

# Human Resource Management

Local Government  
Leadership  
Core Course



# Presenters



**Bobbe Fitzhugh**

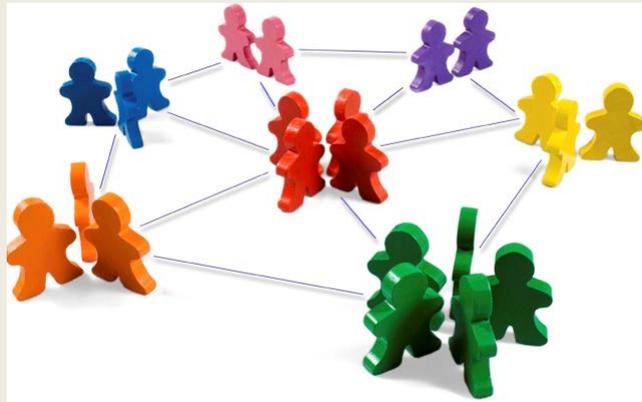


**Joe Coyne**



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“In organizations, real power and energy is generated through relationships. The patterns of relationships and the capacities to form them are more important than tasks, functions, roles, and positions.”



- Margaret Wheatly



# Objectives of Session

- Avoiding legal liability in all things employment law
- Establishing a classification and compensation system
- Effective techniques of recruiting, advertising, selecting, interviewing and hiring a new employee
- How to retain and maintain a high-performance workforce



# Changes in employees expectations and attitudes

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- Expect their jobs to fulfill needs for friendship, affirmation, and acceptance
- Seek a balance between work and home
- View their talents and skills as commodities to be marketed
- See their careers as cyclical, not linear
- Look for jobs that are interesting, meaningful, and enjoyable
- Understand generational differences



# Employee Rights: Avoiding Legal Liability



# Other legal rights

- Cannot discriminate on basis of race, color, religion, sex, national origin, disability, age (40+)
  - Equal Employment Opportunity – Title VII of the Civil Rights Act of 1964 (15 or more employees)
  - Americans With Disabilities Act (ADA) (15 or more employees)
  - Fair Labor Standards Act (FLSA)
  - Age Discrimination in Employment Act (1967) (20 or more employees) (40 or older)
  - Family and Medical Leave Act (FMLA) (State and local governments covered regardless of number of employees)
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# And some more legal rights

- Harassment
- Workplace violence protection
- Healthy workplace (no smoking, drugs, infectious disease control)
- Privacy – Fourth Amendment
- Partisanship
- First Amendment - Freedom of speech, association, religion
  - Whistle-blower protection
- Procedural due process



# Personnel Records

- Job description
- Applications, resumes
- Letter of conditional and final job offer
- W-4, I-9
- Benefit forms
- Acknowledgement of HR manual
- Training records
- Certificates of achievement
- Written reprimands and disciplinary action



# Planning and Paying for Work Done



# Classification and Compensation

- Employees doing similar work should receive comparable pay
- Differences in pay should be based on significant differences in responsibilities and required KSAs, and on comparable industry salaries
- Process for classifying and evaluating relative worth of positions must be fair



# Key Steps in Class and Comp Plan

- Job analysis
  - Position Description Questionnaire completed by employee; supervisor review
  - KSAs
  - Job Description
  - Position Classification
    - Comparative worth of jobs based on compensable factors
  - Salary/wage survey
    - Goal is to pay competitive salaries and wages



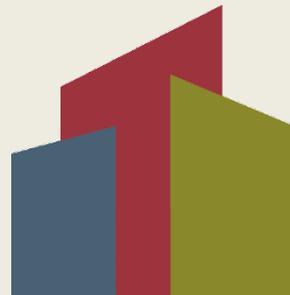
# Implementing Class and Comp Plan

- Initial step placement of employees
- Red-circled positions and salaries
- COLA adjustments
- Step Increases
- Legislation – FLSA; Civil Rights Act; Equal Pay Act compliance
- Benefits



# Types of Employees

- Salary vs. hourly
- Full-time; part-time
- Temporary/seasonal
- Contract employees



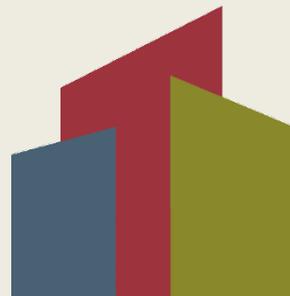
# Selecting, Orienting, and Training Employees

“It is a fine thing to have ability, but to discover ability in others is the true test.”

