

DEALING WITH PROBLEMATIC EMPLOYEES



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RESUME

Ten years with the North Charleston, SC Police Department

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Federal Criminal Investigator – Charleston Naval Shipyard - Charleston, SC

Chief of Police – Naval Weapons Station – Goose Creek, SC

Head of Physical Security – Naval Weapons Station – Goose Creek, SC

Director of Security – Chief of Naval Air Training – Corpus Christi, Texas

Chief of Security – Naval Consolidated Brig – Charleston, SC

Program Manager – Space and Naval Warfare Systems Center – Charleston, SC

Executive Director – Nat'l LE and Corrections Technology Center – SE Region

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Moundsville, WV – Home of the Mock Prison Riot

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Chief Deputy/Jail Administrator – Madison County Sheriff's Office

Who are the Problems???

People born before 1946 were called The Silent generation..

People born between 1946 and 1964 are called The Baby Boomers.

People born between 1965 and 1979 are called Generation X.

And people born between 1980 and 2010 are called Generation Y.

Why do we call the last group Generation Y?

Y can't I have Saturday off?

Y can't I have weekends off?

Y can't I be on the CERT Team?

Y are you causing a Hostile Work Environment?

Y does Bob have an easy job and I have to work the floor?

Y are you always picking on me?

TODAY'S GENERATION

ONE

Recently, when I went to McDonald's I saw on the menu that you could have an order of 6, 9 or 12 Chicken McNuggets.

I asked for a half dozen nuggets.

'We don't have half dozen nuggets,' said the teenager at the counter.

'You don't?' I replied.

'We only have six, nine, or twelve,' was the reply.

'So I can't order a half dozen nuggets, but I can order six?'

'That's right.'

So I shook my head and ordered six McNuggets

TWO

I was checking out at the local Walmart with just a few items and the lady behind me put her things on the belt close to mine. I picked up one of those 'dividers' that they keep by the cash register and placed it between our things so they wouldn't get mixed.

After the girl had scanned all of my items, she picked up the 'divider', looking it all over for the bar code so she could scan it.

Not finding the bar code, she said to me, 'Do you know how much this is?'

I said to her 'I've changed my mind; I don't think I'll buy that today.'

She said

'OK,' and I paid her for the things and left.

THREE

A woman at work was seen putting a credit card into her floppy drive and pulling it out very quickly.

When I inquired as to what she was doing, she said she was shopping on the Internet and they kept asking for a credit card number, so she was using the ATM 'thingy.'

FOUR

I recently saw a distraught young lady weeping beside her car. 'Do you need some help?' I asked.

She replied, 'I knew I should have replaced the battery to this remote door unlocker. Now I can't get into my car. Do you think they (pointing to a distant convenience store) would have a battery to fit this?'

'Hmmm, I don't know. Do you have an alarm, too?' I asked.

'No, just this remote thingy,' she answered, handing it and the car keys to me. As I took the key and manually unlocked the door, I replied, 'Why don't you drive over there and check about the batteries. It's a long walk...'

FIVE

Several years ago, we had an Intern who was none too swift. One day she was typing and turned to a secretary and said, 'I'm almost out of typing paper. What do I do?' 'Just use paper from the photocopier', the secretary told her. With that, the intern took her last remaining blank piece of paper, put it on the photocopier and proceeded to make five 'blank' copies.

SIX

A mother calls 911 very worried asking the dispatcher if she needs to take her kid to the emergency room, the kid had eaten ants.. The dispatcher tells her to give the kid some Benadryl and he should be fine, the mother says, 'I just gave him some ant killer.....!'

Dispatcher: 'Rush him in to emergency!'

