

Ending the Employment Life Cycle

HR Studio Group, LLC

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STUDIO GROUP, LLC

Performance with a Purpose

- Think about your FAVORITE job
- Remember what attracted you to that organization
- Remember the expectations that were presented to you
- Identify that point of choice – this choice will help you understand how to keep employees engaged and help you know what to focus on to retain top talent

Engaged employees = excited & enthusiastic employees

A Word about Monitoring Performance

A supervisor provides day-to-day supervision and ongoing feedback. An annual performance appraisal should never be a surprise. The performance appraisal should be an interview and simply an opportunity to underscore what the supervisor and employee have discussed all year.

The supervisor sets clear and understandable expectations. Performance problems can occur because supervisors have not set and communicated clear expectations.

Expectations + Communication = Accountability

Providing Feedback

The goal of feedback is to get the employee to ACT. The employee should either maintain positive performance or change and correct negative performance.

Identify specific actions that need to be taken in order to achieve performance standards and a time frame in which such action must take place.

Specify the consequences if the action does not occur.

Coaching

- Two-way communication
 - Specific
 - Honest
 - What the employee did
 - Not who the employee is
- Give and receive feedback
- Lead by example
- Focus on developmental side of acquiring skill and knowledge

Counseling

- One-way communication
 - Corrects behaviors
 - Prevents behaviors
- Focuses on changing behavior

Guidelines for Providing Feedback

- Both positive and negative
- Acknowledge the need for feedback and recognize the value of giving and receiving feedback
- Vital to every organization committed to improving itself
- Giving and receiving feedback should be more than just a part of an employee's behavior—it should be part of the whole culture of your organization

Give Positive and Negative Feedback

- Some supervisors take good work for granted and give feedback only when there are problems – don't fall into this trap!
- Employees will more likely pay attention to your concerns if they have also received compliments
- Let employees know when they've done something well and they will be more apt to receive and act on correcting the negative feedback

Understand Context

- Know where the behavior occurred, why it occurred, what led up to it
- Before you provide feedback, review the actions and decisions that led up to the moment
- Don't just give feedback and walk away

Correcting Job Performance Behavior

When information, resources, and incentives are in place to get the job done and the employee is still not performing at expected levels, it is time for a Performance Improvement Plan to be initiated.

The purpose of a written PIP is to document the supervisor's expectations, how output will be measured and in what time frame, and the consequences for noncompliance.

Performance Improvement Mission

The supervisor's responsibility, within that supervisor's level of authority, is to provide information, resources, and incentives to make the department function properly. This may include profitability.

Following a time frame for what happens during the first month, after the first three months, daily, and annually, allows the supervisor to set and communicate expectations and hold employees accountable.

Changing Behavior

- Early intervention whenever possible through a Performance Improvement Plan
- Formal counseling documented through verbal and/or written notices
- Corrective action which comes about from either early intervention or formal counseling and could include termination of employment

Early Intervention

Unacceptable behavior disrupts the efforts of department and, at times, the entire organization. Failure to address this behavior early, through the performance improvement process, implies that the supervisor condones the behavior. The longer the wait for supervisory action, the stronger the negative reaction is going to be from the employee when s/he is finally confronted with the inappropriate behavior.

Early Intervention

Developing the supervisory skills to address unacceptable behavior is far less stressful than the confrontation of a formal corrective action process. By addressing the unacceptable behavior early, the supervisor is viewed as a leader, coach, and mentor rather than a traffic cop.

Formal Warnings

A policy and practice of using progressive discipline, except in situations where the health and/or welfare of another employee, customer, or vendor is in question, is appropriate. Typically, a Performance Improvement Plan will be used when the employee's competency is in question, when additional training may be needed, or when the training plan needs to be revisited.

Formal Warnings

Verbal and written warnings are appropriate when the employee is not successful in completing the requirements of the Performance Improvement Plan, when the employee violates a written policy or practice, or when safety has the potential of being compromised.

Terminating the Employment Relationship

Making the decision to terminate the employment relationship should not be taken lightly. Losing a job, for whatever reason, changes an individual's life.

By following a course of progressive discipline, you lessen the risk that the organization potentially faces should the exiting employee choose to place blame.

Terminating the Employment Relationship

- Termination for cause
 - Performance
 - Violating a company policy
 - Creating a safety hazard; employee health and welfare
- Reduction in force
 - Eliminating a shift
 - Cutting hours
 - Eliminating individual positions

Handle with integrity and allow the employee to exit with dignity

Making THE Decision to Terminate

When the termination decision is made due to misconduct, it should come after a thorough investigation has been conducted.

