

## **SECTION 20.15 DEFINING THE PROBLEM**

**Last Update: 10/11**

Regardless of the quality or quantity of supervision an employee receives, occasionally he or she will not meet performance expectations. The appropriate strategy for dealing with the problem depends on the correct identification of the cause.

If the employee is not performing job duties at an acceptable level, after successfully completing job training, then the problem is a failure to meet performance expectations.

If an employee is meeting job expectations but is breaking established rules governing behavior, then the problem is an issue of misconduct.

If the employee is unable to meet job expectations, but is behaving in accordance with work rules, then the problem may be one of inability to perform the essential functions of the job.

### **Failure to Meet Performance Expectations**

1. Gather information to define the performance problem.
  - Review the employee's current Position Description Questionnaire (PDQ), essential functions of the position, and the Individual Performance Plan and Evaluation (IPPE). If any job classification issues arise, consult with upper level management and your DAS-HRE personnel officer.
  - Review the employee's file to determine if there have been previous performance problems.
  - Review training records including Performance and Development Solutions (PDS), on-the-job training, outside training, and formal education to determine if the employee has had the proper education and training to perform the essential functions.
  - Review the document on how the employee is failing to meet performance expectations.
  - Review this information with your supervisor and personnel officer in order to verify your perceptions; provide for consistency; and secure additional information regarding agency past practice, policies, work rules, and statewide impact.
2. Consider what your options are for corrective action and discuss with upper level management and your DAS-HRE personnel officer. Options may include:
  - Additional training.
  - Employee Assistance Program (refer to Chapter 9, "Employee Problems").
  - Supervisory coaching of employee.
  - Reassignment (must be discussed with personnel officer).
  - Demotion (voluntary or involuntary).
  - Leaves of absence.
  - Supervisory performance directive.
  - Special performance review.
  - Review of current work rules or policies.
  - Applicability of Americans with Disability Act Amendments Act (ADAAA).

- Termination of employee during probationary period.
- Ergonomic/environmental review.
- Disciplinary action (refer to Chapter 11, "Discipline, Grievances and Appeals").

In preparation for your meeting with the employee, it would be helpful to understand the difference between employee coaching and counseling.

Employee coaching is defined as: "A directive process by a supervisor to train and orient an employee to the realities of the workplace and to help the employee remove barriers to optimum work performance." \*

Counseling is defined as: "A supportive process by a supervisor to help an employee define and work through personal problems that affect job performance." \*

A supervisor's responsibility is to coach employees, not counsel. Coaching employees should be limited to work related issues, not personal problems. Supervisors should not engage in things a licensed professional should do. Personal problems that are perceived as affecting performance should be referred to the Emergency Assistance Program (EAP) Coordinator at 515-281-8866. (Refer to Chapter 9, "Employee Problems.") Several PDS courses are available to address employee coaching and counseling. (Refer to the current PDS catalog for training options.)

### 3. Meet with Employee

- Meet with the employee to be sure expectations are defined, so that the desired results are clearly stated and understood.
- Explain performance deficiencies.
- Obtain employee input regarding causes of job performance deficiencies as well as solutions.
- Look for causes and/or mitigating circumstances along with possibilities for agreement.
- Work together to develop a corrective plan and performance review schedule as appropriate.
- Discuss scheduled follow-up meetings and evaluations as appropriate, and adhere to schedule.
- Document the meeting and provide the employee with a copy.
- Keep documentation on employee's progress, positive or negative.

### 4. Follow-Up

- If the problem has been resolved, provide feedback to employee and continue to monitor and discuss employee performance.
- If performance problems continue, reconsider options and call your DAS-HRE personnel officer for additional guidance and input.

## **Misconduct or Failure to Comply with Work Rules**

### 1. Gather information

- Review the Individual Performance Plan and Evaluation (IPPE) in order to verify that the employee was aware of what was expected regarding rules and policies. Resolve any

vague statements of expectations.

- Review the employee's file to ensure employee signoff of applicable work rules to determine if there have been previous violations of rules or policies.
  - Review training records, including Performance and Development Solutions (PDS), on-the-job training, outside training, and formal education to determine if the employee has had the proper education and training.
  - Document employee's behavior.
  - Review the information with your supervisor and personnel officer in order to verify your perceptions; provide for consistency; secure additional information regarding agency past practice, policies, work rules, and statewide impact; and verify that elements of just cause are met, if appropriate.
2. Consider what your options are for corrective action and discuss with upper level management and your DAS-HRE personnel officer. Options may include:
- Additional training.
  - Emergency Assistance Program.
  - Supervisory coaching of employee.
  - Disciplinary Action (refer to Chapter 11, "Discipline, Grievances and Appeals").
  - Reassignment.
  - Demotion (voluntary or involuntary).
  - Leaves of absence.
  - Supervisory performance directive.
  - Review applicable policies and work rules for appropriateness.

### **Determination of Ability to Perform**

1. Gather information
- Determine which of the following applies:
    - The employee has the knowledge, skills, and abilities (competencies) to perform the essential functions of the position, but needs additional training.
    - The employee has a disability, as defined under the ADAAA, which is impairing the employee from performing the essential functions.
    - The employee does not possess the competencies to perform the essential functions.
  - If it is determined that the employee has a certified disability as defined under the ADAAA, discuss any reasonable accommodations which may be necessary for the employee to perform the essential functions.
  - If an accommodation is needed, refer to Chapter 4.66 of the Managers and Supervisors Manual.
  - The employee may have a temporary disability (i.e. pregnancy, broken leg, side effects from medications, surgeries, etc.) where you will need to make some modifications or adjustments to the individual's work schedule and job, such as: flexible hours, change of duty stations, temporary assignment of other duties, or light duty as defined by Workers' Compensation.

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- Discuss scheduled follow-up meetings and evaluations, as appropriate, and adhere to schedule.
- Document the meeting and provide the employee with a copy.
- Keep documentation on employee's progress, positive or negative.

## 3. Follow-Up

- If the problem has been resolved, provide feedback to employee and continue to monitor and discuss employee performance.
- If performance problems continue, reconsider options and call your DAS-HRE personnel officer for additional guidance and input.

Throughout this process, apprise your upper level management and your DAS-HRE personnel officer.

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\* Source: *Coaching and Counseling (A Practical Guide for Managers)* by Marianne Minor