***Life is tough. It's even tougher if
you're stupid!!!!***

QUESTION

HOW MANY OF YOU HAVE EMPLOYEES
THAT FIT THIS DESCRIPTION:

- Resent authority
- Sabotages administrative direction
- Is always negative
- Is unwilling to accept responsibility for his/her behavior
- Manipulates
- Becomes angry and over-aggressive
- Complains constantly
- Abuses equipment
- Resists change
- Is narrow minded
- Over-reacts
- Will not accept feedback
- Abuses alcohol and/or drugs
- Seems unhappy
- Develops the “YOU owe me attitude”
- Is insubordinate as well untruthful
- Is a leave abuser

SURVEY SAYS

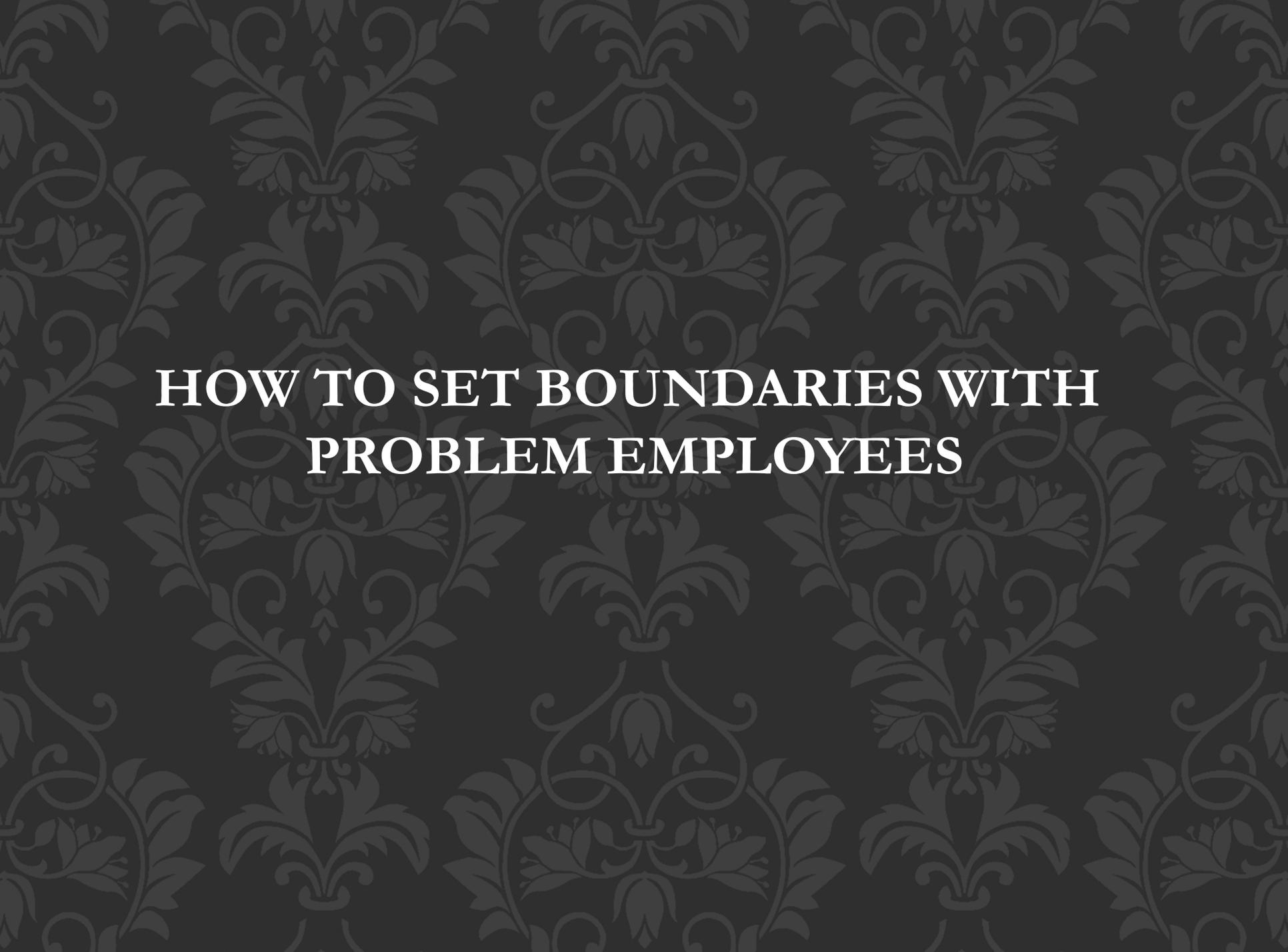
Supervisors spend 80% of their time
with 20% of their employees dealing
with problems or taking corrective
actions

HOW DO YOUR SUPERVISORS FEEL???

