

Chapter 8

Common Supervisory Issues

MINIMIZING CONFLICT

1. Communicate.

One of the most crucial aspects of supervision is effective communication. Strong leaders and managers recognize that true communication is more than talking. Indeed, it should involve more listening than speaking. Supervisors can prevent, or at least minimize, many personnel problems if they regularly and openly communicate, i.e., clearly explain performance expectations, promptly address performance deficiencies or behavior problems, solicit input from employees on improving processes and procedures, obtain feedback on workloads and remove obstacles to productivity, recognize good performers, and coach/mentor employees on an ongoing basis. Through effective communication, supervisors also create an environment where respect for all is prevalent and new ideas or progressive, innovative approaches to work are not only encouraged but expected. Good supervisors convey confidence in their employees by allowing them to perform their duties as independently as possible and by holding them accountable for quality work. Good supervisors must also be good leaders, capable of presenting new agency or policy directives in a positive manner, leading their work groups to achieve desired results and maintaining a professional demeanor and attitude. Finally, when correcting an employee's work or conduct, good supervisors communicate in a calm, professional manner in a private setting, focusing on the unacceptable work or conduct and avoiding the use of emotionally-charged criticism of the person.

2. Learn and use effective supervisory techniques.

In addition to knowing how to effectively communicate, supervisors must also know how to effectively supervise employees. This chapter does not attempt to provide supervisors with a comprehensive guide to effective communication or effective supervision. There are numerous books and courses offered on these topics. Specific courses offered to State supervisors may be found at: <http://www.doa.louisiana.gov/cptp/cptp.htm>, and include the following which are particularly relevant to good communication/supervision:

- Clarifying Performance Expectations (1/2 day)
- Conducting Productive Employee Performance Reviews (1 day)
- Correcting Performance Problems (1/2 day)
- Dealing With Change (1 day)
- Delegating Effectively (1/2 day)
- Developing Effective Teams, Part 1 (1 day)
- Developing Effective Teams, Part 2 (1.5 days)
- Developing Effective Teams, Part 3 (1.5 days)
- Developing a Motivated Work Group (1 day)
- Effective Conflict Resolution Strategies (1 day)

- Effective Presentation Skills (2 days)
- Effective Problem Solving & Decision Making (2 days)
- Elements of Supervisory Practices, Part 1 (2 days)
- Elements of Supervisory Practices, Part 2 (2 days)
- Improving Employee Performance Through Coaching (1 day)
- Individual Differences & Diversity in the Workplace (1 day)
- Managing Across Generations (1 day)
- Planning & Accountability (previously Accountability in Work Groups) (2 days)
- Strategies for Supervisory Success (1 day)
- Workplace Negotiation Skills (1 day)
- Writing for Managers (1 day)

Additionally, relevant CPTP classes taught by staff of the Department of Civil Service include:

- Civil Service Essentials for Supervisors (1 day)
- Common Myths That Affect Good Supervision (1 day)
- Performance Planning & Review for Supervisors (1 day)
- Controlling Absenteeism and Tardiness in the Workplace (1day)

By maintaining open communication and by increasing one’s knowledge of effective supervisory principles and techniques, supervisors should be able to minimize many employee problems and will be better equipped to address those problems that will inevitably develop. It is also to the supervisor’s advantage to ensure that his employees are knowledgeable of agency rules, policies and appropriate work behaviors. Supervisors should be familiar with course offerings for all employees and may require that employees take certain courses and specify what must be taken as an expectation in the PPR document. For example, certain employees may benefit from taking “Effective Conflict Resolution Strategies,” or “Professionalism and Productivity for Non-supervisors.”

ADDRESSING CONFLICT

Supervisors must be aware, however, that training will not eliminate all problems; there will always be conflict in the workplace and there will always be nonperformers. Training will however provide both the supervisor and employee with insight into how to appropriately address common problems. Since conflict is never pleasant to deal with, many supervisors choose to ignore it and hope it goes away. When supervisors fail to address problems, however, employees often view them as weak and ineffective and the original problem, which may have been minor, festers. The key then is to keep small things small and work things out before minor scrapes become big problems.

Again, good supervision can go a long way in preventing or at least reducing the number of such problems. Many conflicts develop when a good performer witnesses a poor performer not being held to the same performance standards or conduct rules. When one person is allowed to come in late everyday or complete work that must always be corrected, the employees who comply with the rules and turn in quality work grow resentful. Likewise, supervisors shouldn’t avoid addressing the chronic complainer who often gossips, spreads rumors, stirs up negative issues and brings down morale. Supervisors may avoid confronting this individual since the issues don’t appear job related. Be advised, however, that if an employee’s behavior is lowering team morale, affecting the level of cooperation within the work unit or doing anything that is affecting public or customer service, supervisors have every right to deal with it. In short, supervisors must promptly address all

unacceptable performance or behavior, treat employees fairly and equitably and consistently apply rules.

When a complaint from an employee involves a conflict with another employee, the supervisor's approach primarily depends on the seriousness of the situation and the personalities involved. For an isolated, minor difference, supervisors should encourage the complaining employee to take responsibility for working out his/her own conflicts. Listen carefully to the person's complaint and then ask them what they have done so far to remedy the situation. Redirect the complainer back to the person about whom he/she is complaining and coach him or her on what to say and how to say it. Ask the person to report back to you on how it went, so you can offer more supportive coaching, if needed, or determine if your involvement is needed.

If the informal coaching doesn't bring about any results and the conflict is affecting the team's morale or productivity, the supervisor may take a more formal approach, but one which also requires the employees to resolve the problem themselves. Bring the employees into a private conference room, and explain that while they do not have to like each other, they are expected to fully cooperate with each other and work together to develop a solution to their problem that's agreeable to both. It is helpful if employees have had some training in conflict resolution, but if they haven't you will need to establish some ground rules, which you can either write on a chalkboard or distribute on paper:

- No personal insults—stay focused on the facts
- No passing judgment or guessing motives of the other person
- Take responsibility for your part of the problem
- Find a solution that will allow the work to get done
- Keep this private and don't discuss it with others

To guide the employees in their discussion, provide them with the following questions to answer:

- What is the problem? How does it affect your work?
- What are the root causes?
- What have you done to contribute to the problem?
- What is your common purpose?
- What do you need from her/him to achieve that purpose? Have you told the person?
- What have you done to resolve this?
- What are the possible solutions to this problem?
- Which solution is most workable, productive and beneficial to the unit?

