

Creating a Culture of Engagement and Equity

A Guide for Supervisors

A City of Madison supervisor's guide to the recruitment, selection, support, and development of a talented, engaged and diverse workforce, and to the fundamentals of employee and labor relations.



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1. INTRODUCTION

The supervisor in public service is the vital link in the management chain of command that converts policy into practice. Supervisors are charged with an imposing list of responsibilities: accountability for quality service standards and cost effectiveness; scheduling staff; direction of subordinates; ensuring effective use of equipment; coordination with other divisions; and implementation of the City's Human Resources program.

The supervisor is often tasked with critical responsibilities in the selection, support, and development of talented and diverse employees, all the while vigilantly maintaining a focused and engaged workforce. The supervisor is also the first line representative of management to employees and the labor unions, and is responsible for day to day interpretation and application of the labor contract. Every action by a supervisor is considered to represent the position of the City. Supervisors are responsible for ensuring that the conditions of employment guaranteed by ordinance or contract are maintained in a fair and equitable manner. Correspondingly, supervisors have the responsibility to make sure the rights of the City are preserved in practice, as well as in language. Essential to the exercise of these responsibilities is a thorough knowledge of the City's hiring practices, leave and layoff administration, benefits administration, and the appropriate collective bargaining agreement.

The purpose of this manual is to provide guidance and understanding to supervisors in the implementation of Human Resources policies and procedures. The information in this manual will assist supervisors in working with their employees with confidence and competence, toward ensuring a talented, diverse and engaged workforce. In addition to the information provided in this manual, the Human Resources Department offers day-to-day support and advice to supervisors in all aspects of employment relations, as well as various training presentations. This effort is in part facilitated by HR specialists, as well as HR Analysts who will assist in all aspects of HR within specific assigned departments. For more information regarding your assigned Analyst, or for any other questions or concerns related to Human Resources, please contact the HR staff at 266-4615.

EMPLOYEE ENGAGEMENT AND EQUITY

A supervisor's job is always easier with high performing, well-staffed and resourced, and highly engaged employees. Employee engagement is a critical factor in turning an adequately functioning department into a unit which can provide exemplary service for the City of Madison. An engaged employee is one who is willing to take on the identity and mission of the organization, recognizing a connection between their own work and the organizational goals. Engaged public employees are unique in that they see serving the public with integrity as a primary motivator in their daily work life.

A 'Culture of Engagement' exists in the workplace when managers, supervisors and employees are connected to the goals and values of the organization. Every supervisor is responsible for shaping a workplace that supports and sustains engagement. Studies show that engagement and satisfaction among workers are highly correlated. Studies also show that an employee's supervisor plays one of the most significant roles in determining employee satisfaction levels. Among employees who think of leaving an organization, the primary reason is the employee's supervisor. Supervisors who create a culture of engagement have a better likelihood of having an engaged workforce and a more satisfied staff. Supervisors and managers are responsible for encouraging employee engagement and for ensuring that opportunity in the workplace is provided in an equitable manner. Creating a culture of engagement is not a one-time initiative, but rather must be a continuous endeavor. Otherwise employees are less likely to become and remain engaged. Supervisors should see each interaction with an employee as having the potential to boost or inspire an employee's effort.

Equity is just and fair inclusion into a society in which all persons, including all racial and ethnic groups, can participate, prosper, and reach their full potential. Equity gives all people a just and fair shot in life despite historic patterns of racial and economic exclusion. Equity is an internal and external endeavor. External examples of using an equity focus in the City of Madison include provision of free or reduced bus passes (adequate transportation for those who need it), or Library technology initiatives (providing free internet access for those who have limited access). Internally, equity is about ensuring all of our employees have the ability to participate in the workplace, prosper, and reach their full potential, regardless of race, gender, socioeconomic status, etc.

Equity and engagement go hand in hand. Equity is a part of the overall City mission, and internally, a lack of equity in a workplace can be detrimental to overall engagement. Think about this: are employees who aren't given equitable access to resources and opportunities in an organization going to feel driven toward making that organization thrive?

The City's employee engagement and equity process consists of strategies developed in four separate focuses of engagement: Building Trust, Equipping Employees, Developing Employees, and Connecting to Purpose. Each one of these areas has associated strategies at the individual employee level, in teams, and organizationally. Organizational strategies are intended to help managers and supervisors create a culture of engagement to ensure effectiveness of individual and team strategies. The central focus is the culture and civility program, which is the organizational tool used for trust building. We first initiate

the process, survey staff, select strategies, and then work on those strategies. After working on areas that need improvement, supervisors go through a follow-up phase to see what has worked and what has been less successful.

The City has organized a cross-section of City staff to focus on increasing employee engagement and equity organizationally. This City-wide Culture and Engagement Team exists to implement necessary changes to this process and to address ongoing impediments to employee engagement. Each agency is also encouraged to create its own engagement team(s). Those teams can work hand in hand with supervisors in implementing engagement and equity strategies and measures, thereby changing the culture from one that is stagnant, to one that is increasingly engaged over time.

A flowchart with each of the pieces of the engagement process is on the following page.



2. DEFINING ENGAGEMENT

A. Defining Employee Engagement

Engagement can be defined as the amount of discretionary performance an employee is willing to undertake. Discretionary performance is performance that goes above and beyond what is actually required of the employee. The level of engagement among employees has a direct impact on the quality, quantity and manner in which services are provided to the public we serve. Employees can fit into one of three distinct levels of engagement¹ at any given time; however, an employee may move in and out of each of these levels over the course of their employment with the City:

- *Engaged employees* are those who work with passion. Because they feel a strong connection to the organization, they work hard to innovate and improve. They are often described as having an emotional connection to their work.
- *Not-engaged employees* are those who do the work expected of them, but do not put in extra effort. They are putting time, but not much energy or passion into their work.
- *Actively disengaged employees* are those who aren't just unhappy, but are spreading their unhappiness to other staff and often undermining the work their engaged co-workers accomplish.

Performance management is only one aspect of ensuring the City is meeting the needs of the community with optimal efficiency. By ensuring City employees remain engaged beyond meeting performance expectations, we ensure optimal performance of our organization. Studies show engaged employees have higher job satisfaction rates. In addition, studies show that engaged employees also demonstrate:

- Higher customer service scores
- Fewer work accidents
- Less turnover
- 27 percent less absenteeism

Consequently, while keeping a workforce engaged is difficult, the rewards are felt by customers, coworkers, the organization, and you as the supervisor.

B. Engagement vs. Motivation

¹ For more information, please see the International Public Management Association for Human Resources, *HR News*, Employee Engagement, June, 2012, and January, 2013.

An engaged employee is not just a motivated employee. A motivated employee could be motivated by fear of negative job action, desire to leave the organization, or simply more pay. An engaged employee, on the other hand, is sincerely interested in the success of the organization. This results in an employee who is willing to take responsible risk to innovate, drive the organization forward, and in turn, drive coworkers toward organizational goals.

Engaged employees can also be defined differently from motivated employees in terms of output. For example, imagine watching a team of employees working hard to complete a project by a deadline. If they do so, they will be rewarded with a bonus from the client. As an observer, you see all of the employees fully in the game, working hard, and you would say, "Everyone is really motivated." At the eleventh hour, something goes wrong, either a computer crashes or the team realizes it doesn't have the resources to complete the project on time and will not receive the bonus. Now, you have two groups of people: those who look at their watch and say, "Oh, well, we tried. Time to go home." and those who say, "What is it that we can get accomplished?" Who do you want on your team?

C. Key Measures of Employee Engagement

There are twelve key measures of engagement originally defined by Gallup². These measures are called the *Gallup Q¹²*, which was created by Gallup after studying high functioning organizations with engaged employees. After reviewing measures related to engagement and inclusivity, the City's Culture and Engagement Team identified the following questions as measures of engagement and equity appropriate for the City of Madison:

1. Do you know what is expected of you at work?
2. Do you have the materials and equipment you need to do your work right?
3. At work, do you have the opportunity to do what you do best every day?
4. In the last seven days, have you received recognition or praise for doing good work?
5. Does your supervisor, or someone at work, seem to care about you as a person?
6. Is there someone at work who encourages your development?
7. At work, do your opinions seem to count?
8. Does the mission/purpose of your company make you feel your job is important?
9. Are your associates (fellow employees) committed to doing quality work?

² For more information, please see Gallup, *State of the Global Workplace*, Gallup Incorporated, 2013, or www.gallup.com.

10. Do you have a best friend at work?
11. In the last six months, has someone at work talked to you about your progress?
12. In the last year, have you had opportunities at work to learn and grow?
13. Do you trust the City to be fair to all employees?
14. At work, are all employees treated with respect?
15. Do you feel valued in the organization?

These measures will be reviewed annually to determine need for modification.

Demographic information included on the survey allows HR to assess inclusivity responses by gender, race, educational attainment, and length-of-service. Those assessments can assist in designing the agency's initiatives. For example, it allows us to look at whether or not employees feel equally valued across gender lines and then implement strategies well tailored to dealing with those issues, or to provide unconscious bias training as a part of the overall Culture, Respect, and Civility Program.

D. The Engagement Process

Human Resources best practice includes implementation of employee engagement strategies in each work unit in order to develop a culture of engagement. As previously stated, it is best to not view engagement as a one-time need, but rather as a continuous need within the organization. The employee engagement process should consist of initiating engagement, implementation of engagement strategies, and follow-up. It should be noted that while each step in the initiation and follow-up section should be completed, supervisors can pick and choose from the most effective and needed strategies rather than attempting to implement all strategies at once. New strategies can also be incorporated from outside sources that best address the survey deficiencies identified.

The process includes the following steps:

1. Explain the importance of employee engagement at an engagement kick-off meeting. Put employee engagement on a staff meeting agenda and then do your homework. Find examples of what engaged employees look like and then be able to describe the impacts of those examples to your specific workplace. Human Resource Analysts are happy to assist in these initial implementation activities.

The Culture and Engagement Team recommends that meetings begin with an exercise designed to focus the conversation on the positive. People are inclined to start with a more traditional problem-solving model, where we identify problems and look for solutions. Instead, by asking positive questions, we can start by looking at our own strengths and at what is already going

well in the organization. Sometimes, you may see this model referred to as “appreciative inquiry”³ For example, instead of beginning by asking “what do we, as a department, need to do better?” we can have each participant take a moment to answer the question “what is the very best part of your job?” or “what is it about this project/program/etc that excites you the most?”

The goal of these positive questions is to find out what gives life to an organization, a community, or a person, and when it is most effective in economic, ecological, and human terms. These questions are also helpful in one-on-one engagement sessions. Please see more information, including sample questions, in Section 2, Building Trust.

A great way to begin such an exercise is to have participants break up into groups and ask each other positive questions from a prepared list. The prepared questions should be open-ended, thought provoking and ideally evoke reflection on a specific example. Each group then recounts some of the responses to the larger group, who attempt to identify value themes within the responses. For example, a set of stories may all share the theme that the employees are most fulfilled at work when they can see the public benefitting directly from their actions.

In smaller groups, or with people who express themselves best in writing, it might be helpful to have everyone take a few quiet minutes to write about an experience to share with the group. Remember, not everyone is comfortable reading their writing aloud, so ask for a few volunteers instead of making it mandatory.

HR Analysts are available to assist in creation and implementation of this first exercise. Sample positive questions are included in the engagement exercise in the appendix of this manual. Each interviewer should complete the summary sheet in the attached exercise, and the group should then reconvene and share responses and common themes.

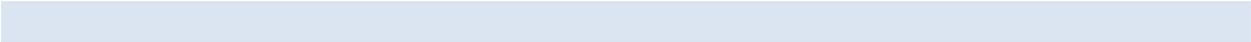
2. Don't be afraid to use this first meeting on employee engagement as a brainstorming session. Often, other employees are the first witnesses to the impacts of employee engagement and can provide a plethora of examples. After you've properly defined employee engagement, it is important to develop a clear understanding how engaged your employees are.
3. Do a baseline survey. Utilize the survey to determine of how engaged your employees are prior to strategy implementation. This survey must be done anonymously: more accurate results are achieved when employees feel free to answer honestly. A sample survey is available in the final section of this manual. This sample can be customized for your department but should contain many of the same measures.

³ For more information, please see Cooperrider, David; Whitney, Diana D. (2005-10-10). *Appreciative Inquiry: A Positive Revolution in Change* (Kindle Locations 224-226). Berrett-Koehler Publishers.

See also Watkins & Mohr, *Appreciative inquiry: Change at the Speed of Imagination*. 2001.

4. Communicate results in a timely fashion. Create follow-up meetings to review survey results and discuss score influencers. It can be detrimental to engagement to begin the engagement process without follow-through, or if follow-through is untimely. Be sure results of the initial study are disseminated and discussed within a month from conducting the initial surveys.
5. Select goals and strategies (see next chapter).
6. Implement strategies (see following sections).
7. Do a follow-up survey to allow you to find out which measures you were best at improving. See how your improvements compare to the effort spent either by the teams or by you as an individual supervisor. Recognize that these are just measures. Success may not mean improvement, but rather maintenance. If you reach a level of consistent engagement, it is a success to remain there!
8. Identify barriers to success. Use the change in engagement for each question or group of questions to identify where those barriers might be. Avoid the blame game. While supervisors play a crucial role in employee engagement, ultimately each person is responsible for his/her own engagement.
9. Repeat!

Remember, implementation of this engagement process should be department-wide. When employees see all units working on engagement, it becomes less one supervisor's initiative, and more of a way of doing business. It is also important to remember that Human Resources Analysts are available to assist you in each stage of this process.



3. SELECTION OF ENGAGEMENT STRATEGIES

Selecting engagement strategies should be done with a focus on organizational goals, aspirations, and identified deficiencies and with an eye toward equity. The survey will help identify your work unit's deficiencies, but if you don't have a well identified mission, goals, and work-plan, those should be an area of focus. Even trust-building will be difficult if you have no gauge for aligning values, goals, processes, structures, and individual actions. When selecting strategies, make certain the team prioritizes in part based on equity considerations.

A. Discuss Goals

You should begin by discussing with the work unit organizational goals and goals for the engagement process. Organizational goals will be both internal and external. Externally, your organizational goals will focus on the service your organization provides to the City of Madison. Internally, goals will focus on culture, structure, processes, and relationships.

When discussing goals for the engagement process make sure you're discussing real world goals. Use the survey questions as a jumping off point for discussion of actual engagement goals. For example, ask the group, "What would have to happen for us all to agree that at work, my opinions seem to count?" Not only does the ensuing discussion provide ideas for engagement strategies, but it can help increase employee awareness of that specific measure if some of their ideas cannot be put into action. For example, one of the responses to this question might be, "Even though my ideas cannot always be implemented, I would agree that my opinions seem to count if they are always considered by the rest of the group." By discussing the measure, employees can develop reasonable expectations along with ideas for changes to help achieve high scores on those measures.

B. Select Engagement Strategies

Supervisors should select a number of individual- and team-initiated strategies. While you're working on meeting with each employee for an individual engagement session, for example, you can also task a team with identifying all necessary tools for each of the positions in the work unit. Identify the best strategies to use by first identifying where there are deficiencies. Review the survey results:

- Are there deficiencies in feedback, recognition, or relationship building? Focus on building trust.
- Do employees feel they lack the skills/equipment to do their best each day? Focus on equipping employees.
- Do employees feel personal development is not adequately emphasized? Focus on developing employees.
- Are individual employees not connected to the bigger picture or are there processes that are out of alignment with core values or vision? Focus on connecting to purpose.

This process intentionally provides strategies for trust building and equipping employees prior to strategies for developing employees and connecting to purpose. It is important for supervisors to focus on ensuring the primary employee needs are met prior to implementation of strategies focused on higher level needs. Thus, if survey results reveal little issue with trust or equipment, it is appropriate to begin with strategies targeted at employee development or connecting to purpose. However, if employees show low results in either of the two initial areas (Build Trust, Equip Employees), work should be completed in those areas prior to placing **primary** focus on higher level strategies.

After identifying the appropriate strategies, it's time to implement them. Remember, this should not be a one-time implementation, but rather consistent work on the identified strategies within a specified time-frame.

As an example, the People and Places Agency work unit has completed the engagement survey. They've noted that some of their lowest scores revolve around one on one contact with supervisors. They hold two focus groups to identify core needs with a cross-section of employees, and put forward the following strategies to help boost engagement:

- Require an update of all position descriptions within 6 months.
- Mandate twice per year, one-on-one development discussions between each supervisor and each employee.
- Place employee recognition on the agenda for each management team meeting, to provide accountability for sharing of success stories, and share out using the communication plan developed below.
- Create a communication plan for disseminating information throughout the organization with an identified lead staff member. Part of this plan includes a quarterly update for employees with information on people, projects, budget information, and employee events.
- Use the assistance of the Racial Equity and Social Justice group to identify barriers based on race of key services to community members. Identify two primary staff members responsible for implementation, three priority areas for analysis, and complete within 1 year.

C. Implement Engagement Strategies

Improving employee engagement requires addressing identified assets and deficiencies, as well as common and/or individual motivators of discretionary performance. The next four sections of this manual will discuss in detail various strategies for making improvement in the four target areas: Building Trust, Equipping Employees, Developing Employees, and Connecting to Purpose. These strategies can be utilized within or outside of a formal engagement process using a combination of organizational, team-level and one-on-one approaches.

- Organizational strategies are about creating a culture of engagement and revitalizing the way we do business in the City of Madison. This involves assessment of the entire organization, and

implementation of strategies toward creation of a workplace that supports and sustains the engagement of all staff. This is the “big picture” level and all of our other efforts are directed towards this goal.

- Many of the engagement strategies are best executed by workplace-level engagement teams. Engagement teams are especially effective at building trust and ensuring employees are well equipped for optimal performance. When creating engagement teams encourage your team members to take responsibility for leading engagement sessions or projects. This allows them to take ownership of the engagement activities and for others to be more forthright than when “the boss” is around. It’s worth remembering these key elements when working on strategies at the team-level:
 - Provide the teams with enough time to meet to specifically discuss engagement. The teams should create an action plan that includes the benefits of engagement, planned engagement initiatives, reporting on efforts that worked well at improving employee engagement and reporting on less successful efforts.
 - Publicly recognize teams doing well. Praise teams who are taking a proactive approach, making time for engagement activities or taking a lead on workplace innovation. Recognize them in a newsletter; support the team efforts in an all staff meeting.
 - Provide teams with adequate authority to complete their project. Nothing impedes engagement more than a lot of energy devoted to a great idea that is never implemented. Teams should be given appropriate authority within a given set of parameters. Make sure available funding, time, resources, and goals are identified at the outset of the team project.
- As a supervisor, you have the unique role of fostering employee engagement at the individual level. One-on-one approaches should be initiated by the supervisor and require consistent effort on a supervisor’s part toward continuance of the chosen strategy. Remember that every interaction a supervisor has with an employee is an opportunity to support the engagement process. Supervisors must recognize that each individual will have unique motivators; a one-size-fits-all approach will not work with engagement.

Whether utilizing an organizational, team, or one-on-one approach, employees need to see that the supervisor is dedicated to the engagement process. It is also important to remember that building trust and equipping employees are both primary needs and should be completed prior to employing higher level strategies. The first focus area, Build Trust, actually begins at the very start of the employment relationship, but can be improved throughout employment.

BUILDING TRUST

Building trust is the critical foundation of the employee/employer relationship. While you can work with Organizational Development and Training (OD&T) to develop questions specifically targeted at trust deficiencies, the survey questions can also help you identify this as a necessary area of focus. When trust breaks down, it can be evidenced by negative answers to any of the following questions:

- In the last seven days, have you received recognition or praise for doing good work?
- Does your supervisor, or someone at work, seem to care about you as a person?
- Do you have a close friend at work?

A. Trust: Purpose, Definition, and Tips

Trust building begins with development of a healthy, productive, interpersonal relationship between supervisors and staff, and amongst staff themselves. When we build and maintain trusting relationships in the workplace, it allows us to more fully accomplish the mission and goals of each agency in a way that is in alignment with the values of the organization. Even when there has been a breakdown in trust, it can be rebuilt incrementally over time. Individual workplace trust is trust that is mutually exchanged between employees in all levels of an organization, and can be divided into three separate areas: Contractual Trust, Communication Trust, and Competence Trust.⁴

Contractual Trust is about keeping agreements. Regardless of their position within an organization, it is critical that staff think about the necessity of doing what was promised. Over-promise, a lack of appropriate delegation, or lack of consistency can be detrimental to contractual trust.

Communication Trust involves consistent honesty, including the ability to make and admit to mistakes and to share openly with one another. Communication trust is inhibited where people feel they are not able to provide honest feedback without retribution.

Competence Trust is about acknowledging the knowledge, skills, and abilities each one of us bring into an organization and, where appropriate, allowing staff the freedom and flexibility to make decisions that make a difference to their workday, the organization, or the community. In other words, it is when we can rely on each other to do our jobs well so that the entire workgroup can succeed. It is important to monitor this kind of trust, since when budgets and time are stretched thin, employees can be so focused on completing their own work or projects they underestimate the work of coworkers.

⁴ For more information on Trust Building purpose, definitions, and strategies, please see Reina, Dennis S.; Reina, Michelle L. (2006-01-12). Trust and Betrayal in the Workplace. Berrett-Koehler Publishers.

In addition to modeling engaged behaviors or utilizing the strategies included in this manual, leaders within an organization can incrementally build these three types of trust through consistently demonstrating specific behaviors. In order to build Contractual Trust:

- Keep agreements. Plain and simple: if you say you're going to be there, be there.
- Manage expectations. Prior to making commitments, make sure they are commitments you can follow through on.
- Be consistent. A lack of predictability can lead to unfulfilled expectations.
- Establish clear roles, responsibilities, and expectations.
- Delegate work where possible. Each person, supervisors and managers included, need to be provided a manageable workload.

There may be times where the fine line between sharing information and maintaining confidentiality are blurred. However, to grow Communication Trust, be careful to demonstrate the following:

- Share information. There are times where information cannot be shared for confidentiality reasons. To manage these situations, rather than avoid the truth, simply let the other person know you're not able to share for confidentiality reasons.
- Tell the truth.
- Admit mistakes. We all make them; denial only makes them worse. Remember, too, that mistakes are often a shared responsibility. No one person is usually at fault in any given situation.
- Maintain confidentiality. As with sharing information, if there is some reason you would not be able to maintain someone's confidence, make certain that is clear in advance.
- Speak with "good purpose." When we speak with good purpose we seek to resolve issues and address concerns, rather than vent frustrations.

Finally, acknowledge the good work those around you are doing by demonstrating behaviors associated with high Competence Trust. Building Competence Trust serves the additional purpose of connecting individuals to the organization, one of the keys to engagement. These behaviors include:

- Acknowledge the skills and abilities of coworkers.
- Allow people to make decisions. Control is difficult to give up, but giving it up is a rewarding trust builder where appropriate.
- Involve others and seek input in design or operational decisions. Obtaining a variety of input not only builds trust amongst teams, it often produces far superior results.

- Help people learn skills. This is directly tied to employee development.

B. Modeling Engaged Behaviors

While these strategies are helpful, modeling engaged behavior is the best way to keep staff engaged. What you do day-in and day-out communicates more to your employees than anything you might say at a periodic staff meeting. Show genuine caring and concern for your staff and coworkers. Be clear about what is expected of you, how the responsibilities you have play a role in your organizational goals, and keep the community impact at the forefront of the decisions you make as team leader.

People tend to be more receptive to principled leaders. Principled leaders have more credibility and engender a higher level of trust. When employees know that their supervisor acts consistently from personal and organizational values, it is easier to see such actions and instructions as mission-focused rather than arbitrary.

Clearly defining your own personal and professional values, as well as the City's organizational values, is a first step to ensuring that you are modeling engaged behaviors with your team. Sit down and inventory what is important to you, at work, at home, as a person. Once you've inventoried those values, look at how your actions in each area are in alignment with your personal values. For more information on value surveys, please contact Organizational Development and Training.

The best way to build trust and to model engagement is to make sure that your actions are aligned with the values, goals and strategies you are trying to enact. Three tools that assist with this process are imagination, planning and reflection. Imagine the results you want to see and ask what steps are needed to achieve that vision. Plan your actions so that they are directed toward the goal. This can include everything from deciding to offer more employee praise in informal settings, to deciding to write agendas for staff meetings in such a way as to elicit more input and feedback, to crafting department-level policies on job duties. Critically, after enacting your plan, take time to reflect on the outcome and ask whether your values and goals were served or hindered. Revise and repeat!

Remember, people are not only watching you: in many cases, they are emulating your behavior. Each individual in an organization has a potential to be a leader, whether in a good way or a bad way. Attitudes are infectious. Leaders who are so immersed in daily work that they forget to see the big picture will only lead others to do the same.

4. BUILD INDIVIDUAL TRUST

The importance of getting to know your staff, their goals, needs, and talents, cannot be overstated. The survey will help identify themes, or areas in your organization that need primary focus. However, each employee is unique; provide them the respect of getting to know their own personal keys to engagement.

A. Hold One on One Engagement Sessions

Information and mentoring is available in Human Resources for holding one on one engagement sessions. Think of these sessions less like a formal communication and more like an art form, where the goal is to draw a clear picture of the work environment that allows that specific employee to work best. Rather than problem focused questions, ask questions about previous positions or times in the employee's career when s/he has been particularly engaged. Recognize that there are motivators unique to each employee. It is important to identify individual motivators and where possible, use those motivators toward high performance and employee engagement.

1. Ask good questions.

Using positive questions is a helpful starting point for these discussions. Use questions that help you identify the "triggers" to engagement and build on assets, rather than being problem focused. The "Building on Your Strengths Interview Guide" in the appendix has some examples. You can personalize these interview questions to get a clearer picture of how to ensure high engagement for an employee. It may be helpful to start out with generalized questions like, "Let's begin by talking about a time when you felt most happy in your career – a time when you were having fun and doing a great job. Describe the situation."

As you've developed a better understanding about the employee and the unique keys to motivation, dig deeper to identify work environment, structure, or assignments that can help keep that employee engaged. For example, a Clerk's office employee might talk about being energized by feeling like they are part of a process that encourages people to vote. Ask questions like, "Do you find the personal contact energizing?" or "Are you energized by working out the details that enable high voter participation?"

2. Listen to the responses!

Active listening shows the employee you value them enough to give them all of your attention for that period of time. Make sure the meeting is scheduled in advance so you're not en route from one project to another, and make sure you turn off any distractions like cell phones and e-mail. Active listening often means taking notes, repeating phrases back, and maintaining eye contact with the individual you're speaking with. Active listening allows you to gather much more information than if you're distracted.

3. Thank them for sharing; take a few moments to collect your thoughts and summarize their responses.

Try to identify common themes in their responses. The theme is the idea or concept present in the stories of people reporting their times of greatest excitement, creativity, and reward. For example, during the interview you might hear "a feeling of success" or "clarity about purpose" or "fun and excitement." These phrases are 'themes.'⁵ Active listening and summarizing themes in a conversation can take practice, especially given busy schedules.

4. Verbalize back what you heard, and identify methods for aligning themes with work environment, structure, or assignments that can help keep that employee engaged.

These discussions should be free-flowing, and should be separate from discussions regarding necessary performance improvement, except where introduced by the employee. For example, Mike is a Parks Maintenance Worker in your work unit. You sit down with Mike and go through an engagement session where you identify as common themes of engagement, personal pride in work and project completion. Mike is energized when he does a project well and is able to see it through to the end. However, you've had issues with Mike rarely completing his tasks on time. You should save that issue for a scheduled performance discussion unless Mike brings it up. If he does, use it as a brainstorming opportunity. Identify ways he can streamline processes so as to ensure he's completing projects on time.

These meetings can occur as often as needed. Good listening and adequate time for discussion are important in making these meetings productive. These meetings should be supplemental to ongoing coaching and counseling.

B. Provide Ongoing Coaching and Counseling

Provide ongoing coaching and counseling both for high performers and low performers. Nothing is as effective as ongoing coaching and counseling for providing recognition or for encouraging performance improvement. Ongoing coaching and counseling is a centerpiece of the Performance Management Process and supervisors are encouraged to use the SBI model (Situation-Behavior-Impact). The SBI model identifies specific situations, pinpoints the behavior you want to discuss, and describes clear impacts of the behavior.

When discussing good behavior, formally or informally, setting is not as critical as when discussing behavior that needs improvement. When discussing behavior that needs improvement always do so in a location that allows for any concerns about privacy to be met. Employees approached in public about a performance deficiency may be more likely to become defensive or embarrassed, and not be as receptive to constructive feedback. This goes back to the need to model confidentiality where required.

⁵ (Watkins & Mohr, 2001, p. 119)

When providing coaching and counseling, follow these steps:

1. Describe the situation. The situation is where, when, and who was involved. Providing context for an employee helps bring them back to how they were feeling at the time of the incident. This context leads to better understanding of why the behavior was exhibited, whether positive or not. Instead of saying, "You're often very good to customers," you might say, "I heard your interaction over the telephone with a customer calling in yesterday at noon."
2. Describe the specific behavior. Try not to use subjective adjectives like great, nice, poor, good, rude, but rather describe what actually occurred. "You forwarded the customer to the right person in finance, gave accurate information, and used the phrase, 'pleased to help you'." Instead of describing someone as rude during a meeting, say, "During the meeting, you interrupted your co-workers and raised your voice. As a result, I received numerous complaints afterward."
3. Describe the impact of the behavior. Remember to include impacts on others, processes, the community, and you!
4. State clearly what you require as acceptable performance (job expectations/results/changes desired). Make sure to highlight specific ways employee performance may or may not need change in order to meet the expectations as outlined on the position description.
5. State the consequences if change does not occur.
6. Document any formal job instructions. Documentation does not need to be in any specific format. An easy way to document a conversation is to create a private Outlook event, "Talked to Mike about behavior in 7/9/13 meeting. Reminded him of necessity not to talk over others or raise his voice."
7. Offer EAP assistance if necessary. Forms are available on EmployeeNet.

Remember, feedback is not just about addressing deficiencies. Be sure to praise good performance: this is the most effective means of ensuring performance consistency. When discussing poor performance, be aware and in control of your feelings and emotional responses. Supervisors should be conscientious about "taking the high road" and not letting anger or frustration cloud the specific feedback being offered.

When individually recognizing good work, blanket "thank-yous", and "good jobs" are typically appreciated, however, it is most effective to target the specific work an employee has done. For example, instead of saying, "Jane, nice work yesterday," a more effective approach is to say, "Jane, I really appreciated the work you did yesterday in the budget meeting. You were concise and clear in your directive, but took adequate time in hearing concerns." This helps give your message authenticity. Please see the Performance Management Process section for more information on performance management.

If an employee is represented and wishes to have a Union representative present, it is often a good idea to allow the representative to attend where possible and when requested. Even though this is not discipline it can be helpful in clarifying expectations to have someone witness.

C. Weekly (or at least regular) Check-In

Make time each week to check in with each one of your direct employees. Ask about the important work they are doing for the organization; ask if they have any operational concerns; find out if they are seeking more challenge; ask about outside interests. If needed, set the time aside on your calendar in order to ensure you're meeting with each of your staff members.

1. Informal Meetings

Informal meetings with staff should occur spontaneously and be driven by work assignment and needs. However, where work assignments do not create a need for frequent communication, make sure to stop by each direct employee's work site or office at least once a week for informal communication. While formal meetings create a strong dialogue mechanism for specific work projects, they don't normally elicit some of the most important information from an employee. An employee who is brought in to talk about a road construction project is not as likely to describe overloads of work assignments, personal or work issues impeding high performance, or growth opportunity ideas. That same employee is more likely to open up about concerns or ideas when approached informally. Weekly informal check-ins with staff give supervisors and staff the opportunity to have one-on-one conversations and the opportunity to dish out compliments or seek opportunities for growth. For workgroups of more than 10, it may be more feasible to have monthly or quarterly conversations.

2. Formal Meetings

Pre-scheduled, one-on-one meetings are an opportunity to open communications with individual staff in a formalized way. It may not be necessary to hold these meetings once per week, but they should be frequent enough that supervisors aren't holding formal meetings in order to only address performance issues. Instead, set up monthly meetings with each employee. Those meetings could be as short as twenty minutes, or as long as an hour, but enough time to address current work projects, recent incidents, and to provide work related feedback. Set an agenda so the employee does not have to worry about the content of the meeting, but instead can come in prepared to talk about the work they're doing.

D. Provide Autonomy

To the extent that mission accomplishment and employee skill set permit it, management should give employees autonomy in such areas as scheduling work, making decisions, and determining how and when to do job tasks. It can be difficult to relinquish control over these areas. Often the results can be better when supervisors assign work but staff retains some decision making over the method.

Some areas where providing autonomy might be practical include:

- Workspace design
- Work schedule
- Responsibility assignment
- Planning/Design of work processes

When looking at workspace design, be sure to set out appropriate parameters at the start. Some work locations may preclude use of some equipment, for example. Identify where work space might have safety concerns or implications. Contact Sherry Severson in Human Resources, or Dave Rihn in Finance, to discuss work space design concerns including, but not limited to, appropriate lighting, chair design and height, appropriate equipment, computer screen height and positioning, and work boots and safety vests.

When looking at work schedule design, make sure the employee takes into consideration operational needs, union contracts, City APMs, past practices, and the needs of coworkers, and identify appropriate parameters at the outset.

When looking at autonomy in assignment of specific tasks, take into consideration the classification and range of the employee, the impact on customers, the knowledge, skills and abilities of the employee, the impacts on other employees, and collective bargaining agreement implications.

In the planning process, empower the employee to identify each piece of the project or process, determine necessity and efficiency, and create an efficiency plan. Giving employees the freedom and flexibility to do the jobs they were hired to do increases motivation and performance for the organization.

Further, giving employees autonomy by providing freedom and flexibility within reasonable and well defined parameters pays off in the long run. It allows them to design effective and efficient processes, allows them to get more done in the long run, and increases workplace trust and employee engagement over time.

5. BUILD TEAM TRUST

Building team trust can transform a work unit and increase effectiveness. This workplace-level trust (sometimes called “transformative trust”) is where people see that they are part of a larger whole, and “see the underlying meaning in what they do and their contribution to the larger system⁶.” At this “transformative” level, we recognize our coworkers’ knowledge, skills, and abilities. We also recognize each person’s potential as well as their ability to make mistakes. At this level of trust, people are aligned toward common goals and feel a sense of community. Building team trust requires that we create a sense of cohesiveness and common purpose, and that we work together to ensure alignment with organizational goals.

A. Create Cohesiveness

1. All staff meetings

Consider doing monthly or quarterly all-staff meetings, where individual employees are given an opportunity to present work projects, information on service models, engagement initiatives or other information pertinent to the agency. This provides a line of communication amongst staff, and provides staff with clear information about the work individuals are doing. Meetings can be set up in a variety of ways, but all staff in a work unit should be in attendance to build cohesiveness.

The size of the group and amount of time spent in each meeting should be structured to ensure maximum benefit to the organization. However, quarterly or biannual planning meetings should be scheduled with all staff to get a clear idea of the direction they’re headed. Coordinating these meetings with annual budget seasons help visually tie the budget requests with the work employees are doing, thereby creating better alignment. Monthly progress reviews by work unit allow employees to update progress, celebrate successes, and resolve impediments to meeting organizational goals.

Finally, not all staff meetings need to be lengthy updates. Supervisors are encouraged to do ten minute “stand-up” meetings, or “briefings,” to get everyone on the same page at the beginning of the work day. It provides yet another opportunity for additional communication and resolution of any conflicts.

2. Cross-Training and Job Shadowing

Cohesiveness is not just about building the relationship within a project team, but building relationships amongst all staff. Cross-training serves a dual purpose of establishing a highly skilled,

⁶ For more information on Trust Building purpose, definitions, and strategies, please see Reina, Dennis S.; Reina, Michelle L. (2006-01-12). Trust and Betrayal in the Workplace. Berrett-Koehler Publishers.

cross-functional team, and of building relationships and understanding among staff. Cross-training opportunities should be of adequate duration to give the employee a picture of what the other employee does during the day. These opportunities are considered training opportunities, and thus do not have some of the same implications like out of class designation, and collective bargaining agreement considerations, that work assignment changes have.

Another cross-training opportunity is attendance at conferences and other outside training. Rather than restrict the benefit of the conference to one person, require individuals attending to come back and train their peers in what they learned. Teaching others what we've learned from the conferences and training helps solidify the training, maximizes training investments, and builds team competence.

Listening for confusion or misperception about job responsibilities may suggest an opportunity for cross-training. For example, Barry, in your one-on-one engagement session, indicates that he would really like to spend less time working on payroll, but that the other payroll clerk, Janet, is so busy with her special projects that she rarely helps him. He goes on to say that she rarely has time, even though those other responsibilities should make up a very minor portion of her time. This may be a good opportunity for Barry to job shadow Janet on her special projects. This would give Barry a chance to more fully understand the additional responsibilities Janet has, leading to less confusion and better communication. Similarly, if Janet job shadows Barry, it may show her the impact her additional responsibilities have on Barry's work load.

As a supervisor, it is important to be attuned to each employee's need for role clarity. While position descriptions are an effective way to ensure an employee is clear about expectations related to their own position, cross-training, job shadowing, and learner led training opportunities can help clarify other team member roles as well.

B. Manage Conflict

Conflict exists, and has always existed, as a normal part of human interaction. Conflict has emotional, social and legal dimensions and consequences. Conflict can be both destructive and constructive. However, we should always look at conflict as an opportunity.

As a Manager or Supervisor, you are responsible for monitoring your staff and being aware of any conflicts that may be occurring. When appropriate, you should step in and try to help your staff work through the conflict in a positive and productive manner. If you are not sure if you should step in, contact Human Resources for guidance and assistance. Before stepping into a conflict, here are a few general points that apply to most conflicts you will encounter:

1. Emotion

Emotion plays a role in a conflict. To effectively help others work through a conflict, we must be comfortable with emotions and understand their source. Emotions will often arise from a fear of losing something. People often fear losing their dreams, relationships, freedoms, health, power,

face, status, or an argument. This fear may show itself as different emotions including anger, sadness, anxiousness, aggression, confusion, shame, depression or irritation. It is important to recognize that when you see someone with strong emotions in a conflict, that emotion is often coming from the fear of losing something. This recognition may make it easier for you to hear what that person is saying and to understand their point of view.

2. Sources

In addition to emotions, there are different sources of conflict. It may be easier to understand a conflict if you understand the source of the conflict. Later in this section you will see an approach to help you address conflicts. In using this approach, you will gather information and be able to identify the source of the conflict.

Different types of conflict and possible interventions are presented in this table:

<p>Data Conflicts</p> <ul style="list-style-type: none"> • Lack of information • Misinformation • Different views on what is relevant • Different interpretation of data • Different assessment procedures 	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Reach agreement on what is important • Agree on process to collect data • Develop common criteria to assess data • Use 3rd party experts to gain outside opinion or provide different perspective
<p>Relationship Conflicts</p> <ul style="list-style-type: none"> • Strong emotions • Misperceptions or stereotypes • Poor or miscommunication • Repetitive negative behavior • Destructive patterns of behavior or interaction 	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Legitimize feelings • Provide a safe process for interaction • Clarify perceptions/build positive perceptions • Improve quality, quantity of communication
<p>Structural Conflicts</p> <ul style="list-style-type: none"> • Unequal control or ownership of limited resources • Unequal power/authority • Geographic, physical, or environmental relations that hinder cooperation 	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Clearly define or change roles • Establish a fair and mutually acceptable decision-making process • Change physical/environmental relationship • Modify external pressures or time constraints

Value Conflicts	Possible Interventions
<ul style="list-style-type: none">• Different criteria for evaluating ideas or behaviors• Different ways of life, ideology, religion	<ul style="list-style-type: none">• Align evaluation criteria to organizational values• Avoid defining problems in terms of value• Agree to disagree• Create spheres of influence where one set of values dominates

3. Approaches

Everyone approaches conflict differently. It is important to recognize that there is not a right or wrong way to deal with conflict. Here are five basic approaches that people often use in a conflict. Most of us have one or two ways that seem most 'natural' to us. There are strengths and weaknesses to each approach, and all of the approaches may be useful depending on the circumstances, the person you are dealing with, and your attitude about the dispute. Once you better understand your approach to conflict, it will be easier to recognize how someone else is approaching a conflict. This information will help you manage your emotions and better hear the other person's perspective.

- a. **Competing, Aggressive, Power-based (win/lose):** Work to achieve your own goals through the power of your position and authority. It can have short term success and be effective when speed is needed, but as a predominant approach it tends to dampen teamwork, creativity and risk-taking.
- b. **Avoiding (lose/lose):** Could be unwillingness to cooperate, withdrawal or "living to fight another day." Where a supervisor avoids responding, conflict can continue or even be exacerbated.
- c. **Accommodating (lose/win):** Someone is willing to yield on a position if it helps move the situation forward.
- d. **Compromising (win/lose-win/lose):** Involves negotiation and trade-off until consensus is reached. This technique can allow power discrepancies to dominate decision making to the detriment of the solution.
- e. **Collaborating, Assertive, Cooperative, (Win/win):** Work to achieve your goals and the needs of others; maximize concern for issues and maintenance of relationships.

There are a number of steps that can be taken when approaching conflict. These steps include:

- a. **Identify the conflict. Verify that a conflict exists.**
 - Talk directly to the person.
 - Check your information with other people.
 - Consider external factors that may affect your perspective on the situation.
- b. **Open conversation. It is important to be non-confrontational.**
 - Invite a conversation that leads to a greater understanding: "I wanted to share with you my concerns about ..." or "I am hoping to speak with you about ..."
 - Clarify that this is an invitation: "Do you have time to help me understand ..."

- Choose words that do not place blame or find fault: “Let’s work on how we might ...”
- c. Work towards Understanding
 - Focus on the interests or needs of the individual(s): “I would be interested in hearing how you felt when that happened ...”
 - Communication can help you recognize the perspective, views, and experience of the other person: “I am having difficulty understanding ...”
 - Describe your feelings: “I am anxious about bringing this up; however, it is important to me that we talk about ...”
- d. Focus on Goals
 - Communication can result in creative solutions or ways to resolve conflict.
 - Discuss what can be done to improve the situation for the interested individuals.
 - Acknowledge the effort.

Notes on this approach:

<p><u>This Approach</u></p> <ul style="list-style-type: none"> • Frame the conflict as a problem or opportunity for greater understanding • Agree to engage in constructive dialogue • Prepare • Ask in order to understand • LISTEN • Be creative in imaging resolutions 	<p><u>Traditional Approach</u></p> <ul style="list-style-type: none"> • Accusation or blame • Avoidance or attack • Lash out without thinking • Tell, argue, try to convince • Believe there is only one way to resolve the conflict
<p><u>Reasons for having the conversation</u></p> <ul style="list-style-type: none"> • If I speak honestly it becomes easier for someone to understand me, although I may hurt their feelings • It’s possible to communicate accurately so there is less risk of misinterpretation • They can’t be receptive unless I give them something to go on • If I act collaboratively they will find it more difficult to respond defensively • The problem will get worse if I don’t try to talk about it 	<p><u>Fears about having the conversation</u></p> <ul style="list-style-type: none"> • I don’t want to hurt their feelings • What I say will be misinterpreted • It will put the relationship at risk • I will open myself to attack • It will only increase the conflict • Nothing will change anyway • This time it’s their turn • It might not work • It’s not me: he/she’s the one who’s stuck

Listening is a crucial skill for dealing with conflict. When practicing good listening, best practices include:

- a. Asking questions
 - Keep your language as neutral as possible; try to invite shared understanding.
 - Ask open-ended questions that invite comment instead of closed questions that can be answered with “yes” or “no.”

- Avoid creating defensiveness: use “what” to find out “why,” e.g. “What would it mean to you if ...?”; “If I could do things the way you’d like to see them done, what problems would that solve for you?”; “What would you most like me to understand?”
 - Don’t be afraid to say you don’t understand: ask for help.
 - Don’t ask questions designed to prove your point.
- b. Listen for the following during the conversation regarding the conflict:
- Objective observations about the conflict. “What specifically did you see or hear that led you to your reaction/conclusion?”
 - Emotional reactions to the conflict. “What was that experience like for you? How did it affect you?”
 - Assumptions, interpretations, suspicions about each other. “It sounds like you have some suspicions about what’s really going on here. You think ..., is that right? What specifically has she/he said or done that makes you think that?”
 - Values underlying reactions. “I am hearing that ... is very important to you.”
 - Needs that must be met for a satisfactory solution. “What would it mean to you if you had that?”