- Elbert Hubbard

# Recruitment

- Goal - find best match for the job
- Fair and open hiring process
- Must base on specific requirements of job
- Internal vs. external recruiting



# Advertising Job Opening

- Include essential job functions, KSA's, location, pay range, legal requirements
- Avoid EEO violations by using only BFOQs!
- Reasonable accommodation for ADA
- Merit



# Selection Sequence

- Application and resume
- Written and performance tests
- Interviews
- Background checks
- Probationary Period



# Preparing for a candidate interview

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- Review job application and résumé
- Review and/or develop a job description
- Identify personal biases
- Identify questions to ask
- Make sure you know what questions are and are not legal to ask of candidates
- Validity of test instrument



# Interviewing the applicant

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- Introduce yourself
- Use applicant's name
- Create informal, comfortable atmosphere
- Review job description and provide information about job
- Listen carefully
- Give applicants time to ask about job
- Use standard form to record your thoughts



## Off-limits:

Race  
Age  
Religion  
Color  
Place of birth  
Disability  
Marital status  
Children



# Legal Alternative Examples

## DO NOT ASK -

- What is your birthplace?
- What is your religion?
- Do you have disabilities?

## INSTEAD -

- Are you legally able to work in the United States?
- Can you meet the work schedule for this job
- Is there any reason you would not be able to perform the essential functions of this job?

# Conditional Job Offer



## PRE-EMPLOYMENT PHYSICALS

determine abilities  
& limitations

## POWER OF THE PROBATIONARY PERIOD



**This business is a  
Drug Free Workplace!**

## **We Conduct Drug Testing**

- Pre-employment
- Random
- Post-accident
- Reasonable suspicion
- Return-to-duty



# Employee Orientation

- Tour & introductions
- Organization's policies and procedures
- Department
- Job



# Training

developing the skills, experience, and abilities that employees need to perform their jobs and improve their performance. Training involves developing specific skills, and abilities, specific



# Ask yourself

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- What do I want employees to know or do?
- What skills and attitudes should they acquire?
- How soon do employees need the training?
- What do employees already know? What skills and attitudes do they already have?
- What do they themselves think they need to learn?



# Evaluating Performance

“

“By the work one knows the  
worker”

-Jean de la Fontaine

# EMPLOYEES WANT TO KNOW.....

EMPLOYEE 1



WHAT AM I  
SUPPOSED TO  
BE DOING?

EMPLOYEE 2



HOW WELL AM I  
REQUIRED TO DO  
IT?

EMPLOYEE 3



WHAT DO YOU  
THINK OF MY  
PERFORMANCE?

EMPLOYEE 4

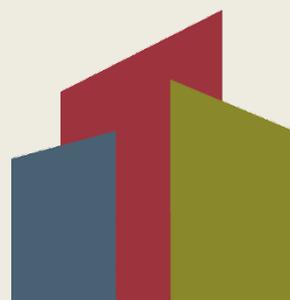


HOW WILL I BE  
REWARDED?

EMPLOYEE 5



HOW CAN I  
IMPROVE MY  
PERFORMANCE?