If the problem is more serious and warrants your involvement, you should first meet with each person individually, during which you will closely listen to understand their concerns. Clearly express your expectations on cooperativeness. Emphasize that coworkers may not like each other but as employees of this agency, they are expected to find a way to co-exist peacefully, for the good of the team and the agency. (This cannot be stated too often.) Finally, state that you expect both persons to take responsibility for resolving the matter so they can co-exist. After you've conducted the individual meetings, bring them together, explain that you will facilitate the process but they are responsible for the outcome, review the above-listed ground rules and add three more ground rules:

- Ask them to paraphrase what the other person said before responding. (This will force them to listen to each other, instead of merely rebutting. Ask each of them to summarize what the other person said, or restate, first.)
- Ask them to look at each other instead of at you. (They will naturally want to ignore each other, like two opposing magnets, and appeal to you as judge and jury. Refuse to allow this to happen. When one of them looks at you, say, “I’d like you to tell her...” and then look at the other person. Or, say, “It doesn’t matter what I think. It matters what she thinks...tell her.” Or, “I’m not the one who can solve this issue...you both are responsible. Talk to each other.”)
- Come up with a solution you can both live with. (It doesn’t have to be perfect but if it’s a compromise or is perceived as too one-sided, the truce won’t last.)

Then facilitate the discussion, using the eight questions listed above. You should probably set aside a half-day to have the two interviews and facilitate the meeting in neutral territory, such as a conference room. Do not allow the meeting to get off track or drag on. If you stretch it over several days, it could unravel. You don’t want to give them time to fret about the process, badmouth the other person, lobby for support from other coworkers, etc.

Usually, this is enough to resolve a conflict. If the problem persists, however, restate to the pair, “I don’t care if you like each other but you have to co-exist professionally to get the work done. If you can’t reach a mutual solution that will allow the work to get done efficiently and effectively, it will have a negative consequence for you both. Teamwork is important around here, and this could affect your performance reviews and even your merit increase. And if it continues, or gets worse, it could result in disciplinary action for both of you. Now, what steps are each of you going to take responsibility for?”

It will take a firm, calm approach to get the results you need. But in the end, if they don’t resolve it, negotiation ends and you should decide the consequences for their failure to cooperate and clearly advise them the next and future steps should their uncooperativeness continue.

For issues requiring your direct involvement and decision-making, remember the following tips to ensure fair, equitable and objective treatment of employees:

- Handle the complaint as QUICKLY as possible. When you know about a problem, don’t look the other way. Avoiding the situation because it may be unpleasant WILL NOT make the problem go away. In fact, if not handled quickly, it is likely that the problem will continue and will escalate, and it will be even more difficult to handle later.
- Focus on events or actions, rather than focusing on personalities or other vague factors.
- When considering solutions, take into account the following factors:
 - a. Reasonableness as regards treatment of the employee(s) involved and the work requirements of the unit.
 - b. Precedent – How have similar matters been settled in the past?
 - c. Departmental, Civil Service, or other applicable rules, laws or guidelines

- d. Can the solution be considered to be discriminatory? Does it treat this employee differently than others in similar situations or with similar complaints? If different treatment is necessary, what are the factors involved that make it necessary?
- Be aware that the employee MAY not be totally satisfied with the solution. This is OK as long as a) the solution is reasonable, non-discriminatory, and is within limits prescribed by Departmental policy, Civil Service Rules, etc., and b) you are able to justify it if it should be questioned.
- MOST IMPORTANTLY – Document the complaint and the solution, and include the rationale you used to come up with your solution. Also, establish a calendar reminder to follow up with the involved parties in 30 to 60 days to determine how the solution is working.
- If at any time you are uncomfortable or unsure of how to address a problem or employee conflict, please contact your Human Resources Headquarters office for assistance.

MANAGING LEAVE AND TARDINESS

1. Five-Step Plan to Deal with Employee Absenteeism/Tardiness
 - **EDUCATE.** Explain and discuss applicable policies (4-4, 4-7, 4-27,) in full with all employees. Provide them with copies and review together in a staff meeting. Clearly state call- in procedures for your office, i.e., to whom call must be made and by what time. Many employers make the mistake of assuming employees understand the policies when in fact they don't. Have employees sign an attendance roster and make a record of the meeting topics; file both in your supervisory records.
 - **MONITOR.** Have a special notebook (or calendar or other type of log/form) that you only use to record daily employee attendance/tardiness records. Observe which employees are late, which come in early, and which are frequently absent or tardy.
 - **COUNSEL.** If you have problem employees, meet individually with them in private to discuss your concerns and observations. Review the policies and procedures again, explaining what you expect. Ensure the employee understands what you have discussed. Make a record of the meeting (date/time/where/with whom/topics discussed). If the issue is tardiness, and you have been allowing the employee to use accrued annual or compensatory leave to cover tardiness, explain that you will no longer approve the use of accrued leave and that future instances of tardiness will result in the employee's placement on unauthorized leave without pay for the period of tardiness. (If needed, obtain appointing authority approval to implement such.)
 - **FOLLOW UP.** If the employee continues to repeat the unacceptable behavior, conduct another private meeting to find out why the problem has continued. Present your records of the employee's absences or tardiness. Explain to the employee that he/she will receive a written letter of counseling and if the behavior continues, disciplinary action will be taken. After the meeting, prepare the written letter of counseling to the employee. Include references to the first meeting held to discuss the policies/procedures, a copy of the attendance roster showing employee's presence.

Then summarize your initial verbal counseling session with the employee (when, why it was held, topics discussed) and list dates/times subsequent absences/tardiness occurred. Conclude by stating that this letter is not a disciplinary action and that the employee may provide a response which you will maintain in your supervisory file. Be sure to also state that future occurrences will result in disciplinary action, up to and including termination. (Sample letters are included in Appendix A to this chapter.)

