

Weaving Threads Together



Managing Under Performing Employees

Welcome

Presenters

N K Lutz

with the help of Adrian Rudzinski



Managing Under Performing Employees

Plan was:

- hands-on approach workshop (20 people)
- focus on the means to ensure employees are weaving their part of the tapestry

However

- with 70 people
 - a workshop was not possible
 - lecture mode with questions is best we can do..



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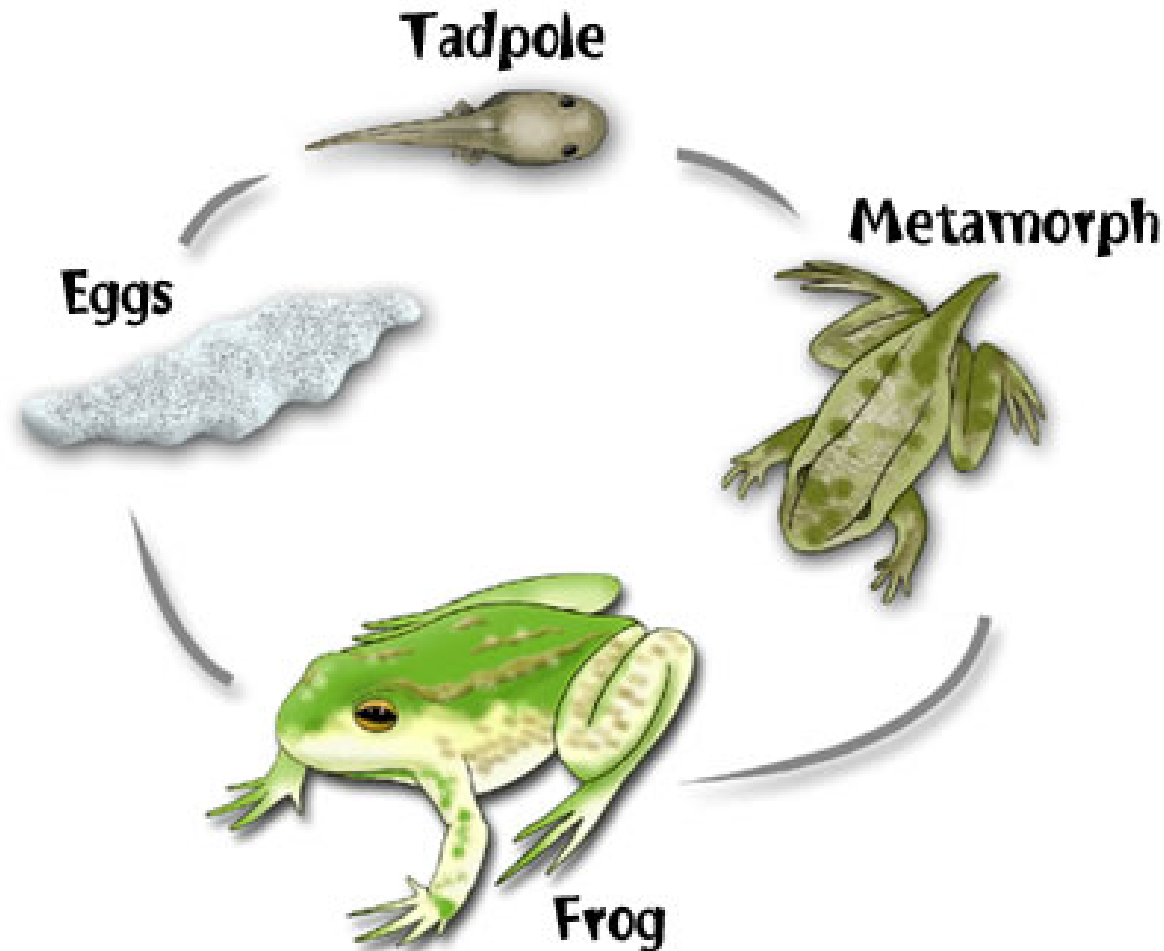
I would like to have some idea of your experiences.

- *who is a Principal?*
- *who are union members?*
- *who is a school governor?*
- *who has identified an one on their team?*
- *who has been as an under performing employee?*
- *who expects to be dealing with an one soon?*
- *who has dismissed an employee?*



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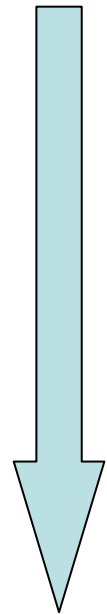
Life Cycle of a Frog





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life cycle of an employee



- 1 recruitment*
- 2. induction*
- 3. training and development*
- 4. useful work*
- 5. further training and development*
- 6. more useful work*
-*
- 7. termination eg resignation, retirement,*





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Key Documents

- *Definition of employee's work*
- *Job description*
- *School policies and procedures*
- *Staff handbook*
- *Letter of offer*
- *Standards of work expected ~ eg teaching and learning policy*
- *Standards of behaviour ~ codes of conduct, dress*
- *Any other document that might be reasonable held to be part of the employment contract*



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Record Keeping

- *Don't know when you will need it*
- *In 1000 employees I expect that there will be at least one employee facing forced termination behaviour / significant under performance*
- *We just don't know which one*

Remember

"the job ain't done until the paperwork is finished"



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*“There are no bad employees only bad supervisors”
If there are no bad employees....*

What can go wrong?

