



Resolving Employee Performance Issues

Participant Guide



National Park Service TEL Training
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Welcome

How to Interact with the Instructor

If you were physically in the classroom with the instructor, you would raise your hand to let her/him know you had a question or comment. Then you would wait for the instructor to recognize you and ask for your question. We are all familiar with that "protocol" for asking questions or making comments.

With TELNPS courses there is also a "protocol" to follow to ensure that you can easily ask questions and others can participate as well. It may seem a little strange at first asking a question of a TV monitor. Remember, it is the instructor you are interacting with and not the monitor. As you ask more questions and participate in more TELNPS courses, you will soon be focusing only on the content of your question and not the equipment you are using to ask it.

As part of the TEL station equipment at your location, there are several push-to-talk microphones. Depending on the number of students at your location, you may have one directly in front of you or you may be sharing one with other students at your table.

When you have a question, press and hold down the push-to-talk button, maintaining a distance of 12-18 inches, wait a second and then ask your question or make your comment. It would sound something like this:

Excuse me [instructor's first name], this is [your first name] at [your location]. I have a question (or I have a comment)."

Then release the push-to-talk button. This is important because until you release the button, you will not be able to hear the instructor.

The instructor will acknowledge you and then ask for your question or comment. Stating your name and location not only helps the instructor, but also helps other students who are



Course Overview & Learning Objectives

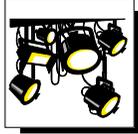
Course Overview

Managing employee performance can be said to be one of the most difficult tasks a supervisor must perform., because there is so much at stake ... not only are you responsible for getting the most from each of your employees, you also don't want to turn your good employees into poor ones by failing to address their peers' performance issues. **Today's course is designed to help you resolve employee performance issues at the earliest stages, with the least amount of complexity, helping to ensure that your employees are productive and that you are satisfied with their performance.**

Learning Objectives:

At the end of this course, participants will be able to--

1. List 3 reasons why it is important for supervisors to deal with employee performance problems in the workplace.
2. Explain the difference between an employee performance issue and an employee conduct issue.
3. List informal methods for resolving performance issues that you can use before implementing the formal procedure.
4. Describe the supervisor's role and responsibilities in resolving employee performance issues.



Why Correct Employee Problems?

For many supervisors, dealing with employee issues, especially those that may have a negative impact on the workplace, is about as appetizing as some of the main dishes on the TV show "Fear Factor." Addressing and resolving performance issues is among the most central functions of a supervisor, yet this role can cause a great deal of discomfort for both employee and supervisor. We're here today to help you manage the process in a way that helps to ensure that you and your employees are productive and satisfied.

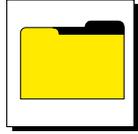
Why do YOU think it is important for supervisors to deal with employee problems in the workplace?

1.

2.

3.

4.



Case Study: Tom, the Visitor Use Assistant

Throughout today's course, we will be analyzing a hypothetical employee case involving a Visitor Use Assistant that you supervise. You will be given some background information on Tom, who has begun to demonstrate some problems. At each stage of the analysis, you will be given information to help you to determine the best course of action to help Tom resolve these issues.

Case Study Information

Permanent employee

18 months in present position

Problems with balancing cash drawer

Confrontational attitude

No previous efforts to correct problems

True or False: Dealing with poor performance can be time consuming. My time is better spent supervising my productive employees.

True or False: If I take action against one employee, it will lower morale among other employees and create a less productive work environment.

True or False: Advising an employee that they are not performing satisfactorily is unpleasant and requires special human relations skills.

True or False: The procedural steps involved in addressing poor performance are complex and highly technical.

True or False: If I do take formal performance-based action, it is likely to be appealed and ultimately overturned.



The Causes of Poor Performance

There are many causes of substandard or unacceptable performance. Some of them are attributable to the organization, and some to the individual employee.