- **TAKE CORRECTIVE ACTION.** If the employee’s behavior continues, start the disciplinary process. You will want to contact your Headquarters Human Resources office for assistance.

FYI-DSS Policy 4-4 Provision. When an employee fails to follow policy for requesting annual leave in advance, or any special directive regarding annual leave, the appointing authority (or designee) may place the employee on **leave without pay for the period of absence in addition to taking appropriate disciplinary action. This also applies when an employee is required to bring in a doctor’s certificate, but fails to do so.**

Employees do not “request” unauthorized leave, so leave slips are inappropriate. The supervisor notifies the employee in writing of dates/time the employee was placed on such and the reasons therefor, with a copy maintained in the supervisory file and given to the employee’s time administrator for attachment to the employee’s sign-in sheet.

2. “Abuse” of Annual Leave

First and foremost, there is no such thing as “abuse” of annual leave. Employees are entitled to use annual leave for vacation or other personal reasons, but they are NOT entitled to use as much annual leave as they want when they want. A supervisor may at any time ask employees why annual leave is needed. He/she may also deny approval of all or part of an annual leave (or compensatory leave) request; however, the supervisor should be able to give the employee a reasonable, business explanation. Normally, denial of a request for annual leave will occur if workload requirements are heavy, if several other employees are absent on pre-approved leave, if the personal business may be attended to on days off, or when the supervisor deems the employee has a backlog of work or has already been granted adequate leave for vacation. Since annual leave must be requested and approved in advance, an employee cannot abuse “abuse” annual leave without the supervisor’s permission.

All employees will, at one time or another, experience an emergency or crisis situation which requires the employee to call in and state that he/she can’t come in and needs to be on annual leave. In these cases, DSS Policy 4-4 states that prior approval may be waived by the appointing authority or designee and annual leave may be granted, provided the employee complies with the notification requirements in the policy. Should the supervisor doubt the validity of the reason for the absence or should the employee frequently request such after-the-fact requests over the telephone, the supervisor should advise the employee when he/she calls in that annual leave will not be approved and that the employee will be placed on **unauthorized leave without pay (LWOP)** until he/she reports to work. (Obtain appointing authority approval if required.) This is not a disciplinary action; you are merely not paying the employee since he/she was not authorized to be away from work.

To minimize the frequency of such requests, a supervisor can take the following steps:

- a. Remember that you are NOT required to approve all requests for annual leave. If it seems to have become a habit for a particular employee to have emergency or crisis situations frequently enough to disrupt the work of the unit, the employee can be told that you understand the difficult situation he/she is in, but you will no longer approve these requests. You (with the approval of your appointing authority, if required) will instead place the employee on unauthorized LWOP for the period of absence necessary to handle the emergency or crisis. Supervisors can also approve PART of the request. For example, an employee calls in and says he/she needs the day off to have a flat tire repaired. You can tell the employee that you will approve 3 hours of annual leave for the repair, but that you expect the employee to report to work by 11. If the employee fails to report by 11, you should place the employee on leave without pay for the remaining period of absence that day. The employee may call back at 11 and say that the repair is being delayed for some reason and he/she needs additional time; you can use your judgment as to whether or not you will approve the request for additional time.
- b. Require all employees to personally speak only to the appointing authority, designated supervisor or next level supervisor (if the immediate supervisor is absent) when calling in to request leave. At that time, the person in authority should advise the employee whether he/she will be placed on unauthorized leave without pay until he/she returns to work or whether annual/compensatory leave is approved.
- c. If after these measures are taken, an employee continues to miss work due to frequent emergency or crisis situations, and you have placed the employee on unauthorized leave without pay for these absences, you should place the employee on DSS's Unscheduled Absences Policy (Policy 4-27), by which employees with seven unscheduled absences during a 26-week period are nondisциплиnarily removed from employment. Please contact your Headquarters Human Resources office for additional guidance.

3. Sick leave

Note: This section does not apply to serious health conditions covered by the Family and Medical Leave Act (FMLA). For information on FMLA, please refer to [DSS Policy 4-11](#).

Valid requests for sick leave must be approved. In some cases of frequent sick leave usage, the employee may have a chronic illness for which he/she is receiving treatment and for which he/she is entitled to use his/her accrued sick leave. Usually, you will know about these, and the employee will have cleared the sick leave usage with you prior to beginning treatment. In cases where an employee is calling in sick frequently or is using a lot of sick leave and either you don't know the cause or the requests seem to be for various, fairly minor problems, take one or more of the following steps:

- a. Require all employees to personally call in either to the appointing authority or designee, immediate supervisor or to the next level supervisor in the absence of the immediate supervisor.
- b. Check the employee's time and attendance records to see if there is a pattern to the sick leave use. Every Monday? Every Friday? Every day prior to or after a holiday?

If patterns of leave usage are found, discuss these with the employee. Don't accuse the employee of anything; simply state that time records show that the employee has been absent three of every four Fridays for the past six months, or whatever the pattern, and that it appears that a pattern has developed and ask the reason for this pattern.

- c. Discuss your concerns with the employee and try to determine if the employee has a condition requiring frequent treatment or absences. Also, try to determine the duration of the treatment or absences. (If the employee has a serious health condition, refer to DSS Policy 4-11 for instructions on handling FMLA absences.)
- d. If an employee is missing work frequently due to various minor illnesses (stomach virus, headache, cold, flu, sinus, etc.), advise the employee (preferably in writing) that he/she will be required to bring in a physician's statement for each period of absence in order for sick leave to be approved. Refer to Section VII.B.8 of [DSS Policy 4-4](#) for requirements pertaining to the physician's statement. State in the letter that failure to furnish the certificate will result in the employee's placement on leave without pay for the period of absence and may further subject the employee to disciplinary action for failure to follow the directive. (Note: An employee need not be placed on the Unscheduled Absences Policy in order to take these actions.)

