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## Questions?

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