

What you should absolutely, positively NOT say in a performance review

Say you manage Kevin, a 55-year-old employee whose productivity drops over the year. Instead of citing specific, measurable examples of this decline in his performance review, you note that "Kevin doesn't seem to have the energy level anymore to truly succeed in this department." Still, you rate Kevin's work as "average," the same as last year.

That example highlights two of the more common—and legally dangerous—pitfalls in writing performance reviews:

1. Evaluating attitude, not performance. Vague statements that attack an employee's demeanor could be interpreted as some kind of illegal age, race, gender or disability discrimination. Instead, supervisors should use concrete, job-based examples to illustrate any criticism.

In the example above, referring to Kevin's "energy level" could give him reason to complain about age discrimination. Instead, the review should have cited examples such as, "Kevin has completed three of the five major projects late this quarter and has not contributed one new product idea in six months."

For this reason, the word "attitude" should never appear in a review. Employment lawyers and courts often see that as a code word for discrimination.

2. Evaluation inflation. Supervisors too often rate mediocre employees as competent, competent employees as above average and above-average employees as superior. The problem comes when an employee is fired for poor performance yet his history of reviews tells a different story. The employee, then, has a supposed proof that the *real* reason for the firing was something else, maybe something illegal.

Here are the main causes of evaluation inflation. Do any sound familiar to you?

- **Misinterpreting a rating scale or instructions.** *Example:* Using a review with a 0-4 rating scale, a supervisor gives an employee a "2" in attendance and fires her. She sues, arguing that a "2" is average and acceptable, and wins. The supervisor wrongly believed that anything less than a "4" rating was unacceptable.
- **Fear of confronting employees.** *Example:* A worker has acceptable work quality but hurts morale because of poor teamwork and pushiness. To avoid an angry confrontation, the boss rates the employee as average in soft skills.
- **Giving positive areas too much weight over negative ones.** *Example:* You rate a factory worker on quality, quantity, dependability, teamwork and safety. Quality is poor, but you rate it average because of the "glow" from the other categories, all rated above average.

Final tip: To determine if you inflate reviews, ask yourself the following questions: Who are my worst performers? Knowing what I know about them, would I hire them again? Do their reviews reflect their true performance?