

Coaching

Coaching is a specific supervisory or management process used to address employees' need for skill development. Coaching should not be confused with *counseling* which is often used for motivational, stress, confidence, and health issues. Coaching is a form of teaching, and as a result, is never disciplinary.

Coaching is best used with employees who are:

- Motivated and willing to learn
- Willing to take risks and make a few mistakes
- Not able to do a task(s) because of lack of skill, training, or education
- Interested in participating in the coaching process.

The steps for effective coaching are:

- Identify the skill(s) to be taught or strengthened; be specific and descriptive
- Discuss the coaching process with the employee; identify who will coach the employee, how often, where, and when
- Set targets (specifically, what will be learned), timelines (by when), and levels of performance (standards for quality or productivity)
- Hold one or more coaching sessions
- Monitor progress toward established targets.

Coaching sessions should include:

- Clarifying what will be learned in the session
- Demonstrating the task or describing the skill

- Guiding the employee and providing feedback as the employee attempts the skill. Ideally, this is done while the task is in progress but may be done immediately after completion of the task.
- Ensuring positive feedback is specifically related to progress and learning
- Ensuring critical feedback is specific to the areas still requiring improvement
- Decreasing direction and feedback as the employee masters the skill or task.

"A teacher is one who makes himself progressively unnecessary."

Thomas Carruthers

Some skills and some employees may require only a single coaching session to learn or strengthen a skill. Other tasks are more complex, and some employees may require several sessions before a skill is mastered.

In addition to skill development, a key element of coaching is to encourage and support the employee's motivation and enjoyment of both learning and of the task itself. Good coaches are part teacher, part cheerleader!

Coaching should never be used to address performance issues where:

- The employee has the skill to do the task but has motivational issues
- The employee does not willingly agree to participate in the coaching process



- The employee is fearful of the coach, of making serious mistakes, or of failure during the learning process
- The coach and/or the employee do not have sufficient time to devote to the coaching process
- The coach is not a skilled teacher, capable of supporting and encouraging the employee to master the skill
- The coach is likely to use their authority or knowledge to belittle or undermine the confidence of the employee.

Related Topics: Constructive Critical Feedback, Mentoring, Orientation, Positive Feedback, Probationary Status, Recognition, and Regular Supervision.



Dismissal – With Cause

An employer may terminate an employee without first giving notice or severance pay, if the employer has “just cause”. In cases where there is not just cause, the employer must give reasonable notice or provide pay in lieu of reasonable notice. A dismissal *without* just cause and *without* reasonable notice or reasonable severance pay is a wrongful dismissal, and the employer may be sued.

Whether or not just cause exists depends on the circumstances. The first thing to consider is the written terms of employment. If, however, the terms of a written employment contract are ambiguous or unduly harsh, a court may not enforce them.

The onus is on the employer to establish just cause. A manager or supervisor must be able to prove that the employee’s conduct broke the terms of employment. This is a heavy responsibility and may be hard to meet. It is expected that the employer will:

- Have clear expectations for the employee
- Properly mentor and supervise the employee
- Notify the employee in a timely way of any areas of performance or conduct that require improvement
- Use progressive discipline in the event the employee’s conduct does not improve.

After a series of warnings, if the employee’s conduct continues to be unsatisfactory, an employer is permitted to dismiss for just cause. An exception to this is extreme cases, where one act alone is sufficient to permit the employer to terminate the employment contract. This usually involves a criminal or quasi-criminal act such as theft, assault, or physical abuse.



“Everyone brings joy to this office; some when they enter, others when they leave”.

Author Unknown.

Because dismissals of any kind expose the employer to the risk of a wrongful dismissal lawsuit, it is important that managers seek expert legal counsel during the process. A letter is provided to the employee by the supervisor/manager. This letter should be reviewed by, and in most cases is written by, the employer’s lawyer.

During the dismissal interview, it is important that two managers or a supervisor and a manager be present. One manager (usually the more senior person of the two) informs the employee of the decision and presents him/her with the dismissal letter. The other manager/supervisor takes minutes of this meeting and witnesses the interaction and discussion. In unionized workplaces, the employee is usually entitled to have a union representative present.

