Common Myths That Affect Good Supervision

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DEPT. OF STATE CIVIL SERVICE COURSES OFFERED THROUGH THE COMPREHENSIVE PUBLIC TRAINING PROGRAM (CPTP):
(Part of the New Minimum Training Requirement) (Effective 07/01/2008)
(Supervisory Group 1)

- Common Myths That Affect Good Supervision (DSCS)
  - Controlling Absenteeism and Tardiness (DSCS)
  - Civil Service Essentials for Supervisors (DSCS)
- Documenting for Performance and Discipline (DSCS)
  - Performance Planning and Review (DSCS)

- *Developing a Motivated Work Group (LSU)*
  - *Strategies for Supervisory Success (LSU)*

Or

- *Elements of Supervisory Practices (Part 1) (LSU)*

DELIVERY STRUCTURE OF TRAINING PROGRAM

Department of State Civil Service

Louisiana State University (LSU)

CPTP

Comprehensive Public Training Program (CPTP)

(225) 342-8539 (General Line) (CPTP Office)

DEPARTMENT OF STATE CIVIL SERVICE WEBSITE ADDRESS

www.civilservice.la.gov

HOUSEKEEPING ISSUES

- Class Time
- Class Breaks and Lunch
- Class Format
- Group Work
- Selection of Group Leaders
- Test Information
- Places to Eat
- Location of Snacks
- Location of Restrooms

JOB OF THE GROUP LEADER

- Speak on behalf of your group
- Write your group's answers down
- Solicit comments from each member of your group
- Keep your group on point

YOU CAN ONLY

CONTROL

WHAT YOU CAN

CONTROL

CIVIL SERVICE RULES

AGENCIES

CIVIL SERVICE RULES

AGENCY POLICIES

ARE NOT ALWAYS THE SAME

(C.S. SHALL VS. C.S. MAY RULES)

HISTORY OF CIVIL SERVICE

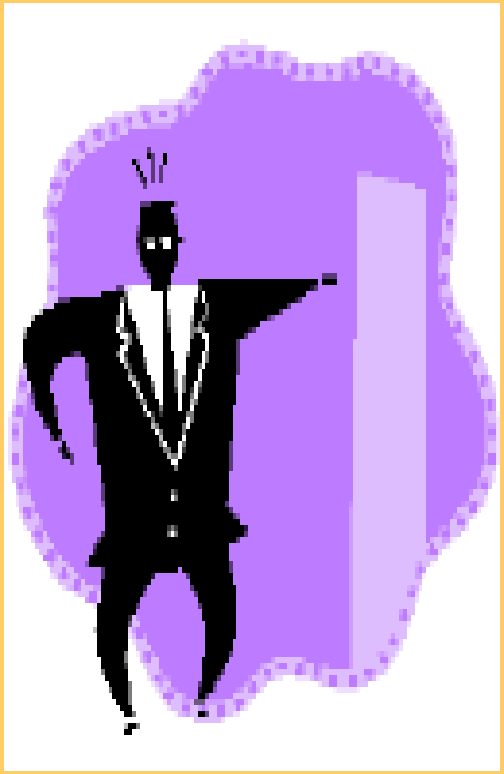
Myth

"An unfounded or false notion."

CLASS EXERCISE

IDENTIFYING MYTHS THAT EXIST AT YOUR AGENCY

Myth # 1 - "You can't fire a state employee."



•Discourages agencies from dismissing when appropriate.

•Civil Service does not exist to protect poor conduct and performance.

•Civil Service exists to promote excellent performance, conduct, customer service and personal accountability.

Number of Separations vs. Appeals

Data reported by year for 2006,2007,and 2008	2006	2007	2008
Total Separations	**2239**	**2249**	**2111**
Separations Appealed	**107** (5%)	**86** (4%)	**150** (7%)
Separations Reversed	**8** (7%) (<1%)	**14** (16%) (<1%)	**2** (1%) (<1%)

This data includes those who resigned to avoid dismissal.

