

Employee Relations for Managers & Supervisors
July 21, 2011

Now we're going to turn things over to Paul who will present our first case study.

Paul?

>> P. Sienkiewicz: Leon, our first case study involves a leave and attendance issue, and here's the story.

During his first seven months on the job as a new supervisor, Pete has noticed that an employee, JR, has a habit of arriving to work late.

Pete checked, and JR is on a fixed 8:00 a.m. to 4:30 p.m. work schedule.

After seeing JR come in one day at 8:30 a.m. and the next day at 9:00 a.m., he noticed that JR still left that day at 4:30.

On the days he came in late, JR never put in a leave request or provided Pete with an explanation for his tardiness.

One day when JR was leaving, Pete asked him to come back and said that he wanted to talk to him about making up the time that he had missed.

JR just said, I'll see you tomorrow, and walked away.

Pete told him, then you will be reported as A.W.O.L.

JR just ignored him and walked out.

And when Pete asked JR the next day about his tardiness, he reported that he was taking care of business at the HR office.

Pete later found out that this is not the truth, and over a period of several months, JR repeatedly came in late or left early.

Now, some of the reasons that Pete was given when JR was late was that he needed to be at home while his refrigerator was being fixed, or that he had some unexpected personal business to attend to.

But at other times he would leave his work area for a um in of hours at a time without advising Pete or submitting a leave request.

>> L. Thomas: Thanks, Paul.

At this point our panel is going to discuss the case study Paul just presented.

After that conversation, we'll begin opening things up to hear from you using the numbers on your screen.

You can call us toll-free at 1-877-862-5346.

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To send us a fax use 602-906-5701.

If you would like to send us an e-mail or a text message, that address is [BLM_TC_telecast@bureau of Land Management.gov](mailto:BLM_TC_telecast@bureauoflandmanagement.gov).

We'll be putting these numbers and that e-mail address on the screen after each of our case studies.

So give us a call, send us a fax, or shoot us an e-mail or text message.

Now to the panel.

In a situation like this, what type of counseling do you feel is needed?

>> T. Pierce: I'll answer that one, Leon.

In this particular case study, counseling should be given to the employee for a few reasons.

Number one, the tardiness issue.

Number two, the fact that the employee walked away when the supervisor confronted him and wanted to talk with him.

And, thirdly, the fact that the employee was not very truthful when the supervisor had asked him where he was.

Now, there are two forms of counseling.

There's verbal counseling and there's written counseling, and the supervisor can decide which one he or she wants to do.

If you're going to meet with the employee, the supervisor first should try to choose a place that's private where the -- where there wouldn't be any interruptions and the supervisor and the employee can just talk openly and candidly about the situation at hand.

And if the supervisor wants to have a witness at that particular time, the supervisor certainly can, but the witness should not be a co-worker.

The witness should be a disinterested third party or what we always advise is another supervisor.

The supervisor should tell the employee up front four basic things.

Number one, what his or her personal observations have been about the misconduct.

Number two, what is the office's policy for proper office decorum and conduct.

Number three, your expectation on how the employee should conduct himself.

The other thing that goes along with that is that the employee needs to have the opportunity to be

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able to explain.

Now, that's very key because the supervisor has only his or her personal observations at that point.

But there could be a valid reason for the misconduct, and perhaps that reason might lead the employee to go to the employee assistance program.

So it's very key for the supervisor to draw out an explanation for the employee's conduct.

But then lastly, the supervisor must let the employee know the consequences of continued misconduct if it should occur.

Now, I said that conduct can -- counseling can be done verbally, and if it is done verbally, then we would advise the supervisor to jot down as a memory tool on a calendar or on a sheet of paper that would go into the employee's office personnel file that counseling took place, when and what was discussed.

Most of the time, however, we like to suggest that counseling be done in writing, and it would just be a summary, if you will, of what took place, those components that I had mentioned just a few minutes ago.

The original letter should go to the employee and the supervisor should keep a copy of that letter to be placed in the office personnel files that the supervisor keeps.

>> L. Thomas: So now we have the written counseling in place.

Would the supervisor want to apply any leave restrictions?

>> I think leave restrictions would be good in this scenario.

It's one of the many options the supervisor has to address the problem.

All employees are expected to manage leave so it's there and available for them when they need to use it.

Oftentimes putting an employee on leave restrictions is effective because it makes the employee aware of how much leave they're using, oftentimes when you add it up and look at it in black and white, it's very surprising how much leave has been used.

Then, two, it let's -- reminds the employee that the supervisor can set leave requesting procedures and reminds him of what those procedures are and that they must follow them.

>> L. Thomas: What action would be considered A.W.O.L.?

>> P. Sienkiewicz: You know, Leon, when we discussed this scenario as employee relations specialists, we gave kudos to Pete for calling what the employee was doing was absent without leave.

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Because in our experience, a lot of times supervisors are hesitant to use A.W.O.L., they think it's too strict or too military to use.

So a lot of times a supervisor will use AWLP, leave without pay.

A.W.O.L. is unauthorized leave.

LWOP is unauthorized leave status.

Some supervisor think A.W.O.L. is discipline.

That in and of itself is not discipline, but it is an important record to keep because an excessive amount of A.W.O.L. can lead to disciplinary action if need be.

So what we would want to stress to supervisors in this training is not to hesitate to use A.W.O.L. if an employee is unauthorized to take the leave.

That is what it is there for.

>> L. Thomas: We know supervisor never want to find themselves in this situation, and we know we definitely don't want to expose our employees to a situation like this where they're tripping over themselves.

What could the supervisor have done differently?

>> In this case Pete the supervisor could have corrected the behavior early on when they first noticed it, taken the opportunity as quick as they noticed the pattern, and pulled the employee aside and kind of put him on notice, letting the employee be aware that what the expectation of attendance was, making sure that the employee understood what to do if they needed to leave early, and what the actual policies were for that particular office.

Oftentimes supervisors are aware of conduct issues but they wait until the behavior gets out of control, and if you actually speak to the employee first, you can usually correct the behavior before it gets out of control.

>> L. Thomas: Very good point.

Thank you, Lisa.

Now it's time for your questions.

Please, if you have any questions, please give us a call, send us a fax or an e-mail, and even a text message at the numbers that you see down at the bottom of your screen.

>> P. Sienkiewicz: If I could, Leon, just interject while we're waiting for that, Terry, you spoke about doing a letter of counseling and I talked about A.W.O.L. being potential discipline.

I think it's important also to note a letter of counseling is not a disciplinary action either but it is

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documentation, and I'm sure all of our managers have hushed the mantra document, document, document.

That's a part of the process, is the documentation that is important to keep.

>> T. Pierce: You are exactly right.

And that would also be considered informal discipline.

>> And it could be your supporting basis for formal discipline later on, which is a letter of reprimand or higher.

But that's a perfect way to document the employee has been warned and notified of the different rules.

>> I think a good thing also to point out is when it comes to charging A.W.O.L. that if an employee is 15 or 30 minutes late and you're going to be charging them A.W.O.L., that doesn't necessarily mean we'll do a disciplinary action.

It might take several of those before you would actually discipline.

It's to put the employee on notice and get it on the record to make sure you and the employee both have an understanding that that type of behavior is not acceptable.

>> L. Thomas: We still have time for your questions.

So please give us a call, send us a fax, e-mail or text message.

There'll also be plenty of time after each of the other case studies to do so, so, please, use the numbers and the e-mail address at the bottom of your screen if you have any questions for us.

I guess right now what we'll do is go to Julie for another case study.