BE SURE TO DOCUMENT ALL OF THESE CONVERSATIONS; IF THE UNACCEPTABLE ATTENDANCE PERSISTS AFTER COUNSELING, PLACE THE EMPLOYEE ON DSS'S UNSCHEDULED ABSENCES POLICY. REFER TO POLICY 4-7 FOR GUIDANCE.

- e. If an employee has exhausted all sick leave and requests to use annual leave or compensatory time in lieu of sick leave, **YOU ARE NOT REQUIRED TO APPROVE THAT REQUEST.** (There is an exception for FMLA leave.) Use your judgment when deciding whether to approve or disapprove use of annual or compensatory leave in lieu of sick leave. Some cases may warrant (new employee with little accrued leave) or require (FMLA absences) approval. On the other hand, in cases where the employee has frequent one or two day absences, you may be justified in placing the employee on approved leave without pay rather than approving annual or sick leave. Employees may be removed for exhaustion of sick leave; sample letter provided in Appendix.

4. Tardiness

In general, tardiness is an attendance problem and is handled in the same fashion as described above in the leave sections. Supervisors must first ensure that employees are clearly aware of the rules, procedures, and consequences for failure to report to work on time. At a minimum, supervisors should clearly explain call-in policies to all employees and whether employees will be allowed to use accrued compensatory or annual leave, or whether all tardiness will be recorded by placement on unauthorized leave for the period of tardiness. This is an example of a situation where employees do not have to be treated the same. If an employee is never tardy and has legitimate car trouble, the supervisor may allow that employee to use accrued leave to cover the tardiness. Employees who frequently report to work late however should be treated differently. Let's say you have been allowing an employee to use accrued annual leave for tardiness. The problem, however, has worsened and the employee routinely reports to work late. At that point, you should discuss the problem with the employee and advise him/her that you will no longer approve the use of accrued leave and that all such future occurrences will result in the employee's placement on unauthorized

leave without pay. Make a record of your meeting and provide the employee with a copy. (Be sure to obtain appointing authority approval if necessary.) Follow through when the next and any subsequent tardiness occurs. Remember: If you allow the always tardy employee to routinely use accrued leave, you are condoning the tardiness and the behavior will not change. Another option is to change the employee's work schedule. If he/she can never get to work by 7:30, then consider changing the employee's work schedule to begin at 8:00. Sample letters are included in Appendix A.

To properly charge the employee's accrued leave for periods of tardiness, use the chart below ([DSS Policy 4-4](#)):

Actual Minutes Tardy	Fraction of Hour to Enter and Record
0-7	0
8-22	0.25
23-37	0.50
38-52	0.75
53-60	1.00

If the employee is placed on leave without pay, however, he/she is charged with the exact amount of time absent and advised of such charge in writing. A time entry chart indicating the amount of time (part of hour) to be charged for each minute of tardiness is included in Appendix B.

Any employee (whether placed on unauthorized LWOP or not) should also be advised of the consequences of continuing tardiness, so the supervisor must verbally counsel and advise him/her of the unacceptable behavior and subsequent actions (letter of warning, suspension, placement on unscheduled absences policy, etc.), with such conversations documented in writing in the supervisory file. Failure to correct the behavior should then result in the action previously explained and ultimately disciplinary action should be taken in accordance with DSS Policy 4-7. Refer to Chapter 10 for guidance on taking disciplinary actions.

No leave slip is submitted for unauthorized leave without pay. It is the supervisor's responsibility to indicate such leave on the Time Entry Sign-In Sheet. The supervisor is also responsible for providing written documentation to the employee that includes the reason, the dates, and the periods of time for the leave without pay. A copy of this notice is placed in the supervisor's activity file, and a copy is provided to the Time Administrator for the time and attendance documentation.

If employee is on the agency's "unscheduled absences" policy (DSS Policy 4-27), remember:

- An unscheduled absence of fifteen (15) or more minutes for one (1) scheduled workday is counted as one (1) occurrence.
- Tardiness of less than fifteen (15) minutes shall **not** be counted as an unscheduled absence and shall be handled in accordance with the chart above.

ENFORCED LEAVE

An appointing authority may require an employee to take annual leave for legitimate business reason, when it is in the best interest of the agency and the leave will not cause the employee's annual leave balance to fall below 240 hours. This should be rarely used. An example of when appropriate might

occur when an employee demonstrates that he/she is highly emotional/overwrought with a family concern and cannot conduct business. Supervisors might also enforce annual leave when they note that job stress is causing the employee to become short-tempered, easily agitated, impatient, etc.

An appointing authority may require the employee to use accrued sick leave when he/she fails to produce a required return to duty statement, which the employee was previously advised to submit upon return to work. Until the employee submits such a release, he/she may be required to remain on sick leave. Similarly, employees who fail to produce a doctor's certificate within five (5) working days after the employee's return to work may be placed on unauthorized leave without pay until he/she submits such. The employee must however have been given prior notice that such medical certification would be required upon return from an illness.

An appointing authority or his/her designee may also require an employee to use accrued compensatory leave. For nonexempt employees with time and one-half compensatory balance, supervisors should take into consideration the employee's preferred manner of using his/her leave, but can require that the leave be taken in order to avoid cash payments for such. Supervisors should therefore routinely and carefully monitor compensatory leave balances in order to coordinate the usage of such with the nonexempt employee. Exempt employees may be required to use compensatory leave at any time.

MANAGING AN EMPLOYEE WITH AN "ATTITUDE"

As with any employee conduct issue, supervisors must address "attitude" problems by focusing on specific actions or behavior that is unacceptable rather than simply accusing the employee of a "bad" attitude. You cannot take disciplinary action against an employee for an attitude. That is a vague, unsubstantiated accusation. Just as you would list specific times and incidents when addressing any performance or conduct problem, you should also be in a position to list those specifics when discussing what you perceive to be an attitude problem. For example, you might approach an employee (privately, of course) who has difficulty getting along with coworkers by starting the following conversation:

John, you perform your assignments satisfactorily, but there seems to be a problem in your relationships with your coworkers. You often respond to friendly conversation or questions from your coworkers with nothing more than a grunt, and I have heard you greet other employees with "Hey, fathead", which is not an appropriate greeting. When you ask coworkers for assistance, your requests sound like commands. As you know, you are expected to respond to other employees, as well as to the general public, in a courteous manner. This is a performance expectation. We are a team and must cooperate with each other. How do you respond to my concerns?. (The employee will probably become defensive, blaming everyone around him for inappropriate remarks or behavior.)

