

MANAGING BEHAVIOUR AND PERFORMANCE ISSUES

A review

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**Nothing will destroy a
great employee faster
than watching your
employer tolerate and
reward the bad ones.**

DISCIPLINE

“to correct an employee's behaviour or misconduct”

Definitions :

An employee commits "misconduct" when he or she contravenes a lawful regulation or violates acceptable standards of conduct deliberately, recklessly or negligently (inattention).

STEPS in PROGRESSIVE DISCIPLINE

1. Investigation, information gathering may be necessary if the infraction is more serious, or a recurrence.
2. Disciplinary meeting for version of events (Ask questions.
3. Application of discipline, depending on the severity of the offense.
 - ❖ Verbal warning
 - ❖ Written reprimand or letter of expectations
 - ❖ Suspension
 - ❖ Dismissal

Steps can be skipped if the misconduct merits a harsher sanction.

The disciplinary meeting is ESSENTIAL.

START THE FILE ASAP!

Investigation and information gathering

Unless you witnessed the behavioural issue, don't take anything for granted.

- ❖ Ask questions.
- ❖ Be discreet.
- ❖ Don't assume.
- ❖ Don't judge.
- ❖ Take notes.

Some information can come from other employees or stakeholders who do not want to provide information for fear of being named. You cannot guarantee that it will be possible to identify the source. You can only explain that their name will not be mentioned

What happens at a disciplinary meeting?

You should explain that you have been informed of an issue involving their behaviour and that the present meeting is to offer them an opportunity to explain their version of events.

Ask questions and take notes.

Remind the person that even though they may recognize the person that gave them information, that reprisals will not be tolerated.

No decision should be made on the spot to decide whether or not the person is “guilty” or not of the offense, and no discipline should be handed out to avoid the notion of “double jeopardy”.

What are the possible outcomes of the disciplinary meeting?

Normally your preparation will lead to some disciplinary action, but it could possibly be that the version given by the employee is plausible or requires more investigation.

A decision is made as to the probability that the employee is guilty of the type of behaviour deemed inappropriate and the follow-up action is required.

- ❑ A letter that provides all the information and steps taken in the process with expectations for the future.
- ❑ A written warning – like the letter but with a particular mention that any recurrence will result in more disciplinary action.
- ❑ Suspension
- ❑ Dismissal

Dismissal

Dismissal will only be used in situations where the employee

- has gone through all the other stages of progressive discipline;
- if he or she has committed a serious disciplinary offence which makes it impossible for him to remain in office; or
- if he or she has abused the employer's trust (e.g. robbing the employer).

Even though the employee may have “abused of the employer’s trust”, due process should be undertaken.

Dismissal should be done in collaboration with the highest authority in the organization. Consultation with an outside resource could be important to avoid repercussions.

PERFORMANCE MANAGEMENT

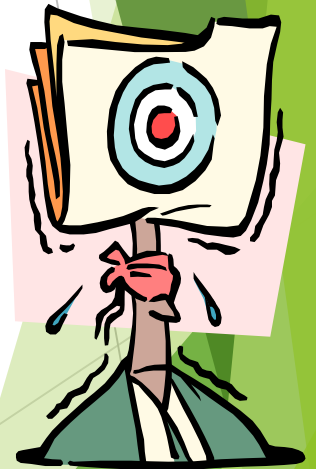
"When performance issues are linked to incapacity or incompetence"

After discussing the deficiencies observed, an administrative warning is issued to an employee for the following reasons:

- (a) unsatisfactory job performance;
- (b) incompetence such that the employee, although willing to perform his or her duties, is unable to do so because of a lack of knowledge or capacity even if he or she has been trained and supervised.

The employee must be allowed to reasonably correct his or her deficiencies.

It is intended to be corrective, not punitive.



START THE FILE ASAP!

Preparing for the meeting with the employee

Gather information:

- current job description;
- length of service;
- notes from colleagues or stakeholders;
- information in their employee file concerning past situations or need for training.

Consult an outside resource if you need coaching on how to approach the situation.

Meeting the employee with performance issues

This meeting should take place as soon as issues come to your attention.

DO:

- make the employee understand you want to help;
- ask if there are any situations, personal or otherwise, that could be affecting their performance;
- ask if there are any training needed to help overcome the performance issues;
- invite the employee to contribute to the process.

DO NOT:

- assume it is a passing thing;
- wait until an annual evaluation meeting;
- assume that no follow-up is necessary;
- assume that they are capable of meeting your expectations.

Information provided in a letter of administrative measures

A letter should follow the meeting to ensure that the shortcomings and the expectations are clear.

- a description of the unacceptable performance;
- the performance standards to be met by the employee;
- the period of time that is allowed for improvement;
- information on the support offered to contribute to improving performance;
- the consequences if the required standard is not met;
- an indication that failure to improve, or continuing to lower their level of performance, may result in dismissal.

For an administrative process to work...

A process that manages an employee's performance issues can take time.

The manager must meet regularly with the employee to discuss performance and monitor progress.

Each meeting should be followed by a letter to capture the progress and the duties or tasks that still do not meet the standards required.

If, following an administrative process, the employee fails to improve performance or overcome shortcomings, they may be dismissed only after consultation with the highest authority.

Consultation with an outside resource could be important to avoid or minimize repercussions.

**THERE IS NO RECIPE.
EACH SITUATION IS UNIQUE.
EACH CONTEXT IS PARTICULAR.**

**WHAT MAKES A DIFFERENCE?
TAKING THE SITUATION IN HAND
RAPIDLY AND...**

**DOCUMENT,
DOCUMENT,
DOCUMENT!!!!**

SUMMARY

Performance	Behaviour
Definition of competency: The ability to do something efficiently.	Definition of behaviour: The way a person acts or conducts themselves.
Poor performance is sometimes a choice (behavioural) but not always.	Behaviour is a choice people make (for the most part).
Difficulties can be situational - introduction of new methods, personal problems.	Inappropriate behaviour CAN have legitimate explanations - never assume anything.
Support should be offered. Training may be the key.	Behaviour can be improved or changed.
Regular follow-up is essential.	Appropriate discipline is meant to curb the inappropriate behaviour, not to punish.
Resolution of the situation can take time.	Consistency and fairness are important in dealing with poor behaviour.
Dealing with the issues in a timely manner reduces the impact.	Dealing with the behaviour in a timely manner is key.



QUESTIONS?

PS There are no stupid questions.

I am available to discuss any situation you might have.