EMPLOYEE BASED CAUSES

Lack of ability	Lack of effort
Lack of attention	Lack of basic knowledge
Lack of skill	Lack of judgment
Problems not work-related	Substance abuse

ORGANIZATION BASED CAUSES

- Lack of communication on performance expectations
- Lack of performance feedback
- Failure to provide necessary training or instruction
- Failure to provide necessary information
- Failure to provide necessary tools or other resources
- Failure to provide a reasonable accommodation that would permit the employee to perform satisfactorily
- Unrealistic performance expectations
- Harassment or otherwise hostile work environment

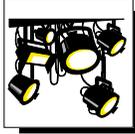
WHY THE CAUSE MATTERS

It's important to carefully consider the cause or causes of a performance problem before attempting to deal with it. The reason is that different actions are likely to be effective in different situations.

For example, if the root cause of a performance problem is an employee's lack of effort, then counseling, a direct warning, and then either discipline or a performance based adverse action would make sense.

But if the root cause of the problem is a lack of resources necessary to do the job properly, counseling, warning and then disciplining the employee won't help at all and may make things worse.

Similarly, if the root cause of the performance problem is a disability that could be reasonably accommodated, taking the traditional counseling/warning/discipline route would not only be ineffective, but would violate laws and regulations.



Performance vs. Conduct

How do you know which course of action to take? The first thing you must do is to determine whether the issue is one of performance or conduct.

A conduct problem is

A performance problem is

How Do I Handle the Problem?

Is it a conduct problem?
→ Disciplinary action

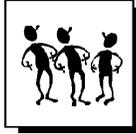
Is it a performance problem?
→ Performance management system

Employee Assistance Program (EAP)

- Grief
- Stress
- Substance abuse
- Domestic problems

Employee Assistance Program (EAP)

- Confidential
- Free initial assessment
- 3-6 visits
- Resource for supervisors



Exercise: Performance or Conduct?



You have 5 minutes to complete this activity

At your site...

Come up with examples that illustrate an employee conduct problem.

Come up with examples that illustrate an employee performance problem.

Be prepared to share your examples without letting your classmates know which type of example (conduct or performance) it represents.

Prerequisites for Resolving Performance Issues

Writing SMART Critical Elements

Critical elements are used to describe expected performance in terms that are clear, measurable, and achievable. To help you to write critical elements that meet these standards, you may wish to use the SMART acronym.

Critical elements must be:

S _____

M _____

A _____

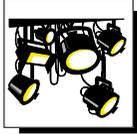
R _____

T _____

Writing SMART critical elements helps you and the employee to communicate more effectively about what performance is expected and how it will be evaluated.

Absolute Standards

Be sure that your critical elements don't OVER-STATE performance standards. In the past, an "absolute" standard (must be achieved 100% of the time) was only legally necessary in certain specific cases, where failure to achieve could result in death, serious injury, breach of security or great monetary loss. However, recent court decisions have allowed any supervisor to use absolute standards if they are communicated to the employee, are reasonable, and attainable.



Informal Methods for Resolving Performance Issues

You've determined that your employee has demonstrated a performance problem. You have SMART critical elements in place and have communicated with your employee your expectations for performance. What do you do next?

Before you enter the formal process, called the "Performance Improvement Plan" (PIP), be sure to thoroughly examine informal ways to help correct and maintain employee performance.

There are many ways to informally address performance issues. Be creative!

Examples of Informal Methods

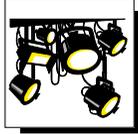
1.

2.

3.

4.

5.



Communicating Expectations & Performance Problems

Most performance problems can be resolved through effective communication between supervisors and their employees. A counseling session is the opportunity to clarify expectations and discuss performance problems.

If, despite the preventive steps you have taken you still find an employee's performance is not meeting expectations, the best approach is to meet with the employee to discuss the performance problem.

Performance Counseling

Performance counseling has several objectives. It aims to:

- **Advise an employee** that performance is inadequate
- **Ascertain the reasons** why performance is inadequate
- **Specify precisely what is unacceptable** in the employee's performance
- **Specify precisely what the employee is expected to do** in the future
- **Provide clear warning** that a failure to correct performance deficiencies will result in adverse consequences