Your role is to clarify what you expect of the employee and explain in no uncertain terms that his behavior is the focus of this discussion and that he must take responsibility for correcting his behavior. Explain how his actions are impacting the office's moral or service to the public. If he is having conflict with particular employees, review the section on handling conflict and approach from that angle. Do not try to be a psychologist. Employees with serious personal or emotional problems

should be referred to the Employee Assistance Program or contact your Headquarters' Human Resources Office for additional guidance.

Following the discussion, document the meeting. Should the behavior persist, you should follow the progressive disciplinary process, beginning with a letter of counseling, etc.

GRANTING PERMANENT STATUS/MERIT INCREASES

A probationary period is a working test period. At DSS, probationary employees generally serve a 12-month probationary period. Attainment of permanent status is not automatic. When a probationary employee is granted permanent status, the supervisor is officially recognizing that the employee's work performance meets expectations, as documented by a completed PPR form attached to the "Performance Planning & Review Attainment of Permanent Status Recommendation form. (See DSS Policy 4-29, Permanent Status Attainment.) If a probationary employee is having performance problems, he/she should either be terminated or his/her probationary period should be extended (up to 24 months.) The supervisor must notify the employee in writing that the probationary period is being extended and provide the reasons for such. Probationary employees should not be granted merit increases or permanent status until they have consistently demonstrated that all performance (includes attendance and conduct) requirements for the job have been met. Requests to extend or terminate an employee's probationary appointment should be submitted by the supervisor through their chain of command for approval by the appointing authority. The only time an extension of the probationary period should be considered however is when acceptable performance is anticipated. If, in the opinion of the supervisor, the employee's performance is deficient to such an extent that the employee doesn't appear to be suited or capable of meeting all of the required standards of work, the supervisor should recommend termination. Termination of a probationary appointment is not a disciplinary action.

A merit increase also tells the permanent employee his/her job performance merits a reward. If an employee's overall performance rating is "meets expectations," but the employee has one or more specific areas he/she needs to improve and this is indicated on the PPR document, the supervisor should withhold the merit increase until such time when the employee has improved in those areas. Additionally, if an employee wasn't present a sufficient time during the performance rating period, his/her merit increase may be held until such time as the supervisor can properly evaluate performance. Denial of a merit increase is not a disciplinary action. A written notice should be sent to the employee, however, notifying them of the reasons for withholding the merit increase and when it will be reconsidered.

ADDRESSING LOW PRODUCTIVITY

If productivity standards are not clearly defined and communicated to employees, supervisors will have difficult time counseling or disciplining employees whose productivity is low. If productivity standards were not established and clearly communicated to the employee (preferably in writing, in the Performance Planning section of the PPR form) at the time of employment, then the first step that must be taken to correct a problem with low productivity is to **ESTABLISH THE PRODUCTIVITY STANDARD** for that job and then **TELL THE EMPLOYEE WHAT IS EXPECTED**. The following points should be remembered with respect to productivity standards:

- A. The productivity standard must be applied equally to ALL employees performing that same function. If there will be different regions due to different working conditions (i.e., further distances to travel, etc.), then standards must be established for and applied equally to every

employee performing that job in that area. The reasons for the differences should also be clearly defined. IT IS RECOMMENDED THAT THIS BE DONE IN WRITING.

- B. Extreme long-term variances on the standard due to extreme or severe extenuating circumstances may be acceptable, but supervisors should make note of the circumstances involved. If an employee is disciplined due to low productivity, and in his appeal of the disciplinary action the employee can show that another employee ALSO had low productivity WITHOUT being disciplined, the Department will lose the appeal. However, if extenuating circumstances can be shown, the Department will stand a better chance of winning the appeal.
- C. Accepting (without any counseling or notification to the employee) a lowered rate of productivity over a period of time CAN result in giving an employee a good argument that the accepted lower productivity rate has become a new standard. Before taking any disciplinary action, it may be necessary to re-establish the desired standard by means of notification to all employees involved.
- D. If a supervisor is confident that productivity standards have been clearly communicated to all employees performing a particular job, then the supervisor should begin by counseling or coaching the employee and ensuring that he/she is adequately trained to perform the job. Failure to meet standards should then be handled through the disciplinary process.

HANDLING JOB ABANDONMENT

In what appears to be a job abandonment situation, the employer should of course make an effort to determine if there are valid reasons (i.e., serious injury, hospitalization, no family members to contact agency, etc.) for the absence before issuing a pre-deprivation letter. This may be as simple as a memo, email, telegram, documented phone call or attempted phone call. or be dismissed for job abandonment. Absent any valid reasons, the appointing authority should issue a pre-deprivation letter proposing dismissal for the unauthorized absence, failure to follow attendance policy, call-in procedures, etc.

When a probationary employee has been granted leave without pay for a specified period of time, but fails to return to work on the first day following the expiration of such leave, the employee shall be removed as of close of business on the expiration date of the leave without pay. For employees with permanent status, the employee will be considered as having abandoned his/her position and shall be dismissed by the appointing authority in accordance with Chapter 12 of the Civil Service Rules. Employees need not be notified that failure to return to work following the expiration of leave without pay can result in dismissal.

Supervisors should contact their Headquarters' Human Resources office whenever job abandonment issues develop.