It is your responsibility to be aware of conflicts occurring among your staff. Depending on the situation, use the suggestions above to help approach the conflict. However, HR is here to help. HR can assist in setting up facilitators, mediators, or other resources to help resolve conflicts.

C. Create Cultural Alignment Teams

It is important to ensure that departmental/divisional processes and structures are aligned with the overall objectives and goals of the department/division. A disconnect between these areas will lead to confusion and a lack of support on behalf of employees. Employees need to feel that their efforts are focused appropriately. One strategy to facilitate this is to implement a team building exercise for ensuring alignment. The following outlines steps useful in such an exercise, which are fairly similar to a process improvement plan:

1. Teams should be identified related to specific processes or structures within the department/division. Team members should be determined based on their criticality to the process and who can provide valuable input based on their responsibilities related to the process.
2. Teams will then identify each step/element of the process or structure. It is important for team members to fully understand the process or structure, so that all aspects can be evaluated as a whole and in relation to one another.
3. Next, the teams will determine pertinent questions related to efficiency and values, such as:
 - a. What are the departmental/divisional objectives and goals?
 - b. Does the output of the process/structure result in meeting those objectives and goals?
 - c. Do inputs (staff, hours, material resources, etc.) need to change to achieve alignment?
 - d. Does the process promote trust in the organization?
 - e. Does the structure impede diversity?

- f. Is the process transparent enough to allow confidence in the process?
 - g. Are there steps of the process that need to be added/could be removed?
4. Teams will recommend appropriate modifications to the process/structure to align efforts with departmental/divisional objectives and goals.
 5. The teams must discuss how to communicate the recommended changes, so all staff members are aware and fully understand the changes and reasons for them. The changes must be communicated to all those affected, internally and externally.
 6. Once changes are implemented and functioning, teams must re-evaluate the process. This will identify the effects of the changes to determine their value, suitability and success (or lack thereof) and to determine if further modifications are necessary.

Given the opportunity, people want to contribute and make a difference. This exercise provides a great opportunity to build trust within teams by aligning employees and providing a sense of teamwork. With trust, people see they are part of larger system and understand that what they do contributes to the overall mission. This strategy achieves the organization's objectives and goals through the collective knowledge and experience of the team members.

D. Have Fun!

1. Team events

If the workplace has internal HR, wellness, or public information staff, utilize those staff in creating team events and marketing them to employees. Each workplace is going to be different and is going to get excited about different types of events. When scheduling team events, considering the following:

- Keep an eye toward inclusivity. Some employees are naturally going to participate more than others, but there is no reason to create events that exclude them from the outset.
- Choose variety. The annual cookie bake-off is a great event, but it's always good to mix it up as well.
- Get people active. If you need ideas on how to combine wellness with group activities, feel free to contact EAP.
- Check in with the Office of the City Attorney, Risk Management, and HR, where appropriate. Typical staff events will not have health or safety implications, but if they do you should first get approval from Risk Management. Human Resources may need to be consulted for issues like time off, mandatory attendance, back-fills during the event, etc.
- Consider connection to community, or agency purpose, in the design. For example, ask that people bring food bank donations to the agency picnic.

Here are some examples of events different agencies have incorporated into their culture within the City of Madison:

- Agency soft-ball game
- Family picnic
- Chili cook-off
- City-wide talent show
- Adopt-a-family for the Holidays

2. Healthy competition

While competition and winning can be problematic by creating an unhealthy work environment, competition can also be a part of a healthy workplace. Here are some tips for making sure competition in the workplace remains healthy and fun:

- Make it work-related. “Name that elected official,” could be a fun competition for staff in an internal City agency. One public safety officer explained how the supervisor would challenge staff to time their ability to run into the building, put on their safety vest, and run back out. Another supervisor challenged staff to memorize the agency’s mission statement. Water Utility participates in mechanical assembly competitions. By making it work related, you receive the dual benefits of learning and fun.
- Provide opportunities for all staff to participate and enjoy, but allow opt outs. When staff is very busy with other work, a healthy competition may be resented as a distraction for other important work. You should also make sure that you’re not setting up competitions where Mike and Molly win every time.
- Small prizes for winning are appropriate, but try to avoid grouping staff into ‘winners’ and ‘losers.’ This can take the fun out of the competition.
- Challenge staff to come up with their own healthy competition.

Ideas for healthy competition are going to be unique to each workplace, and include but aren’t limited to:

- Innovation or fiscal resourcefulness challenges
- Agency name branding
- Abstract or critical thinking games
- Wellness ideas

Competitions provide additional opportunity for group growth in team challenges. However, keep in mind the need to keep these activities light-hearted and job-related.

3. Celebrate successes!

Adequate recognition is directly related to high or low engagement scores. Recognition is just as important for teams as it is for individuals. Recognition can be given using the SBI (Situation-Behavior-Impact) model as well. Identify the situation, behavior, and impact when celebrating successes. For example, the HR Services team successfully hired 20% more new employees than the previous month. When celebrating that success at the HR all staff meeting, Brad makes sure not just to identify the team involved and the hard work they did, but also to include the impact to other departments. "As a result of our HR Services staff hiring 20% more employees this April over last month, we helped each one of 9 agencies meet expected hiring deadlines and improved service in the City!" Supervisors should be celebrating successes both publicly and privately. Methods for celebrating successes include but are not limited to:

- A simple thank you
- Write-up in a newsletter
- Group e-mails
- Special recognition ceremonies
- Recognition in the City's Culture and Engagement Spotlight
- Recognition at all-staff meetings
- Awards/rewards, etc.
- Sharing of public compliments/comments, etc.

While celebrating your own team is important, it is also important to share successes with other work units and even other agencies.



6. DEVELOP ORGANIZATIONAL RESPECT AND CIVILITY

A. Purpose

The purpose of a workplace respect and civility program is to improve working relationships at every level of the organization. All employees deserve to work in an environment that is free from harassment, discrimination and disrespectful and discourteous behavior. The climate of respect in an organization is primarily influenced by those individuals who hold leadership positions. This develops through the messages we send our employees related to organizational values around relationships, developing employees to reach their full potential and modeling behaviors that foster trust at every level of the agency.

This program model can be adapted and utilized for any division/department regardless of size or function. The commitment to influence culture change begins with the supervisor/management team and through their actions that change filters through to all personnel. This is not an easy process or a short-term process, but it is one that benefits everyone in the organization and our customers.

B. Process

Phase One: Baseline Climate Survey

Conduct a baseline climate survey to measure work culture as it relates to the issue of respect, trust and organizational values.

Phase Two: Supervisor/Management Training

Hold Workplace Culture and Civility Training for all Supervisors and Managers conducted by EAP and other HR Staff.

Training Objectives:

- To develop a better understanding of how culture sets standards for acceptable behavior.
- To learn supervisory skills for managing conflict that comes from workplace incivility.
- To learn the formal process and procedures for holding people accountable for negative behavior.
- To discuss the importance of the Supervisor as a role model for the behavior that is desired.
- To develop a better understanding of when and how to use HR Resources including EAP and CISM resources, Labor Relations, and Organizational Development and Training.

Phase Three: Employee Training

Training Objectives:

- To develop a better understanding of how culture sets standards for acceptable behavior.
- To learn interpersonal skills for managing conflict that comes from workplace incivility.
- To learn the formal process and procedures so that you know what to do if you experience or witness an act of workplace incivility.
- To discuss the importance of being a good role model for respectful behavior and employee interactions.

Phase Four: Focus Groups

Hold a half-day focus group meeting with a cross section of all employees who attended the training. It may be necessary to hold more than one depending on the number of employees participating. Groups should be no larger than 10-12.

The purpose of the focus groups is:

- To continue the discussion that started at the initial Workplace Culture and Civility Training.
- To identify what we want respectful behavior to look like in our work environment.
- To obtain an organizational cross section perspective that can be confidentially shared with upper level management on issues related to workplace culture.
- To think of specific ways in which the supervisors can model and implement behaviors that will impact positive work culture.
- To identify and learn how to intervene with disrespectful and discourteous employees.

Focus group expectations include:

1. Each person involved needs to take personal responsibility for their part.
2. Everyone needs to keep the process confidential.
3. The best way to handle it is to bring people together.
4. The goal is not to place blame, but to get to the heart of the matter.

Ground rules for the focus group include:

1. Everyone agrees to be open and honest.
2. Everyone has their say and is heard.
3. Listen to each other without argument or reaction. Keep the focus on what is being said and try to maintain a problem-solving attitude.

4. Each person needs to make a sincere commitment to creating a solution.

Phase Five: (Optional) Operationalize Respect in the Workplace

Develop an on-going work group that represents a cross section of the organization. Involving all levels of employees in implementing respect and civility encourages employee engagement and makes it more likely that these values will be internalized. The group's purpose is to look at ways to make the behaviors identified in focus groups an on-going part of the organization. The work group will present recommendations and a plan for implementation to upper management. Examples include:

- Provide training on performance management for everyone so that we can support each other and consistently manage employee behavior and performance.
- Talk about the importance of not gossiping about employees and each other at staff meetings. Find good things to acknowledge in addition to problem solving with staff.

Final Phase: Follow-up and Evaluation (Re-evaluate and adjust based on need)

- Conduct a climate survey one year after the completion of both supervisor and employee training to measure changes in work culture as it relates to the issue of respect and civility.

EQUIPPING EMPLOYEES

Equipping employees is a task especially well suited to team engagement activities as employees in any given work unit are adept at identifying what they need to do their job right, and because individuals are best suited at identifying the tools that work best for them. The survey questions which evaluate this area include:

- Do you know what is expected of you at work?
- Do you have the materials and equipment you need to do your work right?
- At work, do you have the opportunity to do what you do best every day?

Equipping employees is about making sure employees not only have the right tools and training to do their work effectively, but that they also have the knowledge, skills, and abilities to do their work well. From a performance management standpoint, that means identifying responsibilities associated with the job, laying out expectations based on those responsibilities, ensuring accountability, and providing ongoing positive and negative feedback through coaching and counseling. For more information about ongoing coaching and counseling, please refer back to that section under "Building Trust."

In order to ensure employees have all of the tools necessary to do their jobs to the best of their ability consider the strategies in the next six chapters.



7. UPDATE POSITION DESCRIPTIONS

The position description is an extremely important document in City government. Supervisors are responsible for ensuring the mission of each department is carried out efficiently and effectively. Jobs are created to fulfill that mission and supervisors must define each job with this in mind. The position description is the document which defines a specific job and supervisors are responsible for creating and updating position descriptions as required. Involving staff in the revision of position descriptions and providing an appropriate level of input in the assignment of duties is an excellent strategy for fostering a culture of engagement in the workplace.

Equity is also an important consideration in the creation of position descriptions. Questions to help supervisors view the position description through an equity lens might include:

1. Are responsibilities equitably distributed in the work unit?
2. Have I considered the input of relevant staff?
3. Does the distribution of responsibilities among similar positions allow for equitable opportunity for advancement or career development in the future?

A. Purpose of the Position Description

Position descriptions serve multiple functions, both within individual departments and for Human Resources. The most important function of a position description is to provide a detailed account of the duties and responsibilities associated with a specific position and an estimate of the percentage of time an incumbent in the position should spend on those duties and responsibilities.

While positions in the City are organized into classifications, a classification is generally a broad definition of the scope of responsibility. The position description, however, allows supervisors to define the position specific to the needs of the department. For instance, the Administrative Clerk 1 class specification describes broad responsibility for payroll, purchasing, Legistar activities, licensing, and other areas, but rarely does an Administrative Clerk 1 have responsibility in all of these areas. The position description allows individual departments to define the specific role of the Administrative Clerk 1 within the department. So in the Human Resources Department, an Administrative Clerk 1 position description may have a greater focus on Legistar and in the Police Department, one Administrative Clerk 1 position may have primary payroll responsibility and another Administrative Clerk 1 position may be responsible for purchasing. The position description is the tool to define these differences among positions within a classification. Even in classifications that exist for only one position, the position description allows the department to provide more detail, including time estimates, than what might appear in a class specification.

The position description needs to be created based on what a department requires from the specific position to accomplish the work of the department. The position description should not be tailored to the skills or abilities of a specific individual. Rather, the supervisor needs to assess what is required from the position, create the position description based on that information, and then ensure incumbents

have the abilities to meet the requirements of the position. While it may be alluring to add duties and responsibilities to a high-performing employee, this may cause problems with classification in the future. The position may have to be classified at a higher level than the department has budgeted or than is required to get the work done. Conversely, if a department has an employee who is not performing all the duties of the position, a supervisor does a disservice to the department by recreating the position around the limited performance of the employee. This may result in a position being downgraded and other positions needing to be created or reclassified in order to offset the deficiencies of the low performing employee. Supervisors must create the position description so it defines the job based on the needs of the department and not based on the employee holding the position.

This does not mean employees should not be allowed to utilize special talents and skills in job assignment, responsibilities, or work design. Rather, it means it is the supervisor who designs the work that needs to be done and determines which positions are responsible for accomplishing the identified responsibilities, but can also identify flexibility within each of those positions allowing an employee to express talents and skills. For example, Bill needs to assign the webpage design for the Human Resources Department. He can assign the task to Anne, including designing content, with a completion date. Anne can also be allowed to contribute to the visual design, if her talents allow it. The position description should not be updated to include knowledge of web-design. Rather, Bill should design the position based on the identified organizational need. Supervisors need to make sure that this flexibility is allowed for in an equitable manner. In this example, while Anne may be the only similarly situated employee with a graphic design background, when future projects emerge, other employees should also be allowed to use their special skills. This is very important in departments where such extra work may be considered towards future promotional opportunities.

Once an accurate listing of the duties and responsibilities of the position is created, with associated percentages, the position description becomes the tool to assist supervisors in discussing performance expectations with employees (See Chapter 9—Performance Management). Supervisors can take the duties and responsibilities detailed in the position description and create expectations based on those specific tasks. For example, the position description for a Police Report Typist may indicate responsibility for typing police reports, editing reports, and ensuring accuracy. The supervisor can then establish expectations that an employee should generally type a minimum of 10 reports in an 8-hour shift with no more than 2 errors.

In addition to defining a job and providing departments with a tool for managing employee performance, the position description is essential to Human Resources in determining whether a position is appropriately classified and when recruiting to fill positions. Positions are assigned to classifications based on the duties assigned to the position and associated requirements (such as the knowledge/skills/abilities, training/experience requirements, physical requirements, etc.). As described above, this listing of the duties and requirements needs to be based on what the department/division needs from that position in order to get the work of the department done. The accurate position description will allow an appropriate comparison of the duties and responsibilities assigned to that position versus the duties and responsibilities generally associated with classifications in the City's

classification plan. If the position description fails to accurately describe the requirements of the position, errors in classification will be made. This may result in a chain reaction of inaccurate classification if that inaccurate classification is then used as the basis for comparison in other position studies and classification decisions. This is another reason it is imperative that accurate position descriptions form the basis of any classification decision. More details on classification of positions and position studies are found in Chapter 14 of this manual.

Position descriptions also play a key role in the recruitment process. The job announcement lists the duties and responsibilities associated with a position and this listing should be based on the position description. While class specifications provide a general listing of duties and responsibilities associated with positions within a classification, the class specification generally should not be used for recruitment purposes as it can lead to an inaccurate description of the position being filled. This can be seen in the Administrative Clerk example above. If a department is filling a payroll clerk position but the class specification is used for the job announcement, the job announcement, in addition to payroll responsibilities, will include responsibility for purchasing, licensing, Legistar, and other duties that may not have any relation to the position being filled. Potential applicants who are interested in payroll but not the other areas may not apply for the position. Thus having an accurate position description is key to creating appropriate job announcements, attracting applicants who are truly interested in the position being filled and ultimately hiring qualified candidates.

B. Creating a Position Description

Supervisors are responsible for creating position descriptions for the positions under their supervision. The position description form is found on EmployeeNet under forms, and a copy is available in the Appendix of this manual.

The following is a detailed explanation of the different sections of the Position Description.

1. Items 1-9: Background Information

Items 1-9 on the position description form provide general background information regarding the position. This includes:

- The name of the employee (or “vacant” if the position is new or in the process of being filled);
- The name of the supervisor;
- Classification information (Item 2 is the Class Title and refers to the official title on the class specification, such as Administrative Clerk 1. Item 3 is the working title, such as Payroll Clerk. Not all positions have a working title.);
- The location of the position;
- The work hours associated with the position (including whether the position is a 40 hour or 38.75 hour position); and
- The date the employee was hired into the position, if applicable.

Item 9 states "From approximately what date has employee performed the work currently assigned." This should be filled in when a department is requesting a position study.

2. Item 10: Position Summary

Item 10 asks for a position summary. This should be a general description of what the position is required to do. The class specification has a summary General Responsibilities paragraph at the top and for the most part, this can be incorporated into the position description. However, when reviewing this for the position description, supervisors should ensure the General Responsibilities are tailored to the specific position and do not include information that doesn't pertain to the specific position being described. Again referring to the Administrative Clerk 1, the General Responsibilities in the class specification states, "Employees in this classification may serve as an agency/department/division payroll clerk, may be the first contact for purchasing, may be responsible for preparing meeting agendas or minutes in the Legistar system, or may perform other administrative tasks." However, when writing the position description for a payroll clerk, the Position Summary in the position description should say, "This position is primarily responsible for serving as the department payroll clerk and may perform other administrative tasks."

In addition, if the class specification for the position is out of date, the Position Summary paragraph in the position description may need to be revised to incorporate information that has changed since the class specification was last updated. For example, if the Planning Division has a vacancy in the Transportation Planning Manager classification, a position description needs to be prepared and updated to accompany the requisition. The class specification for the Transportation Planning Manager has not been updated for a number of years and the General Responsibilities paragraph of the class specification makes reference to the Planning Unit and includes the statement, "The work is characterized by responsibility for supervising the activities and functions of the Transportation Planning Services Section of the Unit." However, when considering the duties and responsibilities currently associated with the position for the updated position description, it was noted that the Planning Unit name was changed to the Planning Division, and additional responsibility was added to the position to staff and offer planning services for the Madison Area Transportation Planning Board, Technical Committee, and Ad Hoc Advisory Committee. In order to reflect these changes, the updated position summary now reads: "The work is characterized by responsibility for supervising the activities and functions of the Transportation Planning Services Section of the *Division*, and provides staff support and professional planning services for the Madison Area Transportation Planning Board, Technical Committee, and Ad Hoc Advisory Committee."

3. Item 11: Functions and Worker Activities

Item 11, the listing of the Functions and Worker Activities, is the critical portion of the position description. A well crafted position description will take the listing of tasks associated with the position and group them together in related areas. The position description form assists with

this by providing an outline to be followed. The A, B, C, etc. define the general area of responsibility for the position, and the numbers under each letter reflect the specific tasks associated with the area of responsibility. The supervisor should also estimate the percentage of time spent performing each general area of responsibility. So the Administrative Clerk 1 in charge of payroll may have a Functions and Worker Activities section that looks like this (This is only an example and is not meant to be an exhaustive position description):

11. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)
- 55% A. Prepare Department Payroll.
 - 1. Collect timesheets.
 - 2. Ensure timesheets are filled out completely and signed by employees.
 - 3. Enter time into payroll system.
 - 4. Run report at end of pay period and audit for errors.
 - 25% B. Establish filing system for Department.
 - 1. Establish files for time cards.
 - 2. Establish files for leave requests.
 - 3. File records as required.
 - 4. Maintain security of office records.
 - 20% C. Provide support to other staff in Department.
 - 1. Serve as back-up to purchasing clerk.
 - 2. Answer phones.
 - 3. Greet public at front desk.
 - 4. Respond to requests from employees regarding payroll and other questions.
 - 5. Perform other duties as assigned.

While this section of the position description may appear intimidating, there are some tricks to help create the section and ensure it is accurate. First, talk to the incumbent of the position when writing the position description. No one should have a better idea of what is involved with a position than the person actually doing the work. If a supervisor knows an employee is leaving and the position description has not been updated, the supervisor should have a meeting with the employee before s/he leaves to go through the position description and ensure it is updated for the upcoming recruitment process. However, although the employee may be involved in drafting the position description, the supervisor has the final say as to what is or isn't a part of the position.

Second, when drafting the Functions and Worker Activities, it may be easier to work backward. Instead of coming up with the A, B, C general areas of responsibility followed by a listing of the associated tasks, create a list of all the tasks associated with the position. Then, look at the list to determine what tasks are related to each other and take the related tasks and put them in a group. The determination of why certain tasks are related becomes the general area of responsibility.

Third, when thinking about the percentage of time associated with each task, looking at the big picture is essential. A snapshot of a week will not provide an accurate representation of the

percentage of time spent on each area of responsibility because many positions have workloads that fluctuate weekly, monthly, or even quarterly. Sometimes a general area of responsibility only occurs during one part of the year, but at that time takes up a significant percentage of duties. For instance, public works employees only plow snow in the winter, but if the position description is created in summer, this may be an important area of work that is overlooked. So looking at a longer period of time such as a month, a quarter, or even a year will help provide an accurate listing of how much time is expected to be spent on each area of responsibility.

Finally, the supervisor should review the position description on an annual basis to ensure all duties and responsibilities are properly recorded, and to document any changes that may have occurred to the position in the previous year. A supervisor may have forgotten about a significant area of responsibility when initially crafting the position description or a process may have changed within the department that will require an update to the position description. By looking at the position description for all subordinates at least once a year, the supervisor can ensure the description remains an accurate record of what is expected from the position and the employee holding the position. A supervisor can also contact Human Resources for assistance in crafting position descriptions.

If the duties and responsibilities in a position description have changed, the updated position description should be given to the employee and a meeting should be held to discuss the change and any associated change in performance expectations. If the supervisor believes the position has changed significantly due to the update or a series of updates, a position study may be requested, as described in Chapter 14.

4. Item 12: Knowledge/Skills/Abilities (KSAs)

Item 12 refers to the primary knowledge, skills, and abilities (KSAs) required to perform the tasks associated with the position. Similar to the position summary, this information can be obtained from the class specification, but the supervisor should review the KSAs to ensure they are accurate for the specific position. If there have been changes to the position that require new KSAs, they should be added. For instance, over the past 30 years, the use of computers has greatly increased in the City. Most positions should include a statement saying "Knowledge of and ability to use computer software applicable to the duties of the position." If the position is in a broad classification where all the KSAs don't necessarily apply to each position, only the appropriate KSAs should be included on the position description.

Regarding the knowledge portion of the KSAs, there are three levels of knowledge that should be associated with positions:

- "Knowledge of..." refers to the fact that the incumbent/candidate should be familiar with the concept being described.
- "Working knowledge of..." refers to the fact that the incumbent/candidate has been in positions that would have required application of the concept for at least 2-3 years.

- “Thorough knowledge of...” refers to the fact that the incumbent/candidate has applied the concept for at least 4 years and could teach/explain the concept to others.

There should be no other adjectives describing knowledge. While other phrases like “Basic knowledge,” “Some knowledge,” or “Considerable knowledge” have been used in the past, using these terms makes it nearly impossible to distinguish from the other types of knowledge.

5. Items 13-16: Special Requirements

Items 13-16 refer to special requirements for the position, including equipment used, any required licenses/registrations for the position, physical requirements of the position, and the supervision received. Every position description should have a description of the physical requirements, whether it be a description that the incumbent will be expected to sit for extended periods of time while working at a computer, or a description that incumbents will be expected to walk over varied terrain to inspect work in all types of weather. It is important to outline the physical requirements be outlined in cases where possible workplace accommodations are needed so an evaluation can be made as to whether a person can perform the duties of the position. Finally, in item 16, the supervision received should be a simple description. In most cases, employees are either going to be working under close, limited, or general supervision:

- Close supervision means each task is going to be reviewed with the supervisor.
- Limited supervision implies that a project may be reviewed with the supervisor at the start and finish, but the employee is given the latitude to carry out the project.
- General supervision means an employee is given an assignment and the employee is expected to carry out the assignment, including defining the scope, associated tasks, and carrying it through to completion. Supervision is only involved to the extent the employee either has questions or is failing to perform the work.

6. Item 17: Leadership Responsibilities

Item 17 refers to the leadership responsibilities of the position in question and the appropriate box should be checked. Position descriptions that indicate actual supervisory responsibility need to be accompanied by the Supervisory Analysis Form, described in more detail in the next section. Positions represented by a union should not be considered supervisory.

7. Items 18-19: Signatures

Items 18 and 19 are the signature sections of the position description. The appropriate boxes in each section should be checked, and the employee and supervisor should sign confirming the position description has been received and reviewed. If a position is vacant and the position description is being submitted with the requisition, a Word copy of the position description, without signatures, is acceptable.

C. The Supervisory Analysis Form

If a position has supervisory responsibility, a Supervisory Analysis form needs to be filled out and attached to the position description. The Supervisory Analysis form is considered part of the position description. Departments looking to fill a supervisory position should include the Supervisory Analysis form along with the position description when sending a requisition to Human Resources. Similarly, if Human Resources is asked to study a supervisory position, the Supervisory Analysis form should accompany the position description and Classification Change Worksheet. A copy of the supervisory analysis form is available in the appendix of this manual.

1. Who is a supervisor?

As seen on the supervisory analysis form, a supervisor is generally defined as an employee who has authority and uses independent judgment to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or to effectively recommend such actions to a higher level authority. A supervisor is also usually the first level of resolution of employee grievances. An employee does not need to have authority in each area and does not need to exercise authority on a regular basis to be considered a supervisor. A couple of key terms need to be considered when determining whether a position is supervisory in nature.

Independent Judgment: The use of independent judgment in carrying out supervisory responsibilities is a critical factor. Leadworkers have the authority to assign work to employees below them. However, this authority is usually limited in that the leadworker is given a project, detailed instructions on completing the project, a deadline, and specific staff to complete the project. The leadworker is not expected to exercise independent judgment in carrying out the project, but rather is expected to follow the instructions given and if problems arise, to call the supervisor for assistance. If there is a problem with the final outcome, the leadworker is generally not held accountable. A supervisor, on the other hand, may be given a project and deadline, but otherwise no instructions as to the best way to complete the project. The supervisor has the ability to assign specific individuals to carry out the tasks and must balance issues such as the workload of the employees and the ability to effectively carry out the task. If the task is not performed adequately or on time, the supervisor will be directly responsible for that outcome.

Effectively Recommend: Supervisors, if they do not have the direct authority to carry out one of the listed areas of responsibility, must be able to effectively recommend actions. For instance, an employee may not be able to make a hiring decision without reviewing the process with the appointing authority. However, if the appointing authority generally agrees with the recommendation of the employee, then the employee effectively recommends hiring decisions and should be considered a supervisor. Similarly, an employee may not be able to issue disciplinary reprimands against lower-level employees without first discussing with a higher manager. However, if the manager generally agrees with the employee's recommendation, then the employee effectively recommends disciplinary action and should be considered a supervisor.

The Wisconsin Employment Relations Commission (WERC) takes a broad look at whether an employee should be considered a supervisor. There is no one area of authority where the WERC will

say that a person who performs any specific task is automatically a supervisor. Rather, the WERC looks at the area(s) of authority, whether the employee has full responsibility in exercising the authority or effectively recommends actions, the number of employees supervised, the level of pay of the purported supervisor compared to the employees supervised, whether the employee primarily supervises an activity (not a supervisor) versus supervising employees, the amount of time spent supervising, and the amount of independent judgment exercised in the supervision. *Taylor County*, Dec. No. 24261-F (WERC, May, 1998).

It is Human Resources responsibility to appropriately classify whether or not an employee is a supervisor, taking into consideration the above information. As a result, it is important that departments accurately fill out the supervisory analysis form and submit it along with position descriptions so such a determination can be made.

2. Filling out the Supervisory Analysis Form

The first page of the supervisory analysis form asks for general information, including the name of the employee and classification, the name of the supervisor and classification, the compensation group and range of the employee and supervisor, and the department. Finally, a listing of the classifications the employee is expected to supervise, including the number of employees in each classification, whether the employees are hourly or permanent, and the compensation group and range of the classifications, is needed.

The second page of the form requests information for each of the major areas of supervisory authority, and the appropriate box should be checked regarding the expected level of responsibility for each activity. Finally, the employee and the supervisor should sign this form, similar to the position description. The supervisory analysis form should then be attached to the position description.

D. Supervisor Responsibility for Position Descriptions

Every position in the City should have a position description outlining the duties and responsibilities associated with that specific position. For some positions, this will be easy. For instance, a Transit Operator position description will be uniform with most Transit Operator positions, with the only variance being a change to the employee name, supervisor, and hours of work. However, other position descriptions will be very specific. As mentioned above, supervisors should review the position descriptions for their subordinate employees at least once a year, or more frequently if the department is undergoing change that is causing positions to change. If a position description does not need to be updated, nothing further needs to be done. If a position description is changed, that updated position description should be given to the employee and a meeting should be held to discuss the changes and any changed expectations in performance. Finally, the supervisor should keep a copy of the old and the updated position description, as it will be needed if the position ever goes through a position study process.

Supervisors need to keep track of changes that occur to a position. If a position undergoes change in more than 25% of the duties and responsibilities, or if the focus of the position changes, then the supervisor should request a position study from Human Resources. In order to request the position study, the supervisor needs to submit an updated position description describing the current duties and responsibilities, as well as any old position descriptions. In the position study process, described in the City of Madison Personnel Rules, Human Resources will evaluate whether the changes to the position are logical and gradual. The easiest way to see this is by reviewing old position descriptions to see how the position has evolved. Therefore, a record of how the position has changed must be maintained.

Finally, supervisors need to review a position when it is vacant so that the position description used for recruitment is accurate. The information in the job announcement should be developed directly from the duties and responsibilities outlined in the position description so the announcement accurately reflects the position to be filled. The supervisor must ensure the updated position description is sent to Human Resources for this purpose.

E. Summary

When a department has created effective position descriptions, managing employee performance becomes less of a challenge. Supervisors have the ability to set expectations defined around the duties in the position description and employees appreciate knowing what is expected of them in their job. The position description is the document around which all conversations regarding performance can be based. This is more fully developed in the Performance Management section of this manual. Furthermore, an accurate position description helps Human Resources recruit the best qualified candidates for positions in the City, and allows for appropriate classification of positions. A well crafted position description is the key to effective supervision, performance, recruiting, and classification.

8. MANAGE PERFORMANCE

A. An Outline of the Performance Management Process

The City of Madison is committed to employing engaged individuals who provide the highest quality service and who support a fair and orderly system of governance for all citizens and visitors. City supervisors are expected to enhance the delivery of quality service by effectively managing employee work performance. Managing employee performance requires supervisors to provide positive feedback and training, and to address poor performance when necessary. Of all the aspects of managing employee performance, the importance of talking with employees about work-related issues to provide ongoing feedback and training cannot be overstated.

In a highly functional municipality, supervisors and managers take the critical steps of determining Community, City, and Department needs, and ultimately translating those needs into jobs. These jobs or positions are then defined by their duties and responsibilities within a position description, allowing each unit to accomplish its goals and meet the needs of the City. After defining the duties and responsibilities within a position description, the supervisor sets about finding the best qualified employees. For more information on these processes, please refer to the Hiring for Fit section of this manual.

Once the employee is hired, the supervisor is tasked with defining expectations and communicating them with the new employee. The supervisor is then charged with training the employee to allow him/her to meet the specific expectations. Communication of the key elements of the position description and the associated expectations is vital because it provides the employee with guidance in every day job performance.

When an employee is consistently meeting or exceeding the expectations established in the position description, that does not mean the job of the supervisor is complete. The supervisor must then ensure performance levels are maintained by providing ongoing feedback, additional training, and ongoing coaching and counseling. Successful employees may then take an additional step in career development by requesting an Individual Development Plan (IDP). Supervisors can provide invaluable assistance in the implementation and assessment of the employee's IDP.

A more difficult task is managing performance which does not meet the expectations of the position. Poor performance can be related to a lack of knowledge, skills and abilities, training, communication of expectations, negligence, or insubordination, just to name a few. When performance is not meeting the expectations outlined in the position description, the first questions that must be asked are, "What is the root cause of the problem?", and "Are the performance deficiencies related to misconduct (insubordination, negligence, etc), or is the employee not *capable* (lack of knowledge, skills, or abilities) of performing all required duties." Having already engaged in one-on-one coaching and asking positive questions to focus on employee strengths, and assuming the supervisor has already communicated the expectations of the position and provided adequate training, the supervisor can rule these out as a root

cause. Remember that in no circumstance is it appropriate to discipline an employee solely due to a lack of training.

An employee who is capable of adequate performance, but is not adequately performing the duties and responsibilities outlined on their position description due to misconduct will be subject to progressive discipline. Progressive discipline will be applied after the supervisor identifies the City or department work rule violation involved, and then follows the guidelines established in the disciplinary section of this manual.

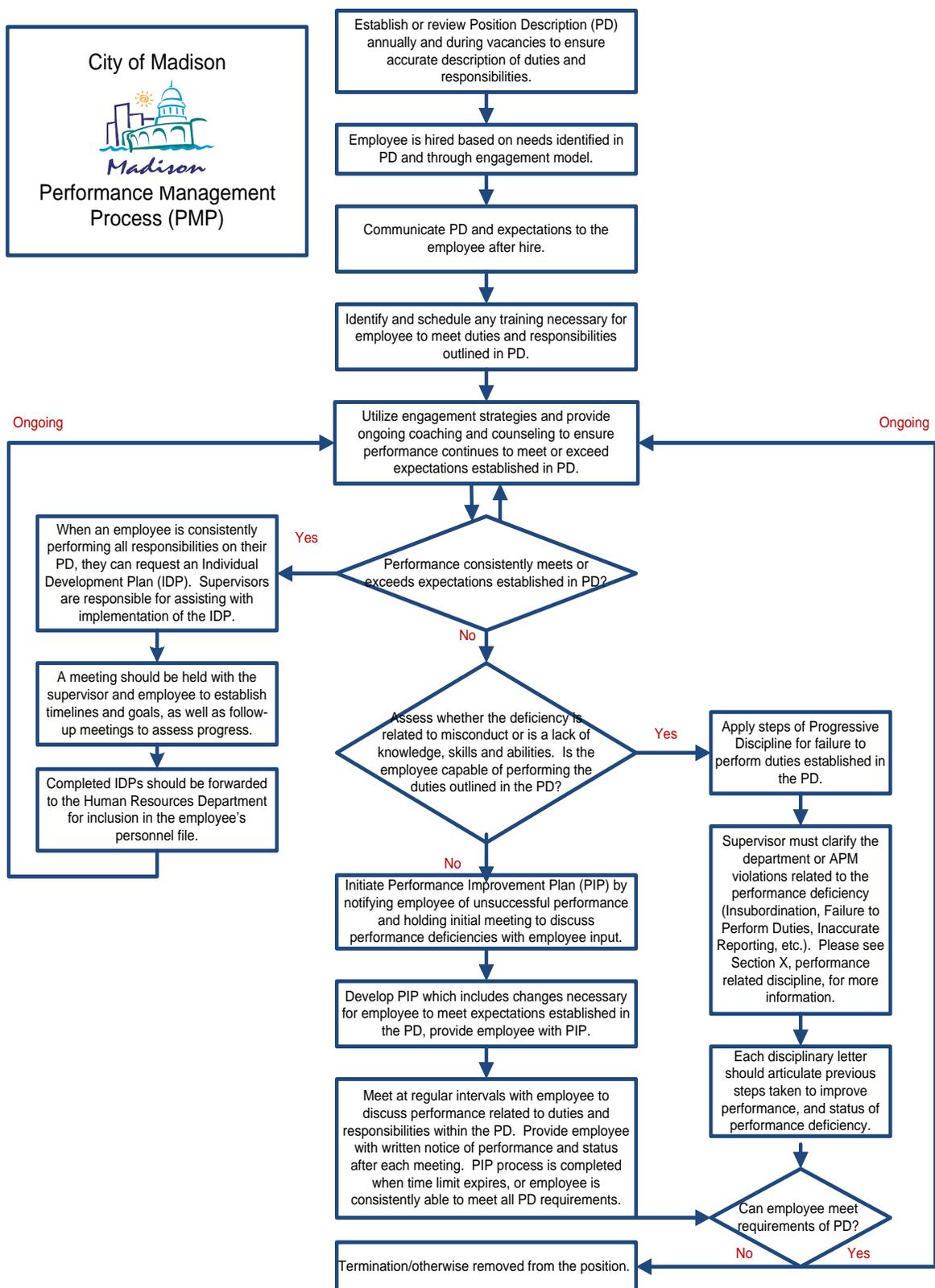
An employee who does not appear capable of performing the tasks outlined in their position description in a satisfactory manner should be placed on a Performance Improvement Plan (PIP). PIPs are designed to provide an employee with a thorough understanding of their deficiencies, an opportunity to meet the expectations, and a timeline within which they must do so. PIPs are only implemented with the assistance of Human Resources. While the ideal result of a PIP is that the employee involved becomes capable of adequate performance, an unsuccessful PIP will result in the employee being removed from the position.

On the next page is a convenient Performance Management flowchart, followed by detailed descriptions of the communication of expectations and the coaching/counseling process, identification and implementation of training including the IDP process, how to assess poor performance, details on performance based discipline, and information on implementation of a PIP. References to the relevant portions of the flowchart will be made throughout this section.

Remember that prior to following any of these steps, it is critical to develop the position description, as it is the position description which will be the foundation on which solid performance is developed. Everything needed for development of this document is found in Chapter 7 of this manual.



Establish or review Position Description (PD) annually and during vacancies to ensure accurate description of duties and responsibilities.



B. Developing and Communicating Expectations of the Position Description

Employee is hired based on needs identified in PD and through engagement model.

Once the position description has been thoroughly vetted and the ideal candidate has been hired pursuant to the established qualifications, it is time to develop and communicate the expectations the supervisor developed based on the tasks outlined in the position description.

1. Establishing Expectations

Employees generally want to know what is expected of them, how they will be assessed, and how they are progressing. This is accomplished by establishing and communicating expectations based on each individual task in the position description. Expectations can be developed in four main areas: Quantity of Work, Quality of Work, Dependability, and Interpersonal Relationships. However, not every task within the position description will have an expectation in all four areas. Many tasks may have an expectation in one or two areas. Each area will be discussed in turn.

Communicate PD and expectations to the employee after hire.

- **Quantity of Work:** How much work is the employee expected to perform in a given period of time? Are there certain times when the workload will change, creating a change in expectations? Is the employee required to seek out additional work when their regular work is completed?

For example, employees expected to plow snow will have a different quantity expectation for that particular task in the winter than in the summer. Employees in Building Inspection may have a certain expectation for the number of dwellings to be inspected in a certain period of time.

- **Quality of Work:** At what level is the employee expected to utilize, adhere to, and explain policies and procedures? What level of independent judgment is expected of an employee in this position? Is the employee expected to take initiative, create new procedures or implement new programs? What level of independent judgment is the employee expected to use in performing the work? Is it critical that work be performed correctly and in a certain way every time?

When considering quality measures, think about the Parks Laborer who is mowing the lawn in general parks versus the Laborer mowing lawns at the golf courses. The quality of work expectation at the golf course will be much different than the general Laborer. Quality will also be critical in a number of professional positions, such as Planner, Accountant, or Engineer, where the importance of getting work done accurately is imperative. However, these positions are expected to exercise professional independent judgment, and even creativity, in performing the duties of the position.

- **Dependability:** Is the employee expected to develop or fulfill specific work timelines? What level of independence must the employee demonstrate on assignments?

Consider the Transit Operator whose main function is to make sure the bus is at the appropriate stop at the right time. Dependability is key to that position. The department receptionist will also have requirements to be at work at a certain time to ensure the phones are on and the door open. This is another dependability measure.

- **Interpersonal Relationships:** How important are communication skills and information sharing to the position? Should the employee recognize different communication styles and modify their approach accordingly? Is it important for the employee to get along well with others and be seen as a positive team player?

Most positions will have some component of interpersonal relationship expectations. It may be that the employee is only expected to interact with his or her supervisor and co-workers. Many positions interact with the public. Expectations should be set regarding how employees should interact with others, especially customers and the public. Supervisors should discuss different scenarios that may occur on the job and how they should be handled.

2. Communicating Expectations

Once the expectations have been developed, it is important to share those expectations with the employee at the time of hire and as expectations change.

a. Hold a meeting with the employee.

1. Each new employee should have a meeting with his or her supervisor where expectations are outlined shortly after being hired. These expectations should be developed based on the position description and should identify the quality and quantity of the work, as well as general expectations of the position which have not been defined explicitly in the position description. As an example:

- The class specification of an Administrative Clerk in the Human Resources Department might contain the phrase, "Prepare and/or coordinate department payroll and personnel records."
- The position description for an Administrative Clerk in the Human Resources Department might contain the phrase, "Process all payroll for the Human Resources Department including verification of timesheets."
- When clarifying expectations the supervisor would explain, "You are responsible for processing all payroll for the Human Resources Department including verification of timesheets for approximately 23 permanent employees by Monday following each pay period. You are expected to be familiarized with all aspects of payroll to ensure 100% accuracy of these documents."

2. Current employees should have expectations reviewed with them as performance issues arise, when the position description changes significantly, or when expectations have changed due to changes in the direction of the Department.
 3. The supervisor should ensure the employee receives a copy of the most recent position description and document the contents of the meeting.
 4. The employee should be informed that any questions about expectations should be forwarded to the supervisor, and that the position description establishes the foundation for assessment of performance.
- b. Provide the employee with ongoing feedback. More information on feedback can be found in the Coaching and Counseling section below.
1. Giving and receiving feedback while communicating expectations allows employees to more fully understand the position.
 2. Allowing a healthy flow of feedback can assist a supervisor in determining additional training necessary to allow the employee to meet expectations.

C. Identification and Implementation of Training

1. Required Job Training

As position descriptions change, supervisors should ensure all employees have received the necessary training to allow them to perform each of the updated tasks outlined on the position description. Discipline is never appropriate for performance issues due solely to a lack of training.

Failure to complete required job training or failure to meet expectations provided by the supervisor after required job training has been completed are grounds for discipline or performance improvement as discussed in the next three sections. See the supervisor manual section on Training for more information.

2. Elective Career Development

Employees who are consistently meeting all expectations of their position may desire additional challenge or development for career growth in their current position or a future job opportunity. See the supervisor manual section on Individual Development Plans for more information.

When an employee is consistently performing all responsibilities on their PD, they can request an Individual Development Plan (IDP). Supervisors are responsible for assisting with implementation of the IDP.

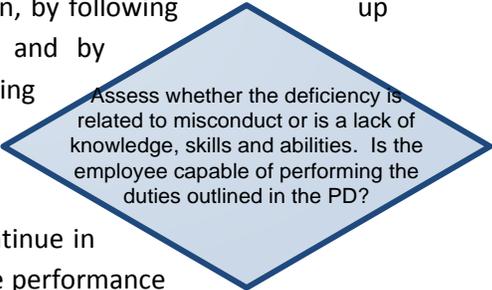
D. Coaching and Counseling

The centerpiece of the performance management system is ensuring that supervisors provide the employee with ongoing feedback, positive, negative, and neutral, based on his/her ability to meet the expectations of the position. Ongoing feedback will ensure performance problems are dealt with quickly instead of having them linger until an arbitrary review date. More information on ongoing coaching and counseling, including an introduction to the City's coaching and counseling model of choice, the SBI model (Situation-Behavior-Impact), is included in the section on Building Individual Trust.

Utilize engagement strategies and provide ongoing coaching and counseling to ensure performance continues to meet or exceed expectations established in PD.

E. Assessing Performance Deficiencies

By communicating the expectations outlined in the position description, by following up with each employee through a thorough review of expectations, and by providing ongoing feedback, supervisors create a means for assessing employee performance which is not meeting the expectations established by the supervisor.



Employees who are not meeting expectations at this point should continue in the Performance Management Process. Prior to defining any employee performance issue, supervisors should first consider the following questions:

- Have the initial steps of the Performance Management Process been completed (e.g. updating the position description, establishing expectations and standards)?
- Has the supervisor met with the employee to review expectations and then provided ongoing feedback, which has been documented?
- Has the employee received timely and adequate training or information needed to do the job?