# Characteristics of a legally acceptable performance appraisal system

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- Developed from systematic analysis of jobs
- Up-to-date job descriptions
- Specific, job-related behaviors
- Clear communication
- Trained supervisors
- Written documentation



# Types of Performance Appraisals

- Comparison of employees against “average” employee
- Comparison against each other
- Evaluation by someone other than supervisor
- 360-degree
- Pass-fail



# Planning an evaluation interview

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- Give employee notice
- Find a private, quiet, neutral location
- Eliminate physical barriers
- Review employee's duties, performance standards or goals, and completed appraisal report
- Encourage employee to prepare by reflecting on his or her job performance – self-appraisal



# Conducting an evaluation interview

- Purpose and specific goals
- Review appraisal
- Specific examples of performance – outstand, good and not-so-good
- How to improve
- Employee feedback
- Summary and game plan



# Motivators for High Performance



# Three Supervisory Roles

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## Coach

- Tries to improve performance and abilities
- Sets goals
- Provides advice on how to achieve goals

## Counselor

- Helps employees address performance problems stemming from personal circumstances

## Mentor

- Acts as a role model
- Provides opportunities for personal and professional growth



# Developing and Maintaining Discipline

**“The state of discipline of any group of people depends essentially on the worthiness of its leaders.”**

-Henri Fayol

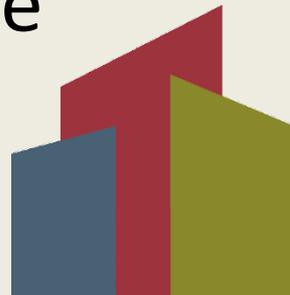
# Most poor performance and inappropriate conduct results from

- Boredom, idleness, or lack of interest in the work
- Misunderstanding of rules and standards
- Unfairness or the perception of unfairness
- Personal problems



# Supervisors sometimes produce performance or behavior problems by

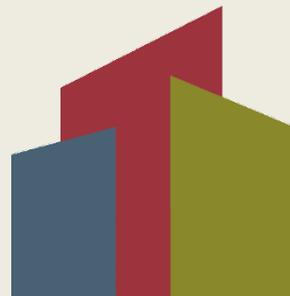
- Enforcing rules unfairly or inconsistently
- Ignoring poor performance
- Paying more attention to poor conduct than to good work
- Adding more work to an employee who has done good work, thereby overloading the employee.



# Steps to strengthen self-discipline

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- Issue clear, reasonable rules
- Set a good example
- Clearly communicate expectations
  - What work is to be done
  - What the expected level of quality is
  - When the work should be finished
  - Why the work is being done
- Keep complete employee records



# To make sure that employees understand rules

- Give each one a copy of the procedures manual and employee handbook
- Post rules and regulations
- Help them understand how their jobs fit in with the whole work group
- Conduct an orientation program and offer refresher sessions
- Hold meetings regularly to review rules, regulations, and job standards



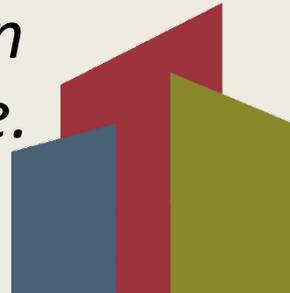
# Steps for dealing with rule violations

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# When deciding what action to take, consider the following:

- How serious was the offense?
- Have any precedents been set for how to proceed?
- What are the possible effects of your action, both good and bad?
- What is the least severe penalty that will still convince the employee that the behavior will not be tolerated?
- *The purpose of disciplinary action is to change an employee's behavior, not to punish the employee.*