NON-DISCIPLINARY REMOVALS

A removal separates an employee from employment when there is legal cause but the agency believes the cause is not the employee's fault. Since a removal is not a disciplinary action, a removal does not subject the employee to the adverse consequences triggered by a dismissal. Civil Service Rule 12.6 states that employees may be non-disciplinarily removed for the following reasons:

12.6 Non-disciplinary Removals.

- (a) An employee may be non-disciplinarily removed under the following circumstances:
1. When, on the date the notice required by Rule 12.7 is mailed, hand delivered, or orally given, the employee is unable to perform the essential functions of his job due to illness or medical disability and has fewer than eight hours of sick leave. An employee removed under this provision shall be paid for all remaining sick leave. (See sample letter in Appendix A.)
 2. When, after the employee has been given written notice that his attendance requires improvement and a copy of this rule, an employee has seven or more unscheduled absences during any consecutive twenty-six week period. The employee shall also be given written notice each time he incurs a sixth unscheduled absence during a consecutive twenty-six week period. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration. (Refer to DSS Policy 4-27 for guidance.)
 3. When, as a result of conduct that was not work related, the employee fails to obtain or loses a license, commission, certificate or other accreditation that is legally required for the job.
 4. When the employee holds more than one position in the state service and the multiple employment causes an employing agency to be liable for overtime payments under the Fair Labor Standards Act and, after having been provided the opportunity to do so, the employee has refused to resign from one of the positions.
 5. When there is cause for dismissal, but the cause is not the employee's fault.

ACCEPTING EMPLOYEE RESIGNATIONS

In accordance with Civil Service Rule 12.11, an employee's oral or written resignation becomes effective on the date and time specified by the employee. An oral resignation must be documented by the person receiving it. An employee may not withdraw or modify the resignation after an appointing authority accepts it, unless agreed to by the Secretary or the Undersecretary of the agency. Directors, Assistant Directors, Managers and Supervisors do NOT have the authority to agree to rescinding or withdrawing a resignation that has been accepted.

A resignation includes ANY written or verbal notice that an employee will quit, resign, transfer to another agency, retire, or any other notice that an employee will be leaving agency employment for any reason. When possible, supervisors should request the employee to submit a letter of resignation or complete the SF-14R (Civil Service Resignation Form).

Appointing authorities should give written notice of acceptance of the resignation. If a written resignation is given to you, you may simply make a note of "Accepted by (appointing authority) on (date)." For a verbal resignation, it is suggested that the supervisor prepare a memo for the appointing authority's signature accepting the resignation (state the date the verbal resignation was

given and the date the employee said he was leaving). Copies of resignations and copies of the acceptance should be sent immediately to the appropriate Headquarters Human Resources office.

SPECIAL NOTE ON RETIREMENT: Please keep in mind that an employee’s notification to his/her appointing authority of his/her intent to retire is not binding unless the employee also submits resignation forms with an effective date, which was accepted by the appointing authority. Even though the employee may later decide to delay his retirement date, the resignation date remains effective UNLESS the appointing authority agrees to rescind the resignation.

Employees may not however change the effective date of his/her retirement once the employee takes leave approved prior to retirement. The employee applied for such earned leave in advance, certified that at the expiration of such leave his/her retirement or resignation will become effective and completed either an Application for Retirement (Form ER-4) or Exit Interview and Separation Notice Form with an effective date immediately following termination of his/her approved annual leave. In these cases, the appointing authority will advise the employee that retirement is irrevocable upon his/her acceptance of the pre-separation leave. ([DSS Policy 4-04](#))

RECOGNIZING HIGH PERFORMERS

All too often, supervisors spend the majority of their time dealing with the problem employees rather than recognizing the good employees. While it is extremely important to address performance or behavior problems, it is equally important to recognize and reward those employees who are doing good work. Often, a simple and sincere “thank you” makes a person’s day. It’s much easier than handling problems, and it’s much more enjoyable. The following pages include tips from the Department of Civil Service.

Everyone Likes to Hear “Good Job!”

Employees thrive in a climate of positive encouragement, so give your employees what they need.....plenty of praise, smiles 😊, and approval. Look for the behaviors that you want to strengthen and recognize, then say “good job” in a variety of ways. Here are some suggestions

I’m proud of the way you worked today.

Now that’s what I call a fine job!

You’re doing a good job.

You did that very well.

You’ve just about got it.

You must have been practicing!

That’s the best you’ve ever done.

FANTASTIC!

THAT’S IT!

You’re doing beautifully.

Congratulations!

You did a lot of work today!

I knew you could do it.

TREMENDOUS!

That's quite an improvement.

Good thinking!

Now you've figured it out!

You outdid yourself today!

You are doing that much better today.

Good for you!

GREAT!

Good job, (and use their name)!

You are learning fast.

You're right!

You're getting better every day.

CLEVER!

Couldn't have done it better myself.

You make my job really fun.

You make it look easy.

I'm happy to see you working like that.

EXCELLENT!

WOW!

PERFECT!

You haven't missed a thing.

That's the best ever.

SENSATIONAL!

You're really going to town!

Keep up the good work.

Way to go!

Nothing can stop you now!

Now you have the hang of it.

That's coming along nicely.

OUTSTANDING!

That's first class work.

WONDERFUL!

You are very good at that.

Nice going.

THANK YOU!

How to Provide **NO** Cost Recognition

Here are 10 different no-cost ways for agencies to appreciate and recognize the contributions of their employees:

1. Place Governor's State Employee Recognition Day Proclamation on agency web site and forward to each employee in hard copy or e-mail with message from agency director attached.
2. Insert a payroll stub message from the Governor.
3. Write a press release and/or a Letter to the Editor and send to the State's major newspapers.
4. Thank each employee personally. If you can't thank them in person, send a hand-written note or email or make a phone call.
5. Write a letter of recommendation or commendation to be placed in the employee's personnel file.
6. Contact your local newspaper and provide them with a news article on State Employee Recognition Day and ask them to feature one or two of your employees using quotes or photographs. If you have a Public Information Officer, involve him/her in the project.
7. Post a "Recognition Bulletin Board" in each department or division and encourage employees to write accolades about other co-workers. They can write on their own division's board as well as on other departments' boards. (Peer-to-peer recognition is important, too!)
8. Begin a scrapbook that details achievements throughout the year, including photographs.
9. Establish a "Walk of Fame" and post any letters, e-mails, etc., that you receive complimenting the staff.
10. Challenge another division or agency to a softball game or other sporting event and invite agency employees and families.

