

EMPLOYEE RELATIONS

And ETHICS NOTES

4th Quarter
For REE Agencies

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For management advice on issues of Employee Relations and Government Ethics, please do not hesitate to call your servicing specialist.

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Be A Good Coach

It's that time of year again, folks! Performance reviews are due, and it is time for you to speak to your employees about their performance. One of the biggest challenges facing supervisors today is effectively communicating performance expectations to their employees. Whether you are giving an Outstanding, Fully Successful, or Unacceptable rating, communication is critical. It is not uncommon for a supervisor to consider either placing an employee on a Performance Improvement Plan (PIP) or taking a performance-based action against an employee for failing to meet performance expectations. Some supervisors may question whether they, as managers, could have done more to prevent the employee from failing to meet the necessary performance standards. While each employee certainly has personal responsibility for ensuring his or her performance is up to par, all supervisors should consider how they, as managers, could do more to assist their employees in meeting these expectations.

In many ways, a supervisor's job is no different than the job of a sports coach. From the Little Leagues to the pros, a coach's job is to ensure the player clearly understands the game plan, what the coach hopes to achieve during the game, and how the coach best feels the player should execute the plays and contribute to the goal. It serves no purpose for the coach to keep the game plan to himself, to fail to communicate the game plan to the player, and then to expect the player to execute the game plan and perform at a certain level.

In the same way, supervisors need to continually keep employees aware of the game plan. Like a coach, a supervisor should regularly and proactively observe the employee's work and consistently provide feedback to the employee as to what is being done well and what needs improvement. When an employee's performance falls short of expectations on any given task, the supervisor should take the time to analyze, understand, and explain to the employee the reasons why the performance may have fallen short. A supervisor should continually set specific and attainable goals for the employee while maintaining open lines of communication so problems, difficulties, or challenges can be overcome and the goals achieved.

Most of all, like a coach during the game, a supervisor needs to communicate to employees regularly what is working and what needs improvement throughout the performance cycle. A supervisor should avoid communicating expectations only during set times, such as the mid-year and end-of-year performance periods, which is equivalent to a coach who only coaches during halftime and after the game is over.

Managing employees is not an easy task, especially when each supervisor is also responsible for his or her own substantive work, aside from supervising employees. However, effective supervision means taking the time and making the effort to observe and communicate performance expectations to employees on a regular basis. These efforts will result in a more productive workforce and give supervisors a sense of self-assurance that they did all they could in order for their employees to succeed.

Things Not to Say in a Performance Evaluation

We do not know if the following is true, but according to a reliable source (the internet); the following are actual comments that have appeared in performance evaluations given by Federal supervisors. (DISCLAIMER: ERB does *not* recommend such wording be used, although we certainly recognize why supervisors might be driven to use such language.)

- ☹ Has two brains, one is lost, and the other is out looking for it.
- ☹ Since my last report, this employee has reached bottom and has started to dig.
- ☹ Sets low personal standards, and then consistently fails to achieve them.
- ☹ This employee is depriving a village somewhere of an idiot. (*OUCH!*)
- ☹ Gates are down, the lights are flashing, but the train isn't coming.
- ☹ If you see two people talking and one looks bored, he's the other one.
- ☹ The wheel is turning, but the hamster is dead.
- ☹ If you stand close enough to him, you can hear the ocean. (*OH, CRUEL!*)
- ☹ He would argue with a signpost.
- ☹ Doesn't have ulcers, but is a carrier.
- ☹ This young lady has delusions of adequacy.
- ☹ This employee should go far, and the sooner the better.
- ☹ Got a full six pack, but lacks the plastic thing to hold it all together.
- ☹ When his IQ reaches 50, he should sell. (*NOW WE'RE GETTING MEAN*)
- ☹ When she opens her mouth, it seems it is only to change feet.
- ☹ Donated his brain to science before he was done using it.
- ☹ One neuron short of a synapse.
- ☹ It's hard to believe he beat out 1,000 other sperm
- ☹ If he were more stupid, he'd have to be watered twice a week
- ☹ This employee is really not so much of a has been, as a definite won't be.

REE Ethics Office: HOLIDAY REMINDER

Holiday "Heads Up"

Written by Rhyming Ray Sheehan, Director of the USDA Office of Ethics

'Tis holiday season, cheer, laughter, receptions, gatherings, parties, and public perceptions. Lighting of candles, bells, decking the hall, but please don't forget, you must be ethic-al.

The acceptance of gifts (see footnote 1) from non-Feds, of course is, a problem where givers are prohibited sources (see footnote 2). Or, if there exists yet another condition, the gift was based on (your) official position.

Should environs like these, with you ever arise, the rule is decline or else pay market price. Still the rules needn't always mean indigestion, they're written by lawyers, so there are exceptions.