If the answer to any of these questions is, “no” or “not sufficiently,” the supervisor should ensure these steps are taken and have been documented prior to defining the issue.

Employees may not be able to meet expectations in a variety of situations. The supervisor must now complete all of the following:

1. Defining **How** the Performance is Not Meeting Expectations: The supervisor must first review the position description and highlight any areas where the employee is not meeting expectations. Within these highlighted areas, the supervisor must then determine which aspects of expectations are not being met, including the quantity of their work, the quality of their work, their dependability, or their development of interpersonal relationships, as discussed above.

- a. When describing how the quantity of work is not meeting expectations, supervisors should consider some of the following questions:
 - How timely and efficient is performance expected to be?
 - During peak periods, how much work is the employee expected to produce?
 - Is the employee expected to seek out additional work when work is completed?
- b. When describing how the quality of work is not meeting expectations, supervisors should consider some of the following questions:
 - At what level is the employee expected to utilize, adhere to, and explain policies and procedures?
 - What level of independent judgment is expected of an employee in this position?
 - Is the employee expected to take initiative, create new procedures, or implement new programs?
 - Is the employee receiving too frequent customer complaints?
- c. When describing how the employee is not meeting expectations related to their dependability, supervisors should consider some of the following questions:
 - Is the employee expected to develop or fulfill specific work timelines?
 - What level of independence must the employee demonstrate on assignments?
 - Is the employee having issues of timeliness or absenteeism unrelated to approved medical leave?
- d. When describing how the employee is not meeting expectations related to their interpersonal skills, supervisors should consider:
 - How important are communication skills and information sharing to the position?
 - Should the employee recognize different communication styles and modify their approach accordingly?
 - Is it important for the employee to get along well with others and be seen as a positive team player?

It is essential these standards be independent of the individual employee, and that expectations do not change to meet employee abilities, but rather the employee's abilities rise to meet the supervisor's expectations.

Utilizing the Human Resources Administrative Clerk again as an example, a description of his/her performance issues might indicate, *“Performing basic payroll functions including verification of timesheets, however payroll is not completed in required timeframe and performance is not meeting accuracy expectations as timesheets contain frequent errors.”*

The supervisor has defined how the employee is not meeting expectations. It is now appropriate to answer the question of when.

2. Defining **When** the Performance is Not Meeting Expectations: Defining “When” is a matter of defining the frequency with which performance has failed to meet expectations, providing examples of such failures, and identifying the effects felt when this has occurred.
 - a. Examples should be gathered of when the performance has failed to meet expectations. Unless this is a serious infraction, there should be more than one solitary occurrence and should instead establish a pattern of deficiency.
 - b. Supervisors should articulate the associated effects of each example of the employee not meeting expectations. When assessing these effects, supervisors should consider: increased customer complaints, impacts on coworkers, economic impacts, and impacts on processes.

In the example of the Administrative Clerk with payroll duties, the statement of the problem may now include, *“Performing basic payroll functions including verification of timesheets, however payroll is not completed in required timeframe and performance is not meeting accuracy expectations as timesheets contain frequent errors. The Administrative Clerk has submitted payroll more than one day late three times in the past two months, and each payroll has had errors on a minimum of four timesheets. As a result of the inability to meet expectations, employees have not received paychecks in a timely manner and this has burdened coworkers with the additional work of correcting mistakes.”*

3. The Critical Question of **Why** Performance is Not Meeting Expectations:

After the supervisor has determined the “how” and “when” related to employees who are not meeting expectations, it is time to ask a critical question to determine your next step(s):

Is the employee capable of performing at an acceptable level?

- a. If the answer is “**yes,**” proceed to progressive discipline. Supervisors who respond affirmatively to this question have employees who are not meeting expectations intentionally or out of negligence. Because the employee is capable of performing in a manner which meets expectations, but is not because of negligence or insubordination, the employee is guilty of misconduct and is consequently best dealt with through progressive discipline. Answering this critical question can occasionally be difficult. Indicators that the employee is capable include:
 - The employee appears to exert little to no effort.

- There is a history of the employee being capable of meeting expectations.
 - There is a verbal refusal to meet expectations.
 - The employee engages in excessive personal business while on duty.
 - There are violations of other work rules (attendance not related to approved medical leave, etc), which cause the employee to fail to meet expectations.
- b. If the answer is “**no**,” proceed to implementation of a Performance Improvement Plan (PIP). Supervisors who respond to this question in the **negative** have employees who are unintentionally failing to meet expectations. The employee may be following instructions and giving maximum effort, but the results are not there. Such employees are best dealt with through implementation of a PIP, as this will give the employee the opportunity to develop the knowledge, skills and abilities in a specified timeline. Indicators that the employee is not capable of meeting expectations include:
- The employee exerts adequate effort and still fails to meet expectations.
 - The employee has rarely been capable of meeting expectations.
 - The employee is trained on duties/responsibilities and still fails to meet expectations.
 - The employee has difficulty with similar tasks.
 - The employee is unable to grasp or adapt to workplace innovations or change.
 - Discipline would be counterproductive to improvement.

Looking once again at the example of the employee who is not meeting the payroll expectations of an Administrative Clerk in Human Resources, the supervisor would want to consider whether this was a new duty, whether the employee had performed this task acceptably in the past, and whether other similarly situated employees were able to meet expectations.

F. Performance-Related Progressive Discipline

Progressive discipline follows general guidelines established in the collective bargaining agreements with the City's various unions. All employees are subject to just cause disciplinary procedures, and consequently discipline should generally be progressive in nature. The Labor Relations section of the Supervisor Manual clarifies the disciplinary process. Progressive discipline follows all of the same

Apply steps of Progressive Discipline for failure to perform duties established in the PD.

guidelines for performance-related misconduct as it does for other types of misconduct; however, there are a few issues supervisors must keep in mind when issuing discipline for failure to meet performance expectations.

1. One of the commonly accepted elements of just cause discipline is that the employee is provided notice of reasonable rules. For performance related discipline, supervisors have

already taken the steps of providing notice by meeting with the employee to set up expectations, having those expectations outlined on the position description, and by providing ongoing and well documented feedback. This makes the initial steps of the Performance Management Process critical in establishing justification for performance-related discipline.

2. There should be clear delineation between when training has ended and when the employee must meet all expectations. A letter of instruction can serve this purpose, as it is a particularly effective way of putting an employee on notice that continued failure to meet expectations may result in disciplinary action.
3. It is essential to identify the work rule violated. When considering the appropriate level of discipline for a performance-related work rule violation, first determine the appropriate work rule involved (see APM 2-33, *Rules of Conduct*). Examples include:
 - a. Insubordination including disobedience, disrespect, failure to perform work assignments or duties, or failure to accept direction from authorized personnel.
 - b. Negligence in the performance of assigned duties, loafing, loitering, or engaging in unauthorized personal business during work hours.
 - c. Any other conduct that would inhibit the ability of the individual, fellow employees, or management to adequately carry out duties and functions.

If willful or serious misconduct is involved (direct insubordination), some of the steps of progressive discipline may be skipped. Consult with Labor Relations if this is the case. If the performance-related work rule is more negligent than willful, progressive discipline will apply. After identifying the work rule, supervisors should refer to the supervisor manual on Discipline, which explains implementation of progressive discipline.

G. Performance Improvement Plans (PIPs)

A Performance Improvement Plan is used when supervisors have identified a performance problem and recognize the problem is the result of an *inability* to meet expectations rather than the result of misconduct. A PIP is implemented only after the position has been adequately defined, expectations have been clarified, and necessary training, coaching, and counseling have been ineffective. PIPs **should not** be implemented without assistance and approval from the Human Resources Department.

PIP Implementation:

1. Notice of Unsatisfactory Performance: The employee must first receive a written notice (see PIP Sample Letter in the appendix) indicating that his/her performance is unsatisfactory, including:

Initiate Performance Improvement Plan (PIP) by notifying employee of unsuccessful performance and holding initial meeting to discuss performance deficiencies with employee input.

- a. **A Statement of the Problem:** The supervisor has already established the expectations using the position description, identified a deficiency, and defined the problem. This should be clearly articulated in the letter of notice to the employee. The example of the Administrative Clerk included: *“Performing basic payroll functions including verification of timesheets, however payroll is not completed in required timeline and performance is not meeting accuracy expectations as timesheets contain frequent errors. The Administrative Clerk has submitted payroll more than one day late three times in the past two months, and each payroll has had errors on a minimum of four timesheets. As a result of the inability to meet expectations, employees have not received paychecks in a timely manner and this has burdened coworkers with the additional work of correcting mistakes.”* The statement of the problem should then include all of this information.
 - b. **Previous Activities:** Highlight steps previously taken to bring about improvement including any unsatisfactory assessment, coaching, training, conversations, letters of instruction, or other measures taken to bring about satisfactory performance. These activities should have supporting documentation which includes specific dates and times. The meeting the supervisor held outlining established expectations based on the position description should be included.
 - c. **The Impact of Poor Performance:** Supervisors should be able to describe the impact of the performance issue(s) on co-workers, other staff and/or City residents or processes. This information is crucial for substantiating the reasonableness of the expectations of the position.
 - d. **Information on the Initial Meeting:** Set up a meeting to discuss performance improvement and make sure to send it to the applicable Union representative.
 - e. **Employee Assistance Program Information:** Provide information about EAP using the EAP letter located on EmployeeNet.
2. **Hold an Initial Meeting:** Supervisors should always ensure a second supervisory level employee and/or HR representative is present during PIP meetings to document the conversations. If the employee is represented, he or she may also have a union representative present. If the employee is not represented, a coworker may be allowed to be present.
 - a. **Begin with a Positive Focus:** A good way to begin addressing deficiencies is to focus on what is working well. The strategies for one-on-one engagement sessions in Chapter 4 may be helpful. Expressing appreciation for the employee’s skills and abilities can also help move the conversation from defensiveness to openness.
 - b. **Explain the Deficiency and Expectations:** It is imperative the supervisor articulates the performance concerns and engages in a two-way conversation to establish a means for improvement at the initial meeting. Supervisors should be sure to focus on the actual work product and avoid making the conversation personal.

- c. Ask Clarifying Questions: The employee may be aware of the exact impediments to meeting the expectations founded in the position description. Asking questions about why the employee believes they are unsuccessful at meeting expectations can provide further ideas for improvement.
- d. Develop Ideas for Improvement: Engage the employee in a discussion to allow input and suggestions before developing a reasonable timeline. Are there strategies that will allow the employee to succeed?

- 3. Create a PIP and Issue with a Follow-Up Letter: Supervisors should follow the PIP meeting with a letter documenting the conversation and the plan for improvement (see Sample Letters in the appendix of this manual). This letter should also include the following:

Develop PIP which includes changes necessary for employee to meet expectations established in the PD, provide employee with PIP.

- a. Meeting Information: The letter will specify how often the follow-up meetings will occur and the purpose of the meetings. These meetings should typically be established at least every two weeks for approximately six months.
- b. Issues Identified: The PIP should establish specific expectations and performance goals, with associated deadlines for achievement of these goals. Some goals may be short term, while others span the lifetime of the plan. Supervisors should be aware of the need to create timelines which are reasonable and fall within expectations which are standard for the position.
- c. Previous Activities: Highlight steps previously taken to bring about improvement, including any unsatisfactory assessment, coaching, training, conversations, letters of instruction, or other measures taken to bring about satisfactory performance.
- d. The Impact of Poor Performance: Supervisors should continue to describe the impact of the performance issue(s) on co-workers, other staff and/or City residents or processes.
- e. Consequence of Failure to Improve: Notice needs to be provided to the employee of the consequences of failure to improve or failure to adhere to the PIP, including the possibility of disciplinary action up to and including discharge from employment. Failure to meet target deadlines does not provide a basis for disciplinary action.

- 4. Hold Follow-Up Meetings: The supervisor should establish a reasonable timeline to follow-up with the employee and discuss the PIP. The supervisor should follow-up each meeting with a letter stating the employee's progress toward the expectations and standards previously identified (see sample letters in the

Meet at regular intervals with employee to discuss performance related to duties and responsibilities within the PD. Provide employee with written notice of performance and status after each meeting. PIP process is completed when time limit expires, or employee is consistently able to meet all PD requirements.

appendix of this manual). This provision does not limit the number of times a supervisor may observe the employee or engage in informal discussions regarding the employee's performance.

5. Conclusion of the PIP: The Performance Improvement Plan will conclude either when the employee reaches an acceptable level of performance, or the employee reaches the end of their PIP period.
 - a. Satisfactory Performance: When the employee reaches an acceptable level of performance, the supervisor shall send the employee written notification stating the employee is no longer on a PIP.
 - b. Unsatisfactory Performance: If performance does not improve adequately during the established PIP period, the Human Resources Director may recommend the employee is terminated or otherwise removed from the position.

Termination/otherwise removed from the position.

Remember, this can be a lengthy and difficult process, but the rewards of dealing with performance issues are felt by the City, the employee, coworkers, the customers, and you! Please contact Human Resources at any step of the process for assistance needed in managing performance.

9. EMPLOYEE ACCOMMODATIONS

Compliance with Federal, State and City statutes and ordinances requires the City of Madison to make reasonable accommodations for the known disability of a qualified individual during any employment activity. The American with Disabilities Act (ADA) mandates employers to provide a reasonable accommodation to qualified individuals with disabilities who are employees and/or applicants for employment, unless to do so would cause an undue hardship. Engagement can also be impacted for an individual with disabilities if s/he is not able to get reasonable accommodations to allow for the work to be done to the best of his/her ability, or if resources are not equitably allocated to meet his/her needs.

The City hires, trains and promotes qualified individuals in its employee pool. When an employee becomes unable to perform the essential, assigned duties of his or her position as a result of a disability, the City attempts to do what it reasonably can to retain the employee. While supervisors play a critical role in defining a reasonable accommodation for a particular position, it is the employee's responsibility to make a request for reasonable accommodation. Supervisors should not be inquiring as to whether an employee needs an accommodation without the employee first raising the subject.

The Occupational Accommodations Specialist in Human Resources works with employees and their supervisors when an employee has made a request for a reasonable accommodation. The interactive process is the means by which employees, the Occupational Accommodations Specialist, and supervisors arrive at a reasonable accommodation. APM 2-22 outlines the City's policy on workplace accommodations.

A. Identifying Individuals in Need of an Accommodation

It is the policy of the City of Madison to provide reasonable accommodations to qualified individuals with disabilities or long-term medical conditions when such accommodations are directly related to performing the essential functions of a job, competing for a job, or for enjoyment of equal benefits and privileges of employment unless the accommodation would pose an undue hardship. This policy applies to all City employees and applicants for City employment.

A qualified individual with a disability is one who meets the minimum knowledge, skill, ability, experience, education and other job-related requirements of the position such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of the position.

It is the responsibility of the applicant or employee to inform the City that an accommodation is needed.

- An applicant can check the appropriate box on the City of Madison employment application and provide details of a requested accommodation.
- During new employee orientation, an employee can complete the Declaration of Disability form to identify his or her disability, and request to be contacted by the Occupational

Accommodations Specialist. An employee can also complete the Declaration of Disability form at any time during his/her employment.

- An employee can talk with his/her supervisor or can submit a Request for a Reasonable Accommodation Form to his or her immediate supervisor, Department Head or to the Occupational Accommodations Specialist. The form permits the employee to provide information regarding the accommodation being requested and the disability or limitation which makes the accommodation necessary.
- A family member or friend may contact the supervisor or Occupational Accommodations Specialist on behalf of the employee.
- Often employees enter the accommodation process following a work-related injury that results in permanent restrictions. The City's worker's compensation administrator then provides medical information directly to the Occupational Accommodations Specialist.
- Employees are often referred through the Employee Assistance Program.

B. Defining a Reasonable Accommodation

A reasonable accommodation is a modification or adjustment to a job duty, employment practice or the work environment that makes it possible for a qualified individual with a disability or long-term medical condition to perform the essential functions of the position that the individual holds. Accommodations which could pose an undue hardship⁷ to the employer or which could pose a safety risk to the employee(s) may not be implemented. There are three basic areas of reasonable accommodation:

1. Modifications to the job application process that enable a qualified applicant with a disability to be validly considered. These could include changing the time frame or formatting of tests, changing interview formats, or providing services such as sign language interpretation.
2. Modifications to the work environment or the manner or circumstances in which the employee's job is customarily performed. These can be physical changes in the facility or equipment, modifying work schedules, restructuring a job, or reassignment to a vacant position authorized to be filled, as long as the reassignment doesn't violate any seniority provisions within a collective bargaining agreement.
3. Modifications that enable an employee with a disability to enjoy equal benefits and privileges of employment as similarly situated non-disabled employees. These accommodations can cover breaks and break areas, access to training, and information or interpretation at meetings.

⁷ Undue hardship means significant difficulty or expense and focuses on the resources and circumstances of the particular employer in relationship to the cost or difficulty of providing a specific accommodation. It refers to financial difficulty, as well as accommodations that are unduly extensive, or disruptive, or those that would fundamentally alter the nature of operation of the business. An employer must assess on a case-by-case basis whether a particular reasonable accommodation would cause an undue hardship.

C. The Accommodation Process

The accommodation process is interactive between the Occupational Accommodations Specialist, the employee, and others that need to be involved. Once an employee has submitted an accommodation request, an Authorization for Release of Medical Information form may be used and authorized by the employee to allow the Occupational Accommodations Specialist to communicate with the employee's health care provider(s), if necessary. The requested information is used by the Occupational Accommodations Specialist to assist in determining the precise job-related limitations imposed by the individual's disability and how those limitations might be overcome through reasonable accommodation.

Once it is determined that the employee is a qualified individual with a disability, the Occupational Accommodations Specialist meets with the employee to determine job duties, precise work-related limitations and to explore how limitations might be overcome through reasonable accommodation. The employee may choose to have a union representative, family member or other advocate involved as well. The Occupational Accommodations Specialist will also consult with the supervisor and, as necessary, with health care providers, worker's compensation, vocational rehabilitation or other specialists to gather job-related and medical information. A job analysis will be performed to determine the position's purpose and essential functions.⁸ The Occupational Accommodations Specialist will then determine if the employee is able to perform the essential functions of his/her current position with or without a reasonable accommodation.

If a reasonable accommodation can be made which allows the employee to perform the essential functions of his/her current position, it will be recommended by the Occupational Accommodations Specialist. In most cases the recommended accommodation will be implemented, barring undue hardship, allowing the employee to work in his/her current position.

It is important to note that a reasonable accommodation is not automatically what the employee is requesting. Rather, the City has the ability to determine what is reasonable in accomplishing the work. This is where the supervisor's role is critical, in defining the actual job duties that are essential and in determining ways the work may otherwise be accomplished. For instance, if an employee is requesting the accommodation of being allowed to work at home because s/he needs frequent naps, but the supervisor determines the employee can go to a quiet area within the workspace to rest, it may be that the supervisor's suggestion is reasonable and meets the employee's needs.

⁸ Essential Functions are "fundamental" or "core" duties of the position. Reasonable accommodation focuses on the essential functions and enabling the employee to perform the essential functions of the job. A job function may be considered essential for several reasons: the reason the position exists is to perform the function; a limited number of employees are available among whom the performance of that function can be distributed; the function may be highly specialized so that the person is hired for his or her expertise or ability to perform the particular function. Contrast with Marginal Functions, or tasks that are considered to be a peripheral, incidental, or a minimum part of the job. Marginal functions can be easily transferred to another employee without hurting the employers business.

Employees are required to participate in the interactive process. If an employee requests a reasonable accommodation, but then refuses to participate in the job analysis or a discussion of what a reasonable accommodation may be, the City may not be required to complete the process.

D. The Accommodation Placement Process

In some situations, the employee's limitations may not be able to be accommodated in a way to allow an employee to perform the essential functions of his/her current position safely and/or effectively. In other cases the only accommodation available will cause an undue hardship for the department. If these situations occur, a reassignment will be considered to be an accommodation and a job search will be conducted.

A job search will begin by identifying any current vacancies within the employee's department, which are authorized to be filled, and are at or below the employee's current salary level. The employee and Occupational Accommodations Specialist will meet to discuss work history, skills and abilities, and educational background that the employee possesses and which could qualify him or her for other positions. The employee must meet the minimum entry requirements, pass applicable exams for a position, and be able to perform the essential functions of the new position with or without reasonable accommodation.

If there is not an appropriate opening within the employee's department, a citywide job search will be conducted for 60 days following the same criteria as outlined above. Employees may also compete for positions that would be promotional opportunities. If an employee is not able to work during the accommodation process, the employee will use any available leave for which s/he is eligible.

Employees reassigned to vacant positions as an accommodation will be required to complete a six-month evaluation period. If, during the six-month evaluation period, the employee has not performed the essential functions of the position in a satisfactory manner due to accommodation issues the placement will be terminated. Another job search may be conducted for a reassignment as an accommodation. Performance problems which are unrelated to accommodation issues will be handled through the appropriate disciplinary process.

If the accommodation process ends and it has not been possible to make any reasonable accommodation, the employee may use the balance of any eligible leave and/or may exercise any remaining contractual rights. When eligible leave is exhausted, the Appointing Authority and the Human Resources Director will proceed jointly in terminating the employee's employment.

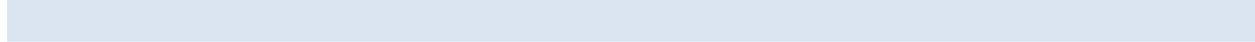
E. Denial of a Request for a Reasonable Accommodation

When a decision is made to deny a request for reasonable accommodation, the Agency Head will review the proposed denial with the Occupational Accommodations Specialist. Upon completion of this review, the Occupational Accommodations Specialist will notify the individual requesting the reasonable accommodation of the denial in writing specifying the reason(s) for denial. This notification will include a

copy of the City of Madison complaint process, as well as contact information of civil rights enforcement agencies, including any relevant time limits.

F. Confidentiality

Contacts with the Occupational Accommodations Specialist are confidential. All medical information pertaining to accommodation requests are maintained in separate, secured files and shared only when there is a need to know situation. Only information specifically related to the accommodation or work restrictions will be shared with supervisors and/or managers, not medical information relating to the underlying disability. First aid and safety personnel may be appropriately informed when the possibility of emergency treatment exists for the employee's disability or medical condition.



10. ASSESS AND IMPLEMENT TRAINING

The City of Madison is committed to helping all of its employees achieve professional and personal excellence, as our employees are the key to providing superior services to residents and visitors. A supervisor is responsible for working with employees to identify specific training and development needs. It is the joint responsibility of the supervisor and employee to ensure that progress toward meeting position objectives and results is regularly evaluated and that the employee attains desired skills and knowledge. Individual training and development activities and funding decisions should be determined between the employee and their supervisor. Involving employees in the decision-making process serves to encourage employee engagement.

Department/Division Heads and supervisory staff are responsible for supporting employee development efforts and for maximizing the efficient use of City resources to help meet developmental needs. They also are responsible for final approval of internal and external training requests. These requests should be viewed through a lens of equity. That is, when Department and Division Heads consider approval of such requests, they should consider whether or not training resources are being distributed in an equitable way, so all employees have appropriate opportunity to learn and grow throughout employment.

Human Resources, through Organizational Development and Training (OD&T), is responsible for continually assessing developmental needs and creating training programs and activities to address those needs citywide. OD&T will provide consulting support to agencies on training, quality improvement, and individual and organizational development initiatives. OD&T will retain a centralized record of all reported training and conference attendance by employees.

The two distinct kinds of training are *required job training* and *elective career development*. For more information on elective career development, please see the Individual Development Plan section of this manual. Required job training should be prioritized to maximize efficiency of training for each individual and to meet the department's budgetary restrictions. For more information on specific training and career development offered by the City, please see the OD&T website at www.cityofmadison.com/employeenet/training/TrainingHome.html.

A. Required Job Training Assessment

Supervisors must review the requirements and expectations developed from the position description and determine if specific skills need to be developed or improved. Most of these types of job task skills can be developed through on-the-job activities, like mentoring, job shadowing or hands-on demonstrations, but others may require classroom or project time to develop.

Other types of training needs may be identified when changes in equipment, software or procedures occur which require staff to learn new skills. Formal certification requirements, operational metrics or accident reports that show need for improvement may also trigger a need for new learning. Citywide initiatives, like anti-discrimination training, may also direct training opportunities. There is no substitute

for conversations with employees to gauge training needs; conversations with employees about what is occurring on the job should provide a good idea of what needs to be enhanced.

Upon initial hire, a training plan should be established for each employee founded on the expectations developed from the position description. Initial training includes any formal or informal training that defines achievement expectations and related timelines. This should be established for each employee to ensure they are provided with the necessary tools to fulfill all tasks outlined on their position description, and should be prioritized as follows:

- Priority One: Training required as a result of Federal or State programs or implementation of a Common Council policy. Education necessary to retain licenses required by collective bargaining agreements or classification.
- Priority Two: Training that will improve the employee's productivity in the current position.
- Priority Three: Training that is indirectly related to the employee's job performance, but may benefit the City.

Throughout employment, if an employee needs to strengthen job skills in a particular area of the position, the supervisor and employee should discuss how this would occur. Employees should make every effort to take advantage of local training opportunities to avoid travel and lodging expenses; however, there may be cases in which operational scheduling needs, the need for fresh points of view, and other advantages may override economic considerations. Department/Division Heads should monitor and approve the use of external training resources as part of their budget overview process.

Attendance at conventions, conferences and meetings may also be a way for employees to acquire specific skills and knowledge. Attendance should be consistent with the elements of APM 1-5, *Policy Regarding Travel at City Expense*. Training received and expenses incurred at such conferences are reimbursed in accordance with that policy.

B. Training Assessment Teams

Teams are well suited for training assessment exercises. Work teams can be created to identify the training necessary for each position in the work unit. Involving employees in the task of equipping themselves and their coworkers with needed resources fosters a culture of engagement.

The first step is to identify training and experience needs at each level of the organization. This information is found in the position description for each position. It is imperative that position descriptions are completed and updated prior to organizing a team to do a training assessment.

The second step involves developing a matrix for each position within the work unit. The necessary pre-employment and on-the-job training, optional on-the-job training, and external training opportunities for each position should be identified. The matrix should include an inventory of what training is available based on the specific responsibilities outlined in the position description for each position. The matrix can be formulated as follows for each position:

	Required Job Trainings	Required Certification	Optional Training	Other
Responsibility A				
Responsibility B				
Responsibility C				
Responsibility D				

Training matrices developed by teams can then be made available for each position to the rest of the work group. While supervisors are required to aid and consult in implementation of these matrices, each employee is ultimately responsible for any training beyond that which is required for the position.

The team should then answer some of the following questions:

- Are there any gaps between needed training and what is available?
- What is the budget impact of implementing the training?
- Which trainings are most crucial for the work being done?
- Are training resources being allocated in an equitable way?
- Would leadership development be appropriate for the position?

Once a thorough training assessment has been completed, a plan should be implemented to provide the work unit with the knowledge, skills, and abilities they need, or in some cases desire, to make the work unit run more efficiently and effectively.



11. TOOLS ASSESSMENT

Work teams can also be created to identify the equipment necessary to do the job. Appropriate members should be identified who are responsible for inventorying current equipment, for identifying equipment gaps, and for researching new technologies. The end result may be a comprehensive list of tools necessary for each work unit, or may be a detailed report of new equipment necessary to boost efficiency. Ultimately, effective tools assessments require that clear prioritization is a part of the planning process.

Adopting an Equipment Management Process Improvement Working Group provides key benefits of reducing the administrative costs of equipment management, and supporting the goal of stewardship of agency equipment. The use of the working group provides the necessary stakeholders a voice in this process, which results in everyone working to reduce overall work, duplicated procedures, and redundant data. Having a working group ensures the process is monitored and, as metrics are gathered, the process can be further optimized in the face of the changing budget requirements. Involving workers in identifying the tools appropriate to their tasks can serve to increase employee engagement.

A. Tools Assessment Development

Development of a matrix for each work unit in the department is the first step in completing a successful tools assessment analysis. The matrix should identify the work unit, the types of responsibilities, the types of equipment needed to perform the job and the current equipment inventory.

When completing the matrix, the work team should think about the tools necessary to perform the job. Is there a list of desired tools? Desired tools may help the work unit become more efficient. Are there any gaps in what is needed and what is on hand? What would be the budget impact of purchasing the needed equipment? What budget implications would there be to purchase the desired equipment? What priority does the team place on the desired equipment needs?

	Necessary Tools	Optional Tools	Current Equipment	Cost/Benefit Other Considerations	Priority
Responsibility A					
Responsibility B					
Responsibility C					
Responsibility D					

After creating the tools matrix, the team should then answer some of the following questions:

- Are there any gaps between needed tools and what is available?
- What is the budget impact of appropriating those tools?
- Which tools are most crucial for the work being done?
- Are resources being allocated in an equitable way?
- Is there ongoing maintenance or additional costs to consider?

B. Tools Assessment Outcome

Once a thorough tools assessment is completed, a report should be created and a plan implemented to provide the work unit with the tools they need, or in some cases desire, to make the work unit run more efficiently and effectively. The report should include information on all of the following:

1. Full inventory of current tools and equipment.
2. Identification of potential gaps.
3. Research on potential new equipment/technologies which outlines:
 - a. Cost/benefit analysis
 - b. Potential suppliers and reviews
 - c. Use and disposal
 - d. Maintenance required and ongoing costs
 - e. Prioritization
4. Necessary intervals for inventory
5. City policies and guidelines implicated

The use of the working group provides the necessary stakeholders a voice in this process, which results in everyone working to reduce overall work, duplicated procedures, and redundant data. Having a working group ensures the process is monitored and as metrics are gathered, the process can be further optimized in the face of the changing budget requirements.

12. EMPLOYEE WELLNESS, EAP, AND CISM

A. Wellness

Wellness initiatives are designed to improve overall health by discouraging unhealthy behaviors and promoting healthier lifestyles. Studies have shown that these types of programs and activities not only improve employee morale, but save hundreds of dollars per employee annually by reducing health insurance premiums, reducing worker's compensation costs, reducing employee absenteeism and increasing productivity. Also, knowing that the employer is invested in employee well-being supports a workplace culture of engagement.

The City and its insurance providers offer many opportunities for employees to improve overall wellness including:

- Biometric Health Screening
- Smoking cessation programs
- Assistance/treatment for drug and alcohol abuse
- Stress management classes
- Weight Watchers programs
- Financial incentives
- Wellness newsletters and emails
- Immunizations

As a supervisor, you must respect the privacy of your employees when it comes to health-related issues and always comply with the Health Insurance Portability and Accountability Act (HIPAA). At the same time, you can encourage employees to maintain a healthy lifestyle in many ways including:

- Leading by example and modeling healthy behaviors
- Allowing and encouraging employees to attend wellness-related classes and trainings offered by the City
- Approving flexible work schedules, when possible, so employees can engage in wellness-related activities during their free time
- Provide nutritious food alternatives at employer sponsored events
- Celebrating and congratulating employees and coworkers on wellness-related achievements

If you have additional ideas you would like to discuss or if you have any other questions related to wellness, please contact the Employee Assistance Program Unit.

B. Employee Assistance Program

It is the policy of the City of Madison, at all levels and locations, to maintain and promote an Employee Assistance Program (EAP) that will help employees, and their family members/significant others to deal with personal, behavioral, medical or work-related problems.

The EAP utilizes a Coordinator, staff, an internal network of employees (designated as EAP Facilitators) and an external EAP provider, giving employees or family members the option of accessing services internally or externally. The Coordinator and external EAP provider are trained professionals who provide confidential problem assessment, information and referral to appropriate resources.

An annual training plan is developed to ensure all EAP Facilitators, Supervisors and Union Stewards receive updates on changes in the operation of this program.

EAP Offers of Assistance:

1. Identification

The impact of difficult personal, behavioral, medical or work-related problems can be lessened or remedied by timely and appropriate assistance/treatment. Such problems include, but are not limited to:

- Marital, family or relationship issues
- Emotional and mental health problems
- Alcohol and drug abuse
- Financial problems
- Grief
- Work stress
- Medical problems.

Early identification of such problems is crucial and use of appropriate resources to deal with them is encouraged. Participation in the EAP is always voluntary and lack of employee assistance participation is never a cause for disciplinary action. EAP services are entirely confidential, and no record of services provided by the EAP is entered in an employee's personnel file or reported to management.

2. Types of Referrals and Supervisor Responsibility

Employees can either be referred by others or self-referred. Self-referral is when employees with personal or work-related problems initiate the contact with EAP. Employees are encouraged to seek help on their own prior to job performance being affected. Employees can discuss their problems with the EAP Coordinator or the external EAP provider. EAP staff will assist the employee in contacting his/her health care provider or, if requested, an appropriate community resource. The EAP will also follow up with employees to determine satisfaction with the referral and offer additional support if needed.

Family members and significant others may contact the EAP concerning their own issue(s) or the employee's problem. EAP contact information is made available to City employees and their family members/significant others.

Supervisors are also responsible for referring employees to EAP. Whenever an employee with an established record of acceptable work evidences a pattern of inconsistent or deteriorated job performance that fails to respond to supervisory input (e.g., verbal instructions, written job instructions, discussion of job performance), the supervisor should encourage the employee to contact the EAP. When taking disciplinary action, the supervisor must also make the employee aware of the City's EAP services. The employee retains the right to accept or reject this offer of assistance, as EAP services are entirely voluntary. This offer should be repeated at each stage of the progressive discipline process using an offer including the following information:

- a. When an employee requests help or is experiencing job performance concerns, it is the policy of the City of Madison to offer the EAP.
- b. Use of the EAP may prevent further deterioration in job performance and the need for additional disciplinary action. All discipline problems may not have EAP solutions, but it should still be offered.
- c. EAP can provide information, referral and support for personal problems, which sometimes impact work performance.
- d. The use of EAP is voluntary, confidential and free.

Supervisors should also provide the employee with a dated and signed EAP letter which restates the Offer of Assistance and the EAP brochure/insert which includes both internal and external contact information.

Note that seeking help through EAP does not jeopardize job security or promotional opportunities. These are based on job performance, not on use or non-use of EAP. Job performance expectations must be met regardless of EAP use.

If the employee accepts the offer of EAP and wants the supervisor to be involved in the referral, the supervisor should do any or all of the following:

- Contact the EAP

- Share with the EAP the main job performance issues/concerns
- Schedule an appointment for the employee with the EAP.

Any information the employee shares with the EAP and whether or not they keep the appointment will not be shared with the supervisor without written authorization from the employee. Further, any information an employee shares with a supervisor and that leads to an EAP referral is confidential and will not affect an employee's job status in accordance with the Confidentiality Guidelines previously noted.

Use of the EAP should not prevent supervisors from taking appropriate disciplinary action if the performance problems persist or if performance falls off again after a period of improvement. The EAP is not a substitute for appropriate disciplinary action nor should it be used as a basis for compromising performance expectations or work rules.

Like supervisors, union stewards often have the opportunity to observe job performance and interactions with other employees. They can play an important part in introducing EAP and encouraging employee utilization. Union stewards may be able to serve as a referral source by supporting the employee and encouraging them to contact the EAP.

An employee who wants to consult with EAP staff during their regular scheduled work hours will be scheduled a reasonable amount of time to do so. However, it is necessary for the employee to first arrange for time away from his/her workstation. This must be done in accordance with the operating procedures that have been established for the work unit to cover such absences. Any other contact outside of the EAP (i.e., community resources, health care providers, etc.) are to be done with approved leave in accordance with established policies and procedures.

C. Critical Incident Stress Management

It is the policy of the City, at all levels and locations, to help employees by providing information and referral to resources which may enhance or support employees and family members' wellness and organizational productivity. In keeping with this policy, the City of Madison provides information, referral and access to Critical Incident Stress Management (CISM) services for employees who experience these events.

The City of Madison utilizes the services of trained and experienced Critical Incident Providers for individual and group CISM responses.

1. Definition of a Critical Incident

A critical incident is a situation experienced by a person that may cause them to experience unusually strong emotional reactions that have the potential to interfere with ability to function during the incident, immediately following the incident or even later. A situation does not have to be a major disaster to be classified as a critical incident. The following are examples of critical incidents:

- Serious injury or death of a member of the public while the employee is performing regular duties or functions. Special attention should be given to incidents that involve children, a family member, friend, neighbor, or where an association to these can occur.
- Serious injury or death of an employee on or off duty.
- The suicide or homicide of an employee.
- An event associated with prolonged and extraordinary input in rescue efforts.
- Any incident that could be considered a serious physical or psychological threat to an employee while on duty.
- Any incident in which there is unusual media coverage.
- A series of incidents that may have cumulative effects.
- Any abnormal event in which circumstances are so unusual or so distressing as to produce immediate or delayed emotional reactions that surpass normal coping mechanisms.

There are multiple characteristics of symptoms following a critical incident including, but not limited to:

- Being unable to talk about the event and the feelings associated with it.
- Feeling detached and withdrawn – keeping emotional distance from family and friends.
- Avoiding recreational or work activities that are reminders of the incident.
- Experiencing recurring and intruding memories and feelings about the incident. This may occur during sleep.
- Feeling preoccupied and experiencing impaired memory and concentration, and having difficulty completing tasks.
- Feeling hyper-alert, startling easily, having difficulty sleeping.

While the symptoms outlined above are characteristic of several emotional disorders, the development after a psychologically traumatic event represents a fairly common and normal response. However, when symptoms persist over a period of several weeks the individual should be assessed by a mental health treatment provider.

2. Critical Incident Debriefing

A debriefing is not a counseling or therapy session, but rather a session in which the normal recovery process to abnormal events is facilitated or supported through individual or group processes. Individuals who have been exposed to an abnormal event sharing their experiences has generally been

found helpful. Myths or attitudes that individuals should be able to “tough it out” have been found to be less helpful and are more likely to lead to abnormal responses or prolonged recovery to such events.

A debriefing may involve a one-on-one contact between an employee and the Debriefer, a group of employees similarly involved from the same City department and the Debriefer, or a group of employees from several City departments and possible outside agencies, if several employees are involved in the same incident.

The determination of what constitutes a critical incident may be made by the CISM Provider, the EAP Coordinator and the department supervisor or designated department contact person who has direct knowledge of the event. Some of the factors considered include:

- Number of people involved
- Level of involvement
- Duration, intensity, degree, or suddenness of event
- Level of loss and injuries or death.

It should be noted that the decision to provide a debriefing is based on the event, not on the perceived ability or inability of those involved in the incident to cope. Referrals are made for all individuals known to be involved in the event regardless of individual responses to the event. Critical incident debriefings usually occur between 24-72 hours of the incident, but this timeframe is flexible based on the incident and the needs of the involved parties.

3. CISM Response Process

It is important that all departments respond to a critical incident and that employees involved in the incident receive the referral or offer of these services in a timely manner. The number one factor in an employee's ability to recover from a critical incident is the amount of support they perceive from the organization. When an employee believes s/he has experienced a critical incident for which no referral or offer of services has been made, s/he may request services through her or his supervisor, or the EAP (both internal and external).

a. Initial Referral Procedures

Any employee who has direct involvement in or knowledge of an incident and feels that a response would be helpful may contact a supervisor, a designated department contact person or the internal or external EAP to request CISM services. An assessment will then be made to determine an appropriate response. The response will be coordinated by the CISM provider, the EAP Coordinator and the affected department(s).

b. Follow-up

Follow-up contact or referral to other appropriate services will be provided by the EAP Coordinator or the CISM provider. Employees attending CISM debriefings may do so while in pay status.

c. Confidentiality

All individual referrals and the content of a defusing or debriefing session shall remain strictly confidential. The only exception is when, under extraordinary circumstances, an employee is believed to be an imminent threat to the safety of him/herself or others. Occurrence of a debriefing session, session content, or mention of any of the participants to anyone outside of the session is prohibited. No report will be made to management and no formal documentation will be maintained. Individuals are free to discuss the event and their own feelings with others, but there shall be no discussion of the defusing/debriefing with anyone not in attendance.

d. Training

Training will be provided for all management, supervisory and lead worker personnel, and designated department personnel in recognizing critical incidents, the policies and procedures for critical incident response, and providing support to affected employees.

NOTE: EAP recognizes critical incidents are frequently unique to, and occur within, different occupational work environments and that contact persons and procedural approaches to accessing services will vary. Departments may, consistent with overall City policy, choose to develop separate departmental procedures in implementing this policy.



DEVELOPING EMPLOYEES

Supervisors can have a dramatic impact, positive or negative, on employee development. While employees are ultimately responsible for their own development, supervisors have the ability to make development opportunities available for employees, recommend opportunities unknown to an employee, and can create an environment that fosters on the job learning opportunities as well. Employee development is an important part of overall employee engagement, and is one of the cornerstones of virtually all employee engagement models. The survey questions most closely identified with this focus area include:

- In the last six months, has someone at work talked to you about your progress?
- In the last year, have you had opportunities at work to learn and grow?
- Is there someone at work who encourages your development?

Employee development includes, but also goes beyond, provision of basic training. Employee development is about utilizing individual employee talents, building on those talents, and encouraging continued growth of each of your staff members. While not all of the following strategies should be implemented with all staff (Individual Development Plans, for example, should not be used for any employee not meeting performance expectations), insufficient development will result in overall lower engagement ratings.

An important supervisory responsibility of offering development opportunities is to periodically review through an equity lens, how responsibilities are assigned and development opportunities are allowed. This process requires asking difficult questions like, “Who is benefiting from this assignment or workload division?” and, “Are these development opportunities leading to disparate promotional opportunities?” For more information on equity impact analysis, see the Supervisor Manual chapter “Building Equity,” or contact the leaders of our Racial Equity and Social Justice team, Melissa Gombar and Jordan Bingham.

13. HIRE FOR FIT: CITY HIRING

Your first opportunity to impact employee engagement is before you even make the hire. When making hiring determinations, hire employees with:

1. Competencies to perform the job. Human Resources (HR) Analysts can assist in creating interview questions that target key competencies for your positions. Please also see the “Manager’s Guide to Interviews and Background Checks” for developing questions around behavioral competencies.
2. A passion for their chosen occupational area. Make sure you have interview questions that include not only the competencies, but what led the candidate into the field to which they are applying. For example, instead of simply asking why a candidate applied for a position, consider asking how the candidate initially got into his/her chosen field.
3. The experience and skills to fit well with the structure and culture of your organization. When weighing “best fit,” keep in mind that “fit” means more than just how well an employee will mesh with your current workforce. It is equally important to make a critical and comprehensive assessment of your organization. Seek and select candidates who will bring the unique skills and/or competencies that are currently missing or lacking within your organization. When selecting new hires, think of candidates as missing pieces to a puzzle. Properly choosing for “best fit,” should not diminish diversity. Rather, diversity should flourish as you seek to turn your organization into a well oiled machine, with a variety of differing parts, all working in concert with each other.

The City of Madison utilizes a standardized hiring process in order to ensure compliance with all federal and state laws, as well as City of Madison Ordinances, Personnel Rules, and relevant collective bargaining agreements. Supervisors have an important role in working with the Human Resources Department to fill vacancies. The following outlines the hiring process and provides a set of standard guidelines and expectations.

A. Request and Authorization to Fill Permanent/Limited Term (LTE) Vacancies

The process for filling vacancies begins with updating the Position Description for the position to be filled. Chapter 7 of this manual provides information for reviewing and updating Position Descriptions. Once the duties and responsibilities of the position are defined, the Hiring Agency will use NEOGOV, the City’s applicant tracking system, to complete an electronic requisition to fill the position (the process for filling hourly vacancies is described in section J). The “NEOGOVS OHC Users Guide” can be found on the HR Department’s EmployeeNet/ Employment page, and provides detailed, step-by-step instructions for using NEOGOV in all phases of the hiring process.

The requisition should include attachments of the updated, current position description, and a Request to Fill Vacancy form (both available on EmployeeNet). The requisition will be routed electronically through the Finance Department for budgetary analysis. Once the requisition is received in Human

Resources, the HR Department will work with the Mayor's Office to obtain authorization to fill the position. Once authorized, HR will inform the hiring agency that the recruitment will proceed, and the process will be assigned to an HR Analyst.

The City's Occupational Accommodation Specialist receives notification of requisitions as they are created to determine the potential for placement of an injured employee or an employee with a disability in accordance with APM 2-22. If this occurs, a full recruitment process may not occur, or may be stopped in process.

