



Addressing Employee Performance Concerns



Basic Steps to Addressing Employee Performance

- Establish Expectations
 - Everyone has a right to know their expectations
- Communicate when employees fall short of the expectations
 - Everyone has a right to know when they fall short
- Provide Supportive Measures
 - Show so grace and support
- Provide a consequence
 - Evaluate appropriately
 - Follow your progressive discipline



Informing Your Faculty & Staff

- During the first staff meeting of each school year, remind all employees of your expectations and school board policies and procedures. Distribution of faculty/staff handbook is highly recommended during the first faculty meeting of the school year.
- Employees need to sign off that they received the information. Recommended that you videotape the staff meeting and have absentees view it/sign off at a later date.
- Throughout the school year, share your expectations/reminders that need to be reviewed in faculty notes, meetings, emails, and newsletters.

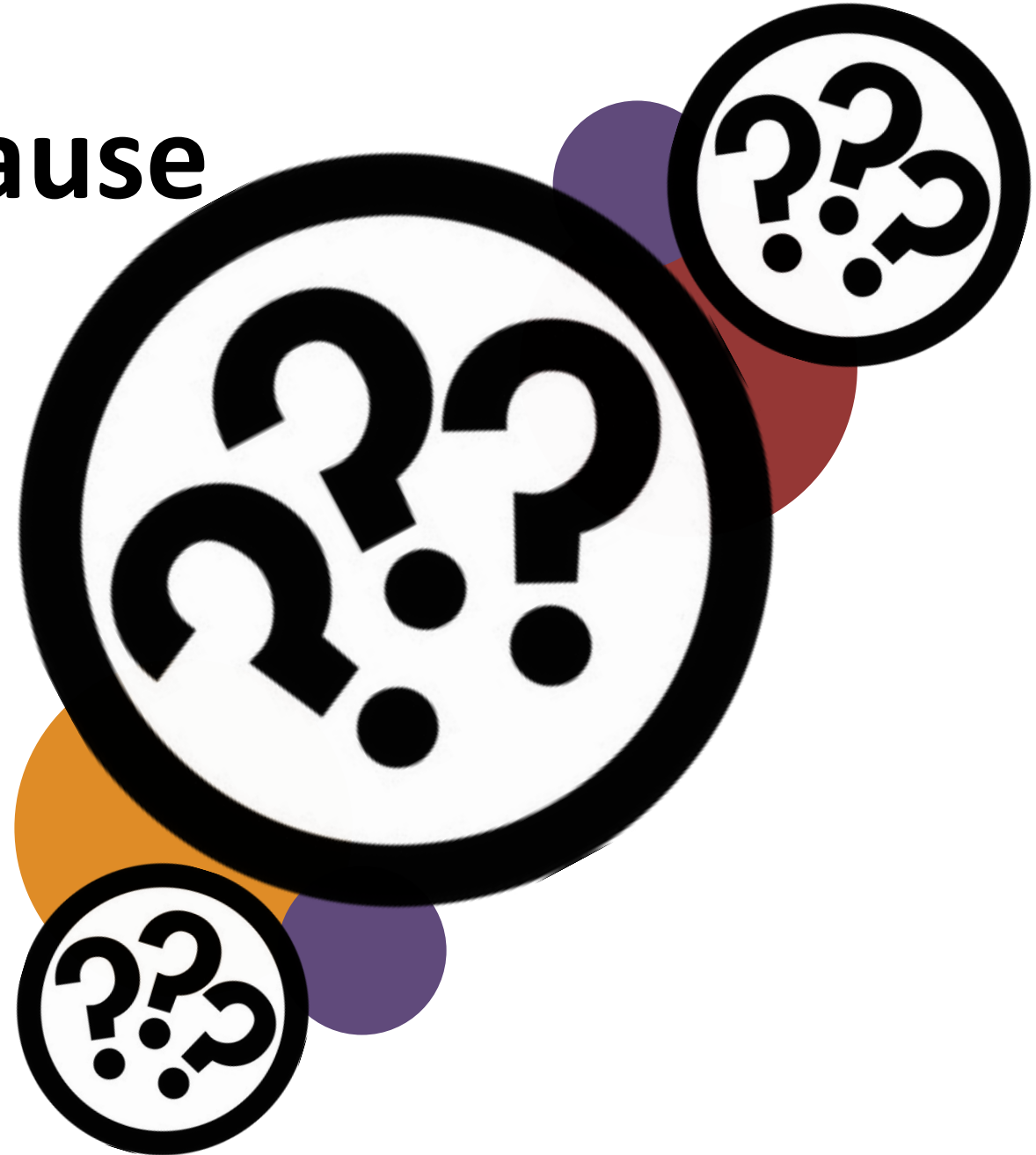


Just Cause

As a supervisor, you cannot without good reason discipline a faculty or staff member.

Just cause questions....

- Did you notify the employee as to the behavior that was expected?
- Was the rule, conduct, or procedure reasonable?
- Did you investigate if the employee was in violation of a rule or procedure?



Just Cause Questions

- Do you have substantial evidence and documentation to prove the employee was in violation of a rule or procedure?
- Was the disciplinary action reasonable relative to the seriousness and nature of the offense?
- Did you treat the person in a way that was consistent with the treatment of others who were disciplined for similar actions and under similar circumstances?



Document, Document, Document

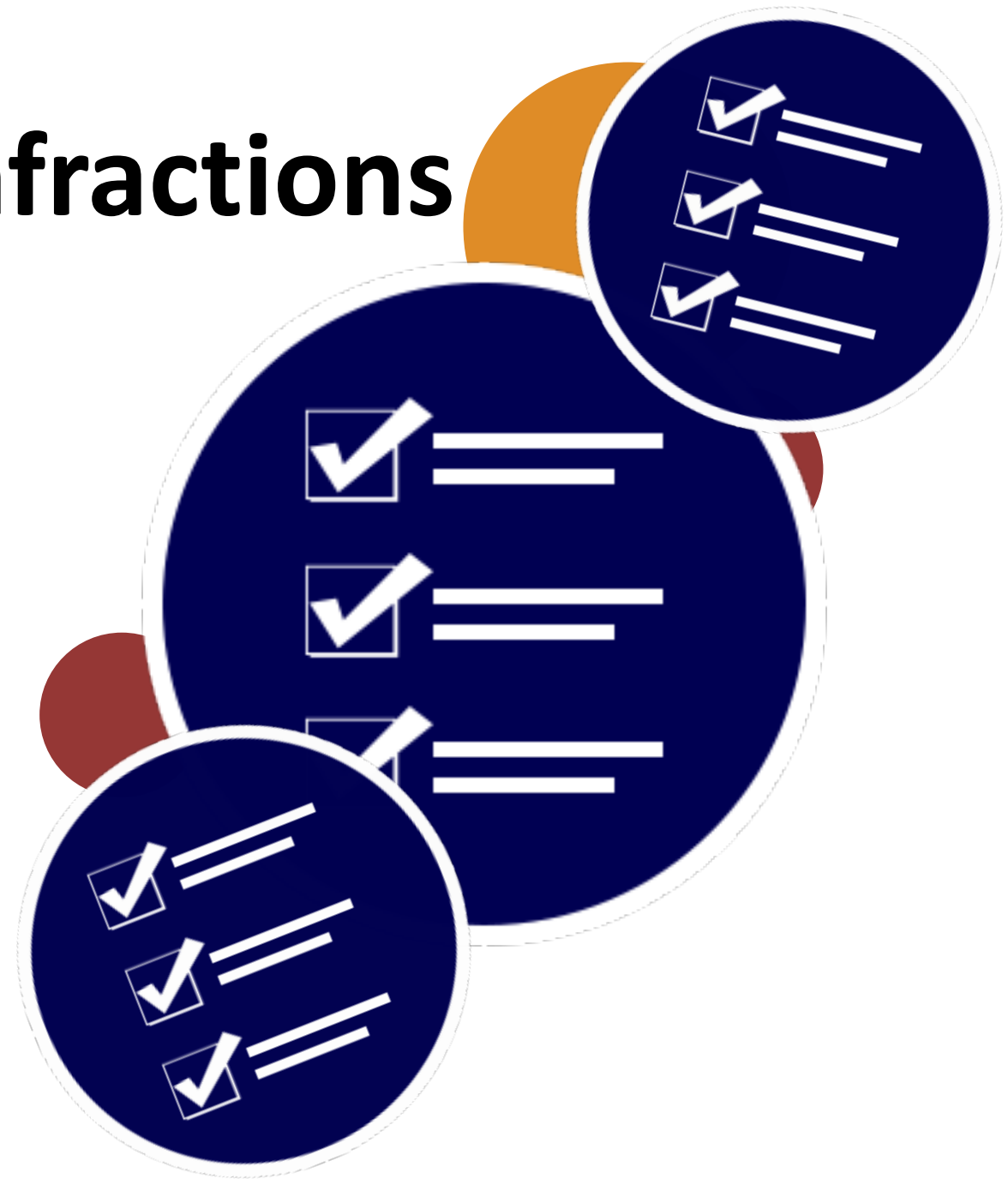
If its not in writing – It didn't happen!

