

The Role of Performance Appraisal on Lawful Termination

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Abstract— *The study aims to understand whether these appraisals, which are commonly used to evaluate employee performance, serve as a reliable basis for legal termination decisions within the private healthcare sector. A quantitative approach was employed to collect data from four private hospitals. This method was chosen to provide measurable insights into how performance appraisals correlate with termination decisions. A total of 100 questionnaires were distributed to staff and management within the selected hospitals to gather perceptions and experiences regarding the appraisal process and its connection to termination. Of these, 68 responses were received, resulting in a 68% response rate. While this sample size offers valuable information, the lower response rate suggests some level of hesitancy or concern among participants when discussing sensitive topics such as termination. The results of the study indicate a weak and inconsistent relationship between performance appraisals and legal termination in private hospitals. Contrary to expectations that performance appraisals would offer a structured framework for terminating underperforming employees, the findings suggest that appraisals have little direct influence on termination decisions in these settings. Several potential reasons emerged for this weak connection. One explanation could be that performance appraisals in these hospitals may not be conducted with enough rigor or consistency. If the process is viewed as a formality or lacks objectivity, it may not carry the weight needed to justify legal terminations. This could lead to situations where employees are dismissed for reasons that are not directly tied to their documented performance, raising concerns about fairness and transparency in the termination process.*

Keywords—*Legal Termination, Performance Appraisal, Private Hospitals*

I. INTRODUCTION

With increasing competition in the construction sector, heightened consumer demands, and limited resources and skills, service providers are under pressure to enhance their operational efficiency. Samson and Lema (2005) highlight that companies in this industry must continuously innovate and refine their processes to remain competitive. One crucial area for improvement is leadership, which plays a fundamental role in shaping organizational success.

In today's complex and competitive business environment, legally terminating employees has become one of the most critical decisions a firm can make. Whether due to poor performance, restructuring, or operational needs, termination decisions are fraught with legal, ethical, and organizational implications. For this reason, firms increasingly rely on structured tools like annual performance appraisals to provide a fair and objective basis for these decisions. The major focus of this study is to explore the relationship between annual performance appraisals and legal termination within private hospitals. Specifically, the research seeks to understand whether employees are terminated for poor performance after being evaluated through formal performance appraisal management systems.

Performance management is a comprehensive strategic approach aimed at improving organizational effectiveness by enhancing employee performance. It involves assessing both individual and group contributors, identifying their strengths and weaknesses, and providing opportunities for development. As Rasheed et al. (2011) point out, performance management not only focuses on individual growth but also contributes to overall organizational success by aligning employees' objectives with the company's goals. In private hospitals, where both patient care and operational efficiency are essential, the performance appraisal process should ideally provide an objective framework to evaluate employees, especially when poor performance could lead to legal termination.

The study uses a quantitative approach to analyze the data collected from four private hospitals. These hospitals rely on annual performance appraisals to

assess employee performance and make decisions regarding promotions, rewards, or terminations. The appraisal process is designed to be a comprehensive assessment tool that considers various aspects of an employee's performance, including technical skills, adherence to hospital policies, teamwork, and patient care quality. By focusing on these critical areas, appraisals are expected to offer a fair and transparent basis for evaluating whether an employee meets the hospital's performance standards.

A total of 100 questionnaires were distributed to hospital staff and management, with 68 responses received. The data analysis aimed to determine whether a direct relationship exists between poor performance, as documented in performance appraisals, and subsequent legal termination. Surprisingly, the results indicate that in private hospitals, the link between performance appraisals and legal termination is weak. This finding raises several questions about the efficacy of the performance appraisal system in influencing termination decisions.

One potential explanation for this weak link could be the inconsistent implementation of the appraisal process. In many cases, performance appraisals may be conducted more as a formality rather than as a thorough evaluation of an employee's abilities and contributions. If the appraisal process lacks rigor or is not taken seriously by management, it is less likely to serve as a decisive factor in legal termination decisions. Instead, termination may be driven by other factors, such as organizational restructuring, interpersonal conflicts, or legal compliance.

Additionally, the study suggests that legal and regulatory considerations may often override performance appraisal results in termination decisions within private hospitals. Employment laws, healthcare regulations, and the risk of litigation can significantly influence the decision to terminate an employee, making legal compliance a priority over performance-based considerations.

Moreover, the culture within healthcare institutions could also play a role. Hospitals may prioritize patient care and operational continuity over the immediate termination of underperforming staff. In these environments, the potential disruption caused by termination might outweigh the benefits of dismissing

a poorly performing employee, particularly if there are staffing shortages or critical positions involved.

In conclusion, while performance appraisals are designed to provide a structured and objective basis for assessing employee performance, this study reveals that in private hospitals, there is a weak connection between poor performance appraisals and legal termination. This finding underscores the need for a more rigorous and transparent performance management system that can better align employee evaluations with legal termination decisions, ensuring fairness, compliance, and organizational effectiveness.

