

COUNSELING AND DISCIPLINE GUIDELINES

Rights of Supervisors

The rights of supervisors include the right to assign work to employees under their supervision consistent with job classifications, the right to hold subordinates accountable for the work assigned, and the right to evaluate how effectively such subordinates perform. They also have the authority to approve and disapprove requests for time off in accordance with both organizational and employee needs.

Responsibilities of Supervisors

The responsibilities of supervisors include becoming familiar with all policies and procedures as well as the attendance rules which affect the employees they supervise and the collective bargaining agreement(s) that pertain to them. It also includes the application of these rules in a fair and consistent manner.

Supervisors are responsible for assuring that subordinates know how to do their work safely, and do so, and that they have the materials, tools, and other means necessary to perform their work at a satisfactory level. Supervisors are also responsible for ensuring that employees are aware of the "peaks and valleys" related to the work load in their unit, for advising them of heavy work load periods when approval of requests for time off will be limited, and to the extent possible, for identifying periods when overtime assignments will likely be required.

Resources for Supervisors

The resources for supervisors include copies of collective bargaining agreements, policies, and procedures, as appropriate; the leadership of their own supervisors; and the staff of the Office of Human Resources. Additional "tools" are available which can greatly assist supervisors in meeting their obligations if these tools are properly used. They include performance evaluation, counseling, and discipline. The Office of Human Resources also has information available on training programs for supervisors and subordinates.

Rules for Supervisors

The rules for supervisors at Farmingdale State College include the New York State Civil Service Law, the Attendance Rules for Classified Civil Service, the Policies of the Board of Trustees of the State University of New York, the labor agreements with the various negotiating units to which state positions have been assigned, and locally established policies and procedures.

Counseling

Counseling is a private supervisory conference between a supervisor or other administrative officer and a subordinate employee at which the employee's performance deficiencies are discussed. It is a communication tool between the supervisor and subordinate, utilized to improve the employee's performance, address performance deficiencies, and make certain that the employee understands work rules and expectations. The emphasis in counseling is prospective. The counseling session may mention performance problems and deficiencies but should not dwell on them. Instead counseling should focus on future performance expectations and the special efforts the supervisor will be taking to make the employee accountable.

A Counseling Memorandum is a written follow-up to an employee following a face-to-face counseling session which confirms the reason for the counseling, a summary of the effect of the employee's deficiencies, a summary of the employee's response to the counseling, and a statement of the corrective actions expected. Counseling memoranda normally should not be written without the actual face-to-face counseling session which allows the subordinate to respond and describe any special problems in his/her life or in the work environment which might be contributing to his/her poor performance. Counseling Memoranda should not include language which would cause them to be interpreted as disciplinary reprimands. For additional assistance with conducting a counseling session, please contact Human Resources.

Discipline

Discipline is action taken against an employee for misconduct or incompetence when other efforts (i.e. evaluation/counseling) fail or when a single incident is so

severe as to warrant it. When a supervisor believes discipline is warranted because he/she has already counseled an employee about a particular problem and the employee has not responded, or because a particular incident is so severe as to warrant it, the supervisor should not further counsel the employee, but, instead, should advise Human Resources of the problem and seek assistance. The Human Resources Office will conduct an investigation, and if necessary initiate progressive disciplinary procedures, in accordance with the collective bargaining agreements. If formal disciplinary charges are deemed necessary, Human Resources will initiate a Notice of Discipline, which includes a proposed penalty. The Agreements provide employees with an appeal process.

Discipline is generally considered as a progressive measure with the hope that the employee's behavior/performance will improve, but with the understanding that more severe penalties will be proposed, up to and including termination, if the employee does not respond. Whereas counseling is prospective, concentrating on providing guidance for the employee's future performance, discipline is retrospective, concentrating on past misconduct or incompetence. Discipline imposes penalties for failure to perform properly; counseling attempts to instruct the employee toward improving their performance and making them clearly aware of their supervisor's performance expectations so that they can avoid discipline in the future. Fortunately, most employees will respond properly and correct their performance deficiencies when advised to do so by their supervisors. However, when employees do not respond and continue to perform in an unacceptable manner, even after counseling, supervisors should not hesitate to recommend disciplinary action.