Preparing for a Counseling Session

1. Once you recognize that a performance problem exists, find out what guidance the employee has been given on performance.
2. Read the performance standards. If they don't really describe what you want from the employee, take the time to fix them.
3. Contact the human resources office and ask a specialist to review the performance standards to ensure that there aren't any problems with them.
4. Contact the human resources office and find out what your technical advisor would say if you do need to take formal action later.
5. Before counseling, make sure you can clearly state what would constitute acceptable performance.
6. Focus on the poor performance, not on personalities or other distractions
7. If you have operating manuals, guides, or other tools that all employees use, take a look at them and see how these could be used to help the employee improve.
8. Write out and practice saying what acceptable performance in the job would mean. Be specific as possible.
9. Have specific examples of poor performance so that you can respond to the question "What do you mean"?
10. Do not emphasize past poor performance, seek to clarify future good performance.
11. Locate the Employee Assistance Program information to have available.
12. Remember, your goal is to improve the employee's performance.

Effective Counseling Tips

- ❑ Get the right place, time and day: meet in private, no one wants to have this sort of conversation within hearing distance of co-workers. Arrange adequate time for your comments as well as comments from the employee.
- ❑ Get the right attitude: set and maintain a constructive tone, be calm, professional and focused. There is a clear business purpose to performance counseling sessions.
- ❑ Get the right facts: always have your facts straight before going into a counseling session. Be prepared to state precisely what performance elements the employee is not meeting with illustrated examples. Also be prepared to spell out exactly what you expect the employee to do from this point forward.
- ❑ Explain the purpose of the meeting: it is to notify the employee of performance deficiencies, and spell out precisely what must be done to correct them.
- ❑ Pinpoint the deficiencies: highlight exactly where performance is not up to the requirements of the employee's performance standards. Provide concrete examples, and explain why it's important the employee meet the required standards. Also discuss how the employee's performance fits into the performance of the total organization
- ❑ Nail down the cause: if you're not sure why the employee is underperforming, ask. If you suspect there might be a substance abuse or other outside problems, clearly inform the employee about the Employee Assistance Program and provide contact information.
- ❑ Specify performance expectations: clearly explain exactly what the employee must do to attain a satisfactory level of performance in the deficient area(s) and seek confirmation that the employee understands the expectations.
- ❑ Offer appropriate help: if the employee indicates an underlying cause for the performance deficiency that you can reasonably help to fix, for

example, lack of knowledge of new software, then arrange to help overcome the problem. And then follow through.

- ❑ Do not offer inappropriate help: if the employee lacks the basic knowledge or skills necessary to perform the essential duties of the job at the current grade level, it is not your place to provide basic training. Nor should you offer to reduce workload below regular requirements simply because the employee can't handle the load.

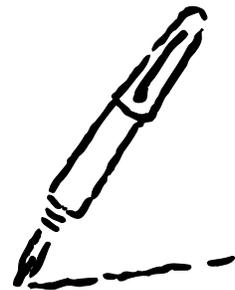
- ❑ Point out the consequences: clearly state to the employee that failure to bring performance in line with performance standards will lead to adverse action. It is important not to fudge this point, or soften it by saying that action might result. Make it definite.

- ❑ End the session on a positive note by emphasizing that your mutual goal is improving the employee's performance.

- ❑ Document the meeting: it doesn't have to be extensive, but the documentation should reflect the time, date and place of the meeting, as well as the main points made to the employee. A copy can be given to the employee to confirm your mutual understanding of the counseling session. Such documentation can be crucial if an adverse action ultimately becomes necessary. See Appendix, Sample Letter: Counseling Memorandum.

- ❑ Follow up: if the employee shows improvement, let him or her know immediately! If the employee appears to be still struggling, go back and talk again.

Capture your notes here





Points to Remember: Q & A COMMUNICATING EXPECTATIONS AND PERFORMANCE PROBLEMS

Do I have to wait for the annual performance appraisal to tell an employee that his or her performance is unacceptable?

Should my employee get a copy of all my notes about his or her performance?

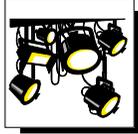
I've never had to counsel an employee before. What kind of information is worth putting into "supervisory" notes?

This person is the first employee with "unacceptable performance" I've ever had in our group. When I looked at the performance standards, I found out that he isn't even doing the work described in them. What now?

