

**Review of Key Concepts  
2015 Core  
2012 Group 1 Supervisory Personnel  
Web-based Training Courses**

## **Civil Service Essentials**

### **Obtaining your Chain of Command's Support**

1. Explain the problem
2. Outline the advantages of action or change
3. Describe the drawbacks of inaction
4. Propose a solution

### **Statutory vs Delegated Authority**

- Statutory Authority – given by law to your agency's appointing authority
- Delegated Authority – given by the agency's appointing authority to make decisions in certain delegated situations

### **Political Activities**

- Classified employees are prohibited from engaging in campaign activities. This includes national, state or local campaigns
- Classified employees are prohibited from running for nomination or election for any public office
- Support includes any type of financial support, donating time or effort, or wearing or displaying political buttons, posters, handouts, fliers, etc.
- Classified employees may not publicly endorse or disparage any political candidate or party
- Classified employees may publicly support or oppose **issues**

### **Signatory Rights and Responsibilities**

- Most documents that supervisors sign are official public documents
- Signing a document a supervisor knows contains false information is a violation of Civil Service Rules and can lead to disciplinary and even legal action against the supervisor

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## **Hiring and Retaining Top Talent**

### **Critical behaviors**

- Behaviors that are important for the job you are hiring for
- Behaviors can be different for different jobs
- Job descriptions, past experience and opinions of supervisors and colleagues help define critical behaviors

### **Designing Interview Questions**

- Create questions that allow candidates to demonstrate critical behaviors
- Ask each candidate the same questions, and evaluate using a formal evaluation tool – this is known as **structured interviewing**
- Remove any questions that refer to characteristics protected by law including:
  - Age
  - Race
  - Color
  - Gender
  - Religion
  - Disability
  - National Origin
  - Marital Status/Pregnancy
  - Political Beliefs
  - Genetic predisposition
- Behavior-based interview questions invite applicants to describe how they behaved in past work situations. These types of questions give you a good view of how they might behave in the future
  - Example: Tell me about a time you had multiple deadlines. How did you handle this situation? How did you decide which project to work on?
  - Example: Tell me about a time you disagreed with a colleague about how to do some work.

## Conducting Effective Interviews

- Document applicant responses - document what they say, NOT how you feel about their answers
- Use a **panel interview** - This interview technique has uses two to three interviewers including the hiring supervisor, an HR representative, and a technical person

## Orientation vs Onboarding

- Orientation is the logistical paperwork and activities needed to get the employee started at work, including:
  - Benefits selection and other paperwork
  - IDs, email accounts, and passwords
  - Office or work supplies, etc.
- Onboarding is the strategic process of making your new employee a productive team member - onboarding activities include:
  - Goal planning session
  - Review of job description and job expectations
  - Assigning a mentor or buddy
  - Meeting with your new hire regularly to answer questions, etc.

## Motivation

- People are motivated by both external and internal motivators
- External motivators are things we can hold and sense like money, an award, or a trophy
- Internal motivators are feelings we get inside that make us enjoy our work like satisfaction or challenge
- Supervisors should discuss motivation with their employees and try to find ways to help motivate them
  - Supervisors should be aware of what they cannot control such as raises, bonuses, and expensive trainings
  - Supervisors should concentrate on those motivators they can influence - these are usually internal motivators
- Supervisors should have periodic discussions with their employees to learn about what motivates them

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## **Common Myths that Affect Good Supervision**

There are many false beliefs circulating throughout the state government workforce. These myths can cause problems in the workplace. Included among these myths are the following:

**“You can’t fire a state employee”**

- State employees can be dismissed
- Dismissal of permanent status classified employees can occur if the agency has “cause”- meaning the employee must either actually or potentially harm the state service
- In order to build a case for dismissal, supervisors must have documentation of problematic performance
- Probationary employees may be dismissed at any time

**“Performance adjustments are automatic”**

- Performance adjustments should only be recommended for those employees who deserve them
- Supervisors should meet regularly with employees to help them improve any performance problems or weaknesses

**“All employees must be treated the same”**

- Employees should be treated as individuals based on their behavior
- It is not illegal discrimination to treat an employee differently based on work performance or skills

**“I can’t stop employees from wasting time”**

- Supervisors have the right and responsibility to ensure employees are productive at work
- If an employee is wasting work time, consider responding by changing the workload or counseling the employee
- If necessary, disciplinary action can be recommended

## Common Myths cont'd

### **"I can't assign job duties that are not specifically listed in the job description"**

- Supervisors have the right and responsibility to assign reasonable job duties that help the agency achieve its goals and mission
- Employees have the responsibility to complete reasonable job duties assigned to them
- Duties that should not be assigned to an employee include duties that are illegal, immoral, unethical, unreasonably dangerous, or require a license the employee does not have