APPEALS

(External Civil Service Process)

GRIEVANCES

(Internal Agency Process)

ARE NOT THE SAME THINGS

Probation is a working test period!

- Lasts from 6 to 24 months.
- Don’t have to give reasons for separation, but give them a fair chance!
- Consider separating if not fully satisfactory; you’re probably seeing their BEST.

Probation is a working test period!

- Treat probational employees as you would want to be treated. Give them proper guidance and training.

- Limited appeal rights upon separation. Limited to claims of discrimination based on race, sex, religious affiliation, or political affiliation.

- The probationary period is a vital part of the entire selection process. Consider it an extension of the interview.

Myth # 2 - "Merit increases are automatic unless you're at your max."

- Merit increases are not automatic!
- They should be DESERVED. They are not a property right.
- It is not a disciplinary action to withhold the granting of a merit increase. There are very limited appeal rights.

Myth # 2 - "Merit increases are automatic unless you're at your max."

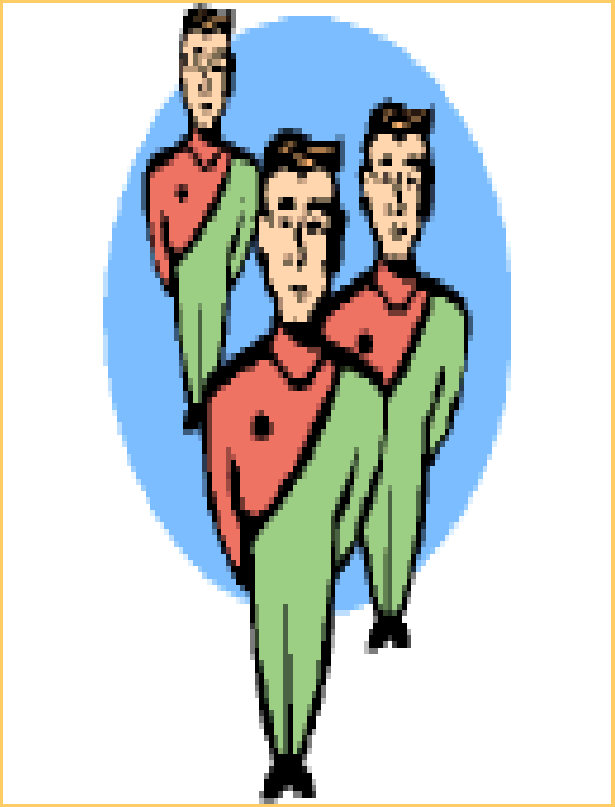
- Not granting a merit increase should never come as a surprise to an employee.
- May still withhold the granting of a merit increase even if the overall rating is satisfactory or better.
- Avoid using the word "deny" regarding merit increases. Use "grant' or "not grant" instead.

CLASS EXERCISE

EXAMPLES OF BEHAVIOR THAT DESERVE A “POOR” OR “NEEDS IMPROVEMENT” PPR RATING

Myth # 3 – "All employees must be treated the same."

- People are different. Treat them differently.
- Persons with job-related problem behavior or poor performance can be held to standards not applied to all.
- As a general rule, treat those in similar circumstances in a similar manner.



DEFLECTORS

“What about them?”

“What about him?”

“What about her?”

CLASS EXERCISE

HANDLING PROBLEM SITUATIONS

The beatings will continue until employee morale improves.

List 5 things

that motivate you professionally.

"The deepest principle of human nature is a ***craving*** to be appreciated."

William James

Remember the 4 P's of management!

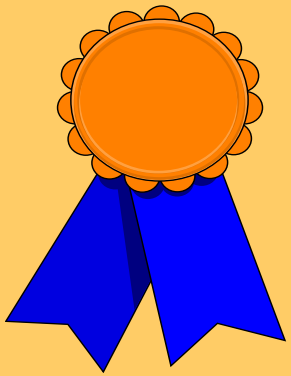
Praise in **P**ublic

Punish in **P**rivate

I’m behind you all the way, boss!

Myth # 4 - "There's nothing I can do to reward or motivate good employees."