Supervisory Action	Circle One	
1. Have I determined that this is poor performance and not misconduct?	Yes	No
2. Am I following the timelines required for the annual performance management cycle and documenting this on form DI-3100? a. Reviewing the performance plan with the employee within 60 days of the start of the rating period. b. Conducting at least 2 progress review counseling sessions during the rating period. c. Reviewing the annual evaluation within 60 days after the end of the rating period.	Yes	No
3. Have I communicated the critical elements for acceptable performance to the employee? Are they in danger of failing? Are they clear and reasonable? (See following page for SMART guidelines for critical elements.) *Discuss with Supervisor- Employees Performance Improvement Plan (PIP)	Yes	No
4. Have I communicated to the employee: a. they are in danger of failing a critical element? b. a specific example or documentation to support the non-achievement?	Yes	No
5. Should an employee fail a critical element: a. have I discussed with reviewing official/your supervisor? b. have I provided the reviewing official with adequate documentation?	Yes	No
6. Have I counseled the employee on how to improve to an acceptable level?	Yes	No

Checklist: Communicating Expectations & Performance Problems

Item	Yes	No
Are you sure the issue is primarily a performance problem (as opposed to misconduct)?		
Are you knowledgeable of the DOI regulations governing performance?		
Have you previously communicated clearly to the employee what constitutes minimally successful performance?		
Are the standards clear and reasonable?		
Have you asked the human resources staff to review the standards for any possible problems?		
Have you told the employee what critical elements he or she is failing?		
<i>Let the employee know if performance is improving or not!</i>		



Supervisor's Roles & Responsibilities

As a supervisor, it is your responsibility and in fact a major emphasis in your own critical elements that you assist employees in achieving the desired results. It is YOUR responsibility to identify unsatisfactory performance and take the necessary steps to address these issues.

As a supervisor, you should:

- Provide specific performance expectations to your employee (SMART critical elements)
- Provide frequent, informal feedback
- Identify unsatisfactory performance
- Describe it in specific terms, with examples, to the employee
- Clearly communicate your expectations for improvement to the employee
- Investigate reasons for poor performance (see Appendix A for a sample worksheet to guide you)
- Provide options to help improve employee performance

- Maintain documentation of employee work performance and counseling/feedback sessions, both positive and negative

Summary of Supervisor's Roles & Responsibilities

Specific expectations (SMART)

Frequent, informal feedback

ID unacceptable performance

Describe to the employee

Communicate to improve

Investigate

Options to improve

Documentation



Performance Appraisal Reconsideration Process

If an employee is dissatisfied with the results from a performance appraisal on a critical element rating that affects the Summary Rating, they can begin the Reconsideration Process. The process includes both an informal and a formal procedure, setup with specific timeframes, with the final decision remaining within the Bureau/Office.