- HELPLESSNESS
- UNPREPARED
- OFFER EXCUSES
- UNTRAINED
- FEEL THAT PROBLEMS ARE SUBJECTIVE
- LACK ADMINISTRATIVE SUPPORT
- CIVIL SERVICE OR REVIEW BOARDS WON'T BACK THEM ON TERMINATIONS
- PRIOR SUPERVISORS DIDN'T "DOCUMENT" EMPLOYEE PERFORMANCE
- FEAR OF ALLEGATIONS OF DISCRIMINATION
- IT'S EASIER TO TOLERATE THEM UNTIL THEY TRANSFER TO ANOTHER SUPERVISOR
- **THEY JUST DON'T KNOW HOW**

SUPERVISORS ARE THE KEY

- First line of defense in dealing with problematic employees
- They should be properly trained to handle problems; trained using scenario's and allowed to use hands on to train
- They should know the main rule of discipline; document, documents, document
- Emphasis should be on coaching and counseling – it all starts here
- Should be trained on County and Sheriff's Rules, Policies and Procedures
- Should know and understand the Loudermill requirement
- Supervisors **MUST** protect the Sheriff – keep discipline at their level as much as possible



HOW TO SET BOUNDARIES WITH PROBLEM EMPLOYEES

I'M NOT YOUR MOMMA

I'M NOT YOUR BUDDY



I'M NOT YOUR
SHRINK

One Out Of Four People
In This Country Is
Mentally Unbalanced.