- Money is not a long-term motivator.
- Praise and thank your employees!
- C.S. rules sometime permit pay as incentives.
- Use Rewards and Recognition Programs.



LAWS REGARDING BREAKS

FEDERAL

The FLSA does not require an employee to have a lunch break or any other kind of break.

STATE

There is NO Louisiana State Law that requires an employee to have a lunch break or any other kind of break, unless that person is a minor (under the age of 18).

STATE OF LOUISIANA MINOR LABOR LAW

1950 Louisiana Revised Statutes (as amended)
Title 23, Chapter 3, Subsection 3

Minors, under the age of 18, must be given a 30-minute break after 5 hours of work.

Myth # 5 -"My employees waste a lot of time on personal matters, but I can't do anything about it."

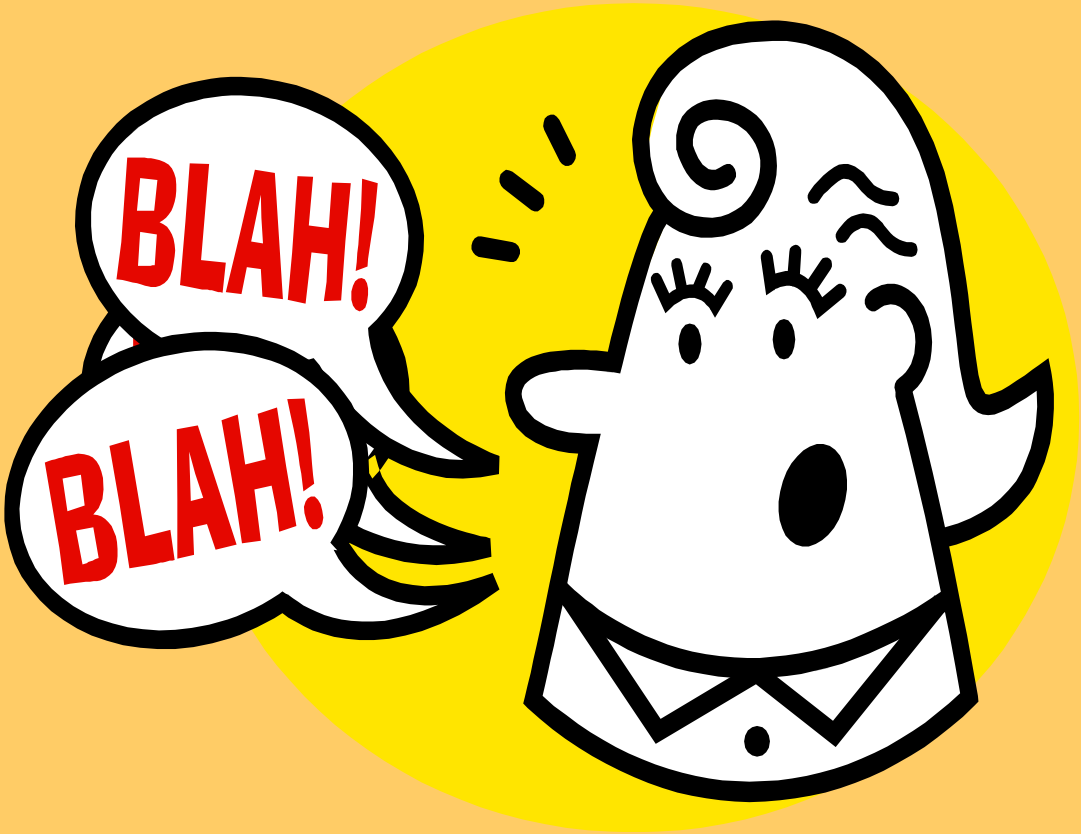
Oh yes you can, and you should!

M.I.A.'s (Missing in Action)

MINIMIZERS

READERS

TALKERS



Get Your Chain's Support!

Discuss:

1. Problems being caused.
2. Advantages of change/action
3. Drawbacks of inaction
4. Your proposed solution!

CLASS EXERCISE

HANDLING PROBLEM SITUATIONS

Myth # 6 – "I've *earned* that leave and I can use it whenever I want."