How to Provide **LOW** Cost Recognition

** Please comply with all travel and purchasing regulations.*

*** Please comply with your agency's Rewards and Recognition Policy.*

Here are 10 different low-cost ways for agencies to appreciate and recognize the contributions of their employees:

1. Print and hang banners with an encouraging message to State employees.
2. *Hold a recognition breakfast, lunch, ice cream party, or pizza party. Have supervisors and managers set up, serve, and clean up.
3. Make a scrapbook of complimentary letters and notes your agency and employees have received from customers who appreciated your services. Display the scrapbook where employees and visitors can see it.
4. Award a “Traveling Trophy” that will be given to a different employee each year.
5. **Award certificates or plaques.
6. Decorate the office with balloons and flowers.
7. *Sponsor a snack-related event such as cake, popcorn, or candy, and include a written message of thanks to employees for their dedicated service. For example, a message on the cake or the popcorn bag, or a message slipped inside the candy wrapper.
8. *Establish an annual employee and family picnic.
9. Draw for a chance for breakfast or lunch with the Agency Head or other upper-level manager.
10. *Distribute employee recognition week buttons or ribbons to wear.

APPENDIX A – SAMPLE LETTERS

TARDINESS Date:

To:

From: Appointing Authority

Subject: Letter of Counseling

This letter will confirm that on xxx(date), Mr. Supervisor held a counseling session with you regarding your excessive tardiness. In this session, you discussed the following:

1. At Mr. Supervisor’s staff meeting on xxxx, at which you were present (attendance roster attached), he reviewed DSS Policies 4-2 (Time and Attendance), 4-4 (Accrual and Use of Leave), and 4-27 (Unscheduled Absences). He also explained call-in policies for the office and how repeated offenses of tardiness would be handled at this staff meeting.
2. Your work hours are 8:00 a.m. - 4:30 p.m. and your 15 minutes tardiness on three separate occasions (list dates) during the past two weeks, is a violation of Policy 4-4. When asked the reasons for your tardiness, you stated that your absences were due to traffic backups on the interstate.
3. In order to correct this problem, you agreed to leave your house at least 15 minutes earlier each morning so that you can arrive on time even when there is heavy traffic.
4. You agreed that if you arrived to work earlier than 8:00 a.m. that you would not sign in until 8:00 a.m., and that you would use the time prior to 8:00 a.m. to get coffee and attend to personal business.

You acknowledged that you understand that tardiness is not acceptable and you and Mr. Supervisor both agree that this course of action should solve the problem. If you continue to be tardy, however, Mr. Supervisor advised you that you will be placed on unauthorized leave without pay for the period of tardiness and that disciplinary action may be taken.

This is not a disciplinary action and a copy of this correspondence will only be placed in my supervisory file that I maintain on you. It may be used in your Performance Review, however, and to support future disciplinary action for the same or similar conduct. If you have any comments, please submit them to me in writing by (give a week or so) and they will be placed along with this letter in your supervisory file.

c: supervisory file

TARDINESS/PLACEMENT ON LWOP

Letter of Warning

To:

From: Appointing Authority

Subject: Placement on unauthorized Leave without Pay (LWOP)

Date:

Last week, you were late three times. On Monday, January 7, you arrived at 8:45 a.m.; on Wednesday, January 9, you arrived at 8:20 a.m.; and on Thursday, January 10, you arrived at 8:30 a.m. Per Civil Service Rule 11.27(g), you have been placed on leave without pay for your unapproved absences as follows:

Monday, January 7: .75 hour

Wednesday, January 9: .33 hour

Thursday, January 10: .50 hour

Your work hours are 8:00 a.m. to 5:00 p.m. and you are expected and have been directed by Mr. Supervisor to adhere to this schedule. On xxx, Mr. Supervisor verbally counseled you on your tardiness and a copy of his documentation of that session is attached. You failed to however to comply with his instructions and were on unauthorized leave as explained above. Please be warned that should you fail to make immediate, significant, and sustained changes, you will be subject to placement on DSS's Unscheduled Absences Policy and/or disciplinary action, up to and including termination.

This is not a disciplinary action and a copy of this correspondence will only be placed in the supervisory file that Mr. Supervisor maintains on you. It may however be used in your Performance Review and to support future disciplinary action for the same or similar conduct. If you have any comments, please submit them to me in writing by xxx (give a week or so) and they will be placed along with this letter in your supervisory file.

Attachment

C: supervisory file

ABSENCE FROM DUTY STATION/PLACEMENT ON UNAUTHORIZED LEAVE WITHOUT PAY

Memorandum

To:

From: Appointing Authority

Date:

Subject: Unauthorized leave

It has come to my attention that you were away from your assigned duty station for ___ hours on (date), from (time) to (time). You had not requested or been granted leave for that period of time, nor had you been assigned to perform work-related errands during that time. This absence was therefore unauthorized and you accordingly will be placed on unauthorized leave without pay for that period of absence. Please make appropriate entries on your time sheet for that day.

Being absent from your duty station without authorization could create a situation where we are short-handed during an emergency. Additionally, all employees are expected to request leave in advance for absences and comply with DSS's Time and Attendance Policy. Unauthorized absences will not be tolerated. Should you again leave the office without first obtaining approval, disciplinary action will be taken.

This is not a disciplinary action and a copy of this correspondence will only be placed in the supervisory file that Mr. Supervisor maintains on you. It may however be used in your Performance Review and to support future disciplinary action for the same or similar conduct. If you have any comments, please submit them to me in writing by xxx (give a week or so) and they will be placed along with this letter in your supervisory file.

LEAVE, TARDINESS, ETC./WRITTEN REPRIMAND

To:

From: Appointing Authority

Date:

Subject: Letter of Reprimand

You have been employed by the Department of Social Services since May 2, 1997, and are currently serving with permanent status as a Client Services Worker. It has recently come to my attention that you have twice been counseled (provide dates) in regard to time and attendance problems and telephone use.

Specifically, the following has been documented:

August 4, 2007: A memo was issued to you to confirm a discussion with Ms. Jane Pride, Social Services Supervisor, in regard to tardiness, frequent call ins for last-minute annual leave and lengthy personal telephone usage on your part. Your supervisor's log of these activities is attached.