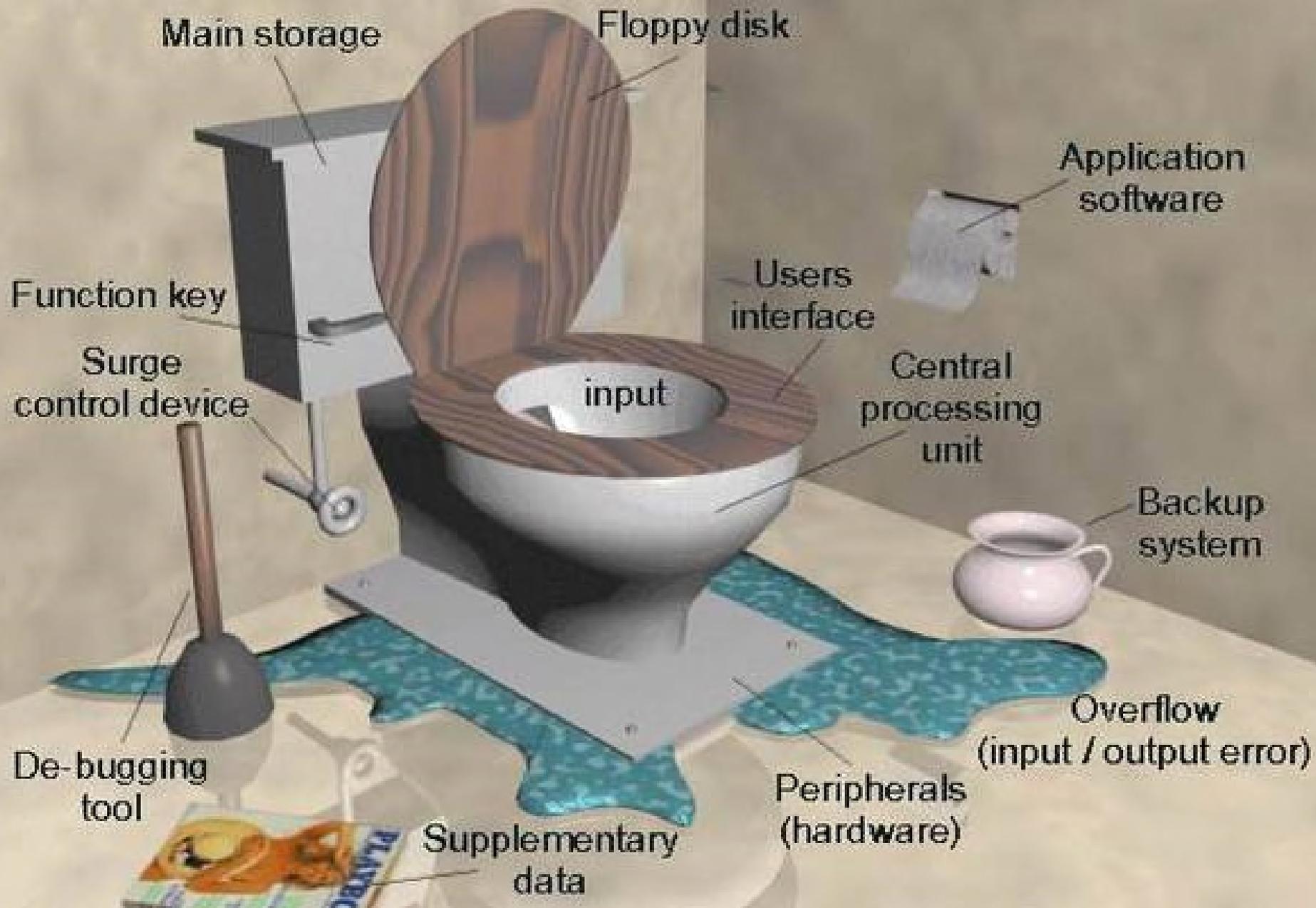


Think Of Your
3 Closest Friends...
If They Seem
Okay, Then
*You're
The
One.*

WORKING IN THE DANGER ZONE



Understanding Computer Technology



OVERVIEW

We need to identify some common types of problem behaviors among employees.

Those most likely to be encountered by supervisors are absenteeism and tardiness, insubordination and uncooperativeness.

METHODS

There are two general methods to help supervisors improve employee performance: *counseling and the discipline process.*

In addition; most counties has an employee assistance program (EAP) to assist troubled employees.

Counseling

Counseling helps employees solve their problems, which enables them to perform better at work.

Supervisors should counsel employees when they need help in determining how to resolve a problem that is affecting their work.

When employees have problems that supervisors are unqualified to help with, they should refer employees to a professional or HR.

Counseling

Counseling may involve directive counseling, in which the supervisor suggests solutions, or Non-directive counseling, with the supervisor primarily listening and encouraging the employee to look for the source of the problem and identify possible solutions.

PROGRESSIVE DISCIPLINE

In administering discipline, the supervisor explains the significance and consequences of the employee's behavior, then, if necessary, lets the employee experience those consequences.

A typical process of discipline occurs in stages, with the supervisor first administering a Verbal warning, Then a Written warning then a suspension, and finally dismissal.

DISCIPLINE

The supervisor should administer discipline promptly, privately, impartially, and unemotionally.

All disciplinary actions should be documented and forwarded to HR to be placed in the employee's file.

DISCIPLINE

Positive discipline focuses on preventing problem behavior from ever beginning.

It can include making sure employees know and understand rules, creating conditions under which employees are least likely to cause problems, using decision-making leaves when problems occur, and rewarding desirable behavior.

DISCIPLINE

The goal of positive discipline is self-discipline among employees or employees who voluntarily follow the rules and meet performance standards. Supervisors who expect self-discipline from their employees must practice it themselves.

PERSONAL PROBLEMS

Discipline problems may be the result of personal problems.

These employees are defined as troubled employees.

PERSONAL PROBLEMS

When the supervisor suspects that an employee is troubled, the supervisor should document the problem,

Contact HR to assist with next step

then meet with the employee and describe the evidence of a problem,

focusing on the employee's performance at work.