DOI Reconsideration Process

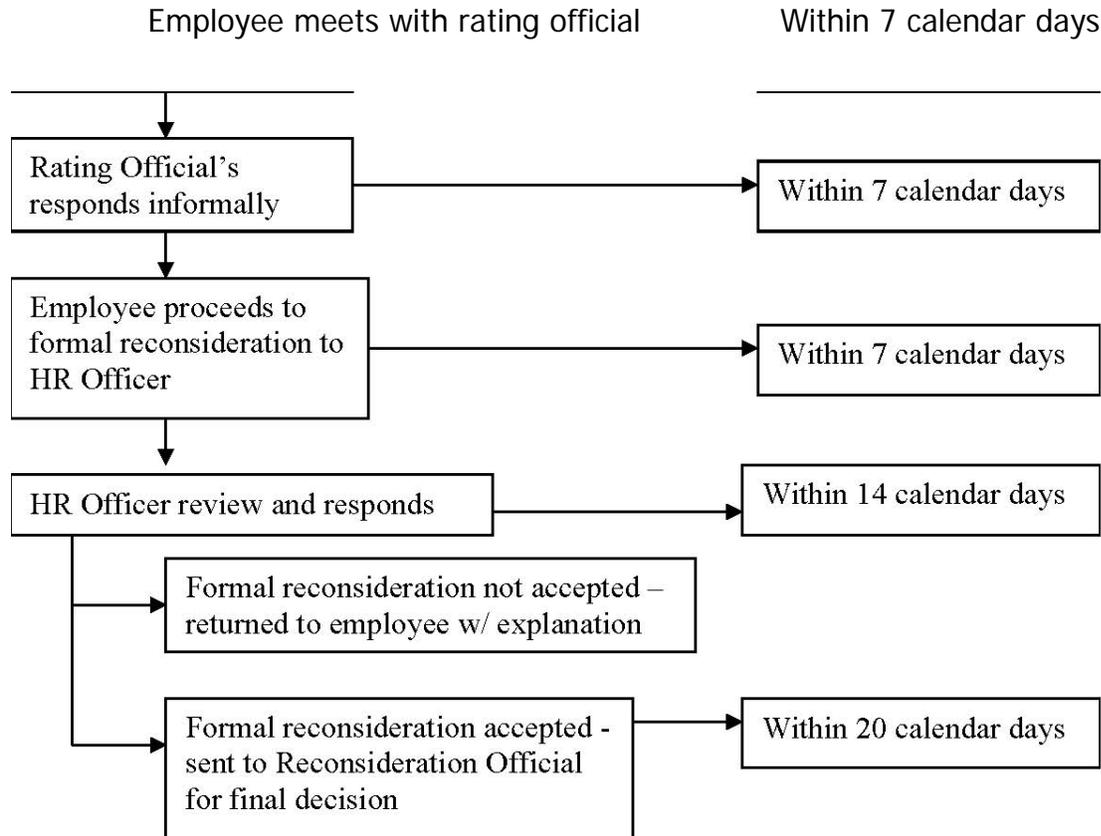
The employee will meet with the rating official within 7 calendar days of receipt of the Employee Performance Appraisal to discuss the rating. After this discussion the Rating Official has 7 calendar days to provide a verbal or written explanation for the rating. If the employee does not accept the explanation, they may request formal reconsideration through the Human Resource Office. They have 7 calendar days after receiving the Rating Official's informal decision to submit a written request for reconsideration to the Human Resource Office.

There are 7 items that must be included:

- 1 Employee organization and duty station
- 2 Copy of the annual appraisal for which a reconsideration is being requested
- 3 Specific area(s) or details of the annual appraisal for which the reconsideration is being requested
- 4 The identity of the employee's designated representative (name, title, address, phone #)
- 5 Why the employee believes the rating is in error, with supporting facts and documents
- 6 The action the employee requests of the reconsideration official or the reconsideration committee
- 7 A copy of the written decision of the informal reconsideration by the rating official, a statement confirming that the informal process was followed, or a written request to move directly to the formal stage

Reconsider Process Time Line

After the dissatisfied critical element rating:



To Receive Credit for this Course

Take the on-line evaluation at

- www.nps.gov/training/tel
- Click on the DOI Learn tab
- Go to the link under Class Evaluations for *Resolving Employee Performance Issues*
- Please complete the evaluation within 2 weeks of the course, by August 20

Appendix A: Interview Worksheet—Performance

Use this form to help you document and communicate your observations to your employee, investigate reasons for poor performance and determine options to improve.

What did you observe?	
When and where did it occur?	
Who was involved?	
Has it happened before? How often?	
What was the impact on the workplace?	
ASK: Why did it happen?	
ASK: What were the circumstances?	
ASK: Did the employee seek assistance?	
Notes/Follow-Up	

Employee: _____ Date: _____

Supervisor: _____ Date: _____

Appendix B: Sample Letter to Inform Employee of Opportunity to Improve Performance

NOTE: Brackets below contain supervisory instructions and should not be included in the final letter. All formal performance improvement letters should be reviewed by the Personnel Office before being issued.

Dear Les Wurf:

This letter *[or memorandum]* confirms our discussion of *[insert date]*, during which I informed you that you are failing to meet the critical element # *[insert number]* of your position. *[If applicable, you can summarize any informal counseling you provided to the employee in assisting him/her in improving performance.]*

Because your current performance is unsatisfactory, you will now be provided a formal opportunity to demonstrate that you can perform at the "Fully Successful" level with respect to the critical elements and performance indicators listed below. This formal opportunity will begin on *[insert date]* and end on *[insert date]*. If, as of the end of this period, your performance has not improved to the "Fully Successful" level, or if your performance does improve to the "Fully Successful" level but you do not sustain that level for at least 1 year, then you may be reassigned or a proposal may be issued to remove you from the Service or reduce you in grade. *[If applicable, you must postpone the annual rating until after the completion of the opportunity-to-improve period.]* Your annual rating for the period from *[insert date]* through *[insert date]* will be postponed until after you've completed this opportunity period.