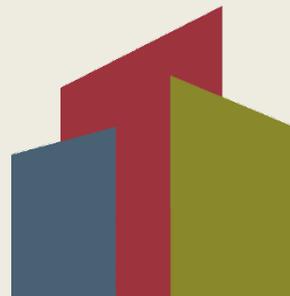
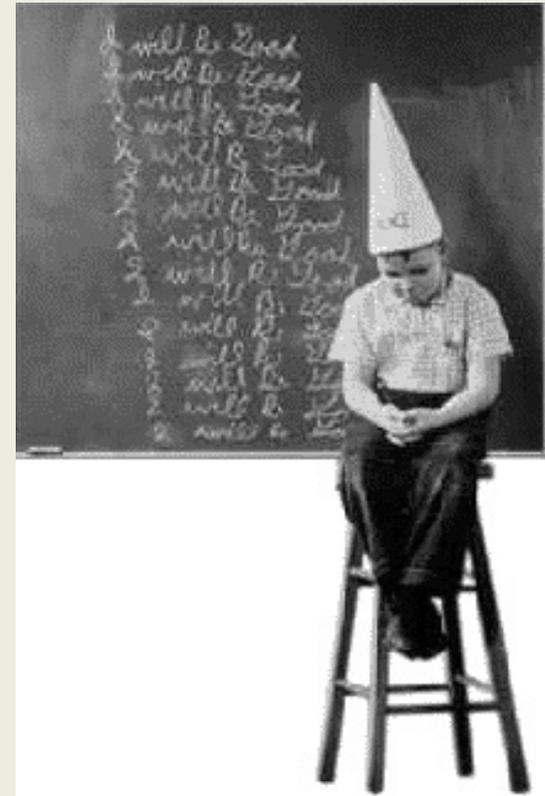


# Possible disciplinary procedures

- **Least severe**

- Informal talk with a caution
- Verbal warning
- Written warning
- Suspension
- Salary reduction
- Demotion
- Dismissal

- **Most severe**



# The disciplinary interview

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- Know what disciplinary action is appropriate beforehand, but be prepared to change your mind if the employee provides new information
- Conduct the interview in private, free of interruption
- Be fair, calm, and businesslike
- Encourage the employee to talk, and listen carefully to his or her explanation
- Have facts organized and at hand
- Keep the discussion focused



## The disciplinary interview (*continued*)

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- Tell the employee what action you will take or recommend
- Specify what the employee must do to improve his or her performance or behavior
- Explain the process for appealing your decision
- Write up the main points that were discussed during the interview, including the goals for improvement
- Put the record of the interview in the employee's file



# If the answer is termination...

- Tell employee the real reason for the termination
- Consider separation package and resignation option
- Do not make defamatory statements about dismissed employee to co-workers, future employers or third parties
- On other hand, do not affirmatively mislead prospective employers by providing only favorable information
- Be careful of discrimination claims



# Resolving Employee Complaints and Grievances

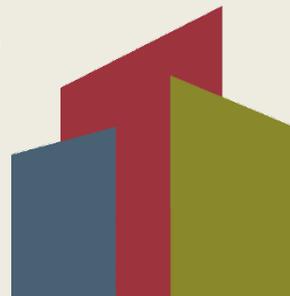
**“The search in the settling of disputes  
should always be for the best future  
activities of the parties involved.”**

Mary Parker Follett

# Gripes, complaints, and grievances

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- People *gripe* to let off steam. They usually do not expect a change.
- *Complaints* require supervisors to take action. Some complaints are minor and can be settled on the spot.
- If they are not handled satisfactorily, gripes and complaints can become *grievances*.
- A *grievance* is usually a written expression of an employee's dissatisfaction with something beyond his or her control.
- *Formal grievances* must be resolved through a formal, step-by-step process.



# Causes of grievances

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- Work assignments
- Working conditions
- Problems with co-workers
  - Discrimination
  - Sexual harassment
- Problems with the supervisor
- Personal problems



# Preventing grievances

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- Talking frequently with employees and listening carefully to what they have to say
- Providing an outlet for complaints
- Watching for changes in behavior that may signal problems
- Monitoring working conditions
- Showing appreciation
- Helping employees acquire new skills or responsibilities



# Steps for handling a grievance

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- Interview all affected parties
- Question and listen attentively to the employee
- Get additional facts and verify statements made by the employee
- Keep accurate records to show that the grievance was investigated thoroughly
- Assess alternatives
- Make your decision promptly
- Explain your decision to the employee
- Follow up



# Thank You!

This presentation was prepared by Community Builders, Inc., a Wyoming-based consulting firm specializing in community and economic development - Bobbe Fitzhugh and Joe Coyne, Principal Consultants - [www.consultCBI.com](http://www.consultCBI.com), under contract and in cooperation with the Wyoming Association of Municipalities.