EMPLOYEE ASSISTANCE PROGRAM

The employee should then be referred to a professional (EAP) for help and informed of the consequences of not getting help.

Employees should be made aware that their job performance must improve.

Follow up from the supervisor will be in terms of improved job performance.

EMPLOYEE ASSISTANCE PROGRAM

To best help their employees, supervisors should learn about their organization's procedures and resources for assisting employees.

This may involve referring employees to the organization's employee assistance program.

HUMAN RESOURCES

The supervisor may also seek the help of others in the organization.

The supervisor's human resources department can help the supervisor handle problem employees in ways that follow organization guidelines, legal requirements, and the union contract (if any).

HUMAN RESOURCES

A supervisor should discuss a problem employee with Human Resources, so that they can offer advice and provide necessary authorization for such steps as suspension or dismissal.

COMMON TYPES OF PROBLEM BEHAVIOR

In general, problem employees fall into two categories:

- (1) employees *causing* problems, for example by starting fights or leaving early, and
- (2) employees *with* problems, such as an employee whose money worries are a distraction from work.

UNCOVER SOURCES

To uncover the true source of a performance problem, the supervisor might consider the following issues.

Whether the employee has performed better in the past.

Whether the employee has received proper training.

Whether the employee knows and understands the objectives he or she is to accomplish.

Whether the supervisor is providing enough feedback and support.

Whether the supervisor has encouraged and rewarded high performance.

Whether other employees with similar abilities are performing well or experiencing similar difficulties.

MOST COMMON

The problems that supervisors most commonly encounter are absenteeism and tardiness, insubordination and uncooperativeness.

ABSENTEEISM AND TARDINESS

This is an expensive problem.

An absent employee may be paid for the time off, or replaced with a less productive person.

ABSENTEEISM AND TARDINESS

Also, missing work is often a sign of a deeper problem. such as a family crisis, anger about something at work, or plans to leave the organization.

INSUBORDINATION AND UNCOOPERATIVENESS

Insubordination: Deliberate refusal to do what the supervisor or other superior asks.

Poor performance may result from not understanding how to do something.

This is corrected by training.

Sometimes an employee performs poorly or breaks rules because he or she chooses to do so.

This may be uncooperative behavior or deliberate refusal to do what he or she is told

INSUBORDINATION AND UNCOOPERATIVENESS

Many kinds of negative behavior fall into the following categories:

General poor attitude, criticizing, complaining, and showing dislike for the supervisor and organization

Making an art out of doing as little as possible

Spending most of the day socializing, joking around, or moving as slowly as possible

INSUBORDINATION AND UNCOOPERATIVENESS

Regularly failing to follow rules:

forgetting to wear safety equipment or
sign out at lunchtime

Disregard for supervisor's instruction to do
something, saying it will be done later

Sarcastic, hostile, or passive behavior which may
be a symptom of an underlying problem

SUBSTANCE ABUSE

Some poor performance such as unsafe practices, sloppy work, or frequent absences may be a symptom of personal problems off the job or possible substance abuse.

These employees are expensive to the organization.

ARE OUR SUPERVISORS THE PROBLEM?

ATTITUDE DRIVES RESPONSES FROM STAFF

- Attitude speaks to our “disposition” and/or “frame of mind”
- Built into our attitudes is our fair sense of play, honesty and respect
- When staff don’t get that attitude from supervisors they get aggravated!

THE SUPERVISOR EFFECT ON ATTITUDE

When supervisors aggravate us, we:

Become uncooperative, pushing back or slacking off

Resist requests to change the way we perform work

Stop communicating , withholding ideas

Won’t engage in new initiatives, our development and/or goals

Basically, staff become negative because they see no upside to aligning with the boss

DEALING WITH ATTITUDE

Six examples of how an aggravating supervisor may behave and how you can counter the attitude;

- 1. Plays the command and control card** – “I expect you to follow my instructions without question – understood”? Counter: What would you like for me to do if the process breaks down? Should I continue or call you? I’ll follow your instruction.
- 2. Thinks he is the smartest** – “I know the best way to solve this problem so there’s no need to meet on it”. Counter: We have several people in the department that dealt with a similar situation, did you get input from them? I mention this because I know how important it is to you.

