FrankCrum™
PAYROLL • INSURANCE • BENEFITS • HR

CORRECTING COURSE

BEST PRACTICES FOR ADDRESSING EMPLOYEE BEHAVIOR

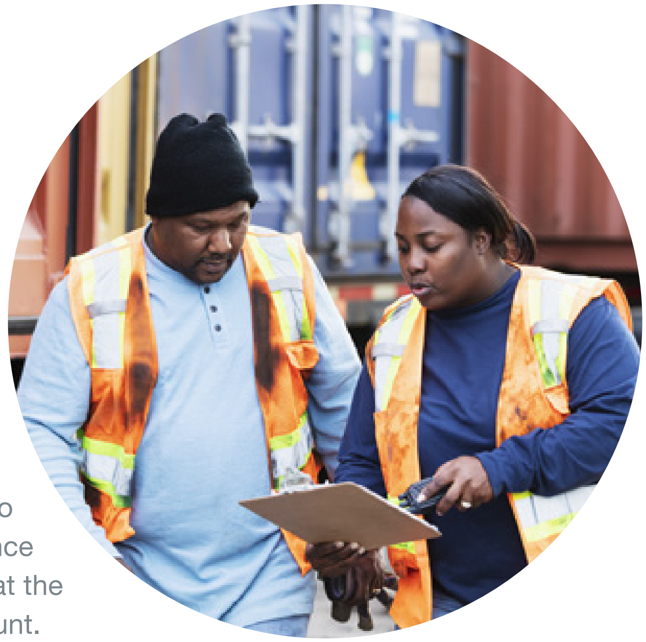
Introduction

Although we wish there weren't problems to address with our employees, sometimes there are. This is one of the more difficult and uncomfortable management responsibilities — making most managers cringe. Although employees usually want to do a good job, they sometimes fall short. Coaching and training can go a long way toward smoothing over rough spots, but sometimes formal steps must be taken to address serious or ongoing employee problems.

The goal of the guidance below is to provide an objective, common-sense framework for handling employee issues. Armed with best practices and knowledge, you can feel more confident when it comes time to deliver corrective action and cringe a little less.

Contents

What Is Corrective Action?



CORRECTIVE ACTION IS THE PROCESS OF COMMUNICATING WITH AN EMPLOYEE IN AN EFFORT TO GET THEM TO IMPROVE. THE GOAL IS TO SOLVE A PROBLEM, NOT PUNISH THE EMPLOYEE, AND TO HELP THEM MEET JOB EXPECTATIONS.

Managers can get tripped up if they deliver corrective action too quickly after an incident occurs. They fail to do their due diligence and later realize they didn't have the facts straight, didn't look at the situation objectively, or missed taking certain factors into account.

Conversely, managers can also wait too long to deliver corrective action. Whether they're too busy, have bigger issues to deal with, or just want to believe that the situation will resolve itself, waiting to address problems gives them time to fester. It could also suggest that the behavior is acceptable, that you're playing favorites, or that you're incapable of handling tough issues.

At the end of the day, delivering corrective action is a difficult but necessary part of being a manager. Following best practices will allow you to do so most effectively — at the right time, in the right way, and for the right reasons.

Why Do Corrective Action?

Performance, attendance, and/or conduct issues can have a serious impact on your workgroup, department, and company. Taking corrective action helps minimize the negative effect. Here are a few reasons for corrective action:

To improve unacceptable behavior or performance in an effort to retain the employee

Although most employment relationships in the U.S. are "at-will," and you may be within your rights to fire an employee, it's important to step back and consider the benefits of employee retention.

- Hiring and training new employees is expensive
- Job candidates may avoid companies with high turnover
- Clients and prospects value staff tenure

To best ensure equitable treatment and a sense of fairness

Consider this: You have two employees with the same excuse for regularly turning in their weekly reports late. You write one up and say nothing to the other. This is clearly unfair treatment. By applying consistent standards for corrective action, employees receive consequences that are more equitable.

To help protect you and your company

Following protocol for corrective action helps you reduce potential risks associated with employee relations. By documenting the process, you have a record of the steps taken to get the employee on track. If you eventually need to terminate employment, you can demonstrate what was done for the employee and how they did not do what was needed to meet minimum job expectations. Corrective action and documentation can help reduce the risk of losing unemployment claims or lawsuits that might be brought against your company.