B. Recruitment

Once a position is authorized to be filled, the HR Analyst assigned to the recruitment will work with the Hiring Agency to develop a recruitment strategy in accordance with City of Madison Personnel Rules. The recruitment strategy may include an overall timeline for the process; dates and places of advertisement; length of time for the posting; date and type of examination; date of final certification/referral of qualified candidates; interview format; and schedule of final interviews.

When positions are under-represented, the Department of Civil Rights (DCR) contacts the Hiring Agency to advise them of this fact and their responsibilities, and to offer assistance with the recruitment process. The Affirmative Action Specialist (AA Specialist) will assist HR and the Hiring Agency in locating alternate sources for advertising to target under-represented groups, and will explain DCR's role in the selection process.

The HR Analyst will prepare the job posting in NEOGOV and will draft any advertisements, which will be sent to the designated contact person at the Hiring Agency for review and approval. Finalized job announcements are sent to all City agencies and may be sent to external sources as part of the recruitment process.

The HR Analyst will work with the DCR AA Specialist and the Hiring Agency to determine additional appropriate locations for advertising, and the HR Analyst will post the ad in those areas. However, it is possible that certain advertisements will be posted on industry-specific websites. In that case, the HR Analyst may request that the Hiring Agency post the announcement in order to take advantage of membership discounts exclusive to the Hiring Agency. The HR Department will pay for local advertising if funding is available. Advertisements placed in professional journals, websites, or other areas will be paid for by the Hiring Agency.

During the period that applications are being accepted, the HR Analyst will work with the Hiring Agency to ensure any exam necessary for testing for the position is up to date. Hiring Agencies are welcome to review exams to ensure they remain current, but exam material is not permitted to leave the HR Department. Maintaining confidentiality of such exams is critical in preserving the integrity of the recruitment process. Multiple-choice/short answer exams are commonly used when filling represented positions.

It is possible that instead of a multiple-choice/short answer exam, supplemental questions are included as part of the application process. Supplemental questions are designed to get more information from applicants about their background and experience in particular areas relative to the vacant position. The supplemental question responses can be scored and candidates ranked based on their responses to the questions. In that case, the HR Analyst will work with the Hiring Agency to develop questions and a scoring matrix, and identify subject matter experts (SMEs) to read and score the supplemental question responses. The responses and associated scores become the civil service exam in those recruitments. Supplemental questions are commonly used when filling professional positions as these types of positions are less suited towards a multiple-choice format.

A comparative evaluation of applications is sometimes used as part of the civil service process as well. In a comparative evaluation, the department and HR Analyst will develop certain criteria by which to evaluate the submitted applications, and then points will be assigned to each application against the established criteria. The highest scoring applications then move forward to the next step in the process.

C. Screening and Referral

Once the posting period is closed, the HR Analyst will screen applications for minimum qualifications based on the "Training and Experience" and "Knowledge, Skills and Abilities," listed in the job posting. The Hiring Agency may be asked to participate in the initial screening when there is a need for specialized expertise. If the department and HR Analyst disagree as to whether an applicant should be included in the process, the HR Director, or designee, makes the final determination of an applicant's status in a process.

Candidates meeting the minimum requirements may be invited to a testing process if applicable. Random selection may be used in cases of recruitments with large numbers of candidates to determine who is invited to the exam. Hiring agencies may be asked to assist in giving civil service exams or other portions of the recruitment process, including loaning personnel, pursuant to the provisions of MGO 3.53(7)(b). Candidates will be ranked based on the results of the testing process, evaluation of training and experience, or on a comparative basis.

Candidates who pass a required exam(s) will be placed on an eligible list that is typically retained for six months. If an eligible list exists when a requisition is submitted, the department will be required to exhaust the current eligible list before a new recruitment will begin. Once on the eligible list, candidates may have veterans and/or seniority points added to their score, as applicable. After all points have been applied, the highest ranking candidates will be referred to the Hiring Agency based on The City of Madison Personnel Rules or the terms of an applicable collective bargaining agreement. The Hiring Agency will access the list of referred candidates and applications through NEOGOV. The referred list is confidential and names of referred candidates are **not** to be released. In the case of Department or Division Heads who are considered "Local Public Officials" under 19.42(7w) WI Stats, the Human Resources Department has the responsibility to release the names of referred candidates/finalists upon request.

D. Interview Process:

The Hiring Agency is required to interview all referred candidates, unless a candidate chooses to withdraw from consideration, is unable to appear for their scheduled interview date and time, or does not respond within the required timeframe. A Hiring Agency may request additional names from HR for interview if any of the aforementioned situations occur, to replace the candidate who was originally referred, provided the candidate removed from consideration is not in a rank that has more than one candidate. Otherwise, the Hiring Agency cannot receive additional names unless it can document that the individuals originally referred would not be appropriate for appointment. The HR Director, or designee, must approve the request for additional names to ensure it is not a means to circumvent the civil service system. Once a Hiring Agency receives additional names, the additional candidates must be offered the opportunity to interview.

When the HR Analyst refers candidates to the Hiring Agency for interview, the HR Analyst will inform the candidate to contact the Hiring Agency to schedule the interview. The Hiring Agency should give the HR Analyst the contact information for the person who will be scheduling the interviews. Candidates must be given a minimum of five business days to contact the Hiring Agency to schedule the interview. Hiring Agencies may contact candidates to interview in a shorter period of time. However, the Hiring Agency must be prepared to offer an interview after the five day window in case a candidate is unavailable or cannot be reached sooner. It is not appropriate to disqualify a candidate who was not given the full five days to respond for the interview.

Occasionally, candidates may require an accommodation for the interview due to a disability. In such cases, the Hiring Agency is required to work with the City's Occupational Accommodations Specialist to identify and provide a reasonable accommodation. If the Hiring Agency is going to do anything as part of the interview process beyond a normal face-to-face interview (such as a writing exercise), the candidates should be informed of this at the time they are notified of interview so the candidates may appropriately determine whether an accommodation is needed. No examination shall be given by the Hiring Agency as part of the interview process without prior approval by the Human Resources Department.

The HR Department recommends that Hiring Agencies use the behavioral interview model of interviewing, described more fully below. This model is based on the theory that past performance in similar circumstances is the best predictor of future performance. The Hiring Agency should look to the Position Description to determine what competencies are required to perform the work of the position. Then questions should be developed to determine how a candidate has implemented these competencies in previous job-related situations. The Hiring Agency prepares a set of interview questions, considered core questions, to be asked of each candidate. Additional follow-up questions may be asked as needed, but all questions must be job-related. "The Manager's Guide to Interviews and

Background Checks” (found on the HR Department’s EmployeeNet page) is an excellent resource for developing interview questions and structuring interviews.

Behavioral Interviewing⁹

Research shows that a person’s past behavior is the best predictor of his or her future performance in similar situations. Behavioral interviewing is designed to identify a candidate’s actual behaviors and choices based on his/her behavior in similar past situations. This type of interviewing process requires candidates to respond to scenarios by drawing on specific experiences in their past and identifying their role in similar situations. Focusing on behaviors in past situations provides interviewers a means to assess a candidate’s competencies and skills against job-related qualifications.

As noted in the previous section, the first step in developing an effective behavioral interview is to review the Position Description to determine what competencies are required for effective performance. Questions are then developed to determine a candidate’s suitability in three areas:

1. The candidate’s ability to do the job;
2. The candidate’s motivation; and
3. The candidate’s “fit” with the organizational culture.

The goal is to get information regarding situations, the candidate’s tasks and actions within each situation, and the outcome of the situation. Effective questions are open-ended and allow candidates the opportunity to freely answer questions without being given clues as to what the “correct” responses would be.

Behavioral interview questions are designed around specific competencies that are required to perform the work of the position. Sample competencies include teamwork, leadership, effective communication, decision making, customer service, and problem solving. Within each competency, questions should be designed to identify a specific situation where the candidate exhibited each competency, including specific dates and actions taken.

It is important when conducting a behavioral interview that candidates provide detailed and specific information. This may require the interviewer to use effective follow-up questions. A candidate, who vaguely describes a project that s/he worked on, should be asked follow-up questions to determine the candidate’s specific role on the project, and the outcome of the project. Remember, the goal of the interview is to gain as much information as possible so the candidate’s potential for success may be evaluated.

⁹ Behavioral Interviewing information is from ZERORISK HR, Inc., “Behavioral Interviewing: A Competency-Based Selection Process” training.

“A Manager’s Guide to Interviews and Background Checks,” on EmployeeNet, contains examples of behavioral questions by competency and a list of 25 interview questions that should be avoided for legal reasons. It is important to review this list when updating and/or creating interview questions.

Interview Structure

Once the interview questions have been developed, it is important to think about the structure for the interview. Thought should be given to ensuring that candidates are comfortable and relaxed, and that in addition to gathering information, candidates have the ability to ask questions. The following provides a model for structuring the interview.

Step 1: Opening

Before the actual interview starts, it may be appropriate to give candidates an opportunity to view the interview questions. When considering that the goal of the interview is to obtain as much information about the candidates as possible, allowing candidates the opportunity to think about the questions in advance will increase the likelihood of candidates giving quality answers during the interviews and should make the interviews more efficient and productive. This practice should be decided by the hiring manager, and may not be appropriate for all positions (i.e., where spontaneity may be an applicable ability/skill to assess).

Once a candidate is brought before the panel, the opening begins. The goal of the opening is to put the candidate at ease. It is important to introduce all panel members to the candidate. After introductions, it may be appropriate to briefly share information with the candidate about the agency and the opportunity. While it is likely that the candidate will know general information from accessing the City’s website, and the job posting, it’s good to start with an introduction instead of jumping into asking the questions. During this phase, be friendly and smile. This will help the candidate relax before the actual interview questioning begins. The opening should make up approximately 5% of the total time allotted for the interview.

Making small talk is a good way to help make the candidate feel relaxed. However, be aware that seemingly innocent questions may result in obtaining information that could form the basis for a discrimination lawsuit. For example, it would not be appropriate to ask the candidate about whether s/he has children as that could result in getting information about the candidate’s marital status and/or family plans-both which could be construed as reasons why a candidate was not hired if s/he does not get the position.

Step 2: Information Gathering

The ultimate goal of the interview is to assess whether or not a candidate has the skills to perform the job, and to also assess a candidate’s motivation and level of interest while determining if the candidate will be a good fit for your team. This is the portion of the interview where the questions that were developed in advance are asked, and follow-up questions are used to solicit information from the candidate.

The most important part of the information gathering section of the interview is listening to candidate responses. The interviewer(s) should take notes of the candidate's responses and should listen to ensure the candidate is giving a full response to the question. Non-verbal indicators, such as facing the candidate and making eye contact, will help improve listening skills. By actively listening, the interviewer will know what follow-up questions, if any, are necessary to ask. In addition, when asking follow-up questions, the interviewer should incorporate specific parts of the candidate's response that require further clarification into the follow-up question. For example, if the candidate talks about participation on Project X, but fails to describe his or her role, the follow-up question should be phrased, "When you described your work on Project X, what was your specific role?" This shows that the interviewer is listening to the candidate's answers. If the interviewer is focused on the next question, s/he may miss important opportunities to gain more information from the candidate through effective follow-up questions.

The interviewer should do everything possible to encourage candidates to speak freely and to expand on areas of importance. Here are some ways of doing this:

- **Follow up with more direct questions.** If a candidate tells you how s/he felt in a given circumstance, ask, "Why did you feel that way?" "What made you think that?" When asking follow-up questions, it is important to make sure follow-up questions are phrased in such a way that candidates will have to elaborate on the original answer. Having candidates give one or two word responses to follow-up questions will not likely provide a significant amount of additional information.
- **Restate the answer you receive.** This often encourages candidates to go further and tell you more about their feelings and reactions. "You say you were angry when this happened?" "You felt you were being ignored in this situation?" "You thought this treatment was unfair?"
- **Echo key words or phrases.** This is similar to restating answers, but it involves only repeating words or phrases in the candidate's response. For example, if a candidate says, "The boss had it in for me on the last job", you echo, "Had it in for you?" Or if the candidate says, "I knew I wasn't going any place in that company," you echo, "Weren't going anyplace?" This simple invitation to explain further often elicits valuable information about the candidate.
- **Pauses.** Very often, not saying anything can encourage a candidate to continue to speak. Silence can be uncomfortable; if you don't fill it, candidates will try to find additional things to say—this additional information may be revealing.
- **Comments.** Occasional comments by the interviewer can maintain the conversational tone of the interview and encourage free discussion. Simple comments such as, "I see," or, "I understand," can often affect the tone of the interview. Innocuous statements can indicate to candidates that you are really listening. But avoid excessive reactions, pro or con; if you disagree with a candidate's statement on matters of fact or opinion, this should not be reflected in the tone and/or manner in which you interact.

During the interview, the interviewer should always maintain control of the interview. This can be done by letting candidates know at the start how long interviews are scheduled. Then, during interviews, if candidates start giving long answers, the interviewer should remind candidates of time restraints and the amount of time scheduled for the interview. The interviewer should also make sure that candidates are giving proper responses to questions. If it is apparent that a candidate does not understand the question, the interviewer should clarify the intent of the question and allow the candidate the opportunity to give a proper response. Again, it is the responsibility of the interviewer to ensure that all candidates are given the same opportunity to have questions clarified.

Information gathering should be approximately 70-80% of the interview.

Step 3: Information Giving

After the question session, candidates often have questions of their own. The objective of this step is to be prepared to answer all questions regarding the essential functions of the position, and general questions regarding the work environment. It is important to be honest while providing a realistic preview of the job. Specific questions regarding salary and/or benefits may be directed to HR. This portion of the interview should be approximately 10-20% of the allotted time.

Step 4: Closing

The goal in closing the interview session is to keep energy and enthusiasm flowing. Make sure candidates are well informed of the next steps in the process, remind candidates of any needed follow-up material and finally, thank them for their time and interest. This portion of the interview should be less than 5% of the allotted time.

It is strongly recommended that the Hiring Agency utilize a panel of individuals to interview the final candidates. Having multiple interviewers allows for a variety of viewpoints when discussing the candidates. In addition, in the case of a lawsuit, multiple witnesses would be available to testify as to the content of the job interview. The make-up of the hiring panel is at the discretion of the Hiring Authority. However, Hiring Agencies are encouraged to use balanced panels. A "balanced panel" means the panel (usually three people or more) includes at least one affirmative action target group member (a woman, a racial/ethnic minority or a person with a disability). The use of balanced panels promotes equal employment opportunity in the hiring process; minimizes cultural, racial, gender and disability differences between interviewers and interviewees; and provides a more thorough evaluation of candidate responses. The HR Department or DCR should be contacted for assistance in the event an agency is unsuccessful in securing an affirmative action target group member to participate on their panel.

Hiring Agencies should follow these guidelines:

- The names of the panel members should be kept confidential until the candidates appear for interview.

- The person conducting the interviews should remind the panel members the names of the people that appear before them are confidential and should not be discussed after the process.
- All panel members should interview each candidate; however, if a panel member believes s/he cannot provide an impartial evaluation of a candidate due to a *personal* relationship with the individual, the panel member should remove him/herself from that particular interview and any panel discussion of this candidate at the conclusion of the interview process. It is best to avoid any perception of impropriety in the selection process.
- **Interviewers should take notes of each interview in order to document what occurs during the interview. These notes should be focused on the answers to the questions and should not include any information related to the candidate's physical appearance or other information that may create difficulties for the City if a lawsuit is filed.**

E. Final Selection:

In making the final decision, the Hiring Agency may consider each candidate's test score and ranking. Test scores and ranks will not be given to the Hiring Agency prior to the interviews, but may be requested following completion of the interviews.

Hiring Agencies may request the HR Department assist with criminal background checks, driving record checks, pre-employment physical examinations or urine drug analysis (a Urine Drug Analysis is required of all applicants seeking positions requiring a CDL license) as appropriate. Candidates residing outside of the State of Wisconsin are responsible for providing copies of driving abstracts from any state in which they are licensed.

The Hiring Agency is required to conduct reference checks on the selected candidate(s) even if they are presently or previously employed in other City agencies. For candidates who are current City employees, the Hiring Agency should request to see the candidate's personnel file and should contact the candidate's direct supervisor to secure reference information. Again, "The Manager's Guide to Interviews and Background Checks" (found on the HR Department's EmployeeNet page) is an excellent resource for obtaining reference information. Following consultation with the HR Department regarding the initial offer of employment, the Hiring Authority will contact the candidate and extend the offer of employment (See Section H below).

F. Red Flag Procedures

The term "Red Flag" refers to a DCR procedure used when a vacancy occurs in an area where representation for women and/or racial/ethnic minorities is an appropriate consideration. The procedures are outlined below:

1. The City HR Department ensures that DCR receives a copy of every requisition that is created in NEOGOV so that the requisition may be reviewed to determine if the position is in a job family that is under-represented.

2. DCR also receives a copy of referral lists through NEOGOV. DCR will review the list of referred candidates eligible for selection and contact the Hiring Agency when a position falls within a job family under-represented for affirmative action group members and an opportunity is available to decrease the under-representation.
3. When a position is red-flagged, the Hiring Authority must contact DCR following the interview process, but prior to making an employment offer, regarding their selection recommendation.
4. It is the responsibility of DCR to review the recommended selection in order to ascertain what progress is occurring in eliminating affirmative action group representation deficiencies.
5. Where racial/ethnic minorities or women are referred eligible for a position in an under-represented job family, DCR will closely examine selection recommendations.
6. For positions which are "Red Flagged," should DCR observe that the agency selection is not eliminating representation deficiencies, they will take steps necessary, up to and including those stated in the "Process Review" section below, in order to ensure all City agencies are making progress toward obtaining or maintaining a balanced workforce.

G. Process Review

It is within the scope of the HR Department and/or DCR to delay a hiring process for a reasonable period of time to review a selection process to verify all steps in the process were carried out in accordance with this chapter.

H. Completion of the Hiring Process

Once all background checks and the Red Flag process are complete, the Hiring Agency is ready to make the job offer. Job offers are extended by the Hiring Agency. However, before extending the job offer, it is important to discuss the terms of the offer with the assigned HR Analyst to ensure appropriate information is provided to the candidate. Generally, if a current City employee is hired, the start date should be at the beginning of a payroll period. If a non-City employee is hired, they may begin at any time and their hire date is the first active date of employment. Represented positions must be hired at Step 1 of the appropriate range, unless the candidate is a current City employee. Non-represented positions may be hired above the minimum and may be granted additional vacation **if authorized by the Human Resources Director before the final job offer is made.**

Employees new to permanent employment with the City of Madison must be scheduled for orientation in Human Resources on the first Monday of their employment. This date is critical as there is generally a 30-day time period for the new employees to sign up for certain major benefits offered by the City, and an even shorter window for submission of initial employment forms. Because of the deadlines for benefits enrollment, departments generally hire employees to begin on a Monday to maximize the amount of time the employee has to consider enrolling.

Hiring Agencies are also responsible for contacting the candidates not selected for the position to inform them of their status. This can be done through email in NEOGOV or through a mailed letter.

After selection, the Hiring Agency completes the hiring process within NEOGOV (see the "NEOGOVS OHC Users Guide" on the HR Department's EmployeeNet/Employment page), generating an electronic Personnel Action Form, including the starting date, range/step, and salary. The Personnel Action Form will be electronically routed for approval to the HR Analyst in charge of the recruitment.

Each City of Madison Hiring Agency is expected to maintain an accurate recordkeeping system of the selection process for each position filled. The HR Department and DCR have the authority to review this documentation at any time. Records of interviews should be maintained by the Hiring Agency for three years. This includes all interview notes by each panel member, and any other information used in making the selection decision. Application materials are stored in NEOGOV and do not need to be stored separately.

I. Employment Eligibility Verification, I-9 Forms

All employees must submit a completed I-9 form on their first day of employment, but may be given an additional two days to provide identification, if necessary. The law prohibits the City from continuing to employ an individual who has not provided the appropriate documentation (or a receipt for ordering the appropriate documentation) for verification within the three-day period. A list of acceptable documentation is available from all payroll clerks or from the Human Resources Department. Employees recalled from the previous year must complete a new I-9 form, which should then be routed to Human Resources.

J. Filling Hourly Positions

Hourly positions are filled in a similar manner as permanent positions although no prior approval from the Mayor is necessary. A requisition and position description or prior job announcement must be submitted using NEOGOV. Hourly positions may be filled from existing eligible lists or may be posted for recruitment on an individual basis. Depending on the type of position and number of candidates, an examination may be necessary. Random selection may be used in cases of recruitments with large numbers of candidates.

Individuals previously employed by the City of Madison in an hourly capacity may be eligible for "hourly recall." Hourly recall is when the Hiring Agency brings the hourly employee back to the agency in the same capacity within a 24-month period. A Personnel Action Form (available on EmployeeNet) is used for this process and no requisition in NEOGOV is required. A new I-9 form must be submitted in accordance with the timeline outlined above when an hourly employee is recalled. In no case is a Hiring Agency required to recall an hourly employee; rather the Hiring Agency may choose to require that former employees apply through a recruitment process.

14. POSITION STUDIES

As discussed in Chapter 7, Position Descriptions are a critical document in defining the work necessary for a position to accomplish in order to carry out the mission of the department/division. Supervisors are responsible for crafting Position Descriptions for each position they supervise. However, changes can occur to positions over time. This may be the result of being expected to do more work with less staff, technological changes, or other reasons. As changes occur to positions, supervisors should update individual Position Descriptions to reflect changed duties and responsibilities (and communicate any changed expectations to employees as a result of the changed duties and responsibilities). Most of the time, these changed duties and responsibilities will merely reflect different work within the same classification. However, it is possible that over time, the position has changed to a degree that it is questionable whether the position remains appropriately classified. In this case, it is appropriate to contact Human Resources and ask for a position study to be done to determine the appropriate classification of the position in question.

A. Position Study Defined

A position study is the process by which Human Resources conducts a job analysis of a position which currently exists in the budget to determine whether the position is appropriately classified.

B. Submitting a Position Study Request

A study request may be submitted to Human Resources either by the supervisor or by the incumbent of a position. Normally, the study request is either initiated by the supervisor, or the incumbent will ask the supervisor to support the incumbent's request. A supervisor does not need to support the incumbent's request if the supervisor does not feel the position has changed to the degree that a study is required. An incumbent may still submit a study request if the supervisor declines to support the request or if the supervisor fails to respond to the incumbent within 30 days. It is important to note that if a position has been studied in the previous 3 years, unless there has been a significant material change to the duties and responsibilities of the position, the request may be denied without further study.

Certain documentation must accompany a position study request. First, a classification change worksheet must be filled out. This worksheet can be found on EmployeeNet under Forms. The other crucial document that must be submitted is a copy of the incumbent's Position Description with the current assigned duties and responsibilities. Finally, if a previous Position Description exists, that should be submitted as well so HR can see how the position has evolved over time.

C. Processing the Position Study Request

Position study requests are normally assigned to an HR Analyst for processing. Generally, the processing will involve meeting with the supervisor to review the duties and responsibilities outlined in the Position Description. This meeting is to ensure the supervisor agrees with the duties outlined in the Position Description and the respective percentages of time spent on those duties. If an incumbent has submitted a position study and the supervisor does not agree the position has changed, this is the

supervisor’s opportunity to outline why s/he does not feel there has been significant change and to highlight areas in the Position Description with which the supervisor disagrees with the incumbent’s description. The other purpose of this meeting is for the HR Analyst to become familiar with the duties and responsibilities assigned to the position.

After meeting with the supervisor, the HR Analyst will meet with the incumbent, also to review the duties and responsibilities outlined in the position description. The HR Analyst may ask the incumbent to demonstrate some of the duties/responsibilities so that the HR Analyst can see all that is involved in performing the work. Also, if the supervisor and incumbent disagree as to the duties and responsibilities, the HR Analyst is responsible for resolving any disagreement.

Following the meetings with the supervisor and incumbent, the HR Analyst will review the submitted Position Description to ensure that it conforms with the information gathered in the aforementioned meetings. Any necessary updating will occur at this time. Once the Position Description is accurate, the HR Analyst will compare the position to other classifications in the City’s Classification Plan to determine where the position fits. When conducting this review, some of the information considered might include:

Technical Knowledge	Specialized Knowledge	Required education
Managerial Responsibility	Budgetary authority	Programmatic authority
Policy development	Policy interpretation	Autonomy
Required licenses/certifications	Required years of experience	Physical Demands
Supervisory Responsibility	Specialized Training related to the position	Mental Demands
Physical Environment including hazardous conditions	Compensation of position compared to relevant labor market	Decisional impact

It is important to note that certain information is not considered when determining the appropriate classification. This includes information such as:

- Employee’s current rate of pay
- Employee’s length of service
- Special training the employee has received not related to the current position
- Employee’s performance or likeability
- Quantity of work

At this point, the HR Analyst will make a recommendation as to where the position fits within the classification plan and then prepare a detailed memo containing the analysis and factors considered in reaching the ultimate recommendation.

D. Outcomes of a Position Study

There are four possible outcomes to a position study. The position may:

- be placed in a higher classification or salary range,
- be placed a lower classification or salary range,
- stay in the same classification or salary range, but be retitled, or
- remain unchanged.

Once the classification is determined, the HR Analyst/Manager will make a recommendation regarding the incumbent of the position. This recommendation will be based on the changed duties and responsibilities. The changes in the duties and responsibilities are evaluated to determine whether they are logical and whether they are gradual.

Logical changes to a position are changes that are reasonably related to the previous duties or responsibilities of the position when it was initially classified. If a position has undergone logical changes, then the incumbent will likely be reallocated to the new position. If a position has not undergone logical changes, then the position will be posted and filled through competition. For instance, if an Administrative Clerk is being expected to engage in computer programming and network design, this would not be a logical change. However, if an Administrative Clerk takes on the administrative responsibilities for an entire program within the department, this could be a logical progression to a Program Assistant. Another example of a change that is not logical is if the representation status of the position changes.

Gradual changes occur over time. Changes associated with a position for at least six months are generally considered gradual. Again, if changes are gradual, the incumbent will likely be reallocated to the new position. If changes are not gradual, the position study will likely be placed on hold until the changed duties and responsibilities have been associated with the position for at least six months.

If changes to a position are both logical and gradual, the position will be reclassified and the incumbent will be reallocated to the new position. If changes are logical but not gradual, the position study will be placed on hold until the changes have been in place for at least six months. In a case where the changes result in a change in the minimum qualifications of the position and the incumbent fails to possess those qualifications, the position will be reclassified and the incumbent will have six months to obtain the minimum qualifications. If changes are not logical, a new position is created and filled through competition.

E. Appeal of a Position Study Outcome

The employee who is the subject of a position study may appeal the outcome. It is not appropriate for a supervisor to appeal the outcome for one of his/her staff members. Rather, while the supervisor may advocate for the employee during the process, the supervisor is expected to support HR's recommendation as a part of management. The first appeal should be made in writing to the Human Resources Director, outlining why the party feels the outcome is not appropriate. The Human Resources Director will then conduct an independent review of the study and will respond in writing whether the outcome is appropriate or whether it will be reviewed further. The Director's response may or may not include additional details.

If the employee is not satisfied with the response from the Human Resources Director, the party may appeal to the Personnel Board. This appeal also needs to be made in writing, outlining why the employee is still not satisfied with the outcome. The Personnel Board will then review, at its next meeting, the appeal and determine whether to uphold the determination of the Human Resources Director or to return the study for further processing. If the Personnel Board determines further study is necessary, the Board must outline the areas in which further study should occur.

Once the Personnel Board has acted on the recommendation of Human Resources regarding a study, it is too late to appeal the outcome of the study. If an employee knows s/he plans to appeal, the employee should inform Human Resources immediately so that any planned action on the study can be halted pending the appeal.

Chapter 4 of the City of Madison Personnel Rules contains detailed information regarding this position study process.

15. MATCH TASKS WITH TALENTS: IDPS

A. Match Tasks with Talents

Supervisors should strive to match employee talents and interests with discretionary tasks and responsibilities where possible. While employees should be hired based on specific skills and the needs of the organization as defined in the position description, there may be some flexibility in assigning tasks to allow individuals to express their talents and interests. However, this should only be done when aligned with the needs of the organization. If there are questions about whether specific assignments might be impacted by collective bargaining agreements, or whether the assignments might impact classification, do not hesitate to contact Human Resources.

B. Implement Individual Development Plans

As part of the City's overall policy for training (*APM 2-10; Policies and Procedures for Internal and External Training*), the Individual Development Plan (IDP) is the best tool for addressing on-going training and development goals for highly successful employees, and can be done in conjunction with required training. Supervisors are essential in creating an employee's IDP.

While supervisors are tasked with assisting in the IDP development, please be aware that the Organizational Development and Training Office in Human Resources (OD&T) will assist whenever needed. Keep the following in mind when considering an IDP for an employee:

- IDPs are elective and are typically initiated by the employee. If an employee is not meeting all expectations, supervisors should ensure that they go through the performance management process, rather than assisting the employee with implementation of the IDP. An IDP is not appropriate for an employee who is not fully meeting the expectations of her/his current position. If implementation of an IDP causes performance to falter, or otherwise impedes the ability of the Department to carry out its mission, the supervisor should put the IDP on hold or insist on modification of the IDP.
- In addition to City-sponsored training programs, employees are encouraged to take advantage of other development opportunities like external training programs, conferences, and seminars appropriate for professional and personal growth. Along with required training, employees may wish to explore opportunities like obtaining or retaining professional certifications and licenses; attending trade association or professional meetings; or participating on work teams or committees.
- Completion of an IDP does not guarantee the employee placement into another position, as normal employment/civil service rules will be followed. However, new skills and experiences may make the employee a better candidate for future job openings.

- Failure to complete all of the goals outlined in an IDP will not subject the employee to discipline or implementation of a performance improvement plan, as the IDP is elective and only instituted when an employee is meeting all expectations.
- Supervisors are responsible for working with employees to identify specific training and development needs and for developing objectives and outcomes for the training. Along with support in defining needs and objectives, supervisors are also charged with maximizing efficient use of City resources when selecting training and development opportunities.

The IDP Process: As previously stated, IDPs are implemented with cooperation of both the employee and the supervisor, but initiated by the employee. Once an employee has expressed interest in an IDP, the supervisor should meet with the employee to discuss the IDP process, explain to the employee how the IDP works, and identify possible trainings or opportunities to be included as part of the IDP. Again, the OD&T office in HR can be helpful at this stage. Once the IDP is in place, the supervisor and employee should meet regularly to discuss the IDP and the employee's progress towards meeting the goals in the IDP. These regular meetings help ensure that the employee's performance in his/her position is not being negatively impacted by the IDP. Finally, once the IDP is complete, a copy of the IDP should be forwarded to HR for inclusion in the employee's Personnel File. A copy of an IDP form is included in this manual.



16. LEADERSHIP DEVELOPMENT

A. The Importance of Leadership Development

Developing employees is a key element of the Engagement Model and a vital way to foster leadership at all levels of the organization. Leaders guide, direct, influence and show others the way to get things done. According to D. Quinn Mills author of *Leadership: How to Lead, How to Live*, leadership is the ability to influence thoughts, actions and behaviors of others. As he points out:

- Leaders set the direction, help people to see what lies ahead, visualize what they must achieve, encourage and inspire. Leadership aligns by pointing us in the same direction and harnesses our efforts around common goals.
- Leaders utilize influence. Influence is simply the ability to bring others into action.
- Leaders help the people they lead to be successful. They foster individual growth, encourage people and processes to evolve and to adapt to changing circumstances.

Supervisors are responsible for seeing that employees are trained, not only in the functions of their specific position, but in knowledge, skills and abilities (KSAs) that help them become leaders who help deliver high quality services to the community. Developing leadership potential also allows employees to demonstrate commitment to the organization. Supervisors who help facilitate development of staff are also doing the difficult work of helping maintain and improve employee engagement.

It is the role of supervisors and managers to identify staff with potential for leadership and then find opportunities for them to practice leadership. Leadership is a combination of inherited and acquired characteristics. Even if their genes didn't make a person a 'natural' leader they can certainly learn a lot about leadership if they have the chance to lead. Supervisors should be cognizant of the need to provide these opportunities in an equitable way. The following sections outline assessment of leadership potential, ways to provide opportunities to demonstrate leadership, and evaluation of outcomes.

B. Assessing Leadership Potential

1. The first step in assessing leadership is to review the current level of job performance for the specific employee. Is s/he meeting or exceeding expectations of the position description? Does s/he excel when given additional assignments? Does the employee reflect your agencies values and demonstrate behaviors that reflect well on the city and the delivery of your services?

Here are some basic characteristics that potential leaders demonstrate:

- They are highly engaged in their work. They step up to opportunities and challenges. They take charge and make things happen.
- They have integrity, admit mistakes, and don't let their egos get in their way. They build trust with other staff, supervisors, and community members.
- They seek out and welcome feedback.

- They have desire for lifelong learning and employee development.
- They can juggle competing demands and adjusting to new situations and people.
- They maintain an unswerving, "can do" attitude in the face of change.
- They do not let obstacles stop progress, but rather see obstacles as a challenge.
- They can simplify complex issues and make decisions without having all the facts.
- They can see the big picture and can think one, two, three, or more steps ahead.

Ask yourself some of these questions:

- Does this person have a proven track record of getting tough things done well and on time – not just meeting minimum expectations?
- Can he/she stay cool under pressure and adapt to changes effectively?
- Do co-workers trust and have confidence in this person's abilities to lead activities, tasks, projects and/or a team, even though he or she doesn't have a leadership title? Does this person serve as a sounding board to others who are struggling with complex issues?
- Does this person think through problems from a fresh point of view and is comfortable with complexity, ambiguity, and explaining their thinking to others?
- Is this person curious, have a passion for ideas, like to experiment with test cases, and engage in skill-building activities?

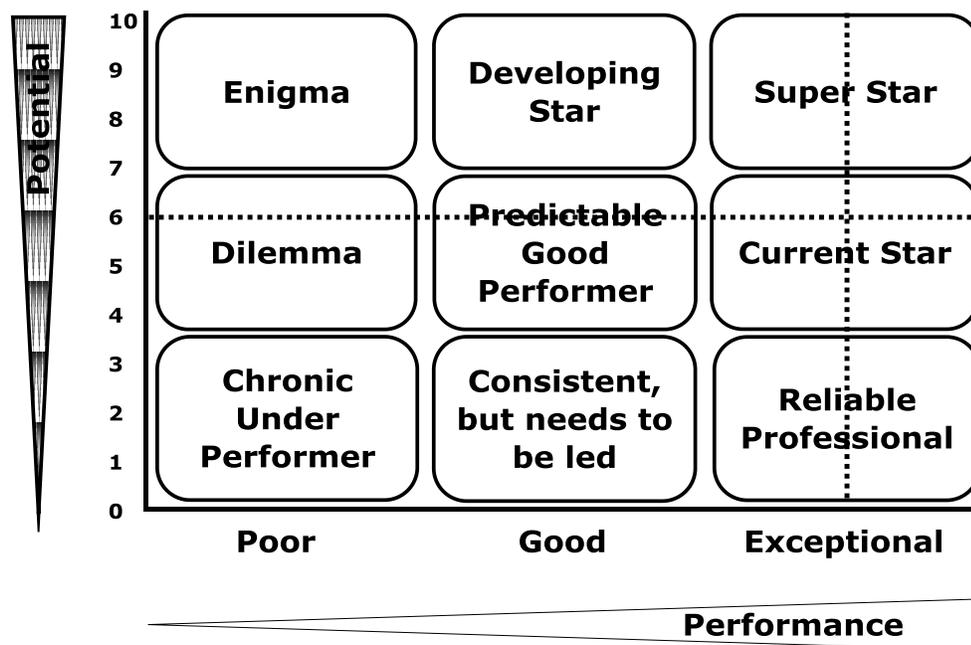
While these characteristics and responses are demonstrative of leadership capability, they may not necessarily be demonstrative of an employee with a desire to step into a leadership role. Assessment of leadership potential must also include one on one discussion with the employee around how the employee would like to develop, and the types of opportunities s/he wants to engage in.

2. Another way to identify leadership potential is to examine the individual's attributes of potential (ability, engagement and aspiration) and compare this with his/her current performance. Kemp and Watson utilize information related to personal potential and current performance to identify individual leadership capacity. The steps of this process are as follows:

- a. On a 1 – 10 scale, how would you rate this person's abilities (capability to think strategically, emotional intelligence, self-management, etc.)?
- b. On a 1 – 10 scale, how would you rate this person's engagement (commitment to the organization)?
- c. On a 1- 10 scale, how would rate this person's aspirations (willingness to take on new and challenging work)? You can only know this by asking the person.
- d. Now, what is the overall average for this person's leadership potential attributes (ability, engagement, and aspiration)?
- e. Next is this person's current performance poor, good or exceptional?

- f. Then, plot the ratings on the following chart. In the example below, the person's overall potential is rated as a six, and their current performance is exceptional.
- g. Finally, interpret the chart. If the two lines intersect in any of the "star" sectors, this person is an excellent candidate for leadership development. The difficult person to interpret usually falls in the "enigma" sector. An enigma is a mystery. Is this person's poor performance a product of absolute boredom with the job, or are this person's skills so underutilized that they see no reason to apply themselves to their current position? The "dilemma" person is one that needs high levels of coaching and encouragement. They may over time improve their performance to an acceptable level, but that is as much as can be expected.

Identifying Leadership Potential



Source: Kemp and Watson

Once a supervisor has identified employees with leadership potential, those employees need to be given an opportunity to develop that potential in the workplace.

C. Providing Leadership Development

To best structure a plan for leadership development, sit down with staff in a one on one meeting and discuss available opportunities. Section 15 of this manual describes how an Individual Development Plan (IDP) can be used to help create development plans for your employees related to leadership. The

IDP is the best way to document with your employee the activities that will help them develop both professionally and personally. Some of the opportunities the IDP can be built around include:

1. Utilize Leadership Training Programs

The City provides both supervisory and general leadership training programs that help support leadership competencies. Leadership competencies that are reinforced in City training programs and that support our overall Employee Engagement Model are outlined below:

- Modeling the way
Set a personal example of what is expected; show discretionary effort; link your effort to organizational outcomes and be emotionally connected to and engaged in your work.
- Inspiring a shared vision
Describe a compelling image of the future and appeal to others to share that future.
- Challenging the process
Seek opportunities to improve your organizations processes; learn from others, make certain that goals, plans and milestones are set; experiment and take risks.
- Enabling others to act
Develop cooperative relationships; treat others with dignity and respect; give people choices about how they do their work; support decisions that other people make.
- Encouraging the heart
Praise people for a job well done; express confidence in people's abilities; recognize people's commitment to shared values; and find ways to celebrate accomplishments.

The City offers a variety of training programs through the Organizational Development and Training on an as needed basis which also help develop leadership related competencies. More information on programs and schedules can be found at: <http://www.cityofmadison.com/employeenet/hr/odt/>.

2. Provide Project Leadership Opportunities

One of the better models of developing leadership skills is the one utilized by Harley-Davidson to turn around its ailing production capabilities. In this model, employees were/are encouraged to identify opportunities for improvement (OFI). When an OFI is identified it is routinely evaluated for potential follow-up. If it meets certain criteria (organizational business need, employee owns or works within the process) it will then be scheduled for solution. This means that the person who identified it becomes responsible for leading a problem solving effort. A standard methodology is utilized that includes problem definition; process analysis; cause analysis; strategy development; implementation; and monitoring.

This model develops the following skill areas:

Analysis of:

- Issues

- Data
- Customer requirements
- Cause and Effect
- Risk

Management of:

- Quality
- Time
- Resources
- Relationships
- Communication
- Risk
- Change
- Responsibilities

Strategy:

- Generation and evaluation
- Development
- Deployment

General leadership skills:

- Asking the tough but necessary questions
- Selling a strategy
- Change management

It should be emphasized that this approach is based on the reality that leadership capability bears no relationship to rank or title. Many organizations have project managers that are not the supervisor of the team members, and quite often the project manager will lead teams made up of employees, supervisors and managers. In this scenario the project manager leads by relational leadership skills and influence, not by appointed authority. The development of relational leadership skills serves not only the individual well, but is of great benefit to the organization.

Responsibility of the Supervisor:

- a. Seek out opportunities for project leadership development by identifying small opportunities for improvement and then assign a staff member to lead a problem solving effort to address the issue, need or problem.
- b. Make sure the assigned project leader receives training in systematic problem solving and facilitation skills.
- c. Set up parameters and expectations with the employee beforehand, but to allow the employee decision making authority in how the project is completed. Expectations should be developed regarding allowable resources, budget, operational authority, and intended outcome.

- d. Have progress update meetings on a regular basis with the project manager. These check-ins should be frequent enough to allow the employee to feel support, but not so often that they smack of micromanagement by the supervisor.
- e. Help the project manager conduct an evaluation of the project upon completion. This should include feedback from customers and team members; evaluation of the process used; facilitation of the process by the project leader; quality of support from the supervisor; and finally the results of the project.
- f. Provide recognition for a job well done for the project leader, as well as the project team members.
- g. As in all endeavors, practice makes perfect. Provide multiple opportunities for the developing project leader to hone her/his skills.
- h. Coaching and mentoring by the supervisor or another project manager builds confidence in the employee. And over time they will be prepared to take on ever increasingly complex projects.

3. Other Leadership Opportunities

Besides these training programs, development opportunities could include on-the-job training, professional association participation, mentorship, specific certification programs, conferences, seminars and e-learning/on-line learning programs. Additional information on the City of Madison's training program can be found in *APM 2.10 Policies and Procedures for Internal and External Training*. <http://www.cityofmadison.com/mayor/apm/2-10.pdf>

Individual training and development activities and funding decisions should be determined between the employee and their supervisor. Oversight and coordination of training programs and development activities resides with the Organizational Development and Training Office (OD&T), whose mission is "To be a catalyst for creating a City culture committed to learning, teamwork and quality services." OD&T provides consulting support to agencies on training, quality improvement and individual and organizational development initiatives. Support for your efforts can also be obtained from your Human Resources analyst.

D. Evaluating development activities

Evaluating the impact of training and development activities can be done in a number of ways, but Supervisors should evaluate in four key areas. The IDP should also list the specific outcomes that were the target of the training or development activity. Utilize the IDP to capture your comments on the development activity and have your employee complete comments as well.

The first key area of evaluation is the employee's perception of the experience. This area of evaluation includes questions focusing on whether or not employee enjoyed liked the experience. Did the employee feel his/her time spent was worthwhile? Did the material make sense to them? Were the activities well planned and meaningful?

In addition to enjoying the learning experience, employees should be able to summarize and provide examples of what was learned. In assessing the knowledge gained, the employee should be able to describe and demonstrate competencies related to leadership. Depending on the goals of the project or training activity, this can involve anything from a pencil-and-paper to a simulation or full-scale skill demonstration.

The third focus area for evaluation is organizational support. This refers both to organizational support of the development process as well as organizational benefit of the development activity. It is important to evaluate whether the organization (including people, processes, structures) supported the learning activity. Lack of organization support and change can sabotage any professional development effort, even when all the individual aspects of professional development are done right. This is never more important than in leadership development. Where an employee has a full understanding of leadership responsibilities and characteristics, it is critical that new behaviors and techniques learned are able to be put into use in day to day activities. Ask questions like, "How can the knowledge learned be implemented in the organization?" and, "Are there organizational barriers to implementing best leadership practices?" and, "Were changes at the individual level encouraged and supported at all levels?" Finally, ask questions that get at the organizational benefits of the development. These questions can include but aren't limited to, "Did the professional development activities promote changes that were aligned with the mission of the school and City?" and, "Were learning objectives shared and demonstrated in the organization?"

Evaluation provides the key to making a distinction between effective and ineffective development opportunities. By including a systematic process for information gathering and analysis we can enhance the success of professional development efforts related to leadership.

E. Support

Support in planning and evaluating development activities is available through the Organizational Development and Training Office (266-9037) or the HR Analyst assigned to your agency.

17. SUCCESSION PLANNING AND THE CIVIL SERVICE PROCESS

Another key component of employee development is succession planning. Succession planning in a civil service environment provides unique challenges, but remains an important component of engagement. Succession planning isn't just about seeing who might retire in the near future and planning for that vacancy. Rather, employees could leave at any time and succession planning ensures that a department is ready for any vacancy that may occur.