- Consider the greater good!
- Lead by example.
- Notify before changing the method of managing leave.
- Employees with behavior problems should be handled differently.

Family and Medical Leave Act (FMLA)

- Up to 12 workweeks of job-protected leave during a 12-month period.
- For us, accrued, appropriate paid leave used first. If it runs out, then leave without pay.
- "FMLA leave" is not a separate pot of leave.

Family and Medical Leave Act (FMLA)
Who is eligible?

- Worked for the state for a total of at least 12 months.
- Actually worked (leave doesn’t count) at least 1,250 hours during the 12 months prior to beginning of FMLA use.

FMLA - Reasons for Use

- Birth of and care of newborn.
- Placement for adoption or foster care and care for newly placed child.
- To care for spouse, child or parent with a “serious health condition.”
- One’s own “serious health condition.”

More FMLA Rules:

If both spouses work for the state:

Combined total of 12 weeks.

Birth of a Child

Adoption or Foster Care of a Child

Each gets a total of 12 weeks.

To Care For a Sick Child

Employees Own Serious Health Condition

FMLA Definitions:

Parent

Does NOT mean parent-in-law

May be a natural parent or the person that served as a parent and has given financial support and was responsible for care.

Child

Does not mean a child 18 years of age or older, unless that child is incapable of self-care due to a physical or mental disability.

Additional FMLA Rules

- Employee must provide a 30-day advance notice to employer when practicable and foreseeable.
- Employee must provide medical confirmation to an employer upon request. (Employer must allow employees at least 15 days to produce it.)
- Employers can require employees to obtain a 2nd and 3rd medical opinion. (At the employer's expense.)
- Employers can require employees to obtain periodic re-certification of the medical condition.
- Employers can require employees to provide periodic reports during FMLA leave regarding their status and intent to return to work.
- Employers must provide notice to employees of the designation of leave as FMLA leave within one or two business days.

Agency Options For FMLA Years:

Calendar Year

Fiscal Year

Anniversary Date

FMLA Year (from 1st FMLA Use)

A Rolling 12-month period backward

Removal for Absence from Work

- Rule 12.6 (a) 2 – Every agency can use it
- To encourage good attendance
- Non-disciplinary (clean) removal
- 7 or more unscheduled absences within any consecutive 26-week period

REASONS FOR NON-DISCIPLINARY "CLEAN" REMOVAL FROM A JOB

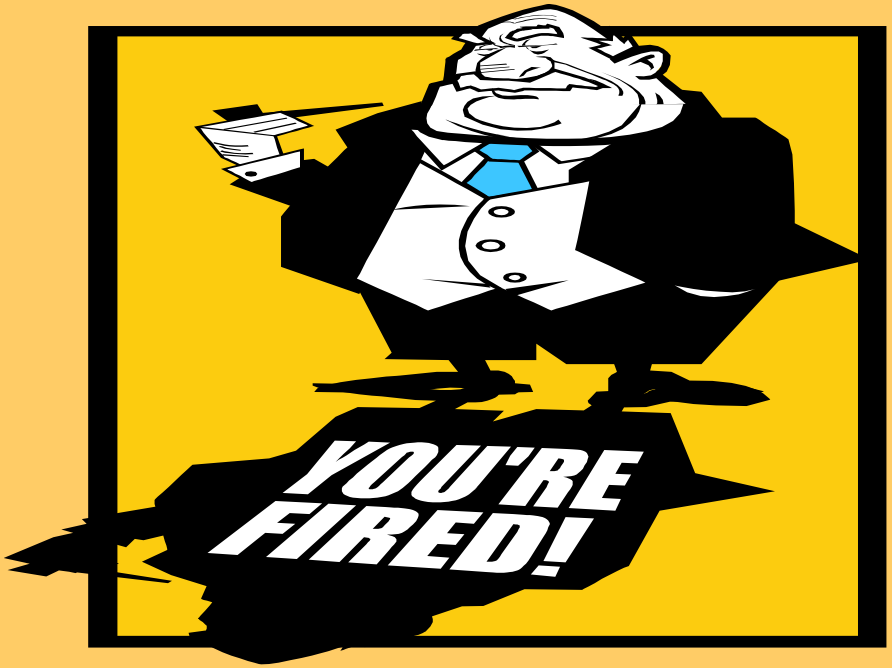
- Does not complete mandatory training by the deadline date
- Loses a license or certification required by law for that job
- Holds more than one position with the state causing an agency to pay overtime under FLSA
- Exhausts sick leave balance below 8 hours and still cannot perform the essential functions of the job due to illness or injury
- Has 7 or more unscheduled absences in any 26 consecutive week period