Informal Coaching

Coaching is an ongoing daily activity. Think of a baseball coach. Where is the coach when the team is on the field? They are on the sidelines, giving instructions, offering encouragement, and motivating the team. The coach doesn't run out and grab the bat; instead, they provide advice and support for the team.

Coaching drives employee engagement, and receiving timely and fair coaching makes employees feel valued. From the manager's perspective, coaching allows them to build a reputation for developing others, increases their productivity, and makes it easier to delegate tasks. It can also help them address employee concerns before they develop into bigger, more serious issues.

There are two types of coaching: coaching for success and coaching for improvement. Coaching for success is done proactively before an employee handles a new task, works through a challenging situation, learns a new skill, uses new equipment, or works with new partners.

Coaching for improvement, on the other hand, is done reactively to correct behavior or performance concerns such as missing work, using the internet for non-work purposes, not hitting sales targets, going over budget on a project, or receiving customer complaints.

It's important to remember that coaching for improvement is informal communication. Although it's best practice to make a note when you've done it, formal communication and consequences come with corrective action.

Some examples of coaching for improvement are:

- **For a restaurant server:** "I saw you were late two times this week for your shift. I want you to be on time."
- **For a receptionist:** "I need you to be focused on work and stop shopping online during work hours."
- **For a production supervisor:** "Your department had two safety incidents in the last couple of weeks. This concerns me. I want you to review what happened and come up with a plan that we can discuss during our one-on-one meeting."

When To Do Corrective Action

THERE MAY COME A POINT WHEN YOU NEED TO TRANSITION FROM COACHING TO CORRECTIVE ACTION, BUT HOW WILL YOU KNOW WHEN?

When there's a serious or ongoing problem that needs to be addressed

Consider corrective action when there's potential for the problem to escalate into a bigger issue, when there's workplace misconduct or a rule violation, or when there's continued failure to perform tasks properly. There are also times when immediate action is needed, depending on the nature and severity of the problem.

When expectations have been clearly communicated

Most employees want to do a good job but may find the rules unclear. Once you're sure that an employee knows or should know what to do and not do, you can consider corrective action.

When it is timely

As a manager, you must be timely in handling employee issues, or you run the risk of intervening circumstances clouding your original intent. For example, what if an employee made a rude comment in a meeting a few weeks ago? Instead of addressing it at the time, you wait. In the ensuing weeks, the employee experiences a workers' comp incident and needs to take medical leave. When you eventually address the rude behavior with corrective action, it may be perceived as retaliation for the workers' comp incident instead of the genuine feedback that you intended.

When previous coaching and corrective action efforts have not been successful

If you've attempted to solve an issue with coaching and the behavior is not improving, it's time to proceed with the formal process of corrective action. You begin to formally address when an employee demonstrates chronic performance issues or serious misconduct, continues falling short of production standards, violates a major safety rule, or harasses a co-worker.

The Corrective Action Process

#1. Identify the Problem

Before you consider what corrective action to take, you must first do your due diligence. Although you may have a lot of information about the issue at hand, it's important to think about how it was acquired. What is hearsay and what is fact? The goal is to look at the situation as objectively as possible.

Start with confirming what you really know by asking:

- What can I actually see/hear/measure?
- What are the things I could have this person do or stop doing that would convince me they've solved the problem?
- Is this a performance, attendance, and/or conduct issue?

A Note on Evidence

What proof do you have that an activity really occurred? You may know for a fact that an employee came in late to work because you saw them arrive or they clocked in late. But sometimes factual evidence is hard to come by. For example: How do you know if the employee arrived late because they overslept, had a flat tire, or had to chase an escaped dog?

You will need to make a determination based on a preponderance of evidence, which means deciding that certain information is more likely true than not.

In the absence of specific facts, be sure to examine all the information that you do have to make a determination: notes, witness statements, documents, and emails, and consider past history.