### **"My agency can reallocate positions based on an employee's performance"**

- Reallocations are based on the *position* not the employee
- Positions can only be reallocated when they undergo significant and ongoing change

### **"I am doing enough to prevent workplace discrimination and harassment"**

- Federal law prohibits employers from taking adverse job action against an employee based on a protected categories including:
  - Race
  - Color
  - Gender
  - Marital Status/Pregnancy
  - Genetic Predisposition
  - National Origin
  - Religion
  - Disability
  - Age
- Civil Service Rules also prohibit discrimination based on:
  - Race
  - Gender
  - Religion
  - Political Beliefs
- Be aware of two types of harassment:
  - Quid pro quo – a threat or promise of some action in exchange for the performance of a sexual act. An example might be requiring an employee to dine with you in order to receive a good evaluation.
  - Hostile environment – allowing or promoting a work environment that is intimidating, hostile, or degrading. This might include allowing offensive jokes, pictures, comments or offensive language to exist in your workplace.

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## **Leave Management**

- Employees cannot take leave whenever they want
- Leave taken must be accrued and approved based on agency policy
- Supervisors can designate unauthorized leave, including tardiness, as an unscheduled absence this means the leave can be considered unpaid leave without pay
- An employee can also face disciplinary action for unscheduled absences
- One important exception to the leave principles above is when an employee qualifies for Family Medical Leave, or FMLA:
  - FMLA can be used by employees who have worked for a covered employer for 12 months and have worked more than 1250 hours in the past 12 months
  - FMLA can be used for the following 6 reasons:
    - Employee's own serious health condition
    - To care for a spouse, parent, or child with a serious health condition
    - Military exigency leave
    - Military caregiver leave
    - Birth of or care for a newborn child
    - Placement for adoption or foster care and care for a newly placed child
  - FMLA provides up to 12 weeks of unpaid leave
  - Supervisors may not punish an employee for using FMLA leave
  - Supervisors should consult with their HR office whenever they have or believe they might have an employee who qualifies for FMLA leave
- Civil Service rules allow for the non-disciplinary removal of an employee who has seven or more unscheduled absences in a 26-week period
  - FMLA absences may not be counted when applying this rule
  - Before applying this rule, supervisors must counsel employees and provide notice of the rule

## Leave Management cont'd

- Supervisors should always work with their agency HR offices when considering this rule
- There are different types of leave:
  - Annual leave
    - Must be approved by the employee's supervisor (except for valid FMLA usage)
    - Can be denied if a valid business reason exists
  - Sick Leave
    - Cannot be denied if it is accrued, legitimate, and the employee followed agency procedure for approval
    - Supervisors can request doctor's note at any time and for every absence (EXCEPT for FMLA usage)
    - Supervisors can request a doctor's note from one employee and not others, if that employee uses sick leave often or if a supervisor suspects the employee is abusing sick leave
  - Compensatory Leave (k-time)
    - Employees must get approval to use accrued k-time
    - K-time leave requests may be denied if there is a valid business reason for doing so
    - Appointing Authorities may require an employee to take k-time at any time
  - Leave Without Pay
    - Authorized Leave Without Pay is often used for employees who have approved leave requests, but not enough leave on the books
    - Unauthorized Leave Without Pay is used when an employee takes time off that was not approved - which can lead to disciplinary action

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## **Validating Employee Performance**

### **Effective Documentation**

- Documentation is critical to a supervisor's job
- Documentation should be done consistently for each employee
- Supervisors should document both good and bad events
- Documentation should be done as close to the event as possible
- Documentation provides evidence that your decisions were fair and unbiased
- Effective documentation answers the questions: Who?, What?, Where?, When?, Why?, and How?
- Supervisors should document objective facts not subjective feelings
- Documentation is confidential, and should be kept in a secure place

### **Progressive Discipline**

- Supervisor response gets progressively more severe when negative behavior repeats
- Is not required by Civil Service Rules
- May be required by individual agency policies
- Is not always appropriate

### **Appeal Rights and Disciplinary Procedures**

- Supervisors do not have authority to discipline employees
- Only the appointing authority has this ability
- Supervisors can and should document events and performance problems, and can recommend disciplinary action
- When an agency intends to take a disciplinary action against a permanent status classified employee, they must follow the Loudermill procedure (also called due process)
- Permanent status classified employees have a right to due process when faced with a disciplinary action



### **Validating Employee Performance cont'd**

- Due process means the employee must be provided reasons for any proposed disciplinary action, and must be given a reasonable time to respond
- Supervisors should work closely with their agency HR offices when dealing with any disciplinary action
- A permanent-status classified employee has 30 calendar days to appeal a disciplinary action