Dismissal interviews are usually short, often less than ten minutes. Since the decision of the employer is final, avoid the temptation to argue with the employee about the decision. Instead, listen to their points, acknowledge that you understand that this is a difficult decision to accept, thank them for meeting with you, then politely and calmly adjourn the meeting.

It may be important to have another manager or supervisor standing by to escort the employee from the work site following the dismissal interview. This can include helping the employee to collect personal

items from their desk or workspace, returning building keys, minimizing the dismissed employee's interactions with other employees, clients/customers, and confirming that the employee is capable of driving home safely.

For a further discussion on specific types of conduct that may constitute just cause, see the topics listed below.

Related Topics: Alcohol and Drugs, Attendance, Attitude Problems, Demotion, Dishonesty, Human Rights, Incompetence, Insubordination, Just Cause, Off-Duty Behaviour, Personality Conflicts, Progressive Discipline, Reasonable Notice, and Severance.





Dismissal – Without Cause

Most employees are hired for an indefinite and unspecified period of time. Their employment does not have a predetermined end date. However, an employer may wish to terminate the employment relationship for a variety of reasons. These could include financial problems or funding changes, organizational restructuring, work slow-down, or simply that the employee is not a good fit. As long as the reason for the dismissal is not contrary to Human Rights legislation (i.e., is not discriminatory based upon age, gender, religion, family or marital status, mental or physical disability, place of origin, religious beliefs, sexual orientation, or source of income), an employer may bring the employment relationship to an end by giving reasonable notice or reasonable pay in lieu of notice.

In practice, a manager meets with the employee, advises him/her of the decision and offers a severance package instead of providing working notice. The severance package is usually presented in a written offer (a letter). Because dismissals of any kind expose the employer to the risk of a wrongful dismissal lawsuit, it is important that managers seek expert legal counsel during the process. The severance offer and letter are usually reviewed by, or even written by, the employer's lawyer.

The provision of severance pay instead of working notice (see below) is a very common practice. It is, however, not without risk. The employee may still sue the employer alleging that they did not receive enough severance pay. In addition, if the employee becomes disabled during what a court considers to be the appropriate notice period, and if that employee



(if they had continued to work), was eligible for disability benefits, the employer may be liable to the employee for both proper severance pay and for any disability payments they would have been entitled to.

In some cases, the employer may give “working notice” instead of severance. This means that the employee continues to perform their duties during the notice period. At the end of this period, the employee leaves the organization. The employer should be prepared to be flexible in its approach and should treat the employee fairly and humanely. Working notice is suitable when the employer is restructuring or having financial/funding difficulties. The employee is likely to understand (although will probably not like) the employer’s decision to dismiss him/her. If the employee is not a “good fit” or there are other problems on the job, paying severance is likely better than giving working notice. Unhappy employees, who know their job is coming to an end, rarely work effectively with clients/customers or co-workers.

During the dismissal interview, it is important that two managers or a supervisor and a manager, be present. One manager (usually the more senior person of the two) informs the employee of the decision and presents him/her with the dismissal letter and severance offer. The other person takes minutes of this meeting and witnesses the interaction and discussion. In unionized workplaces, the employee is usually entitled to have a union representative present. Dismissal interviews are usually short, often less than ten minutes. Since the decision of the employer is final, avoid the temptation to argue with the employee if they are angry about the decision. Instead, listen to their points, acknowledge that you understand this is a difficult



decision to accept, thank them for meeting with you, then politely and calmly adjourn the meeting.

The employee does not have to accept the terms of the severance package at the time of the dismissal meeting. The employer's dismissal letter will normally permit the employee a week or more to decide if they will accept the employer's offer. During this time, the employee may also seek the advice of independent legal counsel.

The amount of notice, or severance pay, is dependent upon the circumstances. Please read the section entitled Reasonable Notice.