- Behaviour / conduct*
- Under performance*

today is about under performance



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What is significant under performance?

- *“a level of performance that is significantly below the standard that is expected of an employee”*
- *what is the expected standard ?*

where is that paper work!!



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PURPOSE...

To ensure that:

- *employees receive **reasonable support** which affords them opportunities to achieve at an expected standard*
- *effective **disciplinary action** is taken if the performance remains below expectation*



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WHY?

- 1. We have a responsibility to ensure that:*
 - Children and staff are afforded quality learning and care*
 - Appropriate action is taken when employee is incompetent.*

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WHY? *Continued*

2. Employees are responsible:

- for performing their work competently,*
- addressing performance problems experienced*
- to participate in program to assist them to improve*



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WHY? *continued*

3. *Employee have a right to:*

- *fair treatment,*
- *receive honest, valid and constructive feedback*
- *be fully informed of matters which affect them*
- *be given the opportunity to respond to criticisms*
- *have their response fully considered,*
- *have representation of their choice*
- *have access to professional support and training.*



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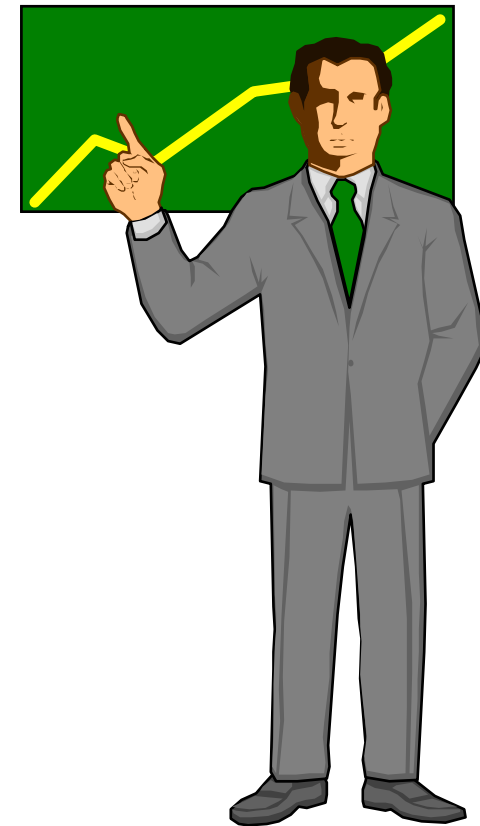
- *So you think that you have an employee that you consider is under performing?*
 - *How do you know?*
 - *How can the employee know?*



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Performance Measures:

- *Output*
- *Quality*
- *Procedures*
- *Costs*
- *Time taken to do the job*



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So you think you have the under performing employee pegged.

What next?

Assure yourself that the underperformance is within the employee's control.



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What is the cause ?

- 1. don't know how to do it*
 - training*
- 2. don't know what to do*
 - standards*



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What is the cause ? continued

2. cant do it

- capability*
- capacity*

3. don't want to do it

- attitude*



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Remember your ABCs

- *Activators (Antecedents)*
- *Behaviour (or in this case performance...)*
- *Consequences*

ABC



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Activators

1. The Employee

- *Recruitment*
- *Induction*
- *Training & Development*

2. The Work

- *Job Description*
- *Job Standards*
- *Job Specification*
- ***Goal Setting***





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Behaviours

The Performance

- *Tasks*
- *Output*
- *Quality*
- *Timeframe*





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Consequences

what the supervisor does in response to employee behaviour / performance

- *“I will tell you if you are doing it right”*
- *“I will tell you if you are doing it wrong”*



Feed Back is the Breakfast of Champions



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- *Balance of Consequences*

| Consequences | | |
|---|---------------------------------|---|
| Feedback to employee in real time and continuous | | |
| | Satisfactory Performance | Unsatisfactory Performance |
| Positive Outcomes | Reward and Recognition | Discussion with Employee about Values of a Machiavellian Approach |
| Negative Outcomes | Process Review | Discipline |



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Performance improvement plan

- ***P***inpoint
- ***R***ecord
- ***I***nvolve
- ***C***oach
- ***E***valuate



Know the PRICE....

From: 'Putting the One Minute Manager to Work'
Kenneth Blanchard and Robert Lorber



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PERFORMANCE IMPROVEMENT PLAN AGREEMENT

- part 1

1. Detail of Unsatisfactory Performance

Pinpoint and Record

Limited the measures to 4 or 5

2. Employee's Explanation for/or Response to Unsatisfactory Performance

Involve the employee

Procedural fairness

3. Performance Standards Employee Required:

List key activities and expected outcomes

Involvement of employee continues – measure own performance



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PERFORMANCE IMPROVEMENT PLAN AGREEMENT - part 2

4. Coach

Who will be Coach?