DEALING WITH ATTITUDE

3. Doesn't listen or acknowledge – “Yes, I heard you. I'm busy. I'll get back to you later if I have time”. Counter: I can't proceed with this project without your input. I'd like to schedule a specific time to meet with you later today. When are you available?

4. Finds a way to make you wrong – “You could have finished that project a day before the deadline had you used the newly installed software”. Counter: I was happy to be able to meet the deadline as it was. Using the new software could have cost us a day because several staff were not familiar with it.

DEALING WITH ATTITUDE

5. Provides no rewards – “Well Team, we finished the project ahead of schedule but there will not be any compensation or recognition, that’s just the way it is”. Counter: Even though the company can’t compensate staff, there are other ways to compensate for the extra hours. I have a few ideas unless you want to start”?

6. Runs over you – “I don’t have the time to wait for you to get up to speed on these new regulations. I’ll assign to someone else or do it myself”. Counter: With all due respect, this is my responsibility and I am committed to learning the material. What specifically must I do and how would you like for me to proceed?

Best advice – TURN THE TABLES ON AGGRAVATING SUPERVISORS – be nice but provide an alternative. DO not be confrontational.

DISCIPLINE

- **Discipline is a means to correct substandard employee behavior and performance**
- **Discipline should be used in a progressive manner**
- **Coaching and Counseling – written report outlining the reason for the coaching and counseling. Coaching is the lowest form of discipline and should do what the name says – coach the employee on what they are doing wrong and what they need to do to correct the problem. Counseling should follow IF the employee does not change the behavior. Coaching and Counseling forms are normally kept by the supervisor and NOT added to the Official Personnel File.**

LOUDERMILL REQUIREMENT

The “**Loudermill**” hearing is part of the "due process" requirement that must be provided to a **government** employee prior to removing or impacting the employment property right (e.g. imposing severe discipline). The purpose of a "Loudermill hearing" is to provide an employee an opportunity to present his/her side of the story before the employer makes a decision on discipline. Prior to the hearing, the employee must be given a **Loudermill letter** -- i.e. specific written notice of the charges and an explanation of the employer's evidence so that the employee can provide a meaningful response and an opportunity to correct factual mistakes in the investigation and to address the type of discipline being considered.

A Loudermill Letter is only required for cases of discharge, demotion and unpaid suspension of non-probationary classified employees.

DISCIPLINE

Written Reprimand – requires a Loudermill Letter and Hearing. Document the incident(s) in a formal report and serve the Loudermill Letter on the employee. The Loudermill Letter will give the employee a deadline to set up an appointment with the Sheriff so he/she can provide his/her side of the story.

In the Loudermill Hearing, only the person charged presents any information. The Sheriff and Chief Deputy do not ask questions. After the employee has presented their story, the Sheriff makes a determination on what discipline to dispense.

Written Reprimands are copied to the Official Personnel File

DISCIPLINE

All other disciplines are handled the same way – Loudermill Letter to employee, Loudermill Hearing before the Sheriff and decision made and discipline carried out.

Personnel Boards – some counties use a Personnel Board made up of outside disinterested appointees. Typically, employees have 10 days to request a hearing before the Personnel Board after discipline is ordered. Failure to officially request a hearing means you **DO NOT** get a hearing.

Personnel Board decisions can be appealed to the Circuit Court.

DISCIPLINE

The discipline system **MUST** have these two elements

1. Due process for the employee
2. All employees must be treated fairly and equitably without regard for race, color, religion, sex, national origin, age, handicap or veteran status.

Problematic employees can cripple your program unless dealt with immediately, fairly and appropriately. We all have them, we **HAVE** to deal with them and it is never easy or painless.