When an employee is hired on a definite term contract, they cannot be dismissed unless the employer has "just cause" or unless the term of the contract comes to an end. In cases where the employer decides to dismiss the employee before the end of the contract and without cause, the employer may be obliged to pay the employee the balance owed under the remainder of the contract.

Your legal counsel will draft or review the release. It then falls to a manager at the worksite to ensure the employee signs a release. This provides the employer with a written guarantee that the employee (who has received compensation) agrees not to commence any future legal proceedings against the employer.

Related Topics: Addictions, Attitude Problems, Behaviours (Culpable and Non-culpable), Constructive Dismissal, Duty to Accommodate, Employment Standards, Human Rights, Legal Advice, Off-Duty Behaviour, Reasonable Notice, Redundancy, and Severance Pay.

Performance Appraisal – Probationary

Most new hires are required to successfully complete a probationary period prior to being confirmed as permanent employees of the organization. The most common duration of probation is three months. The term is set by provincial labour codes, employment standards regulations, and by collective agreements in unionized workplaces. The employer's policy on the length of the probationary period **must** comply with either employment standards regulations or the collective agreement, if there is one. Extension of probation must only be granted if allowed by the employment standards regulations or the collective agreement. Failure to complete a probationary appraisal on or before the end of the probationary period may result in the employee being considered to be a permanent employee of the organization. This can make the later dismissal of the employee more difficult and more costly (please see the sections: Dismissal with Cause and Dismissal without Cause for more information).

If the employee's performance has not been satisfactory during the probationary period, they may be dismissed without cause or notice at any time up to and including the last day of their probationary period. An employee who is not performing to an acceptable standard during this period should be given feedback and supported to improve their performance prior to being dismissed. It is not necessary, nor is it appropriate, to complete a probationary performance appraisal with employees who are going to be dismissed prior to the end of probation.



The intent of all performance appraisals is to provide the employee with feedback about the quality of their work. The appraisal process does not replace ongoing positive and constructive critical feedback that all employees should receive from their supervisor during their work day and work week.

Performance appraisals are an opportunity to summarize the employee's accomplishments and progress during the probationary period. The focus should be positive and developmental. Critical feedback should have already been given in a timely fashion as issues arise. If performance improves to satisfactory levels after feedback, then the performance concerns do not need to be addressed again in the probationary appraisal. In fact, the employee may be given positive feedback about observed improvements.

"It's always worthwhile to make others aware of their worth".

Malcolm Forbes

If, however, performance has not improved or is still not at a satisfactory level, it is important that this be addressed in the probationary appraisal. Standards and expectations about performance must be

clear, specific and time defined. It may also be helpful to schedule ongoing performance review meetings to ensure the employee is making progress.

Most organizations have forms or a format developed to guide supervisors and managers who must complete a performance appraisal with employees. However, the form does not guide the actual process of the appraisal. In fact, even if the form provides



- Describe what will take place in the interview (e.g., information-sharing, discussion, goal-setting); emphasize that there will be no surprises.
5. Choose a comfortable, neutral, private setting for the appraisal interview. Invite the employee to begin the interview by sharing their accomplishments and strengths:
- Reinforce the areas you have also identified as strengths, and add these to your own observations
 - Ask the employee what areas require improvement, training, or coaching. The employee may also identify a work-related area of interest or additional skill they would like to explore with the employer's support.
 - Confirm the areas that you have also identified, and add any other areas requiring development.
6. Discuss (negotiate) goals for the upcoming year:
- Identify indicators (outcomes or results) for each goal so both you and the employee will know when the goal has been reached
 - Identify timelines for each goal (these may be adjusted during the year at the request of the employee)
 - Discuss what resources or support the employee will require from co-workers, you, and the organization
 - Remind the employee that it is their responsibility to ensure the goals are acted upon.



7. Summarize the appraisal results in writing within a week of the interview:
 - Give the employee a copy
 - Place a copy in the employee's personnel file
 - The appraisal may be signed by the employee and by the supervisor or manager. The requirement of signatures is merely a formality. If an employee prefers to not sign, or refuses to sign the appraisal, the supervisor should sign the document with a note indicating that the employee has chosen not to