Questions for further analysis include:

- What is the impact of this activity on the business?
- Does the employee know the activity should not occur?
- Does the employee know what is supposed to be done and when?
- Was the appropriate training and orientation conducted?
- Are there obstacles beyond the employee's control?
- What factors may be contributing to the situation?
- Does the employee know how to perform the desired activity correctly?
- Does a negative consequence follow performance?
- Does a positive consequence follow non-performance?
- Is the employee willing and capable of performing and/or behaving as expected?
- What do I anticipate the employee's thoughts and comments to be?

#2. Determine the Corrective Action

Once the analysis is complete, it's time to make a decision on whether or not to proceed with corrective action, and if so, which action to take. The following are common types of corrective actions.

Verbal Warning

This consists of a discussion with the employee that clearly states that a problem exists, clarifies expectations, and outlines the consequences of not correcting the problem. Be sure to check that the employee understands, and if they seem uncertain of the advice being given, repeat it. Though it is a verbal warning, the discussion should be documented, even if it's just a note. You could also follow up with an email recapping the conversation.

Written Warning

This is a document that goes in the employee file. The employee is expected to sign it, acknowledging that they understand the problem and expectations for change. The document will state the issue that needs to be corrected, that immediate, significant, and consistent improvement is necessary to avoid additional corrective action, and that matters will be reviewed on an ongoing basis.

Leave

This is an option to use in a few specific situations. For example, it could be a suspension to remove the employee while an investigation takes place for theft, falsification of documents, or harassment.

Another option is decision-making leave. This is when the employee is informed in writing what the problem is, and they're given a few hours of paid leave to consider what action they need to take to resolve the problem. The employee has a meeting with their manager immediately upon returning to work after the paid leave period to discuss what they would like to do. The employee has a few choices at this point: respond to the deficiencies in writing with the steps they will take toward resolution, resign from employment, or do nothing and let the employer take action.

Dismissal

Termination of employment should be used as a last resort, or when responding to a very serious infraction of the employer's rules or when it is necessary to protect the health, safety, or welfare of other interested parties.

To determine the type of corrective action that best suits the circumstance, start by asking questions such as:

- How serious is the event?
- What is the employee's history with the company?
- Is this employee within their first 90 days of employment? Or have they been there for several years?
- Have there been problems, similar or not, in the past with this employee?
- Has the employee been allowed to tell their account, and are those comments noted?
- What proof exists that the activity occurred?
- Have witnesses been interviewed and their statements documented and signed?
- Has the investigation been thorough, objective, timely, and completed with the appropriate personnel regardless of how the situation first appears?
- Has the organization enforced rules and standards consistently?
- How have other employees in similar situations been treated?
- Has the employee been referred to an employee assistance program (EAP), if appropriate?
- Does the corrective measure fit the infraction?
- Is the employee aware of the grievance policy?
- What must the employee do to correct their performance/attendance/conduct issue?

Case Study: Administrative Assistant

Maria is an administrative assistant and has been with Acme Company for 60 days. Last month, she made a few data entry errors. You spoke with her, and she agreed to do better. This week, she made two more errors, one resulting in a client complaint. You also asked her to enter an expense report for you. She said that it was complete and would be paid on your next check. However, it was not submitted in time for this week's payroll, and you did not receive the money. Today, you discovered that Maria did not pay a vendor invoice.

1. What is the issue(s)?
2. What action should be taken?

Analysis:

This is a performance issue.