- Verbal warnings
- Principal Logs
- Professional Communication
- Emails
- Employee File



Types of Infractions

- Tardiness to work or class
- Chronic absenteeism
- Failure to attend required events
- Failure to report to a duty (cafeteria, bus, hallways, restrooms)
- Failure to supervise students
- Derogatory comments towards students or other staff members
- Physical contact with a student



Outlining Rules & Expectations

- It is the expectation of each employee to maintain the highest standards of personal conduct, integrity, and performance.
- It is the goal of any organization to be fair and consistent with disciplinary issues of employees based upon well-established guidelines, procedures and policies.
- This is only a guide and is not meant to address all disciplinary actions as each situation is different.



Outlining Rules & Expectations

- In order to maintain a positive working environment, all employees should be trained on the Discipline Process annually.
- When an employee violates board or workplace policy or procedure, it is our responsibility to handle the situation promptly, fairly, and equitably.
- When situations are handled in this manner, it fosters a positive working environment for our employees.



Progressive Discipline

- Progressive discipline is a series of steps in which you increase the disciplinary action each time an employee commits an act of misconduct.
- A major goal of progressive discipline is to give an employee an opportunity to improve.
- As a school administrator, you should always offer assistance or recommendations to the employee to help the employee improve his/her behavior.
- Always be fair and firm when dealing with employee discipline. Discipline should be issued for the infraction, not the person.



KCS's Steps of Progressive Discipline

- Oral Warning (Recommend following up with an email)
- Professional Communication Record
- Conference of Concern
- Written Reprimand
- Suspension without Pay
- Dismissal



Steps of Progressive Discipline

- The severity of the problem or employee conduct will determine whether all steps will be followed or a recommendation will be made for suspension without pay or dismissal.
- At the school/department level, the range of available disciplinary consequences are from oral warnings to written reprimands.



Steps of Progressive Discipline:

Oral Warning

Purpose: Encouraging the desired behavior

- The Oral Warning is to help the employee recognize the mistake or deficiency, accept the standard that is required, clarify expectations and standards, and to understand the consequences of failing to meet the standard.
 - Allows supervisor and employee to informally address work related concerns
- Document the conversation on a calendar or piece of paper (e.g., “Spoke with L B re: late”), or send an e-mail to the employee. It should identify and encourage the desired behavior, and should be written in a positive tone.



Steps of Progressive Discipline:

Professional Communication Record

Purpose: to counsel and advise employee(s) of best practice(s)

- The PCR is to document issues discussed and to document expectations going forward and follow-up required.
- Document the issues discussed and any follow-up/expectations and have the employee review and sign. The PCR stays in the employee's file at the school/department level and does not typically go into the personnel file.