Significant turnover of staff, especially in a short period of time, provides challenges. First, and most obvious, the department's work needs to be carried out, so finding a way to carry out such work until positions can be filled must be considered. In the short term, existing staff may be asked to perform more work in the same amount of time to cover for the loss of staff. This may lead to stress and frustration on the part of the staff. Second, the loss of years of institutional knowledge presents challenges. How will this knowledge be transferred to remaining staff? Finally, even if turnover isn't widespread, the loss of a key player within the department may be just as devastating. If a certain employee has knowledge of a critical process and leaves, is the department prepared to pick up that slack?

While there are challenges, turnover also provides opportunities. Although institutional knowledge is important, turnover provides an opportunity to review policies and procedures to determine if changes are necessary. In addition, in evaluating the composition of the remaining staff, it is possible that the department is lacking in certain areas. Filling the vacancies can change the makeup of the department in a positive way.

A. Reviewing the Department

The department's management team should regularly review the composition of the department, identifying critical positions and processes. Many times, there is work in the department that is performed by a number of employees, such that if one employee left, others could easily perform the work until a replacement is found. However, if there are certain processes that only one or two key employees control, this should be highlighted. Plans should be developed to outline how this work would be performed if the employee(s) were to unexpectedly retire or resign. In addition, thought should be given to how a vacancy in a high-level managerial/supervisory position or other critical position would be handled, both in the short-term and long-term.

A review of the department should also include whether there are any skills/knowledge gaps that need to be addressed. The mission and goals of the department should be reviewed in this context, and evaluated against the employee composition to ensure that the proper skills exist to carry out the mission and goals. If there is a gap, a plan should be developed to address how the department will overcome this skills gap. It may be a combination of developing current staff as well as recruiting for the missing skills when vacancies occur.

B. Planning for Success

Because the City of Madison operates within a civil service context, it is prohibited to identify specific individuals as “the replacement” for others. All vacancies are posted and filled through a competitive process according to the Personnel Rules. However, it is possible to create opportunities for current employees that will prepare them for possible advancement should positions become vacant. Certain strategies should be considered that will prepare current employees to take advantage of future vacancies:

- **Cross-Training**—This is an effective way to ensure that knowledge of critical processes are not held with one or two positions. If employees can be cross-trained on various processes, a vacancy will not cripple the department’s efforts in carrying out its mission. Employees can be cross-trained in duties of classifications in the same or lower salary range without affecting out-of-class pay. For instance, although an Administrative Assistant may do payroll for a department, an Administrative Clerk can be cross-trained in this duty as it falls within the class specification for an Administrative Clerk. In addition, professional employees can be cross-trained in higher-level duties and responsibilities as they are not eligible for out-of-class pay.

It is important when offering cross-training that all capable employees be considered. It would not be appropriate to single out one or two employees for cross-training as this could provide an unfair advantage when it comes to a civil service selection process. However, if a department solicits volunteers for the cross training and only a few employees volunteer, then it is appropriate to carry forward with the smaller group. If no employees volunteer, the department can make the assignment, provided it is made in a non-discriminatory fashion.

- **Individual Development Plans**—As described elsewhere in this manual, an individual development plan may be created for those employees seeking to acquire additional skills, knowledge, and/or certifications. The IDP may be created with a specific position in mind. However, while an employee cannot be guaranteed any future promotion by participating in an IDP, this process may put an employee in a stronger position when it comes time to compete for a future vacancy. The opportunity to participate in an IDP should be allowed for all interested employees who are meeting or exceeding expectations in their current position.
- **Training and Certifications**—Identifying trainings and certifications for employees is another way to ensure the workforce is developed and prepared to overcome any unexpected vacancies. Sending employees to training assists in cross-training efforts and may be part of the IDP process. In some cases, having multiple employees achieve critical certifications may also ensure that a department is prepared to overcome any vacancies that may occur.

Training may also be informal based on specific department processes. If a department has a specialized process, the supervisor may develop a training for other staff to become familiar with the process in order to ensure that institutional knowledge will be retained in case of a vacancy. Again, this training should be offered to interested staff on a non-discriminatory basis. All these efforts can also prepare employees for possible advancement opportunities.

When vacancies occur, the department should review its workforce to determine whether qualified candidates exist within the department that can fill the position. If a department has qualified candidates meet the needs of the position and fill any skills gaps, the department may, with the approval of the HR Director, choose to fill the position without using an external recruitment. If the department does not have enough qualified internal candidates or is looking for skills that do not exist within the department, then an external posting should be used to fill the vacancy.



CONNECTING TO PURPOSE

Connecting to purpose gets to the heart of one of the main reasons public employees choose public employment to begin with: they value serving their community. Some of the questions which may demonstrate an organizational connection to purpose include:

- Are your associates (fellow employees) committed to doing quality work?
- At work, do your opinions seem to count?
- Does the mission/purpose of your company make you feel your job is important?

Connecting to purpose is one of the easiest strategy areas to implement for some, and one of the most difficult for others. Engaging an employee with an external service focus to community impacts, for example, can be less difficult than engaging the employee with an internal focus to the community impact. An agency's managers and supervisors can help lead staff to a greater connection to purpose by:

- allowing for equitable participation in decision making;
- providing alignment between departmental activities and vision, mission, goals, and workplans;
- and providing clarity of roles, responsibilities, and the impacts of the work that is done.

Connecting to purpose requires organizational commitment in the form of an emotional attachment to the organization. Organizational commitment can be defined by attachment of an employee to an organization due to a financial attachment or an emotional attachment (sometimes referred to as loyalty). An employee with a high financial tie but a low emotional tie to the organization is more likely to file grievances, is less productive, and is more likely to be absent from work. Supervisors play a critical role in winning the heart of the employee through helping build organizational trust as well as commitment.

These responsibilities increase as management responsibilities increase. While high level managers are responsible for setting vision, mission and goals and developing a supportive work culture, mid-level managers and front-line supervisors often play the difficult role of finding the balance between implementing those roles and developing relationships with staff.

The following chapters outline important aspects of building organizational commitment and connecting employees to the organization's or agency's purpose through connecting individuals and teams to purpose, building equity, and developing vision, mission, goals, and workplans.

18. CONNECTING INDIVIDUALS TO PURPOSE

A. Seek Operational Input

Employees who feel their opinion matters in the workplace are more likely to be engaged and satisfied with the work they are doing. This has to be more than simply creating an “open door policy.” By definition, open door policies do not seek employee input, but instead let that employee input come to you. An open door policy will only allow for input from those employees who already feel comfortable providing it. While a closed door is even worse, it is important to instead actively solicit feedback. Soliciting feedback rather than utilizing open door policies helps promote equity by providing more avenues for equitable access to decision making.

Employee involvement in decision making helps increase loyalty within the organization by strengthening the employee's ownership over outcomes and the employee's social identity with the organization. An employee feels that he/she is part of the City's larger goals when the employee is able to see decisions they help shape impact community outcomes. Employee involvement also builds loyalty because empowerment of an employee to make decisions is a demonstration of the organization's trust in its employees.

There are three levels of input into decision making: autonomy, participation, and influence. These three levels can be defined as follows:

- Autonomy refers to decisions relating to the performance of day-to-day job activities. Employees make choices about things like workspace, production speed, and prioritization of tasks. This is the type of input that should happen as often as is possible.
- Participation refers to input over local work unit or agency decisions. This might be at the level of work team, division, or shift, and can include activities such as team hiring, process, structure or planning work flow.
- Influence means impact on City-wide decisions, such as policies and strategic direction. Non-managers should generally expect to have the lowest level of input on these issues, but it is important that managers actively seek input into these decisions to create an optimal product that employees are bought in to, and that best meets the community's needs.

Participation in decision making requires good communication; the more channels you can open up, the more you can have staff participate in managing the organization. A supervisor can use a few simple techniques to allow employees to participate and have autonomy and influence:

1. Ask, ask, ask again

Every chance you get look for ways to talk with staff. Some managers and supervisors prefer to use a strategy they affectionately term ‘MBWA’ or ‘Management By Walking Around.’ Let each employee show you their achievements and frustrations. These conversations cannot be superficial, as staff

will quickly see if you are sincere or not. Develop a genuine interest in what they do and how their ideas can make a difference. Be careful not to take the offensive. Each idea should be seen as having merit and should be treated with respect and consideration. This is not to say that you must implement every suggestion that you receive. It is to say that unless you are sure because of experience that a certain change will not be beneficial, it should be considered as a legitimate course of action before it is rejected. Do not let pre-conceived notions stunt your agency's progress. While a supervisor might have ten different employees with an issue or idea to bring forward, for each employee it might be their only issue.

2. Advocate for the employee's position.

Particularly where a decision has a high impact on an employee, but low risk for the organization, advocating on the employee's behalf helps build trust with the employee, creates buy-in on the decisions that are made, and allows you to be seen as a leader with a reputation that they can trust and respect. Challenge yourself to find a way to say "yes" to each new idea an employee contributes.

3. Make the comfort of anonymity available.

While anonymous feedback is less likely to allow for full discussion on a topic, intentionally create some venues for anonymous input or feedback. This will allow employees who are hesitant, because they do not want to cause trouble or to come across as someone who is difficult to please or not a team player, to bring up concerns that they may have about their job or the organization. Employee engagement surveys are an example of this, and the City's engagement process allows that anonymous feedback to flow into decision making processes which make the organization better.

4. Involve employees in larger decision making processes through structured meetings.

Set up routine and regular staff meetings but also set up special sessions that allow (and encourage) staff input. Supervisors are encouraged to use agendas for these meetings and to periodically require each participant in the meeting to bring an agenda item. This creates a space and expectation for active participation in the conversation. Another idea is to designate a staff member each meeting to create feedback questions as a part of the meeting minutes that have to be answered by the following meeting by staff the minutes are distributed to. For example, at a meeting to discuss the Performance Management Process, Mike attaches to the meeting notes, "What one person or employee group have we neglected to inform of our new process?" Each of the participants is then required to identify one person or employee group, and bring it back to the next meeting. Finally, make sure to use facilitated group meetings to review, revise, and report out on vision, mission, goals, and annual work plans. More information on this process is available at the end of this section of the supervisor manual.

5. Use survey tools

Use both engagement surveys and work process surveys to garner input into best practices in the workplace. These can be done informally through email, through City processes, or using tools like SurveyMonkey. Using well targeted questions will allow for the most detailed responses. Occasionally, it is important to also use focus groups to get the heart of the survey responses so that the resolution created is more effective. Organizational Development and Training staff can assist supervisors in this process.

6. Use a communications matrix.

Communications matrices are set up to ensure communication goes up, down, and across the chain of organization. A communication matrix identifies all of the formal flows of communication, who is responsible for that communication, what the intention of the communication mechanism is, and how feedback/input from employees can be provided into that mechanism.

Finally, employees should be given recognition when providing input or feedback. It is important to thank employees for their feedback and make sure their ideas are properly attributed to them. It is especially damaging to a relationship between a supervisor and employee to have a supervisor taking credit for an employee's idea. When the employee provides the feedback, however, they may not necessarily want public recognition so it is also important to stay attuned to an employee's preferences.

B. Link Individual Responsibilities to Organizational Goals through Performance Management

The City's Performance Management Process relies on use of the position description to clarify roles, responsibilities, and expectations. For more information on this process, see chapter 8 of this manual. The Performance Management Process relies on use of the position description to explain in detail the responsibilities of the position. Supervisors and managers can effectively use this process to link individual responsibilities to organizational goals in at least three ways:

1. Use the position description as a roadmap for accomplishing organizational goals.

After managers have used participatory processes to establish a department's vision, mission, goals, and workplan, it is an effective management practice to outline how that mission is carried out through the role each position or classification. For example, in part of the Human Resources Mission statement is, *"The Human Resources Department supports the City's goals by recruiting, developing and sustaining a diverse, talented, and engaged workforce."* In this example, the manager or supervisor then identifies which positions are responsible in part for the task of recruitment. In the position summary for each of these positions, the supervisor or manager would include a statement like, "Supports the City's goals to recruit a diverse, talented, and engaged workforce by providing initial benefit orientation to each permanent employee," or "Supports the City's goals to recruit a diverse, talented, and engaged workforce by disseminating job postings for all City positions." This demonstrates how each position plays into big picture responsibilities of the organization.

2. Identify connections between individual responsibilities and organizational mission and goals in formal and informal meetings with each direct report.

Strong familiarity with the specific responsibilities of each direct report allows a supervisor or manager to better connect an employee's tasks to the organizational responsibilities and goals when providing expectation information. Try to focus on how each responsibility area plays into your agency mission when detailing expectations. For example, instead of telling the Administrative Clerk she needs to post job announcements to the multiple community bulletin boards, her supervisor might include, "By posting on each of these bulletin boards accurately, and in a timely manner, and emailing to multiple other organizations, we ensure we are attracting a diverse and talented workforce, which is one of our department's goals." Every City employee needs to be able to see the value of the individual's work to the overall mission. You can use these links in everyday coaching and counseling sessions and one-on-one engagement sessions, as well.

3. Allow for employee input throughout performance management meetings.

While the position description meeting is an opportunity to clarify expectations with an employee, it should also be a forum for getting feedback and operational input. As you clarify the expectations related to each one of an employee's responsibilities, it is important to ask questions, including, but not limited to all of the following:

- Reasonableness of the expectations
- Possible process improvement
- Concerns about prioritization
- Resource needs/concerns
- Training needs/concerns
- Interpersonal relationships/workflow ideas
- Quality measures

By opening up healthy dialogue, you ensure the employee is clear about expectations and more on board with where the organization is going. This discussion also can allow for discovery of more opportunity for the employee to have autonomy. As an employee understands expectations, good feedback opens the door to discuss how he/she can meet the supervisor's expectations remaining able to make decisions that impact his/her work.

C. Create Process, Outcome, and Customer Experience Ownership

1. Defining ownership

"Owners do not just follow a job description. They don't just put in their time. They have something bigger they are working toward."- Jack Stack, Bo Burlingham, A Stake in the Outcome

Researchers have theorized that:

- The feeling of ownership is innately human
- Psychological ownership can occur toward both tangible and intangible objects, and
- Psychological ownership has important emotional, attitudinal and behavioral effects on those that experience ownership.

Ownership asks the question, "How much do I feel this organization is mine?" To answer this question we must consider the range of possible responses.

On one end of the spectrum, employees can see themselves as little more than financially tied to the institution, trading their time for money with no will, energy or passion for their work. On the opposite end of the spectrum, when the employee has a sense of psychological ownership, he/she feels the responsibility to make decisions and take actions that are in the best interest of the organization and the community. Employees who feel like "owners" generally have higher levels of commitment and intend to stay with the organization. This commitment translates to higher job satisfaction; job satisfaction is proven to be directly related to employee engagement. Ownership fosters employee enthusiasm, intelligence, and creativity.

Psychological ownership is driven by two self-regulation mechanisms: promotion and prevention. We all operate from both, but usually one is stronger than the other. People who primarily operate from promotion are more concerned with accomplishments, aspirations and show more willingness to take risks. People who operate primarily from prevention are more concerned with duties and obligations and avoiding punishment, they experience emotions of anxiety and agitation.

A promotion focus is necessary to motivate development and improvement. A prevention focus helps to ensure stability, safety, and predictability. When applied to psychological ownership, those who are more promotion oriented may experience feelings toward ownership that are quite different from those who are prevention oriented. As supervisors, it is necessary to cultivate a promotion focus while aware that many people tend to operate from a prevention mind frame.

2. Increase employee process and outcome ownership

The transformation of how employees view themselves also requires that agencies and managers must also change the way they think about employees. To foster a culture of ownership, organizations must:

- Be transparent with their employees. Open-book management ensures that employees have access to the same deep background material executives have.
- Identify performance outcomes.

- Educate all employees about the outcomes. Be sure everyone knows what the goals are, why they are important and how each employee contributes.
- Encourage people to come up with their own innovative ways to reach the goals.
- Celebrate successes. Then "you do it again, and again and again-steadily refining the process, adding new mechanisms, looking for ways to improve the system."

We can encourage employee ownership of processes and outcomes, but only management can keep it alive. Instead of focusing on telling employees what to do and how to do it, supervisors should remind employees of the desired outcomes from their actions and offer their support as the employees work to achieve those outcomes. Ongoing coaching and counseling does not mean making discretionary decisions for employees, it means facilitating discussion to provide a foundation for employees to create better outcomes on their own. This is not easy for some supervisors. If we want ownership, however, supervisors and managers must focus on eliminating the barriers to employees taking ownership.

Only the manager or supervisor can remove the barriers to ownership, and only with an understanding of the value of employee ownership to the City. Efforts must be focused on elimination of barriers to employee ownership as it will boost employee engagement and is time well spent.

3. Own the customer experience.

Customer service must be a comprehensive city-wide effort that focuses our attention on delivering quality service and customer satisfaction. Customer service is the responsibility of every employee and manager in the City of Madison. In order to develop agency ownership of the customer experience you must first define the customer, recognizing that a customer can be anyone who interacts with you either purposely or by accident. Most often, the customer can be thought of as the community we serve. An important element of ensuring equitable outcomes for the community is making sure we identify all of our customers. It can be easy to overlook those in the community whose voices or concerns are less often heard.

Whether the customer is internal or external, or whether he or she pays, or even whether the interaction is intentional or accidental, the key is development of one-on-one relationships with each individual customer. Customer service is more than just following our job processes and working to achieve our agency's mission. It includes those, but also incorporates the following:

- a. Take a positive view of customers.

Good customer service begins with a positive view of our customers (citizens, taxpayers and visitors). Those who enjoy dealing with customers inject a positive attitude into customer interactions.

- b. Encourage customer feedback.

In order to provide excellent service to customers, you must know what they want and need. Never assume you know customer wants and needs but rather encourage them to give feedback on the service you provide as it is crucial to fulfilling customer needs. Further, remember that customer needs and wants change. The only way to keep up with them is to develop ongoing customer feedback mechanisms.

c. Respond to customer issues.

Make every effort to respond to customer problems. It is essential part of good customer service. Customer problems can identify areas where services can be improved. A customer who is having a problem understanding or using one of our services is sending us a message that there is room for improvement of the service.

d. Develop a long term relationship.

Today, customers have more and more options when it comes to service provision. Gone are the days when we were the only player in town. To keep our customers we must establish long-term relationships with them. We can do this by listening to their concerns and then continuously improving our services. This raises the quality of life for our entire community.

e. Seek to exceed customer expectations.

The greatest opportunity to satisfy and retain customers is to find ways to exceed their expectations. Anyone can meet minimum expectations. Our objective is to delight customers. By delighting customers, you keep customers. By keeping customers, we keep our jobs.

4. Know the Customer

Knowing the customer means connecting with and understanding our community. Research tells us the customer wants and expects:

- Care and concern on the part of public contact people
- Problem solving capability in front-line employees
- Spontaneity and flexibility in the application of policies and procedures
- Recovery, or the ability of front-line people to make things right for the customer

We also know that the customer has four basic needs including:

- The need to be understood
- The need to feel welcome
- The need to feel important

- The need for comfort

As citizens continue to look to the City for answers to their ever-changing problems, both managers and employees are encouraged to examine their respective roles in terms of customer service. We have moved into an era of service management where we must think strategically of customer service design and delivery, especially in terms of racial equity. Racial disparities in the City or County force us to think in new ways about how we deliver services to properly address those disparities. Please see Chapter 20 for more information on the City approach to these issues.

5. Manage the moments of truth

We recognize and commend our employees for their efforts to service excellence and offer the following statements as a declaration of our commitment to those we serve:

- Employees shall treat citizens and co-workers in an honest, open, fair and ethical manner.
- All employees shall be responsible for having a general knowledge of city services and the major functions of the departments. Employees shall have an in-depth knowledge of their role in the organization by understanding their respective job responsibilities, standards of performance and departmental goals.
- Each employee shall make an effort to know the ever-changing needs and expectations of their customers.
- Employees should build mutually beneficial relationships with citizen groups, businesses, social service agencies, and the community as a whole.
- Employees shall take calculated risks and creatively seek faster, better, and less expensive ways of doing work. Employees shall work together in this endeavor and give a full team effort across departmental lines to ensure that everyone contributes to our service objectives.
- An employee receiving a request or complaint should “own-the-customer” until a service is rendered or a proper referral is made.
- An employee should remember to be courteous, have a ready smile, a pleasant tone of voice, and a “can do” attitude. Employees should always consider ways to exceed customer expectations by going the extra mile.
- An employee should make every effort to respond to requests or complaints in a timely manner and strive for customer satisfaction. In situations where a citizen is dissatisfied or rude, should remain polite and composed. If the problem cannot be rectified at their level, employees should offer to refer the citizen to an appropriate supervisor.
- Employees should remember that citizens are always forming opinions about our organization based upon their perception of city employees. An extra effort of professional conduct is to be

made when employees are in public view on city property, wearing a city uniform, or driving a city vehicle.

- All communication, whether in- person, by phone, email, or in writing, should be clear, concise and reflect utmost professionalism.
- When dealing with the public, whether on or off duty, employees should try to keep a positive attitude concerning city services and practices. We have our problems, as with any organizations, but we have our positive aspects. We want current and potential residents to know about the things we are proud of. We only hurt ourselves when we run down our organization.
- Each employee should serve as an ambassador of the city and represent the city well in activities both in and outside the workplace. Promoting and representing the city is the responsibility of every employee.

By operating from the above principles, we then can manage the moments of truth. A “moment of truth” is an episode in which the customer comes into contact with any aspect of the organization, and thereby has an opportunity to form an impression. We can take the figure of speech ‘moment of truth’ and make it a very literal, concrete part of an approach to producing, delivering, and managing service. By moving the focus of attention from job descriptions and tasks to moments of truth, we can help the employee think more clearly about his or her contribution to customer satisfaction. We can also clearly define what service quality is: it is excellence at the moments of truth as defined by the customer’s frame of reference.

If you take the moments of truth concept literally and concretely, you forget about jobs and tasks and organizational structures and procedures, and you start thinking in terms of deliverance of effective and equitable outcomes. You can immediately begin to take inventory of the moments of truth customer experiences as you deliver the service. Once you know what these moments of truth are, you can analyze each and every one of them from the standpoint of quality. You can start improving the ones that need improving and looking for ways to add value to all of them.

19. CONNECTING TEAMS TO PURPOSE

A. Model Organizational Values and Accountability

It is one thing for an organization to identify core values, vision, mission, and goals, but another thing to live those out every day. However, if employees are going to be engaged in the work of the organization, living out the values, vision, mission, and goals is critical. Supervisors and managers who do not embrace the core values of the organization lose the trust of employees quickly, and work teams begin to fall apart. Modeling begins at the top and should occur through every level of the agency by building work teams founded on the goals and priorities of the organization.

While it is vitally important for supervisors and managers to embody the organization's values, it is equally important for supervisors and managers to hold everyone else in the department accountable. Connecting individuals to the organization's purpose is critical, as individuals cannot sustain a team alone. Thus, supervisors and managers must model organizational values, ensure everyone who reports to them understands the values, mission, vision, and goals, and ensure the entire team is moving in the same direction.

B. Utilize Process Improvement Tools

A supervisor is responsible for delivering high quality service(s) that are effective and efficient within an established budget. However, we live and work in a dynamic world. As our community changes, our definitions of quality correspondingly change. Therefore, it is essential to continuously realign and improve service quality to meet the needs of our citizens and our community.

We deliver service by systematically organizing work into various tasks and activities. These tasks and activities are the building blocks of our processes. Simply speaking a process converts inputs (materials, data, information, monies, etc.) into outputs (quantifiable, tangible products of our efforts) that are delivered to customers in order to achieve a specific outcome. To provide service systematically implies that we should have a standardized, stable and capable process.

A standardized process necessary because it allows us to ensure that employees do the prescribed activities in a predictable sequence that is both efficient and effective. A well managed standardized process should produce stable results. In this context, stable means that the outputs (results) are predictable in terms of quality and timeliness. By being predictable, our customers can adapt their behavior to maximize the value of the service.

Finally, a capable process is one that can deliver the required service to our customers and citizens without "breaking the bank," overworking our employees, stressing our equipment beyond the maximum and still provides opportunity for the growth of the service.

1. Initiating Process Improvement

Start by engaging the employees in the process. An employee working in the process has more profound knowledge of the intricacies of the process than a supervisor who is responsible for, but

not directly working in the process. A team approach to process improvement is ideal. A typical improvement team would consist of the supervisor responsible for the process, several of the knowledgeable employees working in the process, and often, a customer and/or supplier of the process. By using a systematic problem solving process, such as the '7 Step Problem Solving Process', not only do we end up with a better process but we also end up with more employee ownership and commitment. The 7 Step Problem Solving Process leads to the generation of improvement strategies, evaluation of strategies, the design of the "To Be" process, a change management plan, and a set of process management measures. Possibly most important, this methodology leads to a standardized, stable, and capable process. For more information on this process, please contact Organizational Development and Training.

2. Foundations of a standardized process

Standardizing a process requires identification of each of the necessary components. A standardized process must be built on:

- Identified customers and their corresponding needs/requirements
- A flowchart of the current best known practice(s)
- A documented process where all unnecessary steps that do not add value, add complexity, or do not change the output have been removed (Lean Process Management)
- Clarified roles and responsibilities of all employees (Position Descriptions)
- Defined process measures that provide valuable information about the management of the process
- Trained employees that thoroughly understand the process steps and process measures
- Managed inputs

A process can be no more effective or efficient than the management of the inputs will allow. If an input is not sufficient in quality or quantity, or the input is not available in a timely manner, then the process will be compromised. Supervisors are responsible for identifying managing, evaluating and documenting each of the process components, as well as implementing process improvement efforts when necessary.

3. Process Stabilization

A stable process is achieved by identifying and removing the causes of variation that impact the results (outputs) and ultimately the outcomes of the process. The two most used tools or methodologies for identifying the causes are the '5 Why Process' and any of the various 'Cause and Effect' diagrams. One thing to always remember is the 80/20 rule. It states that 80% of the problem (variation) comes from 20% of the causes. Remove the 20% of causes that lead to 80% of the

variation and the process will become much more stable. For more information on these tools, please contact Organizational Development and Training.

4. Continuous Improvement

Once a process is stable, continuous improvement of the process becomes possible. Continuous improvement implies incremental improvement of the existing process and/or inputs in order to improve productivity and quality. Eventually we reach the point where no more improvement can be made without an exorbitant expenditure that may only yield a small amount of improvement. In essence, we have squeezed every ounce of improvement we can from the existing process, and it can yield no more. Process improvement can be broken down into four basic steps including plan, do, check, and act (PDCA), as follows:

a. Plan

Planning includes assembling a team, identifying the needed change and purpose for change, identifying all of the components of the process including who the process benefits and how, brainstorming improvements, testing and gathering more detail, identifying causes and alternatives, developing a new process outline and developing an action plan.

b. Do

In the 'do' phase, teams implement the action plan and collect data using a variety of sources. The team should also document problems, unexpected effects, and general observations.

c. Check

In the checking phase, the team will identify the outcomes of the improvement effort, including such outcomes/impacts as:

- Did your plan result in an improvement? By how much/little? Was the action worth the investment?
- Do you see trends? Were there unintended side effects?
- Who benefits from the improvement and are there any groups for whom the change is a detriment?

d. Act

If the team determined the plan resulted in success, standardize the improvement and begin to use it regularly. After some time, return the plan phase and re-examine the process to learn where it can be further improved. If the team believes a different approach would be more successful, return to the plan phase immediately and develop a new/different plan that might result in success.

The PDCA cycle is ongoing, and agencies become more efficient as they intuitively adopt PDSA into planning. Finally, it is important to celebrate, communicate accomplishments to both internal and external customers, take steps to preserve gains and sustain accomplishments, and make long-term plans for additional improvements.

5. Results

A standardized, stable, capable process leads to reduced cycle time. By reducing cycle time we have the ability to positively impact customer satisfaction, control and reduce internal costs and potentially reallocate personnel to other priority areas as needed.

C. Manage Change Effectively

Effective change management is a consistent expectation of each of our City supervisors. As our community changes, we must consistently develop new ways of doing things. This requires us to also assist employees in dealing with change. Change is often situational; new technologies, budget constraints, project based changes and process improvements are just some of the types of change that impact our workplace.

1. Common responses to change

Whether the change is large or small, effort is needed to help lessen the uncertainties and stresses caused by change. Change often brings about feelings similar to the grieving cycle including:

- Denial “This can’t be happening to me”
- Anger “Why is this happening? Who is to blame?”
- Bargaining “Make this not happen, and in return I will...”
- Depression “I’m too sad to do anything”
- Acceptance “I’m OK with what happened”

This cycle can last several months (some say over a year) and employees at all levels may go through the stages in different ways or not at all, since there is no prescribed one path for each individual. Further, emotional reactions and transitions employees go through can be difficult and challenging.

2. A supervisor’s role in change management

There are several steps necessary to provide for successful change implementation. Those steps include:

- a. Create a sense of urgency about the need to change

Engage your staff in the change process by highlighting what needs to be changed and why, whether it is better customer service, lower operating costs, higher safety standards or alignment with broader initiatives.

b. Form a change implementation team

Identify key leaders, stakeholders, and influencers in your unit or organization who can build urgency and help you get the change accomplished.

c. Create a vision for change

A clear vision (a desired future outcome) can help everyone understand why you are asking them to do something.

d. Communicate the vision

Talk often about the change and be open and honest in answering employee concerns and anxieties. Communicate frequently, in many ways and 'walk the talk' of the need to change.

e. Remove obstacles

Identify the barriers to the change happening and look for ways to remove those barriers. Identify people who are resisting the change and help them see what's needed.

f. Create short-term wins

Look for ways to have early successes with the change. Nothing motivates more than a short-term positive result that your staff can see.

g. Build on the Change

Real change takes time and showing that the early wins can be duplicated over the long-term and that the change will positively impact your organization will continue your momentum.

h. Anchor your change in your culture

To make any change stick you have to make it part of your core organization. Understanding the values that drive things getting done in your organization should be incorporated into your change vision statement and in the change implementation process overall.

You as a supervisor need to work hard to bring about successful change within your unit and organization. Plan carefully, communicate effectively, remove obstacles and build momentum are key needs to keep in mind.

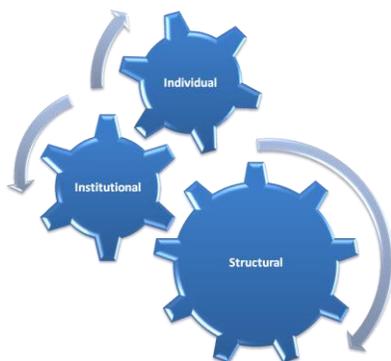
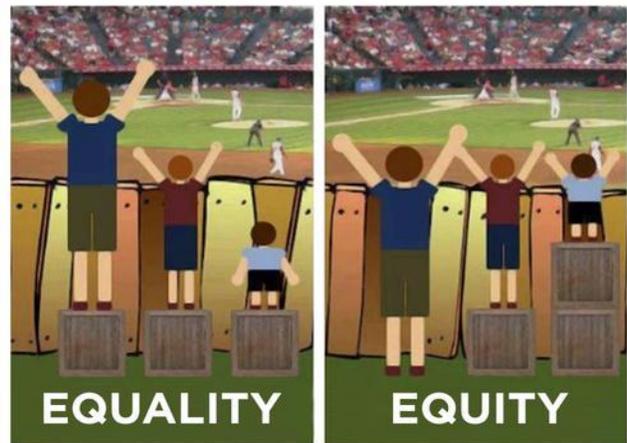
20. BUILD EQUITY

Equity increases fairness and justice in the workplace and in city service delivery for all who live, work, and play in the City of Madison. Equity principles further current City of Madison and Departmental efforts that you likely perform every day. As a supervisor, it is imperative to adopt equity principles and practices for dealing internally with your staff as well as externally with other departments and in the community through service delivery and implementation of policies.

A. Defining Equity

There are several ways to promote equity in your day to day role as a supervisor. It is crucial to understand the concepts below:

- Equality – equal distribution of resources to everyone. Equality assumes that everyone starts from the same place and needs the same things. It provides equal opportunities, but most of the time produces unequal outcomes. Equality has been the framework for local government operations, and the City of Madison is moving away from that approach to more of an equity-based approach.
- Equity – just and fair inclusion into a society in which all can participate, prosper, and reach their full potential.
- Implicit Bias – the bias in judgment and/or behavior that results from subtle cognitive processes or at an unconscious level
- Explicit Bias – attitudes or beliefs that one endorses at a conscious level
- Individual Bias – Pre-judgment, bias, or discrimination by an individual based on race, gender, sexual orientation, etc.
- Institutional Bias – Policies, practices, and procedures that work to the benefit of certain people and to the detriment of others, often unintentionally or inadvertently.
- Structural Bias – A history and current reality of institutional bias across all institutions. This combines a system that negatively impacts certain groups: people of color, women, LGBT people, etc.
- Equity Impact Analysis – A series of questions used to evaluate a governmental process and/or procedure. For example, an analysis can be performed on a budgeted decision, a new policy, or a hiring decision. Madison will be piloting and implementing the use of Equity Impact Analysis Toolkit beginning in 2015 – 2017.



B. The City's Approach to Building Equity

The City of Madison Racial Equity and Social Justice (RESJ) work includes three goal areas including equity in City operations, equity in City policies and budgets, and equity in the community.

The RESJ mission is to establish racial equity and social justice as core principles in all decisions, policies and functions of the City of Madison.

The RESJ vision is:

- Living wage jobs, safe neighborhoods, high-quality education, a healthy, sustainable natural environment, efficient public transit, parks and green spaces, affordable and safe housing and healthy food are afforded to all;
- The benefits of growth and change are equitably shared across our communities;
- All people have opportunities for fair and just inclusion in public processes and decisions; and
- One's future is not limited by race, ethnicity, gender, sexual orientation, disability, age, income, place of birth, place of residence or other group status.

The Racial Equity and Social Justice Initiative values a diverse membership based on race, ethnicity, job type, gender, sexual orientation, disability, and other protected class group status. RESJ strives to recruit a diverse membership on all of these teams and encourages departments to appoint diverse members of their workforce to participate in RESJ.

C. A Supervisor's Role in Supporting Equity

Departments are expected to appoint individuals to serve on the RESJ Core Team to further the mission and vision of the work. They will also develop an internal Departmental Equity Team to evaluate their practices and procedures. Departments will be expected to begin integrating equity goals and practices into work plans and to be able to report on progress toward these goals.

Equity-related goals may include internal successes such as increasing the racial diversity of your agency's staff and developing pathways to leadership for people of color and other traditionally marginalized groups. External equity work will take a variety of forms and functions depending on your department's role in the City. This will likely include innovative collaborations with other departments and community groups toward shared priorities, such as more fair and just opportunities for employment, housing, transportation and healthy living, to name just a few.

As this is a developing initiative that will be ingrained in all City work, supervisors are expected to follow updates on the City's website. The RESJ Initiative will develop opportunities for training and capacity development to ensure that employees have the time and skills required to successfully work toward the City's vision for equity in Madison.

21. MISSION, GOALS, AND WORKPLANS

It is important for a City agency to understand its purpose, what outcomes it is trying to achieve and that the purpose and outcomes are communicated to employees. This purpose should be captured in a mission statement, clearly outlining why the agency exists, who it serves, and how it fulfills its purpose. The mission statement can then be used to develop goals for the agency to achieve. Goals should be reviewed annually and captured in an agency workplan. The work plan provides a short-term roadmap for what the agency hopes to achieve.

Mission statements, goals, and work plans are useful tools for supervisors. When creating position descriptions, it is important for supervisors to consider the work of the organization in defining what work a position is expected to perform. This is captured in the agency's mission and goals. In addition, supervisors may be involved in developing annual work plan activities. If not actually involved in developing the work plan, it is likely that supervisors and staff will be asked to carry out the items in the work plan. These activities are key in ensuring that the agency continues to serve its purpose as outlined in the mission statement.

Once completed, it is important to review these tools in light of the organization's values. Missions, goals, and workplans that are out of line with an organization's values will cause conflict and confusion. If your organization's values are unclear, that can be an important first step.

A. Mission Statements

All City agencies should have a unique mission statement which is a statement of the purpose of the agency. The mission statement should guide the actions of the organization, describe the overarching goals, and provide a guide for decision making. It is the foundation for agency goals and workplans.

1. Defining the mission statement

A mission statement should answer the following questions for an agency:

- What does it exist to do? (What is the aim of the agency? What outcome is the agency trying to accomplish?)
- Who does it serve? (Who are the customers?)
- How will it fulfill its purpose? (What actions will it take?)

The mission statement should accurately describe the agency's purpose, the agency's work, and the agency's values, as with the following example:

The mission statement for the Human Resources Department is, "The Human Resources Department supports the City's goals by recruiting, developing and sustaining a diverse, talented, and engaged workforce."

The purpose of the HR Department is to support the City's goals. The work includes recruiting, developing, and sustaining the workforce. The values include ensuring diversity, talent, and engagement of the workforce.

2. Developing and aligning the mission statement

It is important to then insure that all the functional areas within the Department relate to the Department's overall mission. In the HR example, the functional areas include:

- HR Services— links directly to diversity, talent, and engagement of the workforce by recruiting and sustaining (through appropriate compensation).
- Employee and Labor Relations— links directly to engagement of the workforce by developing and sustaining (through benefits, leave, and contract administration; and accommodations).
- Organizational Health and Development — links directly to talent and engagement of the workforce by developing and sustaining (through training and assisting with work plans, through EAP services and wellness initiatives).

When reviewing proposed new initiatives for the HR Department, we ask whether the work fits within the mission of the Department. If so, we consider how to accomplish that work. If not, we either choose not to do that work or determine whether the mission statement needs to be updated.

An agency's top management is generally involved in developing the mission statement. When developing the mission statement, it is important to answer the above questions: What do we do, How do we do it, and for whom do we do it? Then, think about the agency's purpose, work, and values. These answers should form the basis for the mission statement. The City's overall mission, vision and service philosophy, found in Government Resource Guide on the City's website, can also be a guide for updating your agency mission and can help link your agency's efforts with overall city efforts. <http://www.cityofmadison.com/council/documents/resource/01Vision.pdf>

Currently, all city agencies have mission statements that are documented in the City's budget. Agencies should undergo regular strategic planning during which the mission statement should be reviewed to ensure it remains relevant and accurate. Human Resource's Organizational Development and Training Office (OD&T) provides assistance to agencies in strategic planning efforts.

Once the mission statement is developed, it needs to be communicated and discussed with the agency's employees. It is important for every employee to be aware of the agency's mission so that each employee sees the alignment between his or her job tasks and the overall mission. In addition, as a supervisor, it is important to be aware of your agency's mission statement and as you design positions and assign work, you should ensure that the position is working towards fulfilling that mission, and that each employee is clear about how his/her role plays a part in the agency's mission.

B. Creating Goals and Workplans

Goals provide direction for the agency when evaluating what work needs to be accomplished in order to meet the agency's mission.

1. Defining goals

A goal flows from the mission statement and is a statement of what the agency hopes to accomplish. Goals should have the following characteristics:

- Goals should flow from the mission statement and values of the agency.
- Goals should specifically state who will do what, by when.
- Goals should be clearly understood by the agency employees.
- Goals should be flexible, reviewed, and changed as needed.

2. Developing the goals and workplan

When developing agency goals, it is important to start with the mission statement. Reviewing the purpose of the agency will help identify what goals are necessary in order to accomplish the mission. For each overarching goal, a statement defining the goal should be developed. This will help guide projects related to each goal. The ultimate purpose is to develop goals and then identify projects that can be completed towards accomplishing each goal. This becomes the agency work plan.

Annual work plans identify projects that will be completed based on the mission and goals of your agency. Milestone activities are then identified to reach those goals. Work plans also detail timeframes and the person(s) responsible for the activity. The plan provides a foundation for monitoring progress at the activity level and allows agencies and management groups to allocate resources effectively and make progress toward necessary improvements.

When developing the work plan, the entire management team should be involved. Each unit should be represented in the work plan, with projects related to the agency goals. Projects should have a measurable outcome with an estimated date for completion. Measurable outcomes are critical to determine whether the project has been completed. For example, a project to increase customer satisfaction may be difficult to quantify. However, customer satisfaction can be measured through a survey. If the agency's goal is to improve satisfaction scores by 5% over the previous year, based on the survey, the agency has developed a measurable goal.

Within HR, for example, 4 goal areas have been established—Quality, Continuous Improvement, Compliance, and Outreach. For each of these goals, a sentence describing the purpose of each has been developed. Regarding the Quality goal, for instance, the HR Department intends to “Provide an innovative and responsive employment system for recruitment, selection, support, and development of a talented and diverse workforce.” When conducting strategic planning, and reviewing the Quality goal, the HR Department reviews those projects which would be considered

innovative and responsive to the needs of the workforce. Projects are then identified with a projected completion date and a measurable outcome. Consider again the following example:

MISSION: The Human Resources Department supports the City's goals by recruiting, developing and sustaining a diverse, talented, and engaged workforce.

Goal 1 - Quality - Provide an innovative and responsive employment system for recruitment, selection, support, and development of a diverse, talented, and engaged workforce.

	Milestone	Responsibility	Timeline	Assessment
1.1	Advanced implementation of NEOGOV—Evaluate Test giving capability+	Lipski	December 2012	Determination made as to whether testing can be done through NEOGOV—If so, implementation plan developed.
1.2	Expanded implementation of Workplace Culture and Civility program.	Martinez	December 2012	Complete initial implementation at one additional City department.
1.3	Use webcasts to enhance employee training	van Lith	July 2012	Additional 3 web casts available for use on the HR web site.
1.4	Continue implementation of Performance Management Process training.	Leifer	December 2012	Two additional management teams have completed training.

The annual work plan is a valuable tool for providing direction for the entire agency. Some projects may carry over from year to year as they have a longer-term focus. Other projects are likely to be completed within the year and new projects will be defined to take their place in the work plan. It is critical to evaluate the completion of a project against the measurable assessment that has been defined. It is also important to review the work plan during the course of the year to make sure the project is on track and that the outcome that was originally established remains relevant. It is possible that once a project is started, the outcome may have to be adjusted. The work plan should evolve as projects evolve to ensure everyone in the agency remains on the same page.

As a supervisor, you may or may not be directly involved in developing the work plan projects, but it is likely your input will be sought as part of this process. In addition, although each project has a main person with responsibility for the project, that person is not solely responsible for completing the task. Rather, that person may be asking many people in the department for assistance in ensuring the project is completed in a timely fashion. This means you and your employees may be involved in working on projects included in the work plan. It is important to be aware of the various projects in the agency work plan as you may have to work these assignments into your and your employee's other job responsibilities.

EMPLOYEE AND LABOR RELATIONS ISSUES

22. FRAMEWORK FOR LABOR RELATIONS & PROHIBITED PRACTICES

For any organization to succeed, it is essential there is cooperation between management and labor. This cooperation can only be fostered through mutual understanding and respect. Both parties must accept each other on equal footing and strive toward the solution of their shared problems. Otherwise, confusion and confrontation will replace understanding and cooperation, neither management nor labor will benefit, and the public will not be well served.

Supervisors and employees are encouraged to review problems together in a thoughtful and analytical manner in order to gain a comprehensive and mutual understanding. Management and labor should explore creative means by which workable solutions can be achieved that are based on respect for the need to provide effective and efficient City services, and are in line with City and department vision, mission and goals. Management must also strive to meet the needs of individual employees.

A. History of the Municipal Employment Relations Act

Public management/labor relations in Wisconsin are governed by the provisions of the Municipal Employment Relations Act (Wisconsin Statutes 111.70). This Act was originally enacted in 1959, and it required only that the parties meet and confer. In 1962, the Act was amended to empower the Wisconsin Employment Relations Commission (WERC) to conduct elections, prevent persons from committing prohibited practices, function as a mediator, and order fact-finding. In 1971 the Act was further amended to include, among a number of amendments, final and binding arbitration for law enforcement personnel and firefighters; expanded types of prohibited practices governing both the municipal employer and the union; a definition of the term "supervisor"; formation of law enforcement and firefighting supervisory organizations; and three-year contracts. The Act was amended effective January 1, 1978, to include mediation-arbitration as a method of impasse resolution and to provide a limited right to strike.