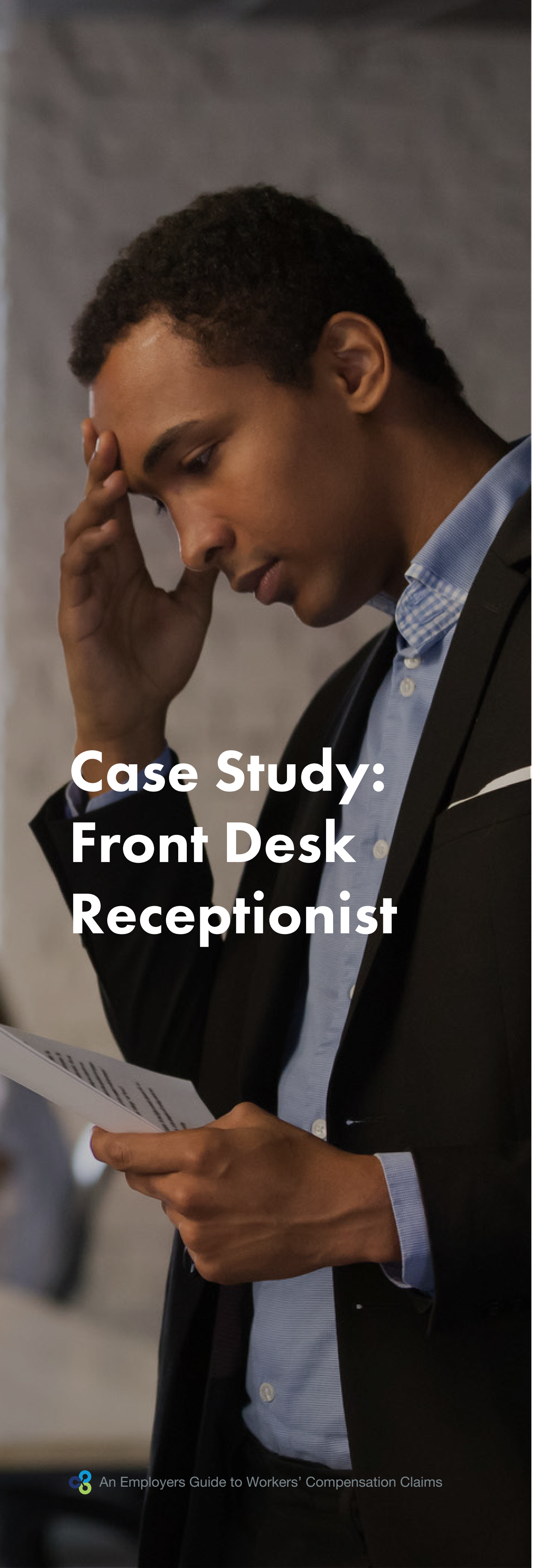
Let's consider the severity of her mistakes and their impact on the business. Were her errors minor typos, or did she enter the wrong dollar amount? We know one resulted in a client complaint. Because you didn't receive the money from your expense report, you must reschedule the shopping trip you planned for the weekend. However, in order to maintain objectivity, you put that out of your mind.

Does Maria know what's supposed to be done, when, and how? She's still new to the company, but you talked with her previously, and she agreed to do better.

When asked to tell her story, she said the expense report was complete. Did she think it was done because she hit "Submit," but it didn't go through? Was she planning to do it later and forgot? Or did she just say it was complete and didn't care that it wasn't? And why wasn't that vendor invoice paid?

Decision:

At this point, your options include a verbal or written warning. This is a good time to interject some additional training and coaching too. Advise her to double-check her work and stay organized, and then give it some time. Spot-check her projects from time to time and make regular one-on-ones a priority.



Case Study: Front Desk Receptionist

Dan is the front desk receptionist, and he's been at the Acme Hotel for two years. Now, he's not meeting job expectations. He's not converting enough walk-in business. Last week, he received a low rating on a guest survey. This week, he double-booked a meeting room. He's always been a good employee, but you know his father died recently.

1. What is the issue(s)?
2. What action should be taken?

Analysis:

This is a performance issue.

Dan knows what to do. He’s been with the company for two years, so it doesn’t seem to be an orientation or training issue. Looking at his history, he's been a good employee.

Let’s consider the impact of his actions. Not converting walk-in business and making guests unhappy impacts revenue.

What could be contributing to this situation? His father recently died. Did he take bereavement days? Does he need a few more days off?

Decision:

Perhaps it would be a good time for him to take vacation time. To provide additional support, you could offer the employee assistance program (EAP).

Is Dan willing and capable of performing as expected? Depending on the details of the guests’ surveys and what Dan says to you, this situation could call for coaching for improvement or a verbal warning. It could also require a written warning if, when you talk to Dan, you find that he's overbooked all the meeting rooms for next week, too.

Showing compassion for employees goes a long way toward building trust and a long-term working relationship. However, when they're at work, employees do need to meet minimum expectations.

Case Study: Project Manager

Lisa, our project manager, has been with Acme Company for a year and has a history of speaking down to others, expressing frustration over challenges, and ignoring work requests. You've spoken with her before, and while her behavior will improve for a short while, eventually, she reverts to her old ways. You've recently learned that she sent an abrupt, unprofessional email asking for information from a team lead and was heard cussing loudly at the end of a personal call. During today's meeting, when the team was reviewing the complex systems in the quality assurance process, she muttered, “Well, this is a waste of an hour of my life.” Additionally, two project deliverables for this month are late.

