

The Annual Evaluation

Your annual evaluation should be discussed with you in an informal manner before the final evaluation is prepared for your signature. This discussion is usually with your tour LT, who is considered the evaluator.

When the evaluation is presented to you in its final form you should sign it regardless if you agree or disagree with the determinations contained in it. The signature is merely an acknowledgement that the evaluation was discussed.

You may appeal the overall rating or an individual item rating.

You may only appeal an rating of good or less.

Ratings of very good & outstanding are not subject to appeal.

An overall rating of unsatisfactory should be appealed immediately as you can be subjected to Section 75 & 76 of The Civil Service Law.

Any member who receives an overall rating of conditional or unsatisfactory must be reevaluated within 90 days.

Contact your delegate for assistance with the appeal process

The evaluation itself is not subject to the grievance procedure. However failure of The Dept. to follow the steps contained in the procedure is a matter subject to the grievance procedure.

Remember to conduct yourself as the professional you are. Be calm and rational at all times.

Step One:

The first step of the appeal process is an informal discussion with the Captain, who is considered the reviewer.

This must occur within 10 days of signing the evaluation.

Step Two:

If you still disagree with either the overall rating or an individual item rating as assessed by the Capt. you have 10 days to file a written appeal to The Director of Personnel at The Fire Dept.

1. Appeals to The Director of Personnel should be typed.
2. The appeal should be grammatically correct.
3. The appeal should be specific as to exactly what is being appealed.

You should provide examples to substantiate your point.

Step Three:

You will receive a written response from The Director of Personnel. If you still disagree with either the overall rating or an individual item rating you have 10 days to file a written appeal to The Fire Commissioner.

Considerations:

1. Excessive absences and lateness always effect a members overall rating. The issue at hand is what constitutes “excessive”.
2. Your discussion with the Capt. should focus on documented S/L, extended S/L and LODI instances. It is incongruous to take a member to task for following the various guidelines regarding these polices and then hold the member culpable for situations beyond their control. Calculate the % of days the member attended and use that number in the discussions. Undocumented S/L is a killer, especially if patterns are evident and is essentially indefensible.
3. Pending CCU/ Charge Packages should not be held against a member as these instances are still under investigation and a finial determination has yet to be rendered. However multiple charges indicate pattern behavior. Instances where a member has been found guilty as charged can be included unless the member has a signed stipulation that states the matter is closed & the Dept promises not to take further action.
4. An instance of error should not be carried over into and adversely affect multiple tasks. One foul one, one flag.
5. One instance of failure in meeting a standard should not constitute an overall failure in meeting that standard.
6. Unattainable Standard. If the conditions or resources are not available to a member they should not be held to the task as the Dept makes it impossible to perform properly.

7. The member has the right to rebut any evaluatory statement in writing. The rebuttal MUST be attached to all copies of the evaluation.

8. The evaluation itself is not subject to the grievance procedure. However failure of The Dept. to follow the steps contained in the procedure is a matter subject to the grievance procedure

Related Material

- Supervisors Guide to Civilian Non-Managerial Performance Rating System
- EMS Operations Order 2003-06
- EMSC Tasks and Standards
- City Contract Article X

As always, assistance is available in preparing a written appeal by calling the office.