September 28, 2007: A letter was issued to you to confirm a counseling session with you and Ms. Pride which stresses that your responsibilities as a Client Services Worker are being adversely affected by your tardiness, a pattern of one-day illnesses on Fridays and lengthy personal telephone calls. Your supervisor's log of these activities is attached.

In the future, you are directed to request annual leave in advance and notify your supervisor within 30 minutes after your reporting time if you are unable to report to work. Tardiness will result in your placement on unauthorized leave without pay for the period of time you are tardy. You are further directed to restrict personal telephone calls at work to those of a critical, emergency nature. Finally, you will be required to bring a doctor's certificate upon return to work from illness. Failure to adhere to these directives will result in disciplinary action.

This letter of reprimand is not a disciplinary action but be advised that a continuation of this type of unacceptable behavior will result in your placement on DSS's Unscheduled Absences Policy and/or disciplinary action, up to and including termination. A copy of this letter will only be placed in the file that your supervisor maintains on you but may be used in your performance review and to support future disciplinary action for the same or similar conduct. You may respond to this letter in writing to me by xxxx. A copy of your response, if any, will be attached to the copy of this reprimand that we are retaining your supervisory file.

Signed by Appointing Authority; attach supervisory logs; copy to supervisory file

DENIAL OF MERIT INCREASE

(Date of Letter)

Employee's Name
Address

Dear Mr. /Ms. (Employee's Name):

This is to advise you that the meritorious salary increase for which you become eligible on May 26, 2008, is not being granted.

This action is being taken due to your inefficient work habits and not completing work assignments in a timely manner. These issues have been previously discussed with you during the rating period. You will be reconsidered for a merit increase at the end of 90 days and it is hoped that your work performance will have improved to the extent that favorable consideration may be given at that time.

Sincerely,

Appointing Authority
Title

Copies to HQ HR and supervisory file

SEPARATION OF PROBATIONARY APPOINTMENT

(Date of Letter)

Employee's Name
Address

SUBJECT: SEPARATION/TERMINATION OF PROBATIONARY APPOINTMENT

Dear Mr. /Ms. (Employee's Name):

You have been employed by the Department of Social Services since August 1, 2007, and currently serve on probationary status as a Child Welfare Specialist Trainee for the Office of Community Services in Baton Rouge, LA.

You are hereby notified, however, that your probationary appointment with the Department of Social Services will be terminated effective the close of business on Friday, December 14, 2007, in accordance with Civil Service Rule 9.1(e) for failing to meet the standards of this Department. You may contact Ms. Xxx, Human Resources Liaison, should you need assistance in closing out your employment.

As a probationary employee, your right to appeal this action is limited by Civil Service Rule 13.10. A copy of Chapter 13 may be obtained from the Department of Civil Service or from your Human Resources office.

Sincerely,

Appointing Authority
Title
Attachment

c: HQ Human Resources Division

NOTICE OF PROPOSED NON-DISCIPLINARY REMOVAL/EXHAUSTION OF SICK LEAVE

(Date of Letter)

Employee's Name

Address

SUBJECT: Notice of Proposed Non-disciplinary Removal

Dear Mr. /Ms. (Employee's Name):

You have been employed by the Department of Social Services since November 20, 1995, and currently serve with permanent status in the classified state service as an Administrative Specialist 4 in the Office of Family Support in Livingston Parish. In accordance with Civil Service Rule 12.6, this is to provide you with advance notice that the Department of Social Services proposes to remove you from your position. The reason for this proposal is set forth below.

Civil Service Rule 12.6 (a) states, in pertinent part, that an employee may be non-disciplinary removed under the following circumstances:

12.6 Non-disciplinary Removals.

- (a) An employee may be non-disciplinarily removed under the following circumstances:
1. When, on the date the notice required by Rule 12.7 is mailed, hand delivered, or orally given, the employee is unable to perform the essential functions of his job due to illness or medical disability and has fewer than eight hours of sick leave. An employee removed under this provision shall be paid for all remaining sick leave.

You have been on sick leave and you have been unable to work since March 3, 2008, through the present, due to an illness which prevents you from performing your duties. You exhausted all of your sick leave on July 21, 2008. You have also exhausted your Family and Medical Leave entitlement. Please understand that this is a non-disciplinary, no-fault separation that does not disqualify you from certain re-employment eligibilities.

Employee's Name

Date of Letter

Page 2

You have the right to respond to this proposed action in writing to explain why you should not be removed or why some other action should be taken. Your written response must be received by me no later than xxx (date, 12 calendar days from date of letter.) If you fail to provide a written response, I will use the information at hand to make a decision regarding this recommended non-disciplinary removal. A final decision on any action is to be taken will be made after consideration of all information available, including any you may provide. Be assured that your response will be carefully considered before a decision is made

Sincerely,

Appointing Authority

Title

c: HQ Human Resources Division

Chapter 8/Appendix B

UNAUTHORIZED LEAVE WITHOUT PAY TIME ENTRY CHART

APPENDIX B - UNAUTHORIZED LEAVE WITHOUT PAY TIME ENTRY CHART

NUMBER OF MINUTES	ISIS-HR AMOUNT TO ENTER
1	0.02
2	0.03
3	0.05
4	0.07
5	0.08
6	0.10
7	0.12
8	0.13
9	0.15
10	0.17
11	0.18
12	0.20
13	0.22
14	0.23
15	0.25
16	0.27
17	0.28
18	0.30
19	0.32
20	0.33
21	0.35
22	0.37
23	0.38
24	0.40
25	0.42
25	0.43
27	0.45
28	0.47
29	0.48
30	0.50
31	0.52
32	0.53
33	0.55
34	0.57
35	0.58
36	0.60
37	0.62
38	0.63
39	0.65
40	0.67
41	0.68
42	0.70
NUMBER OF MINUTES	ISIS-HR AMOUNT TO ENTER

43	0.72
44	0.73
45	0.75
46	0.77
47	0.78
48	0.80
49	0.82
50	0.83
51	0.85
52	0.87
53	0.88
54	0.90
55	0.92
56	0.93
57	0.95
58	0.97
59	0.98