Steps of Progressive Discipline:

Conference of Concern

- A letter of caution (must be in writing) given to an employee who has demonstrated problematic behavior or performance.
 - *Purpose:* to alert employee that problem has been identified/needs to be corrected
- Clearly indicate the nature of the problem, cite the work standard, rule or policy governing the situation, and explain precisely what corrective action is expected.
 - Point out that future behavior of a similar type may result in more serious disciplinary action



Steps of Progressive Discipline:

Conference of Concern (Continued)

- A Conference of Concern shall be placed in employee's file at work site and may be placed in the employee's HR personnel file. If the Conference of Concern is being placed in the HR Personnel File, it shall be stated on the face of the document prior to obtaining the employee's signature.



Steps of Progressive Discipline:

Written Reprimand (Continued)

- Base the written reprimand on facts and information of record as opposed to hearsay and unfounded conclusions.
 - Include specific policy, procedure, standard, etc. being violated
 - Include that corrective action must be taken.
 - Include a review of prior disciplinary action taken, if any.
- Advise the employee that a copy of the reprimand will be placed in his/her personnel file and forward a copy to the Department of Human Resources.
 - Keep a copy in the employee's personnel file at the work site.

Steps of Progressive Discipline:

Suspension Without Pay

- A suspension without pay is the temporary release from duty of an employee for a stated number of calendar days without pay and applies when a violation or repetition of violations of policies, contractual provisions, laws, or district expectations are serious enough to warrant suspension or commits a more serious rule violation that warrants suspension for a first offense.
 - Consult an attorney to determine the extent allowed in your state
- Authority to execute Suspensions will remain with the Director of Schools and his/her designee [consult board policy].



Steps of Progressive Discipline:

Dismissal or Termination

- This is the final step in progressive discipline and applies in cases where the employee misconduct is severe or in cases where the misconduct or unacceptable behavior or performance is repetitive and the progressive discipline procedures have not corrected the problems.
- Certain violations may warrant immediate termination.
- Authority to execute dismissals will remain with the Director of Schools or his/her designee.



Documentation

- It is important that accurate documentation be maintained before, during, and after the discipline process.
- Having appropriate documentation is one way to demonstrate that an employee received due process for the disciplinary action.
- This is crucial to protect both the interests of your school district and the right of the employee(s) involved.
- Supervisors should keep in mind, however, that these documents are open to public inspection.



Documentation

- The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.
- If the employee refuses to sign, a witness should sign acknowledging the employee's refusal to sign.



Documentation

- An employee has the right to answer in writing any such materials in a personnel file and the answer shall be attached to the file copy.
- Be certain to send the Employee Relations Department a copy of any document(s) to be placed in the employee's personnel file, signed by the principal or supervisor.



Recommend the board adopt a Civility Code Policy – Philosophy of Personal Conduct

It is the intent of the Board to promote mutual respect, civility and orderly conduct among district employees, parents, and the general public.



Civility Code – Expectations

- Treat one another with courtesy and respect at all times.
- Take responsibility for one's actions.
- Be cooperative, to the greatest extent possible, toward one another and in solving problems based on what is in the best interest of students.
- Refrain from behavior that threatens or attempts to disrupt school or school district operations; physically harms someone; intentionally causes damage; employs loud or offensive language, gestures, or profanity; or inappropriately shows a display of temper.



Civility Code – Response to Uncivil Behavior

- The Board does not condone a lack of civility by anyone, and recognizes appropriate administrative avenues for aggrieved parties to seek action or redress.
- An employee who believes that he or she has not been treated in a manner reflective of the Code of Civility should address the concern through the appropriate supervisory chain. If personal harm is threatened, the employee shall notify their supervisor and may also contact law enforcement. If a communication such as a voicemail or e-mail or any type of written communication is demeaning, abusive, threatening or obscene, the employee is not obligated to respond.



ADA and Addressing Concerns

- Prohibits discrimination against an employee or applicant on the basis of disability
- These regulations require a complaint procedure and a person who will handle the complaints

Two types of discrimination based on disability under the ADA:

- Treating an employee or applicant differently based on disability
- Failing to engage in the interactive process when an employee with a disability requests a reasonable accommodation