[If the employee is due to receive his/her within-grade increase (WGI), due to the acceptable level of competence determination, the WGI can be postponed until the end of the opportunity-to-improve period.]

You will complete your waiting period for a within-grade increase on *[insert date]* (i.e., during your opportunity-to-improve period). Because I must certify that you are performing at an acceptable level of competence in order for you to receive your step increase, I have decided to postpone my decision regarding whether or not your performance is at an acceptable level of competence until you complete your opportunity-to-improve period. At that time, I will inform you in writing of my decision with respect to your within-grade increase. If you have demonstrated performance at an acceptable level of competence, you will receive your within-grade step increase retroactive to *[insert date]*.

The critical element(s) that you are failing and examples of your unsatisfactory performance follow:

[State the critical element for which the employee was rated Minimally Successful or Unsatisfactory, followed by representative examples of performance for each element. Examples should be concise, direct, and easy to understand, with enough specificity so that the employee has sufficient information to know what the performance deficiencies are. As applicable, this could

include information on what the employee did (or did not do) with reference to specific dates, places, cases, etc., and what the employee should have done. Examples should not be broad, vague, or imprecise. As appropriate, examples should include reference to required procedures, counseling, or instructions given previously concerning the matter, and any harm caused by or resulting from the deficiency. Each example listed should have supporting documentation (e.g., if a draft letter is mentioned as an example in the opportunity letter, a copy of the draft letter should be kept as supporting documentation). The following are examples of how the elements should be listed and how the examples of "fails to meet" performance should be written.]

Critical Element: "Historic building restoration plan will be implemented on 5 buildings and a 75% completion is targeted by September 30. The employee maintains and demonstrates technical expertise in area of assigned responsibility. Plans, organizes, and executes work logically. Anticipates and analyzes problems clearly and determines appropriate solutions. Work is correct and complete. Assesses tasks objectively and researches and documents assignments carefully. Weighs alternative courses of action, considering long- and short-term implications. Makes and executes timely decisions.

You have been rated Minimally Successful or Unsatisfactory in this critical element of your position. *[You are advised to elaborate on your interpretation of each indicator.]*

Example: Booker T. Washington Project. Your draft letter was very critical of the building restoration project, yet it did not present a good case for your recommendation that the project be dropped. It did not discuss the potential damage to the current structure, safety considerations, nor a projected total cost-run analysis. Further, you did not present alternative plans for restoration. *[Include advice or guidance as to what must be done to bring the performance up to an acceptable level. This could include such things as how time would be best spent (prioritizing and planning), suggested sources of assistance or information, ways or techniques of performing work, formal or informal training available, etc. In conjunction with the critical element and counseling sessions or memoranda, this paragraph should make clear exactly what is expected of the employee. An example follows.]*

During your opportunity period, you will need to do the following in order to meet the fully successful level in the critical elements listed previously:

You must improve your ability to quickly and independently consider the range of possible impacts, both positive and negative, attributable to a project; prioritize your concerns with regard to the resources involved and the significance of those resources; assess the degree of impact, and our legislative ability to influence change; and prepare the documentation needed to adequately support your conclusions. You should read through the project plans when they are assigned to you and plan and prioritize your work effectively so that you will be able to complete it on time. *[Describe the supervisory assistance and support that will be provided to the employee. This could include any specific work reviews and/or counseling sessions planned, or other active assistance/training planned on work techniques, time management, or technical issues. An example follows.]*

You may expect the following from me to help you improve to an acceptable level:

1. I will make assignments (other than routine assignments) to you in writing. I will also discuss the work assignment with you before you begin.
2. As you work on the assignment, I will be available to discuss your progress, questions, and problems. Feel free to approach me at any time to discuss your work.
3. I will meet with you every 2 weeks, or as needed, to give you ongoing feedback on your progress on each performance indicator. As you complete each assignment, I will personally review it and meet with you in order to provide you with feedback. At the conclusion of each assignment, I will provide you with a memo that conveys my appraisal of your work on that assignment. Throughout this process, I will strive to provide constructive feedback to help you improve your performance. To attain the minimum standard for retention in your position, you must meet all the performance indicators listed in the Critical Element above. Your failure to do so will result in either a reassignment to another position or a proposal to remove you from the Service or reduce you in grade.