List Agreed Action Required by Coach

First Coaching Session:

Be specific ~ Date, Time and Location

5. Evaluation

Agreed Evaluation Appointments:

Date, Time and Location

6. Consequences

***List Possible Consequences if Employee Performance
is not at Standard Required***



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PERFORMANCE IMPROVEMENT PLAN AGREEMENT

- part 3

7. Sign off.....

- *Supervisor's Signature***
- *"I acknowledge this to be an accurate record of the interview and will work with my supervisor to improve my performance."***
- *Employee's signature***



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Consequences

~ depends on the seriousness of the matter:

- Counselling (diary note)*
- Counseling (written and signed by both parties)*
- Verbal warning*
- Written warning*
- Final written warning*
- Dismissal*



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Is the Process fair?

~ the tests...

- Procedural Fairness*
 - right of employee to respond*
 - right to be accompanied by a person of their choice*
- Substantive fairness*
 - the punishment must fit the crime*

~ Check lists



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Verbal Warning Checklist

| | | Yes | No |
|----|--|--------------------------|--------------------------|
| 1 | a verbal warning is appropriate in the circumstances? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 | an investigation of the issues has been carried out to establish the specific details of the unacceptable behaviour (including statements from witnesses)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 | the employee has been informed in a meeting of the specific details of the unacceptable behaviour? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 | the employee has been given the opportunity to respond to all the allegations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5 | the response from the employee has been taken into account? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 | the employee has provided no information that indicates mitigating circumstance? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7 | appropriate details are recorded and kept in a secure place? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8 | the consequences of the unacceptable behaviour have been discussed with the employee? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9 | records of all interviews with the employee have been made and the response of the employee has been noted? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10 | follow up on the employee behaviour – close but random timing | <input type="checkbox"/> | <input type="checkbox"/> |

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Who is Responsible?

- *Supervisor*
- *Principal*

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Role of the Union

- *Support their members*
- *Ensure their members are treated fairly*
- *will give Employers a hard time*
- *Can be realistic....*



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Risk Assessment

- *like any activity a risk assessment is essential*
- *identify the likely risks*
- *determine how to deal with the risks*

AS / NZS 4360:1999
Risk Management

A must read....





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Dispute Resolution Process

at the end of the process,

- *employee not happy with outcome*
- *the employee introduces a third player*
 - ***mediation***
 - ***arbitration***

(depending on provisions of Collective Agreement)

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“The Paradox of being a Principal

*~ Supporter or assessor of
underperforming teachers”*

Jill Elsworth

Sept 2007

Australian Primary Principals Association

~ Major Findings



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Major Findings Part 1

Principals:

- *are driven to conduct the procedures as a result of their own professional values and ethics and not because of systemic expectations*
- *have a primary intent is to improve teacher performance*
- *are prepared to sustain significant levels of personal and professional effects when managing procedure for the benefit of whole school community and the reputation of the teaching profession*



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Major Findings Part 2

Principals:

- are not trained appropriately in any Australian education system*
- believe managing the procedures require significant on-going support*
- believe the process requires significant extra allocations of finance, time and human support from school budgets.*
- found the procedures onerous, bureaucratically complex in delivery and professionally challenging.*



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Where to from here?

- Simple but not easy?*
- This overview is meant to demonstrate that it can be done*
- Careful planning early will help you deal effectively with the under performing employee.*

Consult with Regional Office before proceeding



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Question for you:

- *Do we need the process to be part of our Collective Agreements?*
- *Why?*

Achieving Good Performance for most people
is a journey not a destination

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*... ‘Life is not meant to be easy, my child;
but take courage: it can be delightful’...*

Spoken by THE HE-ANCIENT

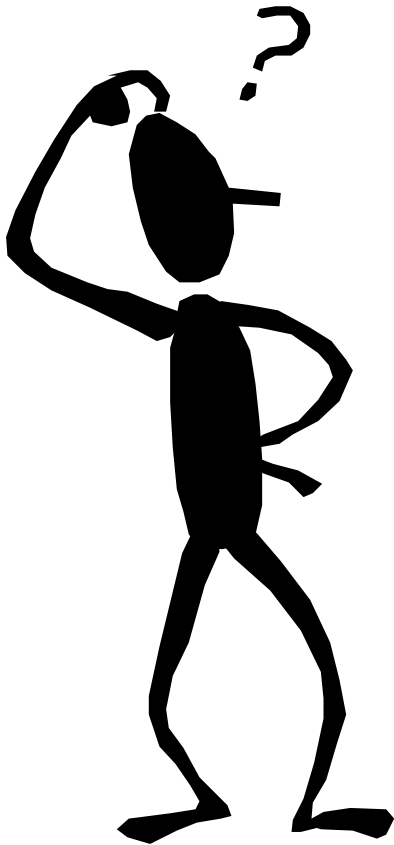
from the play “Back to Methuselah”

Written by George Bernard Shaw

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Questions?



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References

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Kenneth Blanchard and Robert Lorber
4. Leadership and the One Minute Manager
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5. AS / NZS 4360:1999 Risk Management