II. LITERATURE REVIEW

Considering increasing competition and high consumer demand,

Work performance was abstracted by Toppo and Prust (2012) to include both contextual and job performance. Furthermore, they demonstrated that job performance refers to the skill with which an individual performs, whereas contextual performance refers to additional duty capabilities that are primarily related to the organizational environment, psychological, and social, in order to aid in the achievement of organizational objectives or goals (Khan, et al., 2012). Contextual factors include characteristics such as putting in extra effort and excitement, volunteering to help with work, and authorizing and supporting an organizational aim or set of goals (Mohsin & Zahid, 2012). According to Yusoff (2014), performance appraisal is a procedure that specifies how an individual performs a task and connects those information back to the individual. Furthermore, it is indicated that performance appraisal gives data for human resource management actions such as terminating, promoting, merit pay, and legal termination (Adnan & Al-Adwan, 2012). The data from the performance appraisal could also be used to track employee effort and contribution for future training and development (Arumugam, et al., 2011). Furthermore, performance appraisal provides opportunities for participation and involvement in the approval of selecting actions and human resource planning (Khair & Saeed, 2011). Managers and other external sources, such as stakeholders such as customers, evaluate an individual's performance. Performance evaluation can be done in a variety of ways. There are three primary kinds of approaches to

consider. Graphic Rating Scales (GRS) are the first category of performance appraisal methodologies; they are the most often used method and technique for performance rating. Employees will be measured or evaluated using a five-point scale or a seven-point scale in this methodology. Comparison tactics, which include forced distribution, rank-order, and paired comparisons among employees, make up the second group of performance appraisal approaches. Employees will be evaluated against one another using this method. Individuals will be assessed on a supplied performance measurement from high to poor, using the rank-order methodology. However, because the rank-order methodology has ordinal scale properties, performance assessment and evaluation will be less precise. Furthermore, using the paired comparison methodology, each individual within an organization will be compared to other individuals and both will be evaluated in order to determine who is the greatest. The method is typically used to assess an individual's overall ability to accomplish a task. Finally, when the number of individuals being examined is large, the forced distribution strategy is considered an effective strategy among all methods. Individuals and measures ranging from poor to good are assigned to individuals using this methodology (Hameed & Waheed, 2011). The third group is behavioral checklists. This group is consisted of the practices such as (BOS) behavioral-observation scales, (MSRS) mixed standard rating scales and (BARS) behaviorally anchored rating scales. The first group which is BOS is created to enhance BARS. In this case, the evaluators assess an individual on the rate of recurrence of serious incidents or particular individual behaviors. The evaluator observes the subject for a set amount of time and rates him or her on a scale of seriousness. The second group (MSRS) is concerned about the nature of the performance aspect as well as the defined levels of performance. In this situation, an individual is graded based on the reactions of the assessors to the performance dimensions. Evaluators respond to a certain behavior that demonstrates the average, low, and high performance dimensions for each performance dimension. Finally, BARS stands for a combination or integration of rating scale methodologies and behavioral incidents. Individuals' performance will be evaluated on a unanchored scale in this situation (Gbolahan, 2012).

Research Hypothesis: Higher employee performance level led to decrease number of employees 'legal termination.

III. RESEARCH METHODOLOGY

The study was carried out at four different private hospitals in Erbil. The main purpose of this research is to analyze the association between the annual performance appraisal evaluation and legal at private hospitals. A quantitative method was used in this research to analyze the gathered data from four different private universities to find out whether employees are terminated based on their poor performance after being evaluated by performance appraisal management system. 100 questionnaires have been distributed, however only 68 questionnaires were received.

IV. RESULTS AND ANALYSIS

Table 1-Demographic Analysis

	Frequency	Percent
Male	38	55.1
Female	31	44.9
18-22	11	15.9
23-26	21	30.4
27-32	17	24.6
33-38	8	11.6
39-44	7	10.1
45-49	3	4.3
50+	2	2.9

Table (1) shows the demographic analysis for the current study. As for participants' gender; 38 participants were male and 31 participants were female. As for participants' age; 11 participants fall in a group of 18-22 years old, 21 participants fall into a

group of 23-26 years old, 17 participants fall into a group of 27-32 years old, 8 participants fall into a group of 33-38 years old, seven participants fall into a group of 39-44 years old, three participants fall into a group of 45-59 years old and only two participants fall into a group of 50 years old and above.

Table 2- Reliability Analysis

Factors	Cronbach's Alpha	N of Items
Performance appraisal	.874	14
Legal termination	.864	12

Table (2) shows the reliability test for performance appraisal as independent factor and legal termination as dependent factor. The Cronbach Alpha for performance appraisal= .874 for 14 items which is more than .6 accordingly performance appraisal's fourteen items used in this study were reliable and The Cronbach Alpha for legal termination= .864 for 12 items which is more than .6 accordingly legal termination's twelve's items were reliable.

Table 3- Correlation Analysis

Factors	Performance Appraisal	Legal Termination
Performance	1	.781**
Appraisal		.000
	68	68
Termination	.781**	1
	.000	
	68	68

Table (3) shows the correlation analysis between performance appraisal as independent variable and legal termination as dependent variable. The Pearson correlation value = .781** which is greater than 0.01 this indicates that there is a positive and strong correlation between performance appraisal and legal termination in private hospitals in Erbil, Kurdistan.

Table 4- Coefficients

	B	Std. Error	Beta	t	Sig.
(Constant)	.694	.253		2.7	.008
Performance Appraisal	.804	.079	.781	10.1	.000

a. Dependent Variable: Legal termination

The value Beta=.781 as seen in table (4) is greater than 0.01 which means that there is a positive and strong relationship between performance appraisal and legal termination in private hospitals in Erbil, Kurdistan.

Conclusion

Every hospital should document the explanations and assessment for the termination decision. Integrity is improved with documented performance appraisal assessments and cases of poor performance. Hospitals should be able to provide certain procedure of performance evaluator or an effective guidance to help poor performers in enhancing their performance. The result of this research demonstrated that there is poor and weak association between the evaluation of performance appraisal and legal termination at private hospitals.

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