If you believe that personal, medical, or other problems are reasons for your performance difficulties, you may provide documentation of the medical condition or raise these issues. You may also contact the Employee Assistance Program (EAP) at *[insert telephone number]* or myself for assistance. If you wish to provide medical documentation, the Employee Relations Specialist in the Regional Personnel Office at *[insert telephone number]* will provide you with information concerning medical documentation requirements.

During your opportunity period, I will be monitoring your performance closely and, at the end of the period, I will evaluate your work and make a determination whether your performance during the period has reached the level required for retention in your position. You will be informed soon thereafter of whatever further action is to be taken.

If you have any questions on this matter, feel free to contact me. I am available to answer your questions and to assist you in improving your performance during this period.

Sincerely,

Mr. Manny Jer, Field Supervisor

[NOTE: in a copy of the letter, type the following for the employee to sign:]

"I acknowledge receiving this document."

Employee Signature

Date

Appendix C: Sample Memorandum Indicating Satisfactory Performance

[NOTE: All formal performance improvement letters should be reviewed by the Personnel Office before being issued.]

Memorandum

To: Les Wurk, Park Ranger
From: Manny Jer, Supervisor
Subject: Improvement of Performance to a Satisfactory Level

In a letter to you dated *[insert date]*, I informed you that your performance was unsatisfactory in the following critical element:

Critical Element: "Historic building restoration plan will be implemented on 5 buildings and a 75% completion is targeted by September 30. " The employee maintains and demonstrates technical expertise in area of assigned responsibility. Plans, organizes, and executes work logically. Anticipates and analyzes problems clearly and determines appropriate solutions. Work is correct and complete. Assesses tasks objectively and researches and documents assignments carefully. Weighs alternative courses of action, considering long- and short-term implications. Makes and executes timely decisions.

You were also informed that you would be given an opportunity to demonstrate improved performance with respect to the above specified critical element, and that I would be evaluating your performance during that period. Based on my evaluation of your performance in the critical element, I am pleased to inform you that your performance has reached the level required for retention in your position. Accordingly, no further action will be taken to remove you or to reduce you in grade for your unsatisfactory performance.

Your performance, of course, must continue to be satisfactory. In accordance with Office of Personnel Management Regulations, if your performance again becomes unsatisfactory before *[insert date (choose date that is 1 year after the date on which the initial opportunity period began)]*, I may recommend your removal or reduction-in-grade without affording you an additional opportunity to improve your performance. I therefore encourage you to continue your efforts.

Please let me know if you have any questions concerning this matter.

Appendix D: Reconsideration Written Request to Human Resource Office

These seven items must be included

1. Employee organization and duty station;
2. Copy of the annual appraisal for which a reconsideration is being requested;
3. Specific area(s) or details of the annual appraisal for which the reconsideration is being requested;
4. The identity of the employee's designated representative (name, title, address, and telephone number), if applicable;
5. Why the employee believes the rating is in error, with supporting facts and documents;
6. The action the employee requests of the reconsideration official or the reconsideration committee; and
7. A copy of the written decision of the informal reconsideration by the rating official, a statement confirming that the informal process was followed, or a written request to move directly to the formal stage.

Appendix E: HELPFUL WEB SITES

Department of the Interior

DOI Personnel Manager

www.doi.gov/hrm/pmanager

Office of Personnel Management:

Resource Center for Addressing and Resolving Poor Performance

www.opm.gov/er/poor/ppp_tips.asp

Employee Relations Performance-Based Actions guidance

www.opm.gov/er/performance.asp

Human Resource Guidance

www.doi.gov/hrm/guidance/curronly.htm

- 370 DM 430, Performance Management System
- Performance Appraisal Handbook

Any questions should be directed to your servicing Human Resource Office.