In 2011, Act 10 dramatically altered the landscape of collective bargaining in the public sector in Wisconsin. Act 10 divided public sector employees into two basic groups, transit/public safety and general municipal employees. While transit/public safety employees retain the rights outlined above, general municipal employees are now prohibited from bargaining collectively over anything other than base wages. Rather than cease discussions altogether, the City of Madison continues to meet and confer with representatives of employee groups regarding matters of mutual concern. While discussions cannot result in a formal agreement, discussions do lead to more informed unilateral decision making by the City.

B. Definition of Collective Bargaining

The duty to bargain is set forth in Sec. 111.70(1), "Definitions" (a), which provides as follows:

(a) *"Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment for public safety employees or transit employees and with respect to wages for general municipal employees, and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to any public safety employees under ch. 164. Collective bargaining includes the reduction of any agreement reached to a written and signed document.*

C. Prohibited Practices

1. Prohibited practices for a municipal employer are listed in Sec. 111.70(3)(a) as follows:

It is a prohibited practice for a municipal employer individually or in concert with others to:

1. *Interfere with, restrain, or coerce employees in the exercise of their rights guaranteed (under this act).*
2. *Initiate, create, dominate, or interfere with the formation or administration of an employee organization or contribute financial support to it...*
3. *Encourage or discourage membership in any labor organization by discrimination in hiring, tenure, or other terms and conditions of employment...*
4. *Refuse to bargain collectively...*
5. *Violate the terms of any collective bargaining agreement...*
6. *Deduct labor organization dues from the earnings of a public safety employee or a transit employee, unless the municipal employer has been presented with an individual order therefor...*
7. *Refuse or fail to implement an arbitration award lawfully made under the provisions of Wisconsin Statutes 111.70(4)(cg).*
8. *After a collective bargaining agreement expires and before another collective bargaining agreement takes effect, to fail to follow any grievance arbitration agreement in the expired collective bargaining agreement.*
9. *(For public safety or transit employees)...to fail to follow any fair-share agreement in the expired collective bargaining agreement.*

2. Prohibited practices for a municipal employee are listed in Sec. 111.70(3)(b) as follows:

It is a prohibited practice for a municipal employee individually or in concert with others to:

- 1. Coerce or intimidate employees in the enjoyment of individual rights...*
- 2. Coerce, intimidate or induce an employer to interfere with employees' enjoyment of legal rights...*
- 3. Refuse to bargain collectively...*
- 4. Violate the terms of the collective bargaining agreement...*
- 5. Coerce or intimidate an independent contractor, supervisor, confidential, managerial or executive employee, officer or agent of the municipal employer, to induce the person to become a member of the labor organization of which employees are members.*
- 6. Refuse or fail to implement an arbitration award lawfully made under the provisions of Wisconsin Statutes 111.70.*
- 7. After a collective bargaining agreement expires and before another collective bargaining agreement takes effect, to fail to follow any grievance arbitration agreement in the expired collective bargaining agreement.*

3. How to Avoid a Prohibited Practice Charge

Supervisors and management employees shall refrain from any involvement in the internal operation of any of the labor organizations associated with the City of Madison. Supervisors and managers should not:

- Question employees about union business or their feelings about unions or associations.
- Tell employees they would be better off without union representation.
- Blame the union for any adverse employment action.
- Express resentment to employees for filing grievances.
- Link an employee's performance, disciplinary action, or job security to an employee's support for a union, being active in a union, speaking up about contractual rights, requesting union representation, or filing grievances.

Bottom Line: An employer or any agent of an employer has no right to exercise any power or influence over internal union affairs, union participation, or support for a union.

4. A Prohibited Practice Complaint

The Wisconsin Employment Relations Commission (WERC) investigates prohibited practice charges. If an initial investigation reveals that a prohibited practice has likely occurred, a formal

hearing is held to determine whether a prohibited practice was committed. If the WERC determines the City has committed a prohibited practice, it can order the following remedies:

- Cease and desist orders.
- Posting of notices from the Employer, signed by appropriate managers or supervisors, informing employees a prohibited practice was committed and assuring employees similar behavior will not occur in the future.
- Reinstatement of employees who may have been terminated as a result of a prohibited practice.
- Payment of lost wages and benefits.
- Attorney fees.
- Other appropriate relief to remedy any consequences.

D. Limited Right to Strike

Under 111.70(4)(L), strikes are expressly prohibited.

Section 111.70(1)(nm) defines a strike as follows:

"Strike" includes any strike or other concerted stoppage of work by municipal employees, and any concerted slowdown or other concerted interruption of operations or services by municipal employees, or any concerted refusal to work or perform their usual duties as municipal employees, for the purpose of enforcing demands upon a municipal employer.

E. Strike Penalties

The statutory penalties for engaging in an illegal strike are as follows:

1. Individuals:

Whoever violates the strike prohibition after an injunction against the strike has been issued, shall be fined \$10 per day. Each day is a separate offense. After the injunction has been issued, any employee absent from work because of purported illness shall be presumed to be on strike, unless the illness is verified by a physician's written report. Fines will be paid through salary deductions.

2. Public safety and transit labor organizations:

Upon petition by the employer or any directly affected citizen, the Circuit Court shall issue an injunction and impose penalties if it determines the strike is prohibited. Penalties include: the Union shall lose its dues check-off agreement for one year and forfeit \$2.00 per member per day, up to \$10,000 per day. Each day is a separate offense.

3. Other than statutory penalties, the employer also may impose disciplinary penalties against employees who engage in strikes or related activities.

Overall, while it is critical that management and labor work closely together to ensure efficient administration of the collective bargaining agreement and encourage labor peace, it is also important that supervisors and managers carefully guard against interference in union business.



23. CONTRACT/HANDBOOK/ORDINANCE ADMINISTRATION**A. Collective Bargaining Agreements, Ordinances and Handbooks, and City Policies Stand as Judge of Fair and Unfair**

It is essential in day-to-day operations that supervisors be thoroughly familiar with, and abide by, the expressed terms of the collective bargaining agreement (CBA), relevant ordinances, and Administrative Procedure Memoranda (APMs). Such matters as pay practices, work schedules, and work assignments must not be handled based on expediency nor on what an individual supervisor believes is fair or unfair, but rather solely on what the collective bargaining agreement, ordinance, or APM states. When determining the appropriate policy, the terms of the CBA take priority over ordinances and APMs. If the CBA is silent, then look to the ordinances, then APMs. Practices that are not consistent with the intent of a labor agreement may have the unintended effect of amending the contract. Changes to the collective bargaining agreement should occur at the bargaining table and not through day-to-day practices and procedures.

Supervisors should continuously review the practices operating within their agency, keeping in mind that such practices may become an equal part of the collective bargaining agreement, although not expressed in it. Where an employee is covered by a CBA, a 'past practice' that is longstanding, and is mutually accepted, known, and relied upon by both parties, may become a binding condition of employment, which may not be changed or terminated except by mutual consent. Day-to-day practices and procedures should be examined to ensure they are either in compliance with the terms of the contract or ordinance, or where the contract or ordinance is silent, that they are administered in a manner which maximizes Management's authority and flexibility, but also with an eye toward ensuring engagement and equity are not impacted. Labor Relations can be contacted directly with any questions regarding contract administration.

General municipal employees who no longer have a CBA fall under the terms of the Employee Benefits Handbook for General Municipal Employees. This handbook includes provisions such as work schedules, seniority, and other terms and conditions of employment. In the case of general municipal employees, the terms of the ordinances take priority, and the handbook is intended to merely mirror or clarify those ordinances.

B. Monitoring Time Spent by Union Officials on Union Business While on City Time

The primary responsibility of all City employees, including union officials, is the diligent and faithful performance of their job duties and responsibilities. However, through contract negotiations and enshrined in ordinance, the parties have agreed to certain limited union activities which union officials may engage in while on City time. Supervisors should be familiar with the contract or ordinance language that governs such activities and should monitor the time spent by union officials on union business to ensure the limitations set forth in the collective bargaining agreement are strictly enforced. Supervisors should do so, however, while being mindful of the prohibited practices articulated in SS 111.70.

General municipal employees without a CBA still have representatives on a compensation group basis. Each compensation group will be allowed 1 representative per 50 employees. These representatives will be allowed to post notices, meet with employees for reasonable periods of time to discuss issues and potential grievances, and attend meetings with outside counsel for reasonable periods of time while on work time. In addition, each compensation group will be allowed 1 representative per 100 members to meet and confer with City representatives regarding the Handbook. Finally, representatives will be allowed up to 15 unpaid days per year to attend educational conferences, classes, and/or conventions related to their role as representative. Again, it is important for supervisors to monitor this time and ensure that it is strictly enforced.

C. Input from Supervisors is Essential to Effective Contract, Handbook, and Personnel Ordinance Revisions

Although the Employee/Labor Relations Manager serves as the City's spokesperson in negotiations with employee labor unions, it is impossible for him/her to be intimately familiar with all the day-to-day operations of the City. Therefore, input from supervisors as to how the CBA, Handbook, or personnel ordinances could be amended in order to provide for the more efficient and effective delivery of City services is essential. Concerns about the construction of contract language should be communicated to the Employee/Labor Relations Manager. Input from supervisors serves as the best basis for management's proposals to improve the collective bargaining agreements so supervisors can be more effective in administering City services.

D. Employee's Right to Representation

Supervisors should cultivate and encourage direct one-on-one relationships with subordinates as part of building trust and increasing the engagement of employees. However, supervisors need to be aware that there are certain situations where employees are entitled to union or employee representation, including the following:

- Employee grievances whereby the union has contractually secured the right to represent the grievant(s) in meetings with the employer. General municipal employees without a CBA are still allowed to have an employee representative as part of their grievance process.
- In cases where the employee has a "reasonable" belief a meeting with a supervisor may result in discipline. Normally such meetings would be limited to pre-determination hearings or investigative hearings. Again, general municipal employees without a CBA enjoy this same right.
- In cases where supervisors may consider the input and cooperation of the union or employee representative as an important element in improving upon the delivery of City services.

Rights to Union representation in cases where there is reason to believe discipline may be issued are called "Weingarten rights," so named after a case heard by the US Supreme Court in 1975 (*NLRB vs. Weingarten, Inc.* 420 U.S. 251,88 LRRM 2689). When an employee makes a request for union representation, management has three options:

- Management can stop questioning until the representative arrives;
- Management can call off the interview/hearing; or,
- Management can tell the employee the interview/hearing will be called off unless the employee voluntarily gives up his/her right to a union representative.

The Supreme Court also ruled that during an investigatory interview/predetermination hearing, management must inform the union representative of the subject of the investigation. In cases where there is no reason to believe discipline may result and an employee gives information which may cause them to be subject to discipline, the interview should be halted, the supervisor should inform the employee of his/her right to representation, and allow the employee to obtain union representation if so desired.

It is important to note that while employees are entitled to representation, they are not entitled to a particular representative, although such a request should generally be accommodated where it will not cause a delay in the process.

Being a progressive employer, the City has and will continue to honor requests for representation by non-represented employees.

24. WORK RULES & INSUBORDINATION

Essential to effective management is the promulgation and diligent enforcement of City of Madison and department/division work rules. Written work rules serve both the employee and employer. First, the employee is able to “*know where he/she stands.*” Ambiguity is replaced with clarity; the acceptable and unacceptable parameters of job performance are clearly outlined. Second, written work rules serve the employer in at least two ways: (1) they provide concrete guidance to the supervisor in dealing with day-to-day occurrences, and (2) they provide management with documentation and support in their efforts to maintain discipline if such becomes necessary.

Written work rules should not become rigid, inflexible procedures, but should rather be used to clarify basic practices necessary for effective working relationships. The promotion and enforcement of reasonable work rules is a basic right of the City. Caution must be exercised to ensure that the application and enforcement of work rules is done in a manner which is not arbitrary, capricious or discriminatory. Supervisors are also cautioned that excessive use of work rules rather than allowance of an appropriate amount of discretionary decision making, can be detrimental to employee engagement. Employees are most productive when they have a voice in shaping the City's processes and practices.

A. City Work Rules

Supervisors are encouraged to include within their respective agency work rule manual the following recommended work rules (or their equivalent). It is also recommended that signed receipt of department work rules be maintained in the employee's personnel file. APM 2-33 outlines the City of Madison Rules of Conduct and prohibits all of the following:

A. General

1. Discourteous or abusive behavior toward a client, co-worker, or member of the general public.
2. Insubordination including disobedience, disrespect, failure to perform work assignments or duties, or failure to accept direction from authorized personnel.
3. Negligence in the performance of assigned duties, loafing, loitering, or engaging in unauthorized personal business during work hours.
4. Failure to provide accurate and complete information whenever an authorized person requires such information.
5. Giving false information or falsification of any record, including but not limited to, timesheets, payroll, or itineraries.
6. Unauthorized disclosure of any confidential information or record.

7. Engaging in a work slowdown, work stoppage, or attempting to interrupt or impede the performance of work in any way.
8. Failure to maintain the appropriate qualifications for the performance of job duties or failure to report any change or loss of said qualifications.

B. Attendance

1. Lack of adherence to prescribed work times, including, but not limited to tardiness, leaving prior to quitting time, and failure to observe time limits of breaks and lunches.
2. Unexcused absence or excessive absenteeism.
3. Failure to inform the appropriate person of the inability to report for work or the need to leave work for any reason.

C. Personal Actions and Appearance

1. Engaging in unruly, abusive, violent, bullying, or other threatening or intimidating behavior or language during work hours or while on the work premises, as prohibited by APM 2-25.
2. Reporting to work under the influence of any drug, controlled substance, or alcohol, or using such during working hours, unless such drug can be safely taken and is prescribed by a physician.
3. Knowingly making any false or malicious statement concerning any client, coworker, or member of the general public.
4. Failure to follow a safety practice, rule, or procedure causing real or potential danger to self, others, or property.
5. Failure to report an injury or illness to relevant supervisory or management personnel in a timely manner.
6. Smoking in unauthorized areas, including City vehicles.
7. Harassment or discrimination on the basis of a person's race, sex (gender), religion, creed, color, age, disability/handicap, marital status, HIV status, source of income, familial status, ancestry or national origin, sexual orientation, arrest record, conviction record, current or past military service, less than honorable discharge, use or non-use of lawful products off the employer's premises during non-work hours (notwithstanding the exceptions noted in Sec. 111.35, Wis. Stats.), physical appearance, political beliefs, or the fact that a person is a student, as prohibited by APM 3-5.
8. Engaging in any illegal activity during work hours or while on the work premises.

9. Inappropriate dress or personal hygiene that adversely affects the performance of the individual or fellow employees, departmental operations, or constitutes a health or safety violation.
10. Engaging in political activity or other conduct as prohibited by Madison General Ordinance 3.47, Code of Ethics.
11. Engaging in horseplay, roughhousing, disorderly or mischievous behavior during work hours or while on work premises.
12. Any other conduct that would inhibit the ability of the individual, fellow employees, or management to adequately carry out duties and functions.

D. Use of City Equipment, Materials, and other Property

1. Inappropriate, unauthorized, or careless use of department materials or equipment, or other property including, but not limited to, excessive personal use of telephones or computers.
2. Theft, unauthorized possession, removal, or destruction of City or other person's property or salvaging as prohibited by APM 2-19.
3. Unauthorized entry to City property including, but not limited to, unauthorized entry outside of assigned work hours or to restricted areas.
4. Failure to report any accident, no matter how minor, involving a City vehicle or personal vehicle being used for City business.
5. Operating a City vehicle without the appropriate licensing or endorsements, or failure to report any change or loss of required licensing or endorsements.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace. Work rules are also clarified by other City APMs, ordinances, department/division work rules, standard operating procedures, or commonly accepted standards for reasonable conduct (common sense). Labor Relations encourages supervisors to become as familiar as possible with these work rules in order for the City to maintain consistent enforcement. It is also essential for supervisors to model behavior consistent with these standards. APM 2-33 should be posted in a conspicuous location in each worksite.

B. Insubordination

Insubordination is defined as the failure to accept or recognize the authority of a supervisor or manager, open defiance by an employee of the authority of a supervisor or manager to whom the employee is subject, failure or refusal to follow orders of a supervisor or manager, and use of abusive or derogatory language to or about a supervisor or manager.

1. Types of Insubordination

- Disobeying direct orders: Employees may be disciplined when verbally refusing to obey direct orders or when failing to carry out direct orders.
- Disobeying established procedures: Employees may be disciplined for verbally refusing to follow established procedures or when failing to follow established procedures.
- Disrespect toward a supervisor, manager, or other authority: Employees may be disciplined for using disrespectful or profane language toward supervisor, manager or other authority.

2. Test for Insubordination

In order to establish insubordination in failing to follow a direct order, a manager or supervisor must be able to answer yes to all three questions listed below:

- a. Was the employee given a clear and unambiguous order?
- b. Was the employee advised of the consequences of failing to follow the order?
- c. Did the employee fail to follow the order?

3. Supervisory Responsibility

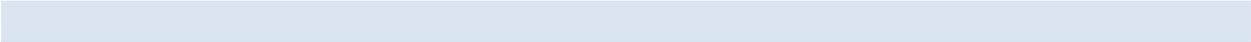
- a. Make sure an employee knows that they have received a direct order and that failure to comply may result in disciplinary action. A letter of instruction can often serve this purpose. An example of a letter of instruction is included in the final section of this manual.
- b. Be direct and concise. Use the words “direct order” to emphasize the seriousness of the situation, and make sure that the employee understands the directive.
- c. Inform the employee that failure to follow the direct order may result in disciplinary action up to and including termination of employment.

Example: I have asked you on several occasions to wax the hall floor and you have repeatedly failed this task. I am now giving you a direct order to wax the hall floor. If you have any questions about how to perform this duty, please ask now, otherwise I will assume that you have the means and the capability to complete the task. Failure to comply with this direct order may result in disciplinary action up to and including termination of employment.

- d. Address the behavior in a timely fashion.
- e. Stay calm in situations with employees are using abusive or profane language. Calmly inform the employee that such actions are considered insubordination and will be dealt with through the disciplinary process.
- f. Follow the normal disciplinary procedures (discussed in Section 6 above) in handling cases of insubordination.

Ensure that any work orders you give are reasonable and that the employee has a reasonable amount of time in which to comply.

Willful disregard of an Employers rules or requirements is serious misconduct. If you are considering discipline for this type of violation, please contact the Labor Relations Department.



25. INVESTIGATION AND JUST CAUSE

Employees are going to violate the work rules that have been established. As a supervisor, it is your responsibility to ensure that employees are being held accountable for following the rules. It is important to be consistent in enforcing the rules for a number of reasons. First, morale is affected if employees see that certain employees are allowed to act one way but when others do the same, discipline results. Second, arbitrators have established that inconsistency in the application of discipline may be a reason to throw out any discipline for similar behavior. Therefore, it is important that as a supervisor, you are familiar with the concept of "Just Cause" when considering discipline because the factors that go into establishing Just Cause should form the basis for your investigation.

A. Criteria for Just Cause

The Management Rights article of the collective bargaining agreements provides that the City may suspend, demote, discharge, or take other appropriate action against an employee for just cause. The criteria are set forth below in the form of questions. A "no" answer to any one or more of the following questions normally indicates that just and proper cause may not exist. However, there are occasions where discipline can be sustained even without one or more of the criteria being met. Please contact Labor Relations with any concern regarding specific discipline and the just cause criteria, which include:

1. Did the employer give to the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?

Note: Some behavior is obviously wrong based on nothing more than common sense, and the Employer need not publish a specific prohibition against such conduct, i.e. theft or violence in the workplace. However, some work rules may need clarification prior to imposing discipline. A letter of instruction may be appropriate in cases where a supervisor wants to ensure they meet the notice requirement for a previously unpublished work rule (see Section 7 for an example).

2. Was the employer's rule or order reasonably related to the orderly, efficient and safe operation of the employee's work program?

Note: If an employee believes that said rule or order is unreasonable, he/she must nevertheless obey the order unless he/she sincerely feels that to obey the rule or order would seriously and immediately jeopardize his/her personal safety or health. Lacking a question of personal safety or health, the employee should comply with the rule or order and file a grievance later.

3. Did the employer, before administering discipline to an employee, make an effort to discover whether the employee did, in fact, violate or disobey a rule or order?

Note: An employee has the right to know with reasonable precision the offense with which he is being charged and to defend his behavior. The employer's investigation must normally be made

before its disciplinary decision is made.¹⁰ An essential element is the investigatory process and the pre-determination hearing that are discussed the following sections of this manual.

4. Was the employer's investigation conducted fairly and objectively?

Note: While a thorough investigation must be performed, timeliness is also of the essence. Discipline must be prompt and without unreasonable delay from the time the offense occurred or when the supervisor first became aware of the offense.

5. Did the employer obtain substantial evidence or proof that the employee was guilty as charged?

Note: The proof required will often vary by the degree of penalty, however, typically the burden is on the employer to show there is a 'preponderance of the evidence'.

6. Has the employer applied its rules, orders and penalties evenhandedly and without discrimination to all employees?

Note: If the employer has been lax in enforcing a rule or order and decides henceforth to apply it rigorously, the employer may avoid a finding of discrimination by notifying all employees beforehand of the employer's intent to enforce the rule by a date certain, and that violations occurring thereafter will result in appropriate disciplinary action.

7. Was the degree of discipline administered by the employer related to the seriousness of the employee's proven offense and the record of the employee in his/her service with the City?

Note: Was the discipline corrective and progressive in nature? Discipline must be aimed at motivating improvement. It should not be punitive. Progressive discipline is discussed in the chapter on discipline.

B. Guidelines for Performing an Investigation

Not all work rule violations require an extensive investigation. If an employee comes to work late, the investigation may be as simple as checking the employee's time card to see when s/he punched in. However, other investigations are complicated and may involve talking to a number of witnesses to try and determine exactly what occurred. The following are things to remember when planning your investigation.

¹⁰ For certain offenses such as fighting, intoxication, theft, etc., where immediate removal from the employer's premises is warranted, it may be proper to suspend the employee pending an investigation with the understanding that: a) the final disciplinary decision will be made after the investigation and hearing, and b) if the employee is found innocent after the investigation and hearing, he/she will be restored to his/her job with full pay for time lost.

1. Be very detailed. An investigation must be as detailed, specific, and exhaustive as possible. A good investigation will result in knowing who, what, where, when, why, and how to the fullest extent possible.
2. Identify and exhaust all sources of information. These sources may include participants, eyewitnesses, physical evidence, individuals with collateral knowledge, records, work rules, policies, and other related documents. Other evidence might include video, phone recording, e-mail, and GPS vehicle tracking.
3. Be timely. As a matter of due process, an employee is entitled to a timely investigation. The investigation should be commenced promptly and without unreasonable delay.
4. Choose the right person to perform the investigation. Always choose the most appropriate investigator with full knowledge that whoever is chosen may later have to testify on the merits of the investigation. In order to pinpoint the best candidate(s) to perform the investigation consider the following:
 - The investigator should hold no bias or grudge against the accused.
 - The investigator should understand the purpose and issues involved in the investigation as well as departmental policies and work rules.
 - The investigator should have the ability to develop a rapport, ask tough questions, press for admissions, and understand the interviewees as well as instill confidence in, and work with, the complainant and the accused.
 - The investigator should have the ability to take thorough and accurate notes that may be used as evidence.
 - The investigator should not have a record of conviction, history of termination for misconduct, incompetence, or moral turpitude. The investigator should have the ability to testify clearly and be received as knowledgeable, impartial, thorough, and honest.

In the most critical investigations, it is important to assign a team of individuals to investigate in order to ensure the investigative process is beyond reproach. If investigators need to be selected from external agencies, feel free to contact Human Resources to assist in investigator selection. Your agency's assigned HR Analyst is also available to assist with investigations if needed.

B. Preliminary Steps to the Investigation

Once the appropriate investigator(s) has been identified he/she should meet with the appropriate management representative to discuss the parameters of the investigation, identify potential interviewees, determine whom to contact in order to set up the meetings, and determine an appropriate deadline for completing the investigation. He/she should also consider the following:

1. The employee is presumed innocent throughout the investigatory process, until all evidence has been collected and weighed and a conclusion has been made based on the facts of the case.
2. What are the allegations and any known, objective facts?
3. Identify any and all potential department and/or APM 2-33 Work Rule violations. This may help frame the investigation and types of evidence to gather.
4. The type of information and evidence is needed to provide proof as to whether or not an employee engaged in misconduct.
5. What documents should be reviewed, including: relevant work rules, departmental policies, manager's notes, emails, complaints filed, statements written or obtained from witnesses and APM's.
6. Potential interviewees and their relationship to the matter under investigation.
7. Records of prior investigations, complaints, or disciplinary action taken against the alleged perpetrator as well as any business records, such as time cards, calendars, photographs, logs, etc.
7. Who it is important to interview first.
8. The investigator should open an investigation file to include the following:
 - a. Relevant Rules or Policies
 - b. Evidence Lists
 - c. Records and Documents
 - d. Physical Evidence
 - e. Photographs or video
 - f. Written Statements
 - g. Investigators Notes
 - h. Investigative Summary

C. Investigative Interviews

1. Definition: An investigative interview is an interview conducted by a supervisor with an employee for the purpose of acquiring whatever facts, knowledge or information an employee may have concerning an incident or situation. An investigative interview is a fact-finding effort to determine whether or not there exists probable cause for initiating disciplinary proceedings. A finding of probable cause would establish the basis for convening a pre-determination hearing

(see the next section of this manual). It is necessary to provide the employee under investigation with notice of the investigative interview, information on the nature of the issue, and information on the option of representation.

2. Representation for employees against whom no discipline could possibly result: Employees who may have witnessed an incident or who may have knowledge related to an incident under investigation may be questioned by their supervisor. If no disciplinary action is considered for a particular employee, and the employee is clearly informed that such is the case, the supervisor need not allow the employee union representation during the interview. However, in many cases, an employee will be allowed representation upon request. If there are questions regarding whether representation should be allowed, contact the Employee and Labor Relations Manager.
3. Representation for employees under investigation or against whom discipline can reasonably be anticipated: An employee directly involved in an incident or matter under investigation, and against whom discipline could reasonably be anticipated, may be questioned by his/her supervisor in order to gather further facts and/or information. For such an employee, representation must be accorded, if requested.
4. Representation for general municipal employees not represented by a Union: General municipal employees who are not represented by a union may still be allowed to have an employee representative from their compensation group present during an investigation under the same terms as #2 and #3 above.
5. The Employee has an obligation to answer questions during an investigatory interview. Employees may be required to answer proper work related questions during the interview. Failure to answer such questions may be considered insubordination. If the employee refuses to comply with a direct order to cooperate, a separate disciplinary process may be initiated for the insubordination. An employee who is under investigation for a criminal offense presents special administrative circumstances and in such case supervisors must consult with the Office of Labor Relations and the City Attorney's Office before proceeding.

D. Documentation

The notes derived from an investigation are an extremely important component of the investigation. Below are a few techniques that may help the investigator or his/her designated non-represented note taker in recording information obtained during witness interviews.

- It is extremely important to be as accurate as possible. Typically, it is appropriate to take detailed notes as close to verbatim as possible.
- Start a new page for each interview

- At the top of the page include the names of those present at the interview, the date, time and place of the interview.
- Record what is asked by the interviewer as well as the answers provided by the interviewee.
- Do not include interpretations, assumptions, beliefs, or conclusions about the facts stated. Rather than interpreting what the employee says, ask them to be more specific about what they really mean.
- Record facial expressions, hand gestures, rising or falling voice, evasiveness, contradictions, anxiety, or defensiveness.
- At the conclusion of the interview, the note taker should review the notes with the interviewee and confirm their accuracy. When the interviewee expresses agreement it should be noted. Note where the employee agrees or disagrees with accusations.

E. The Role of the Union or Employee Representative During Investigations

1. The Union or Employee representative may:
 - Engage in a brief discussion with the employee occasionally during or prior to the hearing.
 - Observe and take notes during the hearing.
 - Repeat points the employee has previously attempted to express or explain the significance of a point made by the employee.
 - Speak about practices at the work site.
2. The Union or Employee representative may not:
 - Bargain about disciplinary penalties during the hearing.
 - Respond to questioning for the employee. Note: If the union representative continues to answer for the employee or instructs the employee not to respond, take the following steps:
 1. Inform the representative that you have the right to question your employees about work related matters, and you have the right to expect the employee to answer as completely and truthfully as reasonably possible. Also, inform the representative that he/she has no right to interfere with the process.
 2. Inform the employee that it is his/her duty to cooperate and answer your questions and that he/she may be disciplined for failure to cooperate. If the representative continues to be disruptive or if the employee continues to refuse to answer your questions inform them that you will be forced to make a disciplinary decision based on existing facts and sources of information.

26. PRE-DETERMINATION HEARING

Once an investigation has been completed, with or without an investigatory interview(s), and there is a finding of probable cause that disciplinary action may be appropriate, the affected employee should be given a formal opportunity to answer the allegations.

The protections afforded to most public employees in cases of discharge or discipline are referred to as "due process." These due process rights have been legally secured for public employees by applying the concept that public employees have "property interests" in their jobs. The United States constitution provides that the government cannot deprive a person of property without due process of law. Pre-determination hearings are the way the City ensures the due process protections of employees are met, and such a hearing must be held in order to issue enforceable discipline.

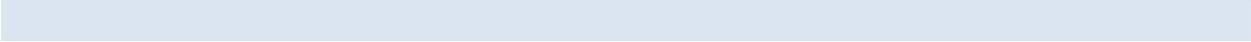
A. Pre-Determination Hearing Process

1. Written notice should be provided to the affected employee informing him/her of the purpose of the hearing (i.e., a brief and concise statement of the allegations and the work rules allegedly violated), the date, time, and place of the hearing, and that the employee may be represented if the employee so desires. An example pre-determination letter is located in the final section of this manual.
2. Upon the opening of the hearing, the supervisor should verbally review with the employee the allegations and explain to the employee that the purpose of the hearing is to provide him/her with an opportunity for rebuttal. The supervisor may also show any physical evidence supporting the allegation that a work rule has been violated.
3. Provide the employee a full opportunity to respond to all of the available evidence. Note where the employee concurs or disagrees with the evidence and allegations.
4. Maintain a written record of the hearing. Your summary notes are sufficient. It is not recommended that a verbatim record be kept.
5. Keep an open mind throughout the hearing. If information surfaces during the hearing that requires further investigation, do so prior to reaching a decision.
6. Never render a decision during the pre-determination hearing, but only after a careful and deliberate review of all the available information. A hearing may be suspended until additional fact-finding efforts are completed.
7. Always have a fellow supervisor in attendance during the hearing.

B. Role of the Union or Employee Representative

The pre-determination hearing is an employee's opportunity to respond to the evidence of misconduct as presented by the employer. Should the employee choose not to respond, or have a union or

employee representative respond, he/she has the right to do so (this is not the case during the investigation, see the investigation section of this manual). A final determination is based upon all facts obtained throughout the disciplinary process and the employer must make a decision based on the facts at hand. If an employee is given the opportunity to present relevant information and facts during a pre-determination hearing, and chooses not to do so, the employee's failure to do so can have an adverse impact on any later appeal of the discipline.



27. DISCIPLINE

Once a pre-determination hearing has been held, supervisors are responsible for completing the disciplinary process. Prior to issuance of discipline 'just cause' must be established, as described earlier. Remember that critical factors in the just cause factors are that the level of discipline is appropriate for the work rule violation(s), and that discipline be meted out consistently throughout the bargaining unit for similar violations. It is important to consult with Labor Relations prior to issuing major discipline to ensure that the discipline under consideration is consistent with the City's practice in other agencies.

A. Progressive Discipline

The purpose of discipline is to obtain compliance with established rules of conduct and to promote satisfactory job performance. Disciplinary action is meant to be corrective and should never be used merely to punish or degrade an employee. Where progressive disciplinary action does not bring about satisfactory job performance or behavior, discharge is necessitated. Discharge should be resorted to only where other corrective measures have failed or where the conduct is so egregious that the employee can no longer perform their duties effectively. The application of progressive discipline may necessarily vary from case to case. It is not an absolute rule and it need not always be applied in exactly the same manner from case to case. However, in applying progressive discipline, the following three-step procedure is recommended:

1. A verbal reprimand to the employee. A verbal reprimand is actually given to the employee in writing with a copy placed in the employee's file concerning the circumstances of the reprimand. It is essential when issuing a verbal reprimand to include a phrase similar to, "future violations of City of Madison or department work rules may result in further disciplinary action up to and including suspension or termination."
2. A written reprimand to the employee with a copy to the union steward. It is essential when issuing a written reprimand to include a phrase similar to "future violations of City of Madison or department work rules may result in further disciplinary action up to and including suspension or termination."
3. Suspension/Termination: Once you feel that the disciplinary action previously imposed is not sufficient to correct an employee's performance or behavior, or if you believe an employee's actions warrant discipline beyond a verbal or written warning, please contact the Labor Relations Office for guidance in determining the appropriate discipline. Beyond a written reprimand, the City generally issues one-day, three-day, five-day, and ten-day suspensions before proceeding to termination. Disciplinary suspensions may be Administrative Suspensions, especially for attendance issues. Administrative Suspensions are reflected in a personnel file as a suspension, however do not carry the penalty of absence from work, as further absences may only exacerbate the misconduct. Do not impose a disciplinary suspension of any kind or a termination without consultation from Labor Relations staff.

The principles of *progressive* discipline may not apply to major serious offenses including, but not limited to, assault on a supervisor or fellow employee, APM 3-5 violations, theft, drinking on the job, willful insubordination, or sabotage. In cases of more severe misconduct, discharge or other more serious discipline may be appropriate even without an extensive disciplinary history.

B. Letters of Discipline

Due process encompasses, among a number of responsibilities, the obligation to provide an affected employee with a definite, clear, and concise statement of the facts related to the infraction that resulted in the disciplinary action. Without a definite and certain disclosure of the charges, the disciplined employee may be able to convince an arbitrator that the City violated the standard of due process by making it difficult for the affected employee to prepare an adequate defense. In order to avoid the allegation that a notice of discipline is deficient, it is recommended that such notices included at least the following information (example disciplinary letters are located in the appendix of this manual):

1. The wrongful act(s) the employee is alleged to have committed and the work rule(s) which were violated.
2. The date(s) the employee is alleged to have committed such wrongful act and where it is alleged the wrongful act(s) took place, as well as the date of the pre-determination hearing and the names of all in attendance at the hearing.
3. Any explanation given by the employee in an attempt to justify the acts and employer response to the explanation given.
4. Previous wrongful acts the employee committed and any disciplinary action imposed.
5. A description of the impact of the misconduct on operations.
6. What actions the employee must take in order to avoid future disciplinary action.
7. The specific penalty that is being imposed.
8. A statement informing the employee that, "future violations of City of Madison or department work rules may result in further disciplinary action up to and including suspension or termination."
9. A statement offering employee assistance. APM 2-12 requires that supervisors offer employees the City's Employee Assistance Program when taking disciplinary action. This should be repeated at each state of the progressive discipline process. The APM outlines the procedure for offering assistance in a separate memo. Do not include any reference to EAP in the letter of discipline.

C. Constructive Action Contracts

Constructive Action Contracts are contracts signed between the City and the Employee in lieu of a disciplinary suspension of 1-day, 3-days or 5-days. The City is under no obligation to sign a Constructive

Action Contract (CAC), but may offer to do so when the situation warrants. The purposes of a CAC are that it:

- Provides the employee an opportunity to take responsibility for his/her actions. Because the employee is required to acknowledge violating the work rules as part of the CAC, this usually precludes a grievance from being filed on the issue.
- Mandates that the employee articulates how he/she will remedy to prevent future mistakes of that nature.
- Removes the penalty of the suspension (absence without pay), but keeps an administrative suspension in his/her file.
- Gives a sunset clause to the discipline, whereby if no further incidents occur within the following 12 month period the discipline no longer serves as a step in progressive discipline.

Constructive Action Contracts must only be administered with the assistance of Labor Relations, and should not be used in lieu of 10-day suspensions or terminations. Several bargaining units have agreed to Memorandums of Understanding which describe Constructive Action Contracts and their terms. Represented employees should only have CACs administered with the presence of a union steward, and most labor contracts require written approval from the union.



28. GRIEVANCE ADMINISTRATION

The backbone to effective contract administration is the grievance procedure. The grievance procedure is set forth in the collective bargaining agreement (CBA), or the Employee Benefits Handbook for General Municipal Employees (Handbook), and is considered one of the most important provisions governing management-labor relations. The formal grievance procedure establishes a mechanism whereby management, employees, and labor/employee representatives can approach disputes in a thoughtful and deliberate manner. A grievance should be seen as an opportunity for the employee to voice what they see as a violation of the CBA, or as defined in the Handbook. The grievance procedure should be regarded as the method by which management-labor disputes are identified. The grievance procedure represents the means by which such disputes can hopefully be resolved in a mutually acceptable manner. Testimony to the success of the grievance procedure as an effective problem-solving mechanism is the fact that of the grievances initially filed at step one, only a very small number are ever submitted to grievance arbitration.

A. The Grievance Mechanism

1. The purpose of a grievance procedure and responsible parties.

Labor and management must get along in order for either party to prosper, yet neither party is obligated to hold the other in a high regard. Given the dynamics of this type of relationship, and the fact that these parties must interact on a daily basis, many opportunities for differences and disputes arise. The parties involved in the labor/management relationship need to respect the role and function of the other party. Grievances provide a means of resolving the many and varied disputes that occur. The sheer amount of information regarding wages, hours, and conditions of employment contained in a contract requires an effective mechanism for handling disputes.

Proper grievance handling is essential to the preservation of management rights; the role a supervisor plays in protecting these rights cannot be overemphasized. The immediate supervisor receives the step one grievance in order to encourage working out the grievance at the earliest level. Basically, this provides an opportunity for reconsideration of whatever may have caused the grievance, although it may be out of the supervisor's control.

2. Limitations on disputes resolved and alternative methods toward achieving agreement.

The grievance procedure is limited to rights bargained and provided by collective bargaining agreements or outlined in the Handbook. Although these rights are many, they are not limitless. Thus the grievance procedure should only be used to protect rights and benefits provided in the contract or Handbook. These rights may include binding practices that are not specifically enumerated in the collective bargaining agreement or Handbook.

The fact that a formal grievance procedure exists should not hinder a supervisor's ability to discuss concerns or complaints in a less formal manner. Supervisory problem-solving and communication

between labor and management are vitally important to the employment relationship. The City also utilizes issue mediation services when possible.

B. Receiving the Grievance

When an employee has a grievance, it should be reduced to writing and presented to the employee's immediate supervisor. Most contracts contain an Employee Grievance Report form for filing grievances. The grievant should provide all of the information required on the report. If the report is not filled out properly it should be returned to the grievant with appropriate instructions. Things to look for:

1. **Appropriate Signatures:** For an individual grievance, both the grievant and his or her Union Representative (steward) should sign the grievance.
2. **Specific Violation:** The grievant should identify the area(s) of the contract being grieved. If a specific article or provision of the contract is not identified the supervisor should ask for clarification in the grievance meeting. If a specific area of the contract is not specified, "no violation of contract identified" should be included in the answer to the grievance.
3. **Timeliness:** All City contracts contain specified timelines for filing grievances. If the grievance is not timely, the supervisor should ask for a reason in the grievance meeting; however, the merits of the grievance should always be discussed. "Not timely" should be included in the answer to the grievance.
4. **Grievance Step:** Step 1 grievances should be filed with the employee's immediate supervisor and Labor Relations. Step 2 grievances should be filed with the department/division head and Labor Relations. Step 3 is typically arbitration.

C. Creating a Grievance File

At the point a formal grievance is filed, the supervisor should start a grievance file. The information compiled while handling a grievance is crucial to all steps of the grievance process including arbitration. The file should contain the following information:

1. The grievance.
2. Response to the grievance.
3. Any documents provided by the employee or the union.
4. Notes from the grievance meeting.
5. A list of who was present at the meeting.
6. Any other pertinent records or policies.

D. Preparing for the Grievance Meeting

Now that the grievance is in hand and is properly filled out, it is time to start investigating the issue. Investigation begins by becoming more familiar with the issue; that can include a lot more than just talking to the grievant. Below are a few things to consider prior to meeting with the grievant:

1. Read the grievance. Begin by reading the grievance thoroughly and thinking the issue through. Try to articulate the issue in your own words, prior to hearing the employee's explanation. Put yourself in the employee's shoes and think about what happened and why this employee feels the contract was violated.
2. Read the contract or Handbook/Ordinances. Read and reread the Article(s) and Section(s) of the contract, Handbook, and/or Ordinances that are allegedly violated. Read other areas of the contract, Handbook, and/or Ordinances that might come into play. Contracts, the Handbook, and/or Ordinances can be confusing and may contain contradictory language. If this is the case you may want to quickly move on to number 5 listed below.
3. Read departmental policies. Your department may have a policy or Memorandum of Understanding with regard to the interpretation of contract language.
4. Talk to other supervisors. There is a good chance that an experienced supervisor has seen the same or similar issues in the past. They can provide some top-notch advice on how to handle the situation.
5. Talk to Labor Relations staff. That's what they are here for, so if you have any questions or concerns please call them.
6. Check for past practice. Many issues come and go and then come again. If the language in the contract is not clear, chances are a practice has evolved to deal with the situation.
7. Schedule the grievance meeting. The collective bargaining agreements and Handbook contain specific guidelines with regard to when the meeting should be scheduled. The grievant should be provided 24 hours notice. A sample letter is included in the final section of this manual.

E. The Grievance Meeting

Now that you have had a chance to prepare yourself, it is time to go ahead with the first step grievance meeting. Remember that the grievance is not a judgment of right or wrong, but rather is based on a belief that the employee(s) have been wronged in some manner. Below are a few things you should keep in mind when meeting with the grievant(s):

1. Use the buddy system. Make sure you have another supervisor present when the meeting is taking place to serve as a witness and take notes. It is difficult to listen attentively when you are trying to write, and it is good to have someone to talk to about the situation once the meeting is complete. If you have difficulty obtaining another supervisor/witness, please contact your agency's assigned HR Analyst or Labor Relations staff to assist you.

2. Give the person a good hearing—do not interrupt. Let the grievant tell the story in its entirety. When the story is over ask questions, but take no position. Ask the grievant to repeat the story if there is anything that you do not understand. Then restate the story in your own words.
3. Get all the facts. Make sure to obtain dates, times, places, and anything else that you think might be relevant. Ask questions that require more than a yes or no. By the end of the meeting you should have a thorough understanding of what the grievance entails, including the relief sought. Don't forget to ask the grievant exactly what he/she is looking for to resolve the grievance and why that is an appropriate resolution, regardless of your position.
4. Do not personalize the issue or defend your position. The grievance meeting is solely designed for the grievant to tell his/her story, regardless of who the employee is, the employee's work history, or how many grievances he or she may have filed in the past; treat every grievance the same way.
5. Do not respond during the meeting. Remember that responding to the grievance is a separate section for a reason. Do not respond to the grievance during the grievance meeting. Even when you know you are right and the employee is way off base, just get the facts and respond at a later time.
6. The role of the union representative is different. Unlike a pre-determination hearing or an investigatory interview, during a grievance hearing the union representative may take an active role, responding to questions and representing the Union's interests.

F. What Should be Learned from the Hearing

1. What caused this grievance to be filed?
2. What are the names and classifications of employees involved?
3. Why does the employee and/or Union believe the collective bargaining agreement, Handbook, and/or Ordinances was violated?
4. What are the dates, time, and places that the problem occurred?
5. What precedent has been set in previous grievances?
6. What exactly is this employee looking for as a remedy to the situation?
7. Why is this problem arising now?
8. Is this an ongoing problem?
9. What other considerations are involved?

G. Responding to the Grievance

When the grievance meeting is complete, you will need to prepare a response. You have given the grievant a fair chance to tell his/her story and you have all of the information you need to make an informed and intelligent decision. Below are some things to keep in mind when responding.

