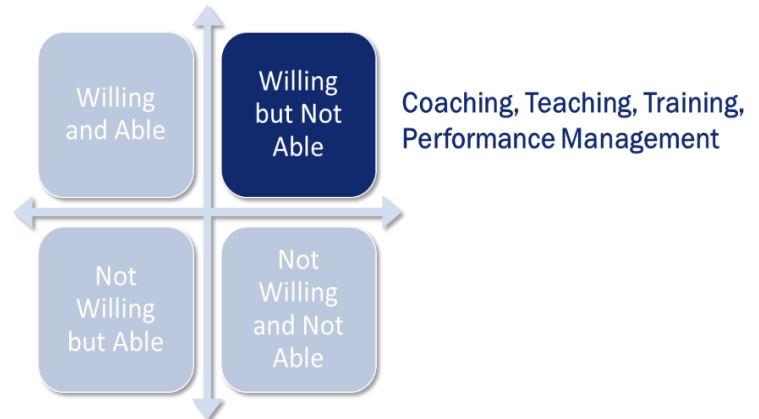


Skill vs. Will: Determining an Inability or an Unwillingness

When employee performance issues arise, you, as a supervisor, must determine if these performance issues are the result of an inability/lack of skill or the employee's unwillingness to complete the task at hand.

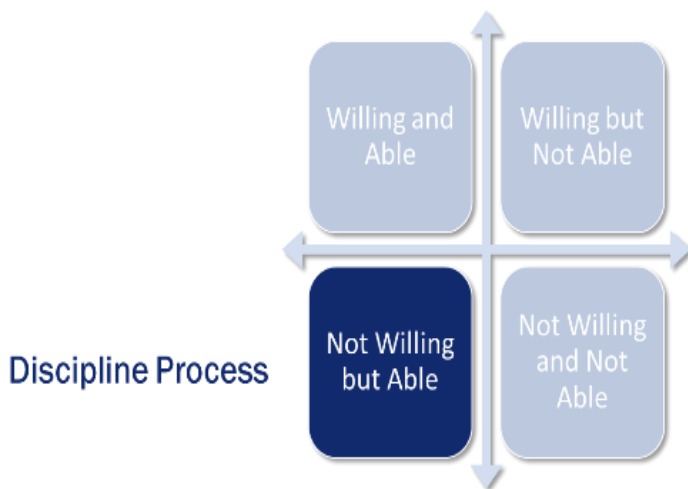
Inability: You cannot discipline a skill/ability into an employee, so disciplinary action is ineffective when the problem is an INABILITY to perform the task correctly. In situations where there is an inability, performance management is the appropriate course of action. Performance management includes, coaching, teaching, training, and/or performance improvement plans.

An example of an inability would be an employee that is required to type 100 words per minute, but only has the skill to type 50 words per minute



Unwillingness: You cannot train willingness into an employee, so a performance improvement plan is ineffective when the problem is an UNWILLINGNESS to perform the task correctly. In situations where there is an unwillingness, discipline is the appropriate course of action. Discipline includes notice of the problem and/or correction action if not corrected.

Examples of an unwillingness could be (not all inclusive) insubordination, unwillingness to behave as an effective team member, a failure to perform assigned duties, attendance and punctuality, or failure to report time correctly.



Performance Improvement Plans: Relevant Portions and Key Concepts

Once it has been determined that a Performance Improvement Plan (PIP) is appropriate, supervisors will need to review the [PIP resources](#) and consult with Human Resources . Here are some key reminders:

- **Length of PIP: 30 days, 60 days, or 90 days:** The length of time we can reasonably expect for the employee to develop new skills and correct the performance deficiencies.
- **Description of specific performance deficiencies:** Identify each Goal/Expectation and/or Competency involved and describe the specific deficiencies in as much detail as possible (and necessary).
- **Employee's Responsibility:** Be as specific as possible in listing the work output expected during the length of the plan, with any deadlines by date and time.
- **Manager/Supervisor's Responsibility:** List all efforts management will take during the length of the PIP. Note any formal efforts (e.g., training, SOPs) prior to the PIP. Regular meetings with the employee should be conducted (e.g., weekly, daily) to discuss progress. Email status details following each PIP meeting.

Discipline: Which step should I take?

If you determine a performance issue is due to an unwillingness, then corrective action is needed. Corrective action includes notifying the employee of the problem via counseling or discipline. Below are the different stages of discipline. The discipline imposed may vary based upon the nature of the offense, work record, and any mitigating or aggravating circumstances and, while usually recommended, does not have to be progressive in nature.

Written Counseling: Written Counseling is not discipline, but can be a first step in informing the employee that there is a problem before it grows into either a larger performance or disciplinary concern. This should be considered a teachable moment, and a conversation between the employee and supervisor to explain what happened and why. If this documented discussion does not resolve the problem and it reoccurs or continues, then more formal action may need to be taken to address the unwillingness. A written counseling should be stored in the supervisor's fact file and not in the employee's personnel file with Human Resources. Human Resources can provide you the form.

Written Reprimand: A written reprimand is the first step in formal discipline. This serves as written disciplinary action to notify the employee of the need to alter conduct. Written reprimands should include the date of the infraction, specific information pertaining to the infraction, expected corrected action, and consequences of repeated infractions. Human Resources, the supervisor, and the employee must receive a copy of this discipline. Human Resources can provide you the form.

Reprimand in Lieu of Suspension: A reprimand in lieu of suspension is a written disciplinary action that carries the same weight as a suspension and illustrates that continued employment is in jeopardy. This action does *not* remove the employee from the work place or deprive the employee of their salary. A reprimand in lieu of a suspension is typically used in situations where it is in the agency's best interest to keep the employee in the work place, such as in the instance of issues with attendance or punctuality. This disciplinary action must be approved by the Assistant Commissioner. Supervisors must meet with Human Resources prior to delivering the discipline. Human Resources will provide you the form and will serve as a witness in this discussion.

Suspension: A suspension is a written disciplinary action that removes an employee from the work place for a defined period of time. This also illustrates that continued employment is in jeopardy. A suspension must be approved by the Assistant Commissioner. Supervisors must meet with Human Resources prior to delivering the discipline. Human Resources will provide you the form and will serve as a witness in this discussion.

Dismissal: Dismissal from employment is appropriate if the employee cannot meet all expectations after previous performance management efforts were taken; the employee continues to behave unprofessionally after previous discipline steps were taken; and/or in the event that the employee's behavior is so egregious that a lesser discipline would not be appropriate. Dismissal must be approved by the Assistant Commissioner. Supervisors must meet with Human Resources prior to delivering the discipline. Human Resources will provide you the form and serve as a witness in this discussion.