ELIGIBILITIES MAINTAINED IF REMOVED FROM A JOB OR LEAVE IN "CLEAN" STANDING (VOLUNTARY RESIGNATION)

(THESE ARE ELIGIBILITIES, NOT RIGHTS)

- Non-Competitive Reemployment eligibility for 10 years
- Unused Leave re-credited within 5 years
- Former rate earned with no time limit

RAMIFICATIONS OF BEING DISMISSED (FIRED) FROM A JOB OR RESIGNING TO AVOID DISMISSAL



If you are dismissed (fired) or resign to avoid dismissal, you lose all eligibilities

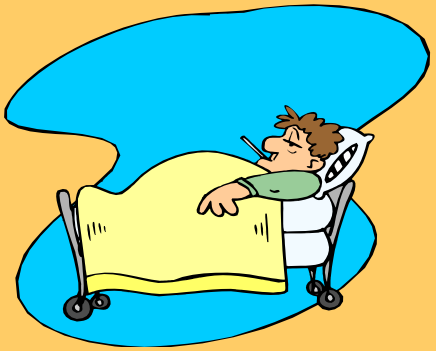
Annual Leave

- Annual leave can be denied!
- No abuse if supervisor OK's it (so don't OK automatically).
- BUT, must approve for FMLA. (Use sick leave first for your own illness.)

CLASS EXERCISE

ANNUAL LEAVE

Sick Leave



- Use of legitimate, accrued sick leave cannot be denied.

- Doctor's statement can be required at any time, and can be for one but not for all. (check your agency's policy first)

- If no doctor's statement - may be placed on leave without pay and possibly disciplined.

CLASS EXERCISE

SICK LEAVE

Leave Without Pay

• Authorized "Leave without Pay" requires a leave slip and can be taken only if it is approved by the supervisor.

• Unauthorized "Leave without Pay" does not require a leave slip but documentation of dates and times should be maintained.

Compensatory Leave

- It is the agency's decision, whether or not the employee will receive compensatory time or pay for overtime worked. It is not the choice of the employee.
- An appointing authority may require an employee to take all or part of his/her earned compensatory leave at any time, unless the employee wants to use his/her sick leave for valid sick leave purposes.
- An appointing authority may require an employee to use his/her compensatory leave that was earned at the time and ½ rate before he/she uses compensatory leave that was earned at the straight rate.
- An employee cannot use his/her compensatory leave without first getting agency approval.

Tardiness

- Unacceptable; don't tolerate.
- "Duty-ready" at work station at the beginning of business.
- Annual leave for frequent tardiness encourages the practice.
- No "grace period"!
- You may place tardy employees on leave without pay for the periods of tardiness, for as little as 6-minute increments. Add these up every payroll period for the attendance sheet. This is not a disciplinary action.
- Ask the tardy person to explain his/her behavior before it becomes habitual. Take steps to correct it before the employee thinks it is acceptable.