The supervisor may be eager to *get rid* of the employee who may be a problem employee, but do not make the decision without reviewing the context in which the problem behavior has occurred.

Ask questions, document, and review notes carefully before making a decision.

Making THE Decision to Terminate

- Include the employee whose behavior is in question during the investigation
- If you fail to include the *at fault* employee in the investigation, the integrity of the investigation could come into question
- The termination decision could then be questioned
- Have the facts straight and understand the context
- New questions should never come up during the termination meeting

Making THE Decision to Terminate

- Always review the employee's personnel file prior to making the decision to terminate employment
- What does the entire picture of employment look like?
- Were there past infractions? Were they documented appropriately?
- Is the contemplated termination contradicted by exemplary performance appraisals, a recent merit increase, a promotion?

Making THE Decision to Terminate

- Unless there has been a recent significant decline in performance that can be demonstrated by objective documented evidence, the termination may be difficult to defend when the information in the personnel file is positive in substance
- Consider whether or not termination of employment is justified. Have other employees in similar circumstances received the same treatment? If you follow the progressive discipline program, employees will be treated consistently and fairly

The Process of Employment Termination

- Treat employees with respect
- Arrange for a private meeting
- Meet at a time of the day when it will be the least disruptive
- Always have a witness present, preferably another supervisor
- Prepare the termination memo in advance of the meeting
- Allow the employee to read the memo and ask questions

The Process of Employment Termination

- Keep the meeting brief and to the point
- This is not a time for negotiation
- Provide the reason for termination without extended discussion
- Do not debate or apologize
- Offer the employee the opportunity to make comments on the memo
- Make a copy of the memo and give it to the employee; the original goes into the personnel file

The Process of Employment Termination

- If the employee refuses to sign the memo, note that on the memo and have the other supervisor sign as witness
- Offer the exiting employee a copy of the memo
- Retrieve company property using a checklist prepared in advance
- Discuss email and voice mail access and accounts, confidentiality, company policies, and benefits

The Process of Employment Termination

- Accompany the employee to the workspace and allow him/her to retrieve personal property
- Discuss final payment of wages, pay out of paid time off, any expense reimbursements and/or bonuses due
- Discuss the date benefits cease and that, if applicable, benefits continuation paperwork will be sent
- To help avoid a wage claim later, a letter providing information on the disbursement of wages and benefits should be sent and provide a window of time to dispute the calculation

After Employment Termination

- Complete internal paperwork
- Exiting employees should receive an exit interview form
- Notify other employees of the termination
- Share pertinent information with employees who have a *need to know*
- Other employees receive the short version of the termination of employment
- Do not discuss information *off the record* with anyone

Employment Termination

Don'ts

- Don't make excuses
- Don't apologize for your decision
- Don't tell the employee s/he was doing a great job but...
- Don't terminate employment without a witness present
- Don't place blame on anyone for this decision
- Don't allow the employee to talk his/her way back in to a job
- Don't provide a letter of recommendation

Employment Termination Do's

- Do explain that future requests for references will be granted upon the exiting employee's signed authorization only
- Do present the facts in as few words as possible
- Do present a termination memo
- Do allow the employee to read the termination memo and ask questions
- Do terminate employment in a manner that allows the employee to retain his/her dignity
- Do stick with your decision

Employment Termination Do's

- Do share information with those who have a *need to know*
- Do make an announcement to other employees using as few words as possible

Questions

Please feel free to ask questions!

Deb Whitworth



Bio

Deb Whitworth, SPHR, SHRM-SCP is Owner and CEO of HR Studio Group, LLC. In 30 years of human resources management and leadership experience, she has helped a variety of nonprofit and for-profit services and industries build and maintain compliant cultures of excellence. Deb was appointed by the Governor of Maine as Commissioner with the Maine Human Rights Commission in 2011 to complete an unexpired term and reappointed to fill a full-five year term in 2012, and again in 2017. An outspoken advocate for disability rights, she was pleased to be elected in 2015 to the board of The Cromwell Center for Disabilities Awareness. Named the Maine HR Leader of the Year in 2012, Deb is a frequent presenter on human resources and compliance topics at conferences and business functions, she is also an instructor in the HR Certificate Program at University of Southern Maine, and a guest lecturer at University of New England. Deb leads the SHRM-SCP/SHRM-CP Certification Preparatory Course at University of Southern Maine.