1. Take some time to think about the grievance. Kick it around for a while and see if your perspective changes. Try putting yourself in the employee's position. Would you have grieved this issue? Generally, City of Madison contracts allow for five days to respond following the grievance meeting. Although you should always respond in a timely manner, use the time you are given to assure a well-thought-out decision.
2. Don't cut deals or swap issues. Anytime a grievance is settled, it sets a precedent. If you feel that there is a possibility for settlement that addresses the concerns of the grievance and preserves the rights of management, contact the Labor Relations Office for advice on the settlement. Get the facts and make a decision; do not negotiate.
3. If you are wrong, admit it and move on. Everybody makes mistakes; blaming others or making excuses is not the way to handle these situations. If you cannot own up to your mistakes, don't expect the employees you supervise to do any differently.
4. Investigate. Don't believe everything you hear; check it out for yourself. Read the grievance, the contract, and departmental policies one more time. Talk to other supervisors and check for past practices. If you are unsure, contact Labor Relations to discuss any issue.
5. Err on the side of management. The grievance procedure works kind of like baseball in that we get three cracks at the ball, unless we hit a high fly ball into right field. In other words, if you are unsure, deny the grievance and we will figure it out at the next step. Even if your decision to deny the grievance makes no sense whatsoever, we have built in protection in that we will look at it at least once more. You cannot hit a home run every time you get up to the plate.
6. Be consistent. Similar circumstances should lead to similar outcomes.
7. Provide a timely response. Each collective bargaining agreement contains specific time requirements for responding to grievances. It is essential these timelines are met.
8. Keep it simple. You do not have to write a 10-page brief in response to a grievance. A simple "no contract violation, grievance denied" or "grievance not disputed" will do the trick if you want to give verbal explanation. You may prefer to explain the basis for your decision in writing, but be concise and to the point.

H. Things to Keep in Mind

1. Consider the precedent. Many managers begin their careers believing that they are going to keep every employee happy all of the time and will therefore never have to deal with grievances. Although this may seem innocent, it can have dangerous consequences. By allowing

even your best employee to “get away” with things, you might be setting a precedent that can be very hard to break.

2. Obey now and grieve later. The grievance procedure allows the City and union to investigate and discuss problems without interrupting the continuing, orderly operation of the City. It is a fundamental principle that the employee obeys now and grieves later.
3. Innocent until proven guilty. It is incumbent upon the union to identify some contractual provision that prohibits, restricts, or limits management's right to take the action. Supervisors need not point to a particular contractual provision that gave them the right to take action.
4. The contract, ordinance, or APM decides what is fair. Don't ever settle a grievance based on what you believe to be fair or unfair. If the contract has not been violated, the grievance should be denied.
5. Know the contract or pertinent ordinance language. Collective bargaining agreements can take on different meanings in different situations so you must know the contract and check it often.
6. Honesty is the best policy. This is important in all aspects of employment. Credibility is hard to come by, easy to lose, and it is essential to the employer/employee relationship.
7. Maintain consistency. If you want the actions you take to stand up to the grievance/arbitration process, they must be made consistently.

29. ARBITRATION

The City occasionally has disputes with employee unions which cannot be resolved by mutual agreement. After the issue has been processed through the established grievance procedure, the issue may be submitted for review by an independent third party who will act as an Arbitrator of that dispute. Collective Bargaining and Arbitration have had a similar development path in the United States. Arbitration has become the preferred method of dispute resolution between most Employers and Unions. Prior to arbitration, grievance strikes by unions were often the norm. These strikes were very disruptive and led to lost work time for both the Employer and union members. Arbitration is the agreed to method that the City and respective unions have employed to resolve workplace grievances filed for alleged contractual violations. Some view the Arbitration of grievances and disputes as a continuation of the contract negotiation settlement process. The Arbitrator acts as a judge for the City and its Unions/Employee groups in this process, and how they decide the issue at dispute has a lasting impact on how the City and employees operate.

A. Grievances/Disputes Appealed to Arbitration

A grievance may be clear on its face, or may be very complex and difficult to follow. Grievances may be filed for discipline issued by the City to an employee if the employee feels the City failed to meet their burden of just cause. Other grievances may be filed over the City's application of the labor agreement. The City makes every reasonable effort to resolve the issue giving rise to the grievance. If the issue remains unresolved, the City will prepare for the arbitration. Please keep in mind all labor agreements have time limits concerning the processing of grievance which should be strictly adhered to. The failure of the union to meet the time limits agreed to in the labor agreement may cause the grievance to have issues of timely presentation or to cause the grievance to be considered null and void.

Most of the City's Labor agreements or Handbook provide that either the City or the union may advance a disputed issue to arbitration. However, for the most part the union or employee representative is the party that requests to advance an issue to arbitration. Most of the City's labor agreements or Handbook have a three step process (although the process varies from contract to contract). Please refer to grievance section of the Supervisor Manual for more information on grievance handling.

B. The Arbitration Hearing

The process of arbitration has become over the years far more legalistic and formal, often requiring a court reporter and the filing of post hearing briefs by the parties. Most issues between the City and the union can be conducted in one day at hearing; however, on occasion more than one day may be necessary. The Arbitrator is in charge of the hearing and rules on the admission of evidence, objections to questions asked and request by either the City or the union/employee representative for other rulings. The Arbitrator is the keeper of the arbitration process but it is the City and union's/employee representative's process for dispute resolution.

In cases involving discipline of a City employee the City usually goes first by presenting the case for just cause discipline of the employee. The City is required to prove that just cause existed for the discipline. For Police and Fire, discipline is reviewed by the Police and Fire Commission.

In all other issues presented in arbitration, the union or employee representative carries the burden of proving that the contract, Handbook and/or Ordinances has been violated.

The first side presenting calls their witness first and asks their witness questions. The other side then has an opportunity to question each witness on cross examination. If you are required to be a witness in arbitration, Labor Relations will prepare you as to what you will testify to at the hearing in advance of the hearing. A few things to remember when you testify are as follows:

1. Listen closely to the questions being asked of you and answer only the question at hand; do not volunteer information.
2. Speak slowly and at a level to be heard by all attending the hearing.
3. Ask for clarification of a question if you do not understand the question; do not answer without full understanding of the question.
4. Answer each question to the best of your knowledge or recollection.
5. Wait for a break if you have a concern about your testimony.
6. Do not discuss the case with any witness waiting to testify.
7. Be on time.
8. Dress comfortably

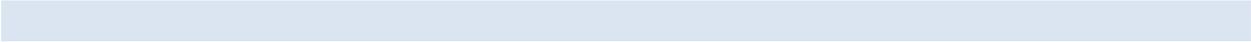
Labor Relations will help in the gathering of documents and statements that may be needed for the hearing as exhibits. This process will be completed with the cooperation of your department well in advance of the hearing. Cases of discharge will be handled by the City Attorney's office with the assistance of Labor Relations. The City may need or require union members or general municipal employees to testify. In such cases, the union members or general municipal employees will usually be issued a subpoena to compel their appearance.

C. Post-Hearing

The City and the union/employee representative have the right to file post hearing briefs to summarize the facts of the case and make an argument to the Arbitrator which explains their position on the grievance, and why it is correct. This usually occurs within a set timeline, and the City and the union/employee representative may request the right to file a reply brief with the Arbitrator. Reply briefs are intended to offer each party the opportunity to respond to the position taken by the other party. The whole process from the date of the original grievance to the day the Arbitrator issues their award may take as little as three to four months, and as long as up to a year.

D. The Award

When the Arbitrator issues their award it is final and binding on the parties, and will be used by the City and the Union/employee representatives on how to apply a section of the labor agreement, Handbook, and/or Ordinances. In cases of discipline, the award decides whether the discipline issued by the City was for just cause. Arbitration awards have a large impact upon the City and how we deliver services to the citizens of Madison. The rippling effect of the award will be felt for years to come and may profoundly change the relationship between the City and unions/employee representatives. For this reason, it is important to be cautious when deciding whether to take issues to arbitration, and to attempt to settle issues in advance of the arbitration process.



30. NON-REPRESENTED APPEAL PROCESS

A. Non-Represented Employee Appeal Process

Non-represented employees may on occasion have disputes with the City similar to disputes of represented employees. They may at times feel they are not being compensated appropriately, their duties are out of line with their pay schedule, or discipline issued to them is unjust. Because non-represented employees may have disputes over how policies and procedures are applied, the City of Madison has created a grievance procedure for non-represented employees to address these concerns. The grievance procedure is more fully described in APM 2-16. This section of the supervisor manual explains which disputes may be appealed through the non-rep grievance process, the process for making an appeal, and your role as a supervisor in this process.

Non-represented City employees have the right to file a grievance concerning the application of any provision specifically expressed in Madison General Ordinance Sections 3.32 (Absence of Employees from Duty), 3.33 (Trainee Program), 3.53 (Civil Service System), and 3.54 (Compensation Plan), the City of Madison Personnel Rules, or Mayoral APMs relating to personnel matters, except as otherwise provided in APM 2-16. Items not subject to the grievance procedure include disciplinary matters (see Section D, below), allegations of discrimination, residency compliance determinations, decisions on passage or extension of probation or trial periods which do not exceed 6 months, layoffs and displacements pursuant to Section 3.53 of the MGO, and establishment of position qualification standards.

B. Non-Represented Employee Grievances Not Related to Disciplinary Matters

Employees and supervisors are encouraged to meet and discuss concerns before initiating this procedure. However, all grievances must be filed within 30 calendar days of the time the employee knew or should have known with the exercise of reasonable diligence of the act giving rise to the grievance, and in no case later than 90 calendar days from the date of occurrence of such act(s). Employees who fail to file a grievance within these time limits will forfeit the right to file the grievance and no grievance is deemed to exist. All grievances must be submitted on the Employee Grievance Report and such report must be completed properly.

Departure from the steps of the grievance procedure or the time limits set for response in steps one, two and three, below, may be made by mutual written agreement of the Appointing Authority and the employee. If the supervisor designated to respond at each step does not answer the grievance within the specified time limits, the employee may elect to treat the grievance as denied at that step and may appeal the grievance to the next step. Thus, it is important for supervisors to respond to Step 1 non-represented grievances in a timely manner in order to attempt to resolve grievances at the lowest level possible.

The City shall recognize, at the grievant's request, one employee representative who shall be a non-represented employee. Each non-represented compensation group shall have designated one primary representative and one alternate. The grievant and either the employee representative of his/her choice or the representative designated by the appropriate compensation group shall be allowed to participate in meetings convened pursuant to the steps of the grievance procedure without loss of regular wages.

As with represented employees, retaliation against a non-represented employee who files a grievance is expressly prohibited. Supervisors of non-represented employees who file grievances are responsible not only for responding during the initial step of the Grievance Procedure, but also for setting up the initial grievance folder and maintaining documentation on the basis for their decisions.

C. Steps of the Grievance Hearing

Step One:

1. An employee's grievance shall be submitted in writing on the Employee Grievance Report to the employee's immediate supervisor with a copy to the Human Resources Director. The Employee Grievance Report shall set forth the nature of the grievance, the fact(s) upon which it is based, the provision(s) allegedly violated and the relief requested.
2. The employee's immediate supervisor or her/his designated representative shall, in consultation with the Human Resources Director, submit a written reply giving the reason(s) for her/his determination to the employee within 10 calendar days after receipt of the written grievance.
3. The employee's immediate supervisor should set up a grievance folder containing any necessary documentation in reference to the grievance, documentation supportive of their position, a copy of the grievance, and a copy of the grievance response. This documentation should be provided to the Human Resources Director upon appeal to Step 2.

Step Two:

1. The grievance shall be considered settled on the basis of the Employer's answer at step one unless within 10 calendar days after the supervisor's written answer in step one the grievance is again reduced to writing on the Employee Grievance Report as step two and submitted to the employee's Appointing Authority with a copy to the Human Resources Director. The Human Resources Director or his/her designee, may need to contact the supervisor to obtain additional information necessary for their Step 2 response.
2. Within 10 days of receipt of the grievance, the Appointing Authority or designated representative shall meet with the grievant and her/his representatives to discuss the grievance. The Appointing Authority or a designated representative shall, in consultation with the Human Resources Director, submit a written reply giving the reason for her/his determination to the employee within 10 calendar days after the meeting with the grievant.

Step Three:

1. The grievance shall be considered settled on the basis of the Employer's answer at step two unless the employee submits the issue to a Dispute Resolution Panel by filing a written request with the employee's Appointing Authority with a copy to the Human Resources Director within 15 calendar days after the Employer's answer in step two. No item or issue may be the subject of dispute resolution unless the written request is submitted in a timely manner. The Dispute Resolution Panel shall consist of five members appointed by the Mayor. The panel shall not include any person directly involved in the issue giving rise to the grievance or any employee of the same unit or division as the grievant. The five Dispute Resolution Panel members include:
 - A department or division head, who acts as a management representative
 - A member of the Personnel Board
 - A representative of Compensation Group 19
 - A representative of Compensation Group 18
 - A representative of Compensation Group 17
2. Duties of the Dispute Resolution Panel: The Dispute Resolution Panel shall have no right to amend, modify, nullify, ignore, add to or subtract from the Madison General Ordinances, City of Madison Personnel Rules or Mayor's Administrative Procedure Memoranda. The panel shall consider and decide only the specific issue(s) submitted to it and shall have no authority to make a decision, submit observations or make declarations of opinions on any other issue(s) not so submitted. No item or issue may be submitted to the panel that has not been first submitted at step one or step two of the grievance procedure. The Human Resources Director shall assist the Appointing Authority in presenting his/her case to the Dispute Resolution Panel. No award of the panel may be retroactive for a period greater than 30 days prior to the presentation of the grievance in step one.

Supervisors may be called on by the Human Resources Director during the course of presenting the case in front of the Dispute Resolution Panel. If you are called as a witness, remember that it is essential to remain calm, answer only the questions before you, and simply respond to the panel as clearly and honestly as possible. The Human Resources Director will help prepare you prior to asking you to provide information before any Dispute Resolution Panel.

The decision(s) of the Dispute Resolution Panel shall be final and binding unless such decision is determined by the City Attorney to require the approval of the Common Council, in which case the matter(s) shall be submitted to the Common Council for consideration and final approval.

C. Appeals of Disciplinary Matters for Non-Represented Employees

Non-represented employees are disciplined according to the same just cause standards as represented employees. However, supervisors in particular may receive more substantial discipline for similar violations than other employees for a couple of reasons. First, because one of the primary

responsibilities of supervisors is to enforce work rules, supervisors are expected to be much more aware of those rules than other employees. Consequently, where an employee may on occasion get the benefit of the doubt when pleading ignorance of a work rule, which may mitigate the discipline, the supervisor is expected to both know and enforce those rules and so may not be provided that same benefit. Second, supervisors are not only expected to adhere to City work rules, they are supposed to model appropriate behavior. Discipline of a supervisor for something like damage to City property then carries a greater penalty than for other employees because the expectations developed for the supervisor are greater. None-the-less, non-represented employees are granted a disciplinary appeal process similar to represented employees. Probationary employees, emergency employees, and provisional employees may be disciplined at any time without appeal. When issuing discipline to a non-represented employee, always ensure you are following the guidelines provided in the Supervisor Manual section entitled "Discipline", but keeping in mind that any appeal of discipline will follow the following procedure.

1. Issuance of Discipline

Supervisors are responsible for issuing a written statement of the reason for taking disciplinary action on any permanent employee who has completed his/her probationary period. A copy of which shall be supplied by the disciplining or discharging person to the Human Resources Director, not later than three (3) calendar days after the effective date of such action.

Once the employee has received notice of the discipline, they have ten days to file a written reply with the Human Resources Director as an answer or protest to the taking of such action. Any employee against whom disciplinary action has been taken and who has filed a written answer or protest, may, within three (3) calendar days after filing such answer or protest, file a written notice with the Human Resources Director requesting a review of the disciplinary action. The Human Resources Director then files a copy of said reasons, the answer or protest of the employee and the notice requesting review, together with such other information as may be provided for in the rules and regulations, with the Personnel Board for its information.

2. Receipt of Initial Appeal and Selection of the Appeal Examiner

Within ten (10) calendar days of the receipt of the notice, the Human Resources Director shall schedule a conference for the selection of an Appeal Examiner by the parties. At this and all subsequent proceedings, the affected employee may be represented by counsel and the appointing authority, division or department head, shall be represented by the City Attorney or his/her designee.

- a. An Appeal Examiner may be agreed upon by the parties. If no agreement is reached, the Human Resources Director shall, by lot, select five (5) names from the Appeal Examiner panel. The parties shall alternately eliminate names until the Appeal Examiner is selected. The flip of a coin shall determine which party is to eliminate the first name.

- b. The panel of appeal examiners is made up of fifteen individuals who are not City employees, who have indicated a willingness to serve in such capacity and who are experienced in personnel matters or who are attorneys, retired members of the judiciary, or currently on the list of arbitrators or mediators for the Wisconsin Employment Relations Commission.
- c. The Human Resources Director shall immediately contact the selected person to ascertain the person's availability and willingness to undertake the hearing and shall notify the parties of acceptance. In the event of non-acceptance, the selection process will be repeated until an Appeal Examiner is selected.

3. Appearance Before the Appeal Examiner

The Human Resources Director transmits all documents to the Appeal Examiner within five (5) calendar days of acceptance of the hearing. As soon as is practicable thereafter, the Appeal Examiner shall schedule dates and proceed with the hearing. All hearings shall be held in a public building. The Appeal Examiner shall have the authority to administer oaths and to issue subpoenas at the request of the parties and shall be responsible for the fair and orderly conduct of the hearing and the preservation of the record. All testimony shall be taken under oath and shall be recorded. The City shall have the burden of proof to substantiate and justify the action taken against the employee by the preponderance of the evidence.

The Appeal Examiner shall submit his or her determination affirming or reversing the action with the reasons therefore in writing to the Human Resources Director within thirty (30) calendar days of the close of the hearing or the submission of the parties' briefs, if any, whichever is later, and the Human Resources Director shall immediately mail in the normal course of business a copy of the determination and reasons therefore to the last known address of each of the parties.

During this hearing, supervisors are often called as witnesses. As a witness, supervisor testimony will help the Appeal Examiner decide the case. Witnesses, supervisors included, are administered an oath during the hearing process that guarantees that the supervisor must tell the truth at all times in their testimony. The City's Attorney will prepare witnesses ahead of time, and it is essential that they are given all information relevant to the case prior to the hearing. This makes supervisor documentation especially important; be sure all documentation is turned over to City counsel. When appearing before an Appeal Examiner, supervisors should make sure to adhere to the following additional guidelines:

- a. Listen closely to the question and answer only the question at hand, don't volunteer information.
- b. Ask for clarification if you don't understand the question.
- c. Answer each question to the best of your recollection.
- d. Wait for a break if there is a concern to talk to your counsel about.

- e. Be on time.
- f. Do not discuss the case with anyone other than your counsel.
- g. Dress comfortably.

4. Decision of the Appeal Examiner

Within fourteen (14) calendar days of such mailing, either party may file with the Human Resources Director a written notice of appeal of the Appeal Examiner's determination to the Personnel Board. Any such appeal shall be on the written record, the preparation of which shall be the responsibility of the party seeking the appeal. The appealing party shall supply a copy of the written record to the other party without charge. The written record shall be filed with the Human Resources Director within twenty (20) calendar days of the notice of appeal unless such time is extended by the Personnel Board. The Personnel Board shall receive no further evidence on the matter but may request additional briefs of the parties.

5. Responsibility of the Personnel Board

Within sixty (60) calendar days of the receipt of the written record, the Personnel Board shall make and file its decision and its reasons therefore with the Human Resources Director who within five (5) calendar days thereafter shall mail these to the last known address of each of the parties. The Appeal Examiner's determination shall be affirmed if it is supported by the credible evidence in the record. If the determination is found not to be so supported by a majority of the Board, the Board may reverse the determination or modify it to serve the best interest of the City service. Either party may within thirty (30) calendar days of the mailing of the Board's decision commence judicial action to review the decision of the Board, after which time the decision shall become final.

31. DRUG TESTING

As a City of Madison supervisor you have a duty to ensure the application and enforcement of the City's commitment to a Drug free workplace. While misuse of alcohol and drugs among employees is the exception rather than the rule, the City is concerned over the growing issue of substance abuse in society and acknowledges the devastating impact of such abuse on the safety, health and efficiency of its workforce and those it serves. Alcohol and drug use can impair thinking and reasoning and may lead to behaviors that bring the user into severe conflict with their work environment. While the City has no intention of unreasonably intruding into the off-duty lives of its employees, it is necessary to establish policies and procedures for dealing with use and/or misuse of alcohol and/or drugs/controlled substances that may affect the workplace, thereby preventing potentially serious consequences to the public and employees.

A. Who is covered by this policy?

All City of Madison employees are covered by the Alcohol and Drug testing policy and are referred to as "covered employees," with the exception of employees at Madison Metro working in safety sensitive positions who are covered by separate regulations and policy.

However, not all requirements of the policy apply to all covered employees. Employees who are required to maintain a CDL for the performance of their job duties have stricter requirements than most other covered employees. Therefore, not all provisions of the policy apply equally to all covered employees. CDL holders are always a covered employee under the policy, but where their terms differ from other covered employees, they are referred to as CDL holders. All employees are provided a copy of the policy at orientation and the policy is available on the City's website.

B. Policy Prohibitions

1. Alcohol-Covered Employees

- Covered employees are prohibited from reporting for duty or remaining on the job when their assigned responsibility is adversely affected by alcohol or when their blood alcohol concentration is 0.04 or greater.¹¹
- Covered employees are prohibited from possessing or using alcohol while on the job.
- Covered employees are prohibited from using alcohol during the hours that they are receiving stand-by pay.

¹¹ Note: Alcohol levels are affected by the amount of alcohol consumed, physical characteristics of the employee, and the employee's rate of metabolizing alcohol which has been consumed.

- Covered employees are prohibited from operating a City vehicle while the employee possesses alcohol unless the alcohol is being transported on City business.
- Covered employees are prohibited from returning to work until they have successfully passed a return to duty test.

2. Alcohol-CDL Holders

In addition to the above:

- CDL holders are prohibited from having used alcohol within four (4) hours of reporting for work. Employees are cautioned that refraining from alcohol for four (4) hours before reporting for duty may not result in a negative test.
- CDL holders are prohibited from performing safety-sensitive functions for 24 hours following an alcohol test result indicating an alcohol concentration of greater than 0.001 but less than 0.04. CDL holders may in addition, be subject to discipline for this violation. The City may or may not assign the employee to non safety sensitive work if it is available.
- CDL holders are prohibited from possessing or using medication containing alcohol while on the job. CDL holders that test positive for alcohol will be removed from their position, and be subject to provisions of the Policy, even if the reason for the positive alcohol test is the fact that the employee's prescription medication contains alcohol.

3. Drugs/Controlled Substances- Covered Employees

- Covered employees are prohibited from reporting for work or remaining on the job when the covered employee uses or is under the influence of any drugs/controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his/her job duties.
- Covered employees are prohibited from reporting for work or remaining on the job if the covered employee tests positive for drugs/controlled substances.
- Covered employees are prohibited from returning to work until they have successfully passed a "return to duty test".

4. Drugs/Controlled Substances-CDL Holders

In addition to the above:

- CDL holders are prohibited from reporting for work, remaining on the job, and/or performing any safety-sensitive functions following a positive test for drugs/ controlled substances.

- CDL holders are prohibited from refusing to submit to a pre-employment, post-accident, random, reasonable suspicion, return-to-duty, or follow-up tests.

5. Other Prohibitions and Requirements-Covered Employees

- Covered employees that refuse to submit to a reasonable suspicion test will be determined to have a positive test alcohol and /or drug test.
- Covered employees are required to maintain the appropriate qualifications for the performance of all assigned job duties.
- Covered employees are required to report any loss or change in the status of any required qualifications.
- Covered employees are required, if reasonable suspicion exists, to provide access to City owned vehicles, tool boxes, lockers, desks, and/or other City equipment.
- Covered employees are prohibited from obstructing or interfering with the administration of any alcohol or drug/controlled substances test. If an employee obstructs or interferes with a supervisor, drug test collection vender or a co-worker they are subject to discipline up to and including discharge.
- Covered employees are prohibited from engaging in the unlawful manufacture, sale or attempted sale, distribution, dispensing, possession or use of alcohol, drugs/controlled substance, and/or drug paraphernalia in the workplace.
- Covered Employees are required to notify their supervisor if they are taking any legally prescribed or non-prescription drugs/controlled substances that may adversely impact their ability to perform their job duties in a safe and efficient manner.

6. Other Prohibitions-CDL Holders

In addition to the above:

- CDL holders must immediately report to their supervisor any arrest and/or conviction for operating a vehicle under the influence of alcohol, drugs/controlled substances, or any combination thereof.
- CDL holders must immediately report to their supervisor any conviction for a violation of a criminal drug statute.
- CDL holders must immediately report to their supervisor if they are taking any legally prescribed or non-prescription drug/controlled substance which contains any amount of alcohol or which

carries a warning label that indicates the employee's mental functioning, motor skills, or judgment may be adversely affected by the use of this medication.¹²

C. Types of Testing

- Pre-Employment Testing—Covered Employees

Any candidate or employee may be subject to testing prior to appointment into any City position. The City of Madison shall notify an applicant/covered employee of the results of a pre-employment drugs/controlled substances test conducted under this part, if the applicant/covered employee request such results within 60 calendar days of being notified of the disposition of the employment application.

- Pre-Employment Testing—CDL Holders

Prior to appointment to a CDL holder position, any candidate selected for a position that requires a CDL shall undergo testing for drugs/controlled substances. Please work with your assigned Human Resources analysis to schedule the mobile collection vender to perform the test. The results of test shall be negative (meaning a verified negative result for Alcohol/Drugs/controlled substances). If the test does not meet this standard, the candidate shall be disqualified from further consideration for that position as well as any other City position at that time. In addition, if the result was positive, the candidate will not be considered for any CDL holder position for a period of 12 months from the date of the positive test. If a confirmed result is not possible due to a diluted sample, the candidate will not be considered for the immediate position but may apply for future CDL holder positions without restriction.

Immediately prior to the performance of any safety sensitive functions, an employee appointed to a position that requires a CDL needs to undergo an alcohol test, as outlined above. The results of the test should be negative (meaning a BAC of 0.00). If the test does not meet this standard, the candidate shall be disqualified from further consideration for the position or any other City position at the time of the test.

Candidates for a position requiring possession of a CDL shall, at the request of the City, provide written authorization for previous employers to release to the City any and all test results administered in accordance with the FHWA's Rules and Regulations concerning alcohol and/or drugs/controlled substances, including records of the individual's refusal to test.

The Human Resources Director, or designee, shall verify the information, obtain proof that the candidate has completed a rehabilitation program and the return-to-duty test requirements, and

¹² It is the responsibility of the employee to accurately inform his/her physician of the type of job duties that the employee performs in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's duties or operation of City equipment.

shall furnish the information to the manager or supervisor involved. No manager or supervisor shall allow a CDL holder to drive if s/he knows the individual has tested positive and has not been recertified and tested negative in return-to-duty testing.

- Random Testing—CDL Holders only

In accordance with Drug Free Workplace Act of 1988 and the Transportation Employee Testing Act of 1991, the City conducts regular random testing of all CDL holders during the calendar year on a quarterly basis. The City will randomly test no less than 10% of the average number of occupied City CDL positions for alcohol each year. The City will randomly test no less than 50% of the average number of occupied City CDL positions for drugs/controlled substances each year. Madison Metro adheres to different percents for testing as they are subject to different regulations FWA (Federal Transportation Administration). This rate may be adjusted in order to maintain the minimum annual percentage determined by the Federal Highway Administration Administrator. These percentages for testing will be reviewed annually on January 1 and adjusted as per the direction of the Federal Department of Transportation and the Federal Motor Carrier Safety Administration (FMCSA).

Random alcohol and drugs/controlled substances tests shall be unannounced and shall be spread reasonably in a random selection process throughout the year. The selection of CDL holders for random testing, the timing and frequency of random tests, and the number of CDL holders to be tested on any given day shall be determined by the City. The selection of CDL holders for random testing shall be made by a scientifically valid method. Each CDL holder shall have an equal chance of being selected for testing each time selections are made. Selections for random testing are done just prior to the start of each quarter. When randomly selected, a CDL holder may be required to submit to either an alcohol or drugs/controlled substance test, or both. A CDL holder will only be required to undergo alcohol testing just prior to, during, or just after the performance of safety sensitive functions.

- Reasonable Suspicion Testing—Covered Employees

The City has the right to order any employee to undergo an alcohol and/or a drug/controlled substances test whenever there is reasonable suspicion that the employee may be under the influence of alcohol or drugs/controlled substances while at work. A covered employee shall promptly submit to an alcohol and/or drugs/controlled substances test when a trained supervisor/City official has a reasonable suspicion that the covered employee is in violation of or has violated the drug, alcohol or controlled substances prohibitions of this policy. This means that the trained supervisor/City official has observed behaviors at the workplace consistent with alcohol and/or drugs/controlled substances use. These observations must be made just preceding, during, or just after the period of the work day that the covered employee is required to be in compliance with this policy. Please refer to the reasonable suspicion check list any time that you have reason to suspect that an employee may be under the influence of alcohol, drugs/controlled sustenance's.

Refusal to submit to a reasonable suspicion alcohol or drugs/controlled substance test shall be considered a positive test and deemed just cause for discipline up to and including discharge of the employee.

- *Alcohol*—After reasonable suspicion is established, the alcohol test needs to be administered within two hours, but may be conducted up to 8 hours after the reasonable suspicion determination is made.

If the test is not administered within 2 hours, the supervisor/City official must prepare and maintain on file a statement outlining why the test was not administered within that time. If the test is not administered within eight hours, the test cannot be conducted and the supervisor/City official shall record and maintain on file the reasons why the test was not conducted. A written record needs to be made of the observations leading to an alcohol reasonable suspicion test and needs to be signed by the trained supervisor/City official who made the observations within 24 hours of the observed behavior or before the results of the alcohol test are released, whichever is earlier.

- *Drugs*— After reasonable suspicion is established, the drugs/controlled substances test should be administered within 24 hours after the reasonable suspicion determination is made.

If the test is not administered within 24 hours, the test cannot be conducted and the supervisor/City official needs to record and maintain on file the reasons why the test was not conducted. A written record shall be made of the observations leading to a drugs/controlled substances reasonable suspicion test and shall be signed by the trained supervisor/City official who made the observations within 32 hours of the observed behavior or before the results of the drugs/controlled substances test are released, whichever is earlier. Nothing herein shall prohibit a supervisor or a City official from determining that a covered employee is unfit for duty at any time. Nothing in this paragraph shall be used to circumvent the requirements stated in this section.

- **Post-Accident Testing—CDL Holders Only**

Federal law requires that following an accident a CDL holder must undergo an alcohol and drug/controlled substance test. A surviving CDL holder shall be subject to post-accident testing as soon as practicable following the accident. However, the supervisor shall not delay of necessary medical attention and will not prohibit the CDL holder from leaving the scene of the accident for the period of time necessary to obtain assistance in responding to the accident, obtain necessary medical treatment for injured people, or to obtain materials necessary to secure the accident site.

A CDL holder subject to post-accident testing shall be subject to a breath alcohol test no later than 8 hours following the accident and to a drugs/controlled substances test no later than 32 hours following the accident. A CDL holder subject to post-accident testing needs to remain available for

such testing. Failure to be available for testing shall be considered a positive test and deemed just cause for discipline up to and including discharge

If the alcohol test is not administered within 2 hours, the supervisor/City official must prepare and maintain on file a statement outlining why the test was not administered within that time. If the test is not administered within 8 hours, the test cannot be conducted and the supervisor/City official needs to record and maintain on file the reasons why the test could not be conducted. If the drug/controlled substances test is not administered within 32 hours following the accident, the test cannot be conducted and the supervisor/City official needs to record and maintain on file the reasons why the test was not conducted.

- Return-to-Duty and Follow-Up Testing—Covered Employees

Following a positive test for alcohol or drugs/controlled substances any covered employee shall be evaluated by a Substance Abuse Professional (SAP) who shall determine what assistance, if any, the covered employee needs in resolving problems associated with alcohol misuse and drugs/controlled substances use.

Prior to returning to work, the employee shall be subject to return to duty testing. The covered employee shall also comply with all requirements prescribed by the SAP and shall remain in compliance with any and all prescribed and recommended rehabilitation and/or treatment programs. The covered employee may also be subject to follow-up testing as determined by the SAP.

- *Return-to-Duty Testing:*

If a covered employee has violated the alcohol prohibitions of this policy, s/he shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.00 before returning to duty. If the covered employee has violated the drugs/controlled substances prohibitions s/he shall undergo a return-to-duty drugs/controlled substances test with a result indicating a verified negative result for drugs/controlled substances use before returning to duty. The covered employee shall be subject to return-to-duty testing for both alcohol misuse and use of drugs/controlled substances if the SAP recommends testing for both alcohol and drugs/controlled substances.

- *Follow-up Testing:*

Upon returning to work, a covered employee shall be subject to unannounced follow-up testing as recommended by the SAP. The covered employee shall be subject to such follow-up testing for both alcohol misuse and use of drugs/controlled substances if the SAP recommends testing for both alcohol and drugs/controlled substances. The number and frequency of follow-up tests shall be determined by the SAP, and shall consist of at least six tests in the first 12 months following the covered employee's return to duty. Follow-up testing shall not exceed 60 months after the covered employee's return to duty. The SAP

may recommend terminating such tests at any time after the first six tests have been administered if the SAP determines the tests are no longer necessary.

The City takes the confidentiality of all medical records serious and those that pertain to alcohol and/or drugs/controlled substances very seriously. All necessary steps will be taken to ensure that records are secure.

D. Referral, Evaluation and Treatment

The City has an investment in all of their employees and referral and treatment are the preferred method in the matter of alcohol and drug/controlled substances use and or abuse. Therefore a covered employee who has a positive drugs/controlled substances test or a BAC test of 0.04 or greater shall be referred to a Substance Abuse Professional (SAP). The SAP will determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and drugs/controlled substances use. An employee's SAP would ordinarily be available through the employee's health care provider. A listing of SAPs will be provided in training and/or posted in work sites. Employees who do not know what substance abuse services are provided under their health care plan or who do not have a health care plan, are encouraged to contact the Employee Assistance Program for this information.

The Employee Assistance Program, in accordance with APM 2-12, is available to provide information, referral and support to employees seeking alcohol and drug abuse services, including treatment. Available information includes methods of intervening when an alcohol or drugs/controlled substances problem is suspected and a listing of alcohol and drug abuse services. For more information call the Employee Assistance Program office at 266-6561 or our external EAP provider, Impact, at 800-236-7905. Impact has representatives available at all times.

E. Consequences and Discipline

As noted above, a covered employee who refuses to submit to any required drugs/controlled substance or an alcohol test shall be deemed to have tested positive for drugs/controlled substances and at a level 0.04 or greater for alcohol. Refusal by the covered employee to complete and sign the Breath Alcohol Testing Form, to provide breath, to provide an adequate amount of breath, or otherwise to cooperate with the testing process in a way that prevents the completion of the test shall be deemed a refusal to test. Refusal to submit to a required drugs/controlled substance or alcohol test shall be deemed just cause for discipline up to and including discharge.

Covered employees who have a positive test as outlined above will not be permitted to return to work until undergoing evaluation by a Substance Abuse Professional (SAP) and successfully passing a return to duty test. If the positive test was for alcohol, the employee must have a BAC of less than 0.04 in order to pass the return to duty test. If the positive test was for drugs/controlled substances, the return to duty test must be negative in order to past the return to duty test.

Just cause for discipline up to and including discharge shall be established when a covered employee engages in any conduct in violation of the provisions of the alcohol and drug testing policy or when a

covered employee uses drug/controlled substance or misuses alcohol in violation of the FHWA rules and regulations or in violation of the policy or City work rules. Failure to comply with any required evaluation by a substance abuse professional or failure to comply and remain in compliance with any and all prescribed or recommended rehabilitation and/or treatment programs shall establish just cause for discipline up to and including discharge.

Questions and concerns regarding the City's drug and alcohol testing policy can be referred to the City's Employee and Labor Relations Manager.



LEAVE ADMINISTRATION

32. ADMINISTRATION OF SICK LEAVE

The administration and control of sick leave usage is one of the most difficult responsibilities facing supervisors. This section of the supervisor manual is intended to provide supervisors with a framework to assist in the administration of sick leave.

A. Eligibility Requirements

Sick leave is a benefit for which employees are eligible only if they meet certain criteria. Each collective bargaining agreement sets forth the requirements that an employee must meet in order to be eligible for sick leave benefits. A request for sick leave is not unlike a claim for an insurance benefit; i.e., prior to its approval, the claim must be examined to determine if it meets the eligibility standards set forth in the insurance policy. All claims for sick leave benefits should be examined to determine if they meet the eligibility standards set forth in the collective bargaining agreement.

While a handbook or collective bargaining agreement may be drafted somewhat differently, general requirements for sick leave benefit eligibility are as follows:

1. An employee's absence must have been necessitated by his/her illness, injury, exposure to contagious disease, serious illness or death in the immediate family of the employee, or when an employee requires treatment by a physician.
2. An employee must notify his/her supervisor in advance of the absence and whether the absence is covered by an approved leave request.
3. An employee must keep his/her supervisor informed of their work status, availability, and estimated day of return to work.

If an absent employee fails to meet any one of the above requirements, he/she is not eligible for sick leave benefits and his/her absence must be accounted for by other available leave benefits or reported as unauthorized or authorized leave without pay. Departmental work rules and contracts often contain specific language pertaining to the use and eligibility for sick leave. Please refer to these documents for further information, or seek the assistance of Labor Relations.

B. Physician's Certificate

Certain contracts specifically provide that the City may require the submission of a physician's certificate for any absence beyond a certain number of sick leave days within a designated period of time. The imposition of this requirement has proven to be an effective deterrent of excessive sick leave usage and supervisors should require it of all employees to whom this provision applies. Handbooks or contracts may require the employee to bring a physician's certification after six days of sick leave use in a calendar year.

Some contract language provides that the requirement of the physician's certificate may be applied only in conjunction with a "demonstrable sick leave abuse pattern." To determine whether or not a demonstrable pattern of sick leave abuse exists, any of the following criteria may be examined:

1. Is the employee's use of sick leave substantially above the average for the division to which the employee is assigned? The employer may examine the use of sick leave within the twelve-month period in question, as well as previous year's sick leave usage.
2. Do any of the sick leave days fall on Mondays or Fridays or before or after regularly scheduled days off, or on the same day of the week more often than mere coincidence would explain?
3. Is the employee utilizing sick leave immediately after earned? Common examples of this show biweekly Monday or Tuesday, half-day use, with the employee "running on empty" throughout multiple years of employment.

If any of the above conditions exists and the employee is unable or unwilling to voluntarily provide a physician's certificate for the sick days in question, a demonstrable pattern has been established and the supervisor should impose the requirement of the physician's certificate. Prior to imposing the requirement of the physician's certificate, it is essential you meet with the employee to express your concerns about the amount of sick leave used, the importance of appropriate attendance to the essential function of their job responsibilities, and to offer EAP. While supervisors should not ask about the nature of any illness, the phrase, "If your sick leave use is necessitated by a serious medical condition or family situation covered by the Family and Medical Leave Act, you should fill out an application for Family Medical Leave right away. Applications and assistance are available in the Human Resources Department. Applications are also available on EmployeeNet." Once the supervisor has met with the employee, if the sick leave abuse continues, the supervisor should require that the employee substantiate the need for sick leave through the Physician's Certification mechanism.

After imposing the requirement, it is recommended that it continue for a period no less than ninety days and not to exceed one year following the date of the imposition. This requirement may be imposed again if conditions warrant. In all cases where an employee is required to provide a physician's certificate and the employee fails to furnish it, the employee's leave of absence should be recorded as unauthorized leave without pay, and appropriate discipline should be issued.

C. Denial of Requests for Sick Leave Benefits

There are occasions when a supervisor can and should deny a request for sick leave. Such an occasion includes when an employee requests use of sick leave for an ineligible reason (i.e. taking pet to the vet), or an employee alleges that he/she is eligible for sick leave benefits, but there is evidence that the employee's absence was not necessitated by illness, injury, or other qualifying condition. For example, an employee is given a directive and then immediately requests to go home sick, or an employee had previously requested the day in question as vacation and was denied the vacation day. In such cases, the employee's request for sick leave should be denied.

If a supervisor has reason to deny a request for sick leave, the affected employee should be afforded the opportunity to verify the authenticity of his/her claim for sick leave. The supervisor should not require it, but if the employee so wishes, he/she may furnish a physician's certificate verifying the absence in question was necessitated by illness, injury, etc.

For those occasions when a supervisor denies a request for sick leave and the employee claim for leave is not properly verified, the incident should be recorded as an unauthorized leave of absence without pay, and the employee should be disciplined accordingly.

D. Criteria for Determining the Acceptability of a Physician's Certificate

When the supervisor requires a physician's certificate pursuant to the terms of the collective bargaining agreement or when an employee submits a certificate in order to verify his/her claim, said certificate must contain the following information in order to be considered acceptable:

1. The certificate must be signed by the attending health care provider.
2. The certificate must include a statement confirming that the absence in question was due to illness, injury, etc., (although it is not necessary for the physician to state the nature of the illness or injury) and that the employee was unable to report to work.
3. The certificate must state the date on which the employee was seen by or directly spoke with the attending physician.

If an employee submits a certification which does not contain the acceptable minimum information, supervisors should request a new slip that does provide the necessary information. If acceptable minimum documentation is not provided, the absence cannot be approved as sick leave. Please note: there are occasions where a physician will specifically request a patient not to enter the physician's office and will still approve an absence due to illness, in these cases the documentation from the physician should be accepted if specifically noted by the physician.

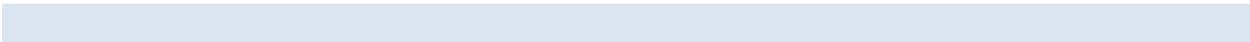
E. Documentation

Documentation is crucial to both determining and rectifying sick leave abuse. Documenting what an employee said when calling in, the time the employee called in, and keeping a calendar of the days off, can reveal patterns of abuse. It is recommended direct supervisors keep a spreadsheet of sick leave use for all employees.

While it is necessary to ensure supervisors do not have direct contact with medical condition information, keeping track of the type of leave requested, and what is said to the supervisor can assist Labor Relations in the arbitration process when necessary. A calendar can be created with tabs for each employee, and simply filled out when sick calls are received to compile the information. An example is included below. If an employee has approved FMLA and is calling in sick, make sure to ask the question, "Is this FMLA?" If an employee presents questionable or concerning documentation, please contact Human Resources for assistance.

Jane Doe Sick Days

Date	Leave Type	Day	Reason/Doctor's Note
3/4	FMLA-S	M	"I need to use sick leave and it is FMLA."
3/5	Sick	T	"I can't come in today because I'm not feeling well."
3/6	AWOP	W	"My car broke, so I'm gonna need another day of sick."
3/7	Sick	TH	"I need to leave early because I have a headache"



33. FAMILY AND MEDICAL LEAVE

Monitoring employee sick leave use is an important, yet difficult, supervisory responsibility. It gets even more complicated when Family and Medical Leave (FML) and City leave policies are involved. Employees are entitled to use FML to care for their own serious health condition, the serious health condition of a family member, and other qualifying reasons that are described below. When an employee has an approved FML request on file, the sick leave administration information in the previous chapter becomes more difficult to apply. APM 2-21 is the City's policy on FML and should be referenced when questions arise regarding FML. Human Resources is also available for consultation on any questions regarding employee use of leave.

A. Family and Medical Leave Defined

Employees are entitled to take FML under both the Federal and Wisconsin Family and Medical Leave Acts (FMLA/WFMLA). Under the Federal FMLA, an employee may take leave for the following reasons:

1. An employee's own serious health condition that makes the employee unable to perform the essential functions of her/his position.
2. To care for a spouse, child, or parent with a serious health condition.
3. Birth/care of an employee's newborn child.
4. Placement of a child with an employee through adoption or foster care.
5. To care for a spouse, child, parent, or next of kin with an injury or illness incurred while the family member or next of kin is a member of the military.
6. For a "qualifying exigency" arising out of a spouse, child, or parent's call to active military duty.

Under the Wisconsin FMLA, an employee may take leave for most of the reasons above. However, the Wisconsin FMLA expands the definition of family members in #2 above to include a domestic partner, parent-in-law, and parent of a domestic partner. The Wisconsin FMLA does not permit leave for the care of a domestic partner's child, leave for placement of a child with the employee through foster care, and does not provide qualifying exigency leave or additional leave to care for a family member injured or taken ill while in the military.

In order to take FML, an employee must apply in a timely fashion (30 days prior to the use of leave when the need for leave can be anticipated) and provide appropriate medical documentation to support the need for leave in one of the categories discussed above.

B. Family and Medical Leave Entitlement

Under the Federal FMLA, employees are entitled to take a total of 12 weeks of leave in the 12-month period measured forward from the employee's first date of leave. This is referred to as a forward-measured calendar year. So an employee who starts FML on June 1 will be entitled to a total of 12

weeks of leave until May 31 of the following year, regardless of the reasons for leave. The only exception is that an employee may use a total of 26 weeks of leave in the forward-measured calendar year to care for someone injured or taken ill through service in the military (#5 above).

Under the Wisconsin FMLA, leave is measured on a regular calendar year basis. During the calendar year, employees may use 2 weeks for their own serious health condition, another 2 weeks for the care of a family member, and up to 6 weeks to care for a newborn child.

Leave taken under the Federal and Wisconsin FMLA will be counted under both Acts at the same time when applicable.

C. Eligibility for Family and Medical Leave

In order to qualify for Federal FML, employees need to be employed by the City for at least 52 weeks (the weeks do not need to be consecutive and can go back as far as 7 years) and in the previous 52 week period must have worked at least 1,250 hours. The 1,250 hours does not include paid leave; rather this is hours actually worked. Failure to meet the minimum eligibility requirements means the request for Federal FML will be denied until the minimum requirements are met.

Under the Wisconsin FMLA, employees need to be employed by the City for at least 52 consecutive weeks and must have been in a paid status for at least 1,000 hours during the previous 52 week period in order to qualify for leave. The 1,000 hours includes paid leave and worker's compensation pay. Again, failure to meet the minimum eligibility requirements means the request for FML will be denied until the minimum requirements are met.

D. Types of Family and Medical Leave

Employees may take FML on a consecutive basis, an intermittent basis, and/or a reduced schedule basis. A consecutive leave is a leave that requires an employee to be off work for a specific time frame due to the medical condition. The employee may request to be off for any amount of time up to the 12 week entitlement.¹³

An employee may request to use FML on an intermittent basis as well. Normally an employee will request intermittent leave for a chronic condition that has periodic reoccurrences and does not require a consecutive leave. Employees with chronic conditions will generally submit an application with supporting medical documentation requesting FML for the next year on an as-needed basis. In this situation, employees will be required to submit medical documentation approximately 6 months into the leave period in order to certify that the chronic condition still exists. Failure to submit this documentation in a timely fashion may result in leave not being approved or covered by the Act.

¹³ Employees may request to be off longer than 12 weeks and HR will determine whether any additional time is covered by paid sick leave or will be considered disability leave. Disability Leave will be discussed in greater detail in the next chapter.

The last type of FML is a reduced-schedule leave. This type of leave is most common when an employee is returning from a consecutive leave and needs a period of time to readjust to the workplace. A full-time employee who returns from a leave working half-days for a defined period of time will be considered to be on reduced-schedule leave and will have the part of the day not in the workplace count towards the FML entitlement. Again, the need for reduced-schedule leave will be supported by appropriate medical documentation.

It is common for a request to include consecutive and intermittent or reduced-schedule leave. In those situations, the approval will include the specific types of leave requested and approved.

E. Applying for Family and Medical Leave

In order to take advantage of FML benefits, employees generally must apply and the request must be approved through HR (an exception to this will be described below). The FML Application Form is found on [EmployeeNet](#) under Forms. Employees should fill out the application and are also responsible for providing medical documentation from their health care provider to support the need for the FML. A sample FML application is included here for reference.

The first page of the application and the health care provider certification should be submitted directly to City HR in an envelope marked "confidential." The information on these pages is considered confidential and supervisors are not entitled to see this information.

The second page of the application, however, is where the employee requests the time off. On this page, the employee must sign and date the form and then the form should be submitted to the employee's assigned department to determine whether the employee meets the minimum eligibility requirements under either Federal or Wisconsin outlined above. The department head should recommend whether the leave is approved or denied based on the employee meeting the minimum eligibility requirements. By signing off on the application, the department is aware that a request for leave has been made. Following the department head signing the application, that page should also be routed to HR.

F. Evaluation of the Family and Medical Leave Application

Upon receipt of the application and medical documentation, HR will evaluate the paperwork to determine:

- whether the employee is eligible for FML, and
- whether the medical documentation supports a qualifying condition under either the Federal or Wisconsin FMLA.

An HR Approval form will then be filled out which informs the employee whether leave is granted, under what conditions the leave is granted, and any special conditions that are placed on the leave. For instance, the employee may be required to submit additional medical documentation to support the need for continued leave, or the employee may be asked to go through a second/third opinion process

before leave is approved. A sample HR Approval form is included here for reference. The completed HR Approval form is routed to both the employee and the department. This provides the department with information regarding the approval and any relevant conditions on that approval for leave.

G. Department Responsibility for Family and Medical Leave

Departments have a number of responsibilities relating to FML, including maintaining confidentiality of information, tracking the leave that is used, talking to employees about FML balances and other special requirements, offering FML paperwork when necessary, and discussing more complicated FMLA situations with HR.

1. Confidentiality

The Federal FMLA specifically states that a direct supervisor cannot have access to the underlying medical reasons for an FML request. In addition, supervisors cannot ask employees about the reason for an FML request. Ensuring confidentiality is important for supervisors because if an employee later contends discrimination because of her/his medical condition, the supervisor can argue that s/he didn't have access to and was not aware of the underlying medical information. However, this does not prevent an employee from volunteering information to a supervisor. If an employee volunteers the reason for their FML, the supervisor still should not discuss the reasons with other employees.

2. Tracking Family and Medical Leave

After HR has approved leave under either the Federal or Wisconsin FMLA, it is the department's responsibility to track the amount of leave an employee is using under the FMLAs. If an employee calls in sick, and that employee has an FML application approved, the employee should report whether the absence is covered by their FML request. If the employee does not offer this information, the supervisor has the right to ask whether the absence is related to the FML request. An employee who refuses to provide this information will have FML leave denied for that occasion and the employee may be subject to discipline if the employee does not have paid leave to cover the absence or if the employee fails to follow proper procedures for requesting leave. Remember that when asking whether the absence is related to the FML request, the supervisor may not inquire about the nature of the absence but merely whether it is an FML qualifying absence. A supervisor should typically ask, "Is this a Family Medical Leave related absence?" as well as, "What type of leave will you be using?"

Also, be aware that even if an employee has an approved FML, the employee must still follow normal call-in procedures that the department has established or the employee will be subject to discipline for failing to follow the proper notification procedures, and the employee may not be allowed to substitute paid leave for that absence.

Departments must develop a method of tracking FML time for their employees. Tracking becomes extremely important when an employee is taking intermittent leave as the leave occurs over a long period of time.

A way to track the leave is to set up a spreadsheet to track the time, as such:

J. Doe	1/22	2/5	2/26	Total Hours
Hours Used	8.0	3.5	1.25	12.75
Reason	Called in-FMLA	Left early-FMLA	Came in late-FMLA	

This provides a record of the amount of time used, the reason the employee gave when calling in, and a running total of the FML time. Whether a spreadsheet is used or some other tracking method, it is imperative that departments have some methodology in place for keeping track of this leave time.

3. Talking to Employees about FML Balance and other Special Requirements

Departments need to track employee FML use because the department is responsible for informing an employee when s/he is out of FML time. As an employee gets close to exhausting his/her FML balance, the supervisor should tell the employee that the FML balance is running out and discuss with the employee what requirements may be imposed when the employee runs out of FML time. Please refer to the chapter on Administration of Sick Leave and the chapter on Disability Leave/Layoff for more information.

In addition, if the HR Approval form indicates that an update is required, when that date approaches, if a department has not heard from HR that the medical information has been received by the date listed on the HR Approval, then the department should follow up with HR to determine whether to continue allowing the employee to use FML.

4. Offer Family and Medical Leave Paperwork When Appropriate.

If an employee is regularly taking sick leave or is off work for an extended period of time and has not filed for FML, the supervisor should talk to the employee about applying for FML. In this case, the supervisor should observe that the employee has been off work for an extended or regular period of time and provide the employee with the FML Application and Health Care Provider Certification forms. However, the supervisor should not ask what type of condition the employee might have. Rather, focus the conversation on the amount of time the employee has been missing and that FML is available for employees who qualify and apply.

If an employee is off work for an extended period of time and has sick leave available but does not want to apply for FML, please contact HR and discuss the situation. If the employee has volunteered the reason for the leave and it is something that would otherwise qualify as FML, the leave time can

still be charged to the employee's FML. HR will send the employee a letter indicating that we are aware the employee has been off work, that the reason appears to qualify as FML, and based on this, the employee's time will be charged as FML. If the information is incorrect, the employee can provide HR with information to the contrary, but otherwise that time can be tracked as FML even without an application.

5. Discuss unusual situations with Human Resources

Tracking FML is a difficult challenge for supervisors. HR is available to provide support in this function. If there are questions regarding whether leave should be considered FML, or questions regarding the reason given for a particular absence, please contact HR. HR is available to work with the departments to make sure the FMLA is applied appropriately and consistently for all employees.

H. Special Information:

- If an employee has approved FML but indicates that a particular absence is not related to FML, then the information in the Administration of Sick Leave chapter may apply.
- If an employee is on FML, supervisors cannot request a doctor slip for absences that the employee indicates are covered by FML. The FMLA is clear that the medical information provided with the initial application (and any required recertifications) is adequate to cover any leave taken under the FMLA.
- If a supervisor has reason to believe an employee's report of leave being covered under the FMLA is inaccurate, the supervisor can start an investigation and employees may be disciplined for using FML inappropriately. This should only be done after consulting with HR.
- If there is a question as to whether an employee is entitled to FML under either the Wisconsin FMLA or Federal FMLA, the employee should apply for the leave and HR will determine the appropriate leave type. Many times an employee who has exhausted their Federal entitlement may still have eligibility under the Wisconsin FMLA because of the fact that the calendar year under each Act is different.

34. DISABILITY LEAVE AND LAYOFF

In addition to sick leave and Family and Medical Leave, the Madison General Ordinances and collective-bargaining agreements provide employees with disability leave to take care of serious health conditions when the employee does not have paid sick leave available. If an employee is unable to return to work once disability leave is exhausted, the employee will be placed on disability layoff. Similar to FML, much of the approval process will be handled by Human Resources, but tracking of disability leave is a joint effort between HR, Payroll, and the department. APM 2-45 is the City's policy on Disability Leave/Layoff and should be consulted when questions arise regarding disability leave or layoff. Human Resources is also available to answer any questions regarding disability leave/layoff.

A. Eligibility for Disability Leave/Layoff

All permanent City of Madison employees with qualifying medical conditions, which may include but is not limited to employees with disabilities as defined by the Americans With Disabilities Act (ADA) or related legislation are eligible for disability leave and disability layoff. Limited term employees may be eligible for a 6 month disability leave at the discretion of their appointing authority, but are not entitled to disability layoff provisions. Employees with an employment contract may be granted a disability leave without pay at the discretion of the Mayor but are not entitled to displacement options unless set forth in the individual employment contract. Hourly/seasonal employees and employees serving an original probationary period are not eligible for disability leave or layoff.

B. Reason for Leave

An employee may use disability leave/layoff only for his/her own medical condition if the condition makes the employee unable to perform the essential functions of his/her position. Generally, if a condition would qualify for FML for an employee's own serious health condition, it will qualify for disability leave/layoff. Disability leave/layoff is not available to take care of a family member, to bond with a newborn child or an adopted child or placement through foster care, or for qualifying exigencies related to a family member's call to active duty.

C. Specific Provisions Related to Disability Leave

1. Length of Leave Entitlement

An eligible employee may use up to 6 months of unpaid disability leave. Employees are not eligible for holiday pay or paid leave days while on disability leave status and holidays or paid leave days will not act to extend the length of the employee's leave entitlements.

2. Applying for Disability Leave

An employee requesting the use of disability leave will be required to provide at least 30 days advance notice whenever possible. The failure of the employee to request leave shall not prohibit the City from designating qualifying leave time as disability leave.

In order to be approved for disability leave:

- The employee shall apply for leave, in writing, to his/her Department/Division Head, with a copy to the Human Resources Director. The employee may either use FMLA paperwork or an Application for Leave of Absence Without Pay or Medical/Disability Leave Without Pay form to apply. The forms may be found on [EmployeeNet](#) under forms.
- The employee shall submit, directly to Human Resources in an envelope marked "confidential," a completed physician's report including a statement of the illness or injury and whether the employee is able to work and perform the essential functions of his/her position.

A current and approved Application for Family and Medical Leave, including the Health Care Provider Certification covering the employee's own serious health condition shall be sufficient notice of the request for disability leave. An employee should only fill out the Application for Leave of Absence Without Pay or Medical/Disability Leave Without Pay form if s/he is ineligible for or has exhausted his/her FMLA entitlement, unless the employee is moving into disability leave from Family Medical Leave.

While on leave, the City may periodically require the employee to update his/her status and intention to return to work. Generally, employees will be asked to provide medical documentation every 30 days until such time as the physician certifies that the employee can return to work. This documentation should be routed to Human Resources, but the employee is still responsible for keeping the department informed as to his/her status. The employee is responsible for maintaining an up-to-date leave application and medical documentation at all times. If there are questions as to whether the employee has provided appropriate medical documentation, the supervisor should contact HR to see if the paperwork has been submitted. Failure to provide timely and appropriate medical documentation to either the department or HR may result in disciplinary action.

3. Substitution of Personal Leave

An employee must exhaust all sick leave prior to being eligible for disability leave. The employee may choose to exhaust accumulated vacation, personal leave, and/or compensatory time before using unpaid disability leave. Once on disability leave, an employee cannot substitute vacation, personal leave, or compensatory time for unpaid disability leave. If the leave is running concurrently with FMLA, the rules of substitution for FMLA will apply. However, only unpaid leave counts as disability leave.

Unpaid leave taken under the FMLA for an employee's own serious health condition will count against an employee's 6 month disability leave entitlement and vice versa. If an employee is on an FMLA approved leave and initially uses paid leave time, once that employee goes into AWOP status, disability leave will automatically start and the employee does not need to fill out a new application.

4. City Benefits While on Disability Leave

The City will continue to pay the employer share of the health insurance premium while the employee is on disability leave. An employee may be eligible to accrue certain benefits for some specific duration of time during the period of disability leave where such accrual is provided by the Madison General Ordinances or pertinent collective bargaining agreements.

5. Disability Leave on an Intermittent Basis

Employees on disability leave may only use the disability leave on an intermittent basis in the following circumstances:

- With the pre-approval of the Appointing Authority and the Human Resources Director, when an employee is returning to work at least half-time or more for a limited period of time, following a period of total incapacity, as part of a structured work-hardening program.
- Intermittent leave running concurrently with an unpaid, intermittent leave taken under the FMLA.
- With the pre-approval of the Appointing Authority and the Human Resources Director, when an employee has returned to work full-time, following a period of total incapacity, for a limited period of time to attend medical appointments.

An employee taking approved intermittent disability leave such that s/he is not working at his/her full FTE (Full Time Equivalent), will continue to have the time spent in AWOP status count towards the 6 month disability leave entitlement. If the employee should reach a total of 6 months of disability leave used prior to being released to work at his/her full FTE, the employee will immediately be placed on disability layoff and will not be allowed to return to work until released by his/her physician to work at his/her full FTE or with permanent restrictions.

6. Returning to Work From Disability Leave

In order to return to work from a disability leave, the employee shall submit a physician's statement of release for work including the ability to perform the essential functions of his/her position to his/her Department/Division Head with a copy to Human Resources prior to returning to work. If an employee is seeking to return to work with temporary restrictions, the employee should provide at least 5 days notice to the Department/Division so that a determination may be made as to whether the restrictions can be accommodated. If the employee is returning from a leave in conjunction with FMLA, the FMLA paperwork certifying the return to work date will be considered appropriate for the release for work.

When medically fit to return to work from disability leave, the City will restore the employee to his/her original position. An employee returning from leave may also be subject to the provisions of the ADA or related legislation and/or City APM 2-22. Job restoration may be denied:

- If the employee would have been laid off had they not been on leave.

- If the employee fraudulently obtained leave.
- If the employee fails to provide medical certification that s/he is able to return to work.
- If the employee fails to return to work or obtain approval for additional leave upon the expiration of an approved leave request.

7. Successful Return to Work/Eligibility for Additional Disability Leave Entitlements

An employee must have a successful return to work, defined as 2 consecutive months of uninterrupted work, prior to being eligible for a new disability leave entitlement. Any paid leave, including time on worker's compensation, taken during the 2 month period shall act to extend the 2 month period on a day for day basis. If the employee requires any amount of unpaid leave during the 2 month period, such leave will break the period of uninterrupted work. The employee will be required to complete an additional 2 months of uninterrupted work, upon returning from the unpaid leave, in order to have a successful return to work. An employee who has had a successful return to work may be entitled to additional disability leave benefits.

If upon returning to work from a disability leave, it is discovered that the employee is unable to perform the essential duties of his/her position and/or maintain adequate attendance for medical reasons, the employee may be returned to disability leave until s/he is able to obtain a new release from his/her physician. If an employee is returning to work from a leave that was running concurrently with FMLA, the provisions regarding an employee's return to work under the FMLA policy shall govern the employee's return to work entitlements.

If an employee requires additional time off because of an illness, injury, impairment, or a physical or mental condition unrelated to the original leave request, but prior to completing a successful return to work, the employee will be returned to disability leave and will be entitled to the remaining disability leave left before being placed in disability layoff status.

If an employee receives a release with permanent restrictions affecting his/her ability to perform the essential duties of his/her position or ability to work at the budgeted FTE, the employee will be referred to the occupational accommodations process.

D. Provisions Relating to Disability Layoff

1. Length of Leave Entitlement

In the event an employee is unable to return to work following the 6 month disability leave, s/he may be placed in unpaid disability layoff status for up to an additional 18 months. Employees are not eligible for holiday pay or paid leave days while on disability layoff status and holidays or paid leave days will not act to extend the length of the employee's leave entitlements.

2. Applying for Disability Layoff

Employees do not need to fill out a separate application for disability layoff benefits. Assuming the employee provides medical documentation certifying the continued need to be off work, once 6 months have passed, the employee will automatically be placed into a disability layoff status and will receive a letter indicating the same.

While on disability layoff, the City may periodically require the employee to update his/her status and intention to return to work. However, once the employee is laid off, the City doesn't generally require medical documentation unless the employee is preparing to return to work.

3. Substitution of Personal Leave

An employee will be paid out all earned and unused vacation and compensatory time when placed in disability layoff status. An employee will be billed for all vacation taken but not earned. No compensatory time, vacation, or sick leave will be accrued while the employee is on disability layoff and no substitution of leave is permitted while on disability layoff.

4. City Benefits While on Disability Layoff

An employee on disability layoff will be allowed to continue in the City's health insurance plan at the employee's expense. The City will cease contributions to the premium at the time the employee is placed in disability layoff status and the employee will be billed for this premium while on leave. Failure to pay the premium in a timely fashion while on Disability Layoff may result in the health insurance being cancelled.

5. Disability Layoff on an Intermittent Basis

An employee is not allowed to be in disability layoff status on an intermittent basis under any circumstances.

6. Returning to work from Disability Layoff

An employee in disability layoff status must be released by his/her physician prior to returning to work. Employees must provide the HR Department with at least 3 weeks' notice prior to returning to work. At that time, the employee will have the right to return to work by displacing a junior employee in accordance with the pertinent collective bargaining agreement or the City of Madison Personnel Rules. Employees displacing into a new position will not be required to serve a trial period.

If the employee's release includes permanent restrictions, including restrictions on the amount of time the employee is able to work, a reasonable accommodation may be made to the position the employee selects through the displacement process. However, the City is not obligated to create or fill a position the employee otherwise would not be entitled to through the displacement process in order to accommodate permanent restrictions.

7. Successful Return to Work/Eligibility for Additional Disability Leave/Layoff Entitlements

An employee must have a successful return to work, defined as 2 consecutive months of uninterrupted work, prior to being eligible for additional disability leave entitlements. Any paid leave, including time on worker's compensation, taken during the 2 month period shall act to extend the 2 month period on a day for day basis. If the employee requires any amount of unpaid leave during the 2 month period, such leave will break the period of uninterrupted work. The employee will be required to complete an additional 2 months of uninterrupted work, upon returning from the unpaid leave, in order to have a successful return to work.

An employee may be eligible for up to an additional 6 months of disability layoff benefits if upon returning to work after exhausting the 18 month disability layoff period, but prior to completing the successful return to work, the employee requires additional time off because of an illness, injury, impairment, or a physical or mental condition unrelated to the original leave request.

If upon returning to work from a disability layoff, it is discovered that the employee is unable to perform the duties of his/her position and/or maintain adequate attendance for medical reasons, the employee may be returned to disability layoff until s/he is able to obtain a new release from his/her physician.



APPENDIX: CONCLUSION, SAMPLE LETTERS AND FORMS

35. CONCLUSION

In conclusion, we would like to thank you for taking on the challenging job of supervision every day. Our front-line supervisors play a key role in contract administration (implementation, discipline, and performance management, to name a few) and in helping create the positive, collaborative work environment the City needs to deliver good services. While this guide is intended to provide a framework for day to day supervisory activities, it is by no means comprehensive.

For additional information on the items presented, please see the following links:

- For more information on training programs available, training request forms, and individual development plans, please see the Organizational Training and Development website at <http://www.cityofmadison.com/EmployeeNet/training/TrainingHome.html>.
- For more information on City work rules, policies, and procedures (including general work rules and instructions for fitness for duty examinations), please see the City website located at <http://www.cityofmadison.com/mayor/apm/index.cfm>.
- For necessary forms needed including EAP letters and position description forms, please see the forms link at <http://www.cityofmadison.com/EmployeeNet/forms.htm>.
- For specific contractual information, please see the Human Resources section of the City website, located at <http://www.cityofmadison.com/hr/union.cfm>.
- For general Human Resources assistance, please see the Human Resources page located at <http://www.cityofmadison.com/EmployeeNet/hr/hrhome.htm>.

If you need any assistance, feedback, or information, please do not hesitate to contact our Human Resources staff at 608-266-4615. We appreciate the opportunity to work with you.

36. SAMPLE LETTERS AND FORMS

A. Sample Engagement Survey

The following twelve statements are intended to determine your satisfaction with your work environment. On a 5-point –scale, indicate how strongly you agree or disagree that the statement is true about your work situation. Place an “X” in the box to indicate your response.

1 = No, I strongly Disagree

3 = I Am Neutral

4= Yes, I Agree

2 = No, I Disagree

5 = Yes, I Strongly Agree

	1	2	3	4	5
1. I know what is expected of me at work.					
2. I have the materials and equipment I need to do my work right.					
3. I have the opportunity at work to do what I do best daily.					
4. In the last seven days I have received recognition/praise for doing good work.					
5. My supervisor/someone at work, seems to care about me as a person.					
6. Someone at work encourages my development.					
7. At work, my opinions seem to count.					
8. The mission or purpose of my organization makes me feel my job is important.					
9. My co-workers are committed to doing quality work.					
10. I have a close friend at work.					
11. In the last 6 months, someone at work has talked to me about my progress.					
12. I have had opportunity at work to learn and grow this year.					
13. I trust the City to be fair to all employees.					
14. At work all employees are treated with respect.					
15. I feel valued in the organization.					

The following section asks for demographic information to help us understand more about you. We will not share this information with departments. Please answer as much, or as little, as you feel comfortable disclosing.

Thank you for completing the survey!

1. What is your gender?

2. How do you identify racially?

White African American Asian Multi-Racial Other races

3. Are you Hispanic/Latino?

Y N

4. How long have you worked for the City?

0-5yrs 6-10yrs 11-15yrs 16-20yrs 21-25 yrs 25+ yrs

5. What is your highest level of education?

H.S. Associates Bachelors Masters Doctorate

6. Do you have a disability?

Yes No

B. Sample Position Description

CITY OF MADISON POSITION DESCRIPTION

1. Name of Employee (or "vacant"):

Work Phone:

2. Class Title (i.e. payroll title):

3. Working Title (if any):

4. Name & Class of First-Line Supervisor:

Work Phone:

5. Department, Division & Section:

6. Work Address:

7. Hours/Week:

Start time: End time:

8. Date of hire in this position:

9. From approximately what date has employee performed the work currently assigned:

10. Position Summary:

11. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)

% A.

1.

2.

3.

4.

5.

% B.

1.

2.

3.

4.

5.

% C.

1.

2.

3.

4.

5.

% D.

1.

2.

3.

4.

5.

% E.

1.

2.

3.

4.

5.

12. Primary knowledge, skills and abilities required:

13. Special tools and equipment required:

14. Required licenses and/or registration:

15. Physical requirements:

16. Supervision received (level and type):

17. Leadership Responsibilities:

- This position: is responsible for supervisory activities (Supervisory Analysis Form attached).
 has no leadership responsibility.
 provides general leadership (please provide detail under Function Statement).

18. Employee Acknowledgment:

- I prepared this form and believe that it accurately describes my position.
 I have been provided with this description of my assignment by my supervisor.
 Other comments (see attached).

EMPLOYEE

DATE

19. Supervisor Statement:

- I have prepared this form and believe that it accurately describes this position.
- I have reviewed this form, as prepared by the employee, and believe that it accurately describes this position.
- I have reviewed this form, as prepared by the employee, and find that it differs from my assessment of the position. I have discussed these concerns with the employee and provided them with my written comments (which are attached).
- I do not believe that the document should be used as the official description of this position (i.e., for purposes of official decisions).
- Other comments (see attached).

SUPERVISOR

DATE

Note: Instructions and additional forms are available from the Human Resources Dept., Room 501, City-County Bldg. or by calling 266-4615.

C. Supervisory Analysis Form

CITY OF MADISON

Supervisory Analysis Form

This form is to be completed for all supervisory positions and is to become a permanent attachment to the current Position Description for the position. This information will be used to document the nature and extent of the “supervisory” duties assigned and to determine how that will affect the classification of the position.

A “supervisor” is generally defined as an employee who has authority and uses independent judgment to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or to effectively recommend such actions to a higher level authority. A “supervisor” is also usually the first level of resolution of employee grievances. An employee does not need to have authority in each area and does not need to exercise that authority on a regular basis to be considered a supervisor.

General Information:

1. Employee Name (or “Vacant”): _____
2. Position Class Title and CG/Range: _____
3. Name, Class, and CG/Range of Supervisor: _____
4. Department/Division/Unit/Section: _____
5. Please list those positions directly supervised:

Class Title	# of Employees	Status(e.g., Permanent/Hourly)	Compensation Group/Range

Please attach organizational chart.

6. NATURE OF SUPERVISION. Please indicate the level of responsibility and authority assigned. If authority does not extend to all those listed in #5, specify exceptions. “Full Responsibility” suggests that the employee performs supervisory activities with a high degree of independence (subject only to

administrative review). "Effectively Recommend" means that while a higher level supervisor/ manager retains final authority on the matter, the recommendation of the incumbent in this position is generally followed.

Hire/Promote: Full Responsibility Effectively Recommend None

Transfer: Full Responsibility Effectively Recommend None

Assign: Full Responsibility Effectively Recommend None

Layoff/Recall: Full Responsibility Effectively Recommend None

Discipline/Discharge: Full Responsibility Effectively Recommend None

Grievance Handling: Full Responsibility Effectively Recommend None

This information accurately reflects the supervisory responsibilities assigned to this position.

Employee's Signature

Date

Supervisor's Signature

Date

D. Individual Development Plan

Name:	Position:	Div./Dept.:	Supervisor:
<p>List specific development objective(s) and desired result(s):</p>			
<p>Actions/Tasks needed to achieve results:</p>			<p>Completion Date(s):</p>
<p>Tracking method/measurement(s):</p>			
<p>Employee Comments:</p>			
<p>Supervisor Comments:</p>			

E. Initial Unsatisfactory Performance Notification:

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: August 15, 2014

TO: John Doe, Human Resources Administrative Clerk 1
FROM: Jane Plain, Supervisor
SUBJECT: **Unsatisfactory Performance Notification**

Recent workplace observations, assessments and other relevant information have caused concern regarding your job performance. I've scheduled a meeting on (DATE) at (TIME) in the (LOCATION). This meeting will be held for the purpose of discussing your current job performance and identifying means for improvement.

Specific areas of concern include:

- *An unacceptable level errors on submitted timesheets. Your submitted timesheets have a minimum of four errors. Timesheets should be submitted with no more than incidental errors (one or two per year).*
- *Payroll has been submitted more than one day late three times out of the past two months. Payroll must be submitted on time at all times, in order to ensure paychecks are timely for employees.*
- *Not meeting call volume expectations. Your supervisor has reported an average of twenty dropped calls per week. Employees similarly situated have no more than 1-2 dropped calls per week.*
- *You have now failed your certification exams three times resulting in an inability to be certified. Certification is essential to proper job function.*

Your performance in these areas is especially concerning because of the impact your position has on the timeliness and accuracy of our payroll. As a result of your inability to meet the expectations of the position, employees have not received paychecks in a timely manner and this has burdened your coworkers with the additional work of submitting Payroll Adjustment Forms.

We met with you on April 1, 2014, to review your position description and explain the necessary skills and abilities for your position. We also ensured you attended City Payroll 101 on May 6, 2014, and Time Management Skills on May 15, 2014.

You remain a valuable member of our department. Please see the attached information about our Employee Assistance Program, which is available if needed.

Also, please be aware that you are entitled to union representation if you so desire.

cc: Human Resources, Department Head, Union Steward

F. PIP Letters

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: August 28, 2014

TO: John Doe, Human Resources Administrative Clerk 1
FROM: Jane Plain, Supervisor
SUBJECT: **Performance Improvement Plan**

A meeting was held on August 22, 2014, in the (LOCATION). You and I, (name of Union Representative) and (name of 2nd supervisor) were in attendance. This meeting was held for the purpose of discussing your current job performance and identifying means for improvement. Specific areas of concern that were discussed included:

- *An unacceptable level errors on submitted timesheets. Your submitted timesheets have a minimum of four errors. Timesheets should be submitted with no more than incidental errors (1 or 2 per year).*
- *Payroll has been submitted more than one day late three times out of the past two months. Payroll must be submitted on time at all times, in order to ensure paychecks are timely for employees.*
- *Not meeting call volume expectations. Your supervisor has reported an average of twenty dropped calls per week. Employees similarly situated have no more than 1-2 dropped calls per week.*
- *You have now failed your certification exams three times resulting in an inability to be certified. Certification is essential to proper job function.*

Your performance in these areas is especially concerning because of the impact your position has on the timeliness and accuracy of our payroll. As a result of your inability to meet the expectations of the position, employees have not received paychecks in a timely manner and this has burdened your coworkers with the additional work of submitting Payroll Adjustment Forms.

Based on our conversation, the attached Performance Improvement Plan (PIP) was developed to help you address the performance issues over the next six months. We have arranged for additional Payroll Processing training on (DATE) at (TIME). We have also included targets to assist you in meeting expectations within the established timeframe. Our next meeting is scheduled for (DATE) at (TIME). I will continue to monitor your performance and a follow up meeting has been set for (DATE) at (TIME) to assess your improvement, although we may meet sooner if necessary. We will continue to meet every two weeks until you are capable of meeting all expectations of the position, or until the six month PIP period has expired.

Please be advised that if you fail to follow this plan for improvement (including failure to adhere to directives or failure to meet expectations in the required timeframe) you will face discipline, up to and including discharge or removal from the position. If you have any questions with regard to this letter and the directives listed above please ask, otherwise I will assume that you have understood and will comply with everything indicated in this letter. I am again attaching an EAP letter for your information.

cc: Human Resources, Department Head, Union Steward

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: October 7, 2014

TO: John Doe, Human Resources Administrative Clerk 1
FROM: Jane Plain, Supervisor
SUBJECT: **Performance Improvement Plan**

A meeting was held on August 22, 2014, in the (LOCATION). You and I, (name of Union Representative) and (name of 2nd supervisor) were in attendance. This meeting was held for the purpose of discussing your current job performance and identifying means for improvement. You received a copy of your Performance Improvement Plan (PIP) on August 28, 2014. We also met on September 10 and September 24, 2014, to discuss your progress.

Specific areas of concern that were discussed included:

- *An unacceptable level errors on submitted timesheets. Your submitted timesheets have a minimum of four errors. Timesheets should be submitted with no more than incidental errors (one or two per year).*
- *Payroll has been submitted more than one day late three times out of the past two months. Payroll must be submitted on time at all times, in order to ensure paychecks are timely for employees.*
- *Not meeting call volume expectations. Your supervisor has reported an average of twenty dropped calls per week. Employees similarly situated have no more than 1-2 dropped calls per week.*
- *You have now failed your certification exams three times resulting in an inability to be certified. Certification is essential to proper job function.*

Your performance in these areas is especially concerning because of the impact your position has on the timeliness and accuracy of our payroll. As a result of your inability to meet the expectations of the position, employees have not received paychecks in a timely manner and this has burdened your coworkers with the additional work of submitting Payroll Adjustment Forms.

Please see the updated PIP which indicates your progress in the PIP process. It should be noted that you attended Payroll Processing training on (DATE) at (TIME). Our next meeting is scheduled for (DATE) at (TIME). I will continue to monitor your performance and a follow up meeting has been set for (DATE) at (TIME) to assess your improvement, although we may meet sooner if necessary. We will continue to meet every two weeks until you are capable of meeting all expectations of the position, or until the six month PIP period has expired.

Please be advised that if you fail to follow this plan for improvement (including failure to adhere to directives or failure to meet expectations in the required timeframe) you will face discipline, up to and including discharge or removal from the position. If you have any questions with regard to this letter and the directives listed above please ask, otherwise I will assume that you have understood and will comply with everything indicated in this letter. I am again attaching an EAP letter for your information.

cc: Human Resources, Department Head, Union Steward

G. Sample PIPs

John Doe Performance Improvement Plan – Timeline/Goals – August 28

DATE	Tasks	Status	Expectation/Progress	Deadline
Aug. 28, 2014	Timesheets.	Inc.	Excessive errors on each timesheet. Should have no more 1-2 per year.	2/28/15
	TARGET		No more than 1 error per payroll.	9/10/14
Aug. 28, 2014	Payroll.	Inc.	Payroll >1 day late 75% over prev. 2 months, should be 1 day early.	2/28/15
	TARGET		Payroll on time.	9/10/14
Aug. 28, 2014	Call Duties.	Inc.	Avg. of 20 dropped calls per week. Should be 1-2 dropped per week.	2/28/15
	TARGET		Avg. of 10 dropped calls per week.	9/10/14
Aug. 28, 2014	PPC (Payroll Processor Certification)	Inc.	Have not received Payroll Processor Certification.	2/28/15
	TARGET		Pass PPC Exam	9/10/14

John Doe Performance Improvement Plan – Timeline/Goals – September 10

DATE	Tasks	Status	Expectation/Progress	Deadline
Aug. 28, 2014	Timesheets.	Inc.	Excessive errors on each timesheet. Should have no more 1-2 per year.	2/28/15
Sept. 10, 2014	TARGET		Had 6 errors in last payroll. No more than 1 error per payroll by target deadline.	9/24/14
Aug. 28, 2014	Payroll.	Inc.	Payroll >1 day late 75% over prev. 2 months, should be 1 day early.	2/28/15
Sept. 10, 2014	TARGET		Payroll completed on time. Complete payroll 1 day early	9/24/14
Aug. 28, 2014	Call Duties.	Inc.	Avg. of 20 dropped calls per week. Should be 1-2 dropped per week.	2/28/15
Sept. 10, 2014	TARGET		Avg. of 14.5 dropped calls per week. Avg. of 10 dropped calls per week.	9/24/14
Aug. 28, 2014	PPC (Payroll Processor Certification)	Inc.	Have not received Payroll Processor Certification.	2/28/15
Sept. 10, 2014	TARGET		Failed PPC Exam Pass PPC Exam	9/24/14

John Doe Performance Improvement Plan – Timeline/Goals – October 7

DATE	Tasks	Status	Expectation/Progress	Deadline
Aug. 28, 2014 Sept. 10, 2014 Sept. 24, 2014 Oct. 7, 2014	Timesheets. TARGET	Inc.	Excessive errors on each timesheet. Should have no more 1-2 per year. Had 6 errors in last payroll. Had 3 errors in last payroll. Had 2 errors in last payroll. No more than 1 error per payroll by target deadline.	2/28/15 10/21/14
Aug. 28, 2014 Sept. 10, 2014 Sept. 24, 2014 Oct. 7, 2014	Payroll.	Comp.	Payroll >1 day late 75% over prev. 2 months, should be 1 day early. Payroll completed on time. Completed payroll 1 day early. Completed payroll 1 day early.	2/28/15
Aug. 28, 2014 Sept. 10, 2014 Sept. 24, 2014 Oct. 7, 2014	Call Duties. TARGET	Inc.	Avg. of 20 dropped calls per week. Should be 1-2 dropped per week. Avg. of 14.5 dropped calls per week. Avg. of 10 dropped calls per week. Avg. of 9 dropped calls per week. Avg. of 2 dropped calls per week	2/28/15 10/21/14
Aug. 28, 2014 Sept. 10, 2014 Sept. 24, 2014 Oct. 7, 2014	PPC (Payroll Processor Certification)	Comp.	Have not received Payroll Processor Certification. Failed PPC Exam Pass PPC Exam Obtained PPC Certification	2/28/15

*Please note, more complicated and responsible positions will have more lengthy tasks, expectations, and progress information. This plan is meant to outline a very basic type of PIP.

H. Letter of Instruction

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: February 28, 2014

TO: Wes Walker, Employee

FROM: Jill Jolly, Supervisor

SUBJECT: **Letter of Instruction**

A pre-determination hearing was held February 26, 2014 at 8:30 a.m., in the Parks Conference room in the Goodman Park facility. This hearing was held for the purpose of addressing the following:

- Damaging the front end of City vehicle number 2622 on February 16, 2014, while at the First Street Maintenance Facility.

Given your work history to date, and taking into consideration the specific details of this incident, we have determined that discipline will not be issued for this incident. However, please be reminded that safe operation of City equipment is essential for all employees performing work for the City of Madison. We determined that failure to use proper turn signals contributed to vehicle 2711 on February 16, 2014. You are hereby directed to ensure proper use of turn signals at all times in City vehicles. Failure to do so would constitute a violation of City of Madison work rules including:

- *Failure to follow a safety practice, rule, or procedure causing real or potential danger to self, others, or property.*

Strict adherence to this and all City of Madison work rules is essential for all employees in the City of Madison.

cc: Department Head, Labor Relations Manager, Employee File

I. Pre-Determination Notice

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: February 24, 2014

TO: Jeffrey Johnson, Employee

FROM: Jill Jolly, Supervisor

SUBJECT: **Pre-Determination Hearing**

A pre-determination hearing will be held on Tuesday, February 26, 2014 at 8:30 in the Boardroom of the Overture Center. This hearing will be held for the purpose of addressing the following:

- Damaging the front end of City vehicle number 2711 on February 16, 2014.
- Damaging sweeper number 5433, on February 11, 2014.

Safe operation of City equipment is essential for all employees performing work for the City of Madison. This number of incidents is cause for concern, please be prepared to respond to all issues listed above.

You are entitled to union representation if you so desire.

cc: Department Head, Labor Relations Manager

J. Disciplinary Letters

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: February 28, 2013

TO: John Doe, Employee
FROM: Jane Plain, Supervisor
SUBJECT: **Written Warning**

A pre-determination hearing was held on Tuesday, February 26, 2013 at 9:00 in the Boardroom of the Overture Center. In addition to you and I, (name of Union Representative) and (name of supervisor witness/note taker) attended this hearing. This hearing was held for the purpose of addressing the following:

- Not wearing safety vest while on trash detail on January 23, 2013
- Not wearing safety shoes on trash detail on February 19, 2013

You claimed that you had forgotten to wear your safety vest, and agreed that you are lax about safety requirements on Saturday's when supervisors are not around. Although steel toe shoes are required in nearly all situations at work, you claimed to have forgotten to wear them on Saturday February 19, 2013.

These incidents cause you to be in violation of the APM 2-33, Rules of Conduct, which prohibits:

- *Failure to follow a safety practice, rule, or procedure causing real or potential danger to self, others, or property.*

Your explanations for the violations were unacceptable. You received a letter of instruction for failure to use safety equipment on September 1, 2008, and you received a verbal warning for failure to use safety equipment on November 1, 2008.

Taking into consideration your explanations for the incidents listed above as well as your disciplinary record, this letter shall serve as a written warning. You must use safety equipment in order to avoid potential injury to yourself and others. This is essential for all employees performing work for the City of Madison. Future violations of City of Madison or department work rules may result in further disciplinary action up to and including suspension or termination.

cc: Department Head, Union Representative, Labor Relations Manager

Sample Disciplinary Letter

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: February 13, 2014

TO: Jennifer Jones, Employee
FROM: John Smith, Supervisor
SUBJECT: **Three-Day Suspension**

A pre-determination hearing was held on Tuesday, February 12, 2014 at 9:00 in the room 103A of the City County Building. In addition to you and I, (name of Union Representative) and (name of supervisor witness/note taker) attended this hearing. This hearing was held for the purpose of addressing the following:

- You were found sleeping in the break room while on duty at 11:00 a.m. on Feb. 9, 2014.

At the pre-determination hearing you claimed you had gone on break at 10:00 a.m. and had fallen asleep. You claimed that you should be allowed to sleep on your break time and that your only error was not waking up in time to return to work at 10:15 a.m.

While your failure to awaken in time was reported as unintentional, it is your responsibility to perform the necessary functions of your position at all times. You received a letter of instruction for failure to use safety equipment on September 1, 2013. You received a verbal warning for failure to use safety equipment on November 1, 2012. You received a written warning for failure to follow attendance policies on January 15, 2013, and a one-day suspension for failure to provide accurate information on January 30, 2014.

This incident causes you to be in violation of APM 2-33, Rules of Conduct, which prohibits, "*Negligence in the performance of assigned duties, loafing, loitering, or engaging in unauthorized personal business during work hours.*" Taking into consideration your explanations for the incident as well as your disciplinary record, this letter shall serve as a 3-day suspension. You are hereby suspended from work on February 16, 17, and 18, 2014, without pay.

It is essential for all employees performing work for the City of Madison to come to work ready to perform the necessary responsibilities of their position. Future violations of City of Madison or departmental work rules may result in further disciplinary action up to and including suspension or termination.

cc: Department Head
Union Representative
Labor Relations Manager

For additional samples, please contact the Labor Relations Office.

K. Grievances

Meeting Notice

**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

DATE: September 22, 2014

TO: John Doe, Employee
FROM: Jane Plain, Supervisor
SUBJECT: **Grievance Hearing**

On September 21, 2014, you filed a grievance regarding Section XIX of the Local 7 collective bargaining agreement. A grievance hearing is scheduled for at 3:00 September 23, 2014 in Rm. 2 of the Madison Municipal Building to discuss your concerns.

A union representative may accompany you to this meeting.

cc: Department Head, Labor Relations Manager

Sample Grievance Report

NAME (LAST, FIRST, MI)		JOB TITLE	
DEPARTMENT/DIVISION	WORK LOCATION	EMPLOYEE'S HOME ADDRESS	
BARGAINING UNIT	EMPLOYEE'S WORK PHONE NO.	EMPLOYEE'S HOME PHONE NO.	
THIS GRIEVANCE ALLEGES VIOLATION OF ARTICLE(S) _____ SECTION(S) _____ OF THE LABOR AGREEMENT.		DATE OF ALLEGED GRIEVANCE	
DESCRIBE THE GRIEVANCE - STATE ALL FACTS, INCLUDING TIME, PLACE OF INCIDENT, NAMES OF PERSONS INVOLVED, ETC. (ATTACH ADDITIONAL SHEETS IF NECESSARY).			
RELIEF SOUGHT:			
EMPLOYEE'S SIGNATURE	UNION/ASSOCIATION REPRESENTATIVE'S SIGNATURE	DATE FILED WITH EMPLOYER	
EMPLOYER REPRESENTATIVE'S ANSWER			
EMPLOYER REPRESENTATIVE'S SIGNATURE	TITLE	DATE GRIEVANCE RECEIVED	DATE GRIEVANCE ANSWERED