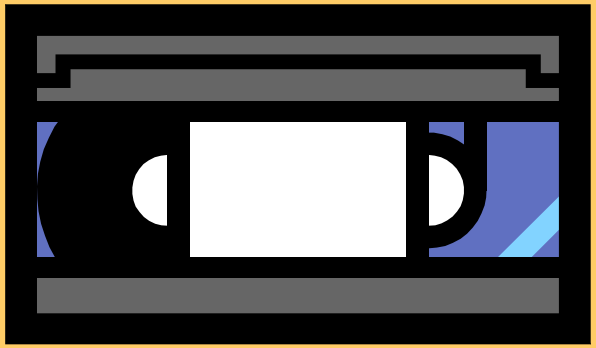
More Myths

- Must promote from within first
- Must promote senior person first
- Agency cannot require overtime

Even More Myths

- You can't make me do anything that's not in my job description
- My agency cannot change my shift
- Must always hire at the range minimum
- Ex-employees have reemployment rights

Employee Video



"State Employment: Advantages and Responsibilities"

IMPORTANT INFORMATION:

COURSE EVALUATIONS

•Anonymous

•Place them face down when finished

TEST REVIEW

•Answer as a group

•Questions are not direct questions from the actual test

TESTS

•Do not write on the test itself.

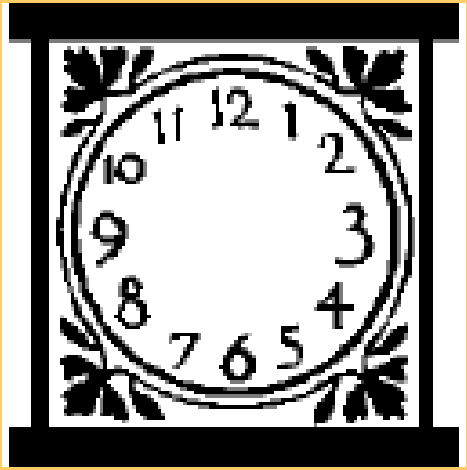
•Only write on the answer sheet.

•A passing grade is 70 or better.

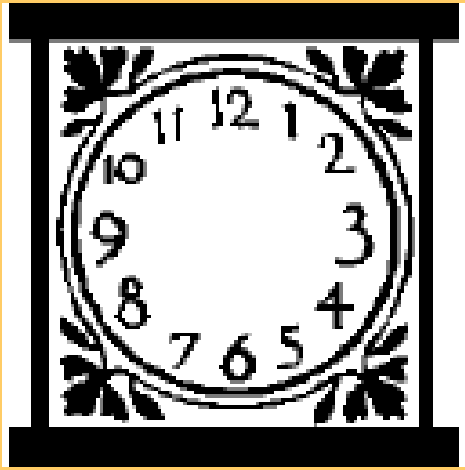
•The test is not a group activity.

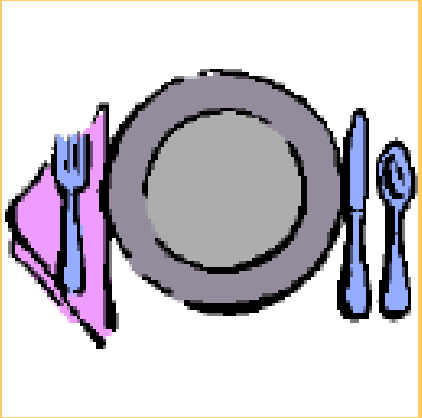
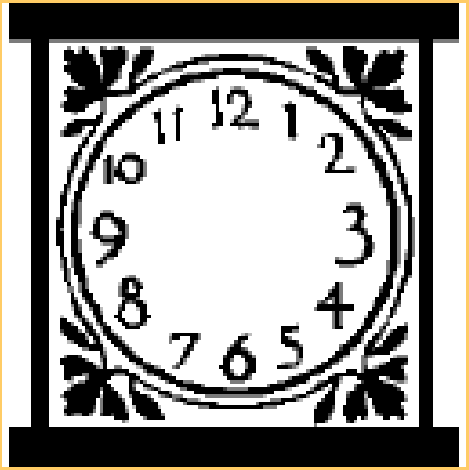
PLEASE DO NOT FORGET TO PICK UP YOUR CERTIFICATES OF COMPLETION BEFORE YOU LEAVE!

MORNING BREAK



LUNCH BREAK





AFTERNOON BREAK