Like gifts under \$20, you can take without fear, if all gifts from that source total \$50 (or less) that year. And of course there are gifts from our family and friends, if based on that tie, we don't care what they spend.

And it's the same from an outside interest or job, at your spouse's firm's party, go and hobnob. One caveat please: amidst small talk and laughter, decline if it's really you that they're after. (See footnote3).

Yet another waiver that's helpful to donees, covers things open to all Fed employees. And perish'ble items, like foodstuffs or flowers can be shared with the office, 'fore it spoils or sours. (See footnote 4)

The occasions that cause the greatest of heartburn, cost above 20 (\$) with no true friends to turn. If the food is gourmet and scotch isn't blended, the gath'ring's OK only if "widely-attended."

Needs: attendees, many and varied in vision, and you're there supporting an agency mission. This means agency approval in advance, (see Footnote 5) it's not for intimate groups, or extrav'gance.

As between employees, 10's (\$) the max you can do, for a boss, or anyone who makes more than you (see footnote 6). You cannot solicit from your Fed'ral cohorts, nor from outside sources, lest we hear reports.

You can bring food to the office for a division brunch, but "no way" on taking the boss out to lunch. If invited to homes, hospitality's fine, for your boss's house-party, buy the good wine (see footnote 7)¹

These rules can be vexing, our treatment here shallow, if you need more depth, see the footnotes that follow (see footnote 8). For a question that lingers, nags, irks, pains, or sticks, go to our website -- modules 2, 3 and 6.

One final thought before a-reveling you go, if things seem dicey, you can always say "no." With all this in mind and applying sound reason, go forth and have a great Holiday Season.

FOOTNOTES: (sorry about the following, but Ray is, after all, a lawyer)

1. A "gift" would include anything (e.g., tangible items, privileges, services, etc.) of value that is offered to an employee for less than the market value (e.g., 10% discount).
2. A "prohibited source" is anyone who has business or seeks to do business with USDA (including any of its agencies or offices); seeks official action from USDA; conducts activities regulated by USDA; has interests that can be substantially affected by the performance or nonperformance of your official duties; or any outside organization a majority of whose members are prohibited sources.
3. For example, an invitation is based on your official position where the inviting party can be affected by the performance or nonperformance of your official duties; your official presence is used to attract others to the event; the gift to your spouse is indirectly meant to influence you; or the gift provides the donor with special access to you.
4. If nonperishable and otherwise not acceptable, the gift should be returned to the donor.
5. Oral approval is OK unless you can substantially affect the interests of the host through the performance or nonperformance of your official duties; then it must be in writing.
6. Unless there is a personal friendship and there is no superior/subordinate relationship involved.
7. A hospitality gift brought in appreciation for being invited to someone's home may be worth more than \$10. However, the gift should be customary for the occasion and not extravagant.
8. USDA Office of Ethics routinely and shamelessly exercises its right to literary license.

For additional information on gift acceptance, please visit the REE Ethics website at:
<http://www.afm.ars.usda.gov/hrd/ethics/HolidayGifts.htm>



Index to ER Notes -- All past issues of ER Notes are now on the Employee Relations Branch (ERB) webpage at <http://www.afm.ars.usda.gov/hrd/er/index.htm>. If you have any comments on this issue, or suggestions and/or questions for future issues, please email: ARS-ERNotes@ars.usda.gov.

Issue 01 - January 2002: Conducting performance reviews, Conduct v. performance, providing feedback

Issue 02 – March 2002: Performance ratings, “Meets” v. “Exceeds”

Issue 03 – May 2002: Misconduct, Dealing with Misconduct

Issue 04 – August 2002: Misconduct, Part 2, Types of Disciplinary Actions, Building Your Case

Issue 05 – October 2002: Douglas Factors – Selecting a Penalty, Mitigating Factors

Issue 06 – April 2003: Administrative Grievance System

Issue 07 – June 2003: Communication Tools: Counseling and cautions, EAP, PIP, CRP, health issues

Issue 08 – October 2003: Cooperative Resolution Program: What is mediation, Quality of communication

1st Qtr – April 2004: Misuse of computers, equipment, vehicles, travel cards

2nd Qtr – July 2004: Managing leave and attendance: AL, SL, AWOL, LWOP, suspicious requests, sick leave abuse

3rd Qtr – 2004: Political Activities: Hatch Act, violations and penalties, political discussions

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1st Qtr – 2005: How to identify an employee problem, When and how to document an employee problem, When and how to discuss conduct and performance, Workplace violence, Ethics Column: Outside activities

2nd Qtr – 2005: Workplace harassment and disrespectful conduct, Failure to follow instructions, 2005 annual ethics retreat and scientific roundtable

3rd Qtr – 2005: Not published

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