1. What is the issue(s)?
2. What action should be taken?

Analysis:

This is a performance and conduct issue.

What is the impact of Lisa's behavior? She has decreased the standard of professionalism and possibly hurt morale. Even if she received bad news on the personal call, cussing loudly where others could hear was inappropriate. Plus, work is not getting done on time.

What proof is there that the activity occurred? Who overheard or witnessed the comment at the team meeting? Were you there? Who heard the cussing at the end of the personal call? The distraction and disruption of her comments kept the team from focusing on solutions and understanding the quality assurance process.

Now think about how you expect Lisa to respond to this feedback. How have other employees in similar situations been treated, and has the organization enforced rules and standards consistently?

Decision:

Corrective action options could include a written warning or decision-making leave. She doesn't seem happy. Is she willing and capable of performing and/or behaving as expected? Is this the right role for her? She has a choice. She needs to change her behavior and meet performance and conduct expectations.

Another potential option is dismissal. You've spoken with her before. What's documented? What were the previous warnings? How serious is this ongoing situation? You need someone who can lead the team and deliver the project, and dismissal may be the only way.

#3. Understand Documentation and Feedback

The importance of documentation cannot be understated, as it's critical for a number of reasons.

For the record

Develop a record to support the action that you're taking. Documentation will help you build a strong case for improvement or the need for additional corrective action. You can use records to ensure you are applying consistent standards across employees. And, if you leave, the next manager will be able to reference the employee history instead of starting from scratch.

For yourself

You can use documentation as a resource to aid in discussions with the employee. Not only will you be able to focus the conversation on specific examples, but you'll also be ready to respond to objections with clearly documented facts. You can also use documentation to measure how an employee progresses. If the goal is a reduction in errors and the employee had 10 errors last month and only two this month, you'll know they're trending in the right direction.

For the employee

Employees have a right to know what's expected of them, and documentation provides important clarity of expectations. This crucial information should be documented and mutually agreed upon to build trust.

For others

Your boss, HR, and the legal department are vested in your documentation. Although you might think, "This is the worst employee ever. I'm never going to forget this situation," you won't be able to remember details months or even years later. Having specific examples, dates, and details of coaching and corrective action allows your experience to assist others and defend against legal actions far into the future.

Pro Tips for Documentation

You should always remember that a jury, an attorney, the EEOC, or a local newspaper, could someday read your documentation. It can either reflect poorly or place you in a good defensive posture. Best practices for documentation include:

- Use spellcheck and good business writing techniques.
- Refrain from using subjective statements like, "Has a bad attitude."
- Be objective and write the facts (e.g., She slammed the phone down on the receiver, or He stated that he was angry with his coworker).

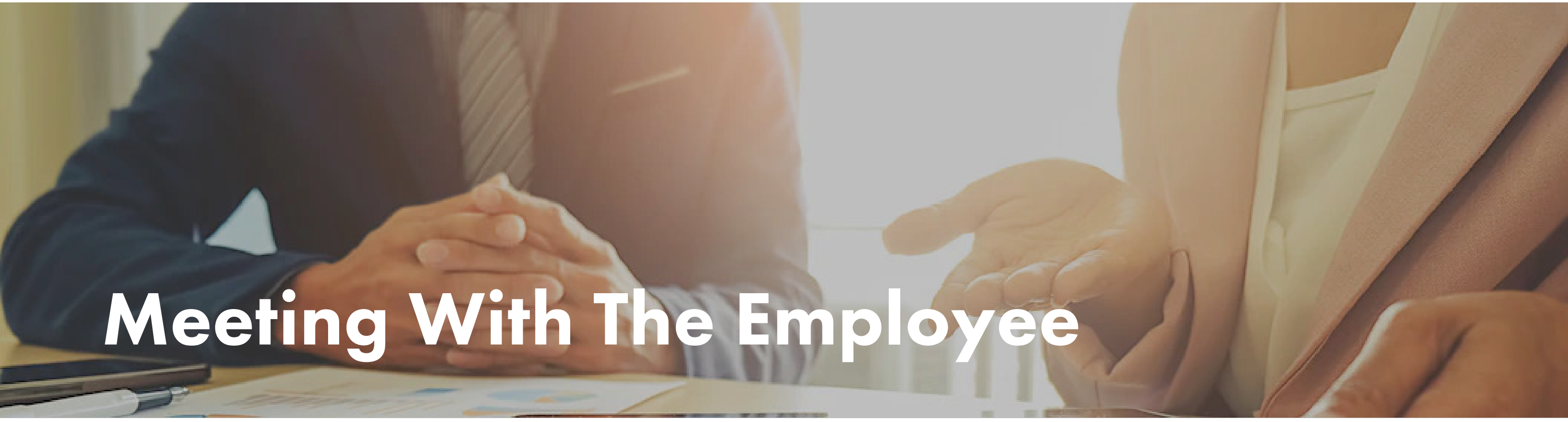
Communicating feedback with an employee is another element of corrective action but making sure it's effective can be a challenge. Imagine this:

You have an employee called John, and you say, "John, you're too abrasive, and you aren't flexible. Stop it."

John goes home and thinks about this feedback. He comes in the next day wearing a softer shirt, so he's not too abrasive, and he's enrolled in a yoga class, so he can be more flexible.

Clearly, the message above got lost in translation. General statements don't make good feedback. To be effective, communication should be:

- **Specific:** Clear examples.
- **Supportive:** Be respectful.
- **Sequential:** Follow up.
- **Secluded:** Give corrective feedback in private.



Meeting With The Employee

ONCE YOU IDENTIFY THE PROBLEM, DETERMINE THE CORRECTIVE ACTION, AND UNDERSTAND THE IMPORTANCE OF DOCUMENTATION AND FEEDBACK, YOU'RE READY TO MEET WITH THE EMPLOYEE.

Pre-Meeting

Don't rush to judgment or meet when you're angry or upset. Corrective action should be delivered in a calm, professional manner. Take your time in preparing for the meeting by following the guidance below.

Gather your facts: Your analysis of the situation. Consider previous conversations that you've had with the employee that confirm they are aware of the issue and have been given sufficient time to improve before elevating to the next corrective action option you are taking.

Plan what you will say: Think about the topics you want to discuss and define an objective for the meeting.

Anticipate the employee's reaction: Has the employee been counseled previously, or will they be surprised? How have they reacted to prior conversations about their behavior or performance? Be prepared to respond with the facts and to have an interactive discussion.

Decide how progress will be measured: Be ready to share your measurement for improvement, such as:

- Attendance (follow the policy)
- Sales (level of improvement expected each month)
- Production quotas (SOP for daily cases logged)

Call FrankAdvice: The FrankAdvice team provides expert guidance on corrective action and will consult with FrankCrum clients on best practices. Particularly if you are considering terminating employment, FrankCrum can help you stay in compliance with laws that vary by state.

The Meeting

The aim of a corrective action meeting is to correct rather than to punish. It should be considered a formal business meeting, handled with professionalism, dignity, and respect. You must maintain a calm voice, consider the self-esteem of the employee, and respond with empathy as appropriate. Encourage them to take responsibility for their actions, so they can improve and turn the situation around.

Here are a few helpful tips:

- Meet in private
- Use your documentation to describe the problem
- Highlight previous agreements
- Share expectations and potential consequences
- Be objective and handle emotions (yours and the employee's)
- Listen to the employee
- Show support, but encourage the employee to take responsibility
- Take notes and use official forms
- Summarize the meeting and schedule follow-up, if necessary

Pro Tips: Behavior and Response

Not all employees are going to respond positively to your feedback. Here are some of the behaviors you may encounter, responses to consider, and suggested statements.

Behavior: Anger/Intimidation

Response: Let them vent and para-phrase their words.

“Let's look at this calmly and objectively.”

“You've had many opportunities to improve, but the data supports the corrective action being taken today.”

“I understand that you're frustrated. We've talked about how tighter deadlines make things more challenging. Let's talk about how you can be better organized.”

“I understand that you're angry and feel this is unfair. I'd like to understand your perspective, but it's difficult for me to absorb the information when you're upset. Let's take a break and get back together a little later today to continue our discussion.”

Behavior: Tears/Emotional/Despair

Response: Treat as genuine, simply observe, and share EAP information if appropriate

“I see you're upset, and I understand this issue may be difficult for you to discuss. Would you like to stop for a few minutes?”

“We've talked about this before, and I understand you're upset now that you're being written up. You're a valuable member of this team.”

“You have a lot to offer if you just change your behavior. You've been successful before, and I know you can be again if you take this warning seriously.”

Behavior: Complaining/Blaming

Response: Be willing to hear their issues later; stay focused on the employee now

“I understand that you believe this problem was more due to someone else's behavior, or that others have engaged in the same behavior without consequence. I'm willing to hear more about that later in our conversation. For now, though, we're focusing specifically on your behavior. What could you have done differently? What specific actions can you take to ensure the problem does not recur?”

“We're talking about your behavior in this meeting today. What can I do to help you focus on how you can improve? I can't change how you behave; only you can do that. You must correct your behavior if you want to keep your job.”

Behavior: The Silent Treatment

Response: Let the silence work and draw them out by asking open-ended questions

“Tell me what happened from your perspective.”

“I'd like you to respond to my questions, but you're not. Why is that?”

“Are you going to keep moving in the direction you're headed in? You have a choice. If things do not improve, where do you see this going?”

Behavior: Unwilling to Resolve

Response: It’s important to gain agreement on the problem and the next steps

“It's important that we reach an agreement on how to proceed. It doesn't appear that you're willing to do that right now. Perhaps some more time to reflect on what we've discussed would be helpful. Let's get together tomorrow to resume our discussion.”

“I'd really like to resolve this issue and come up with an action plan based on input from you. I need to tell you that it's essential that a resolution be achieved, even if it's one I need to identify without your input. If we're unable to reach an agreement, I will notify you of my decision and expectations for the future in writing.”

Post-Meeting

Once the meeting is complete, be sure to finish your documentation, inform others who need to know about the discussion, solidify the next steps, and give thought to your own behavior and how to improve in the future.

- Transcribe your notes
- What did you say or do well? What could you do better next time?
- Brief management/HR
- Ongoing feedback and support (observe performance, review data, regularly check-in)
- Opportunity to improve (enough time to improve)

In Conclusion

Although dealing with employee issues can be difficult, it is a critical part of being a manager. By resolving problems, we help maintain employee relationships, and by doing so, contribute to our company's financial health and the well-being of the workforce.

Now that you understand the importance of constructive corrective action, the steps in the corrective action process, how to conduct an effective employee meeting, and how to minimize the negative impact on you and your company, what should you do next?

Consider the frequency with which you're dealing with certain challenges and address the trends by auditing current policies and procedures and making updates. Schedule training in areas of high need. And review your interview questions to ensure you're recruiting candidates with the skills and disposition needed to be successful.

Why FrankCrum

Although FrankCrum clients appreciate our long and successful track record, financial stability, technology capabilities, and the wide range of services we offer, what we hear most often is that they appreciate being able to speak with a live person who gives them straight answers to what may sometimes be difficult questions.

That's the way we do business - one person at a time, one client at a time. It's literally part of our DNA as the FrankCrum family of businesses: what we call "A Family of Employer Solutions."

Our company history began in 1981, when Frank W. Crum, Jr. and his father started offering temporary staffing services, with a deep commitment to the success of business owners. Because of that commitment, we have expanded our professional offerings over time as clients partnered with us to help them grow.

Today, that family of businesses - still owned and operated by Frank Crum, Jr. and now his son, Matt and daughter, Haley - offer HR services through FrankCrum PEO, workers' compensation and general liability insurance through Frank Winston Crum Insurance and staffing services through FrankCrum Staffing. You'll find the same operational philosophy in all three companies; Frank refers to it as "doing the right things for the right reasons."

It boils down to this: Running a business can be hard. Managing your human resources program shouldn't be. Let us know how we can help.

Contact a FrankCrum Consultant Today

FrankCrum™
PAYROLL • INSURANCE • BENEFITS • HR

Phone: 1-800-277-1620
Address: 100 South Missouri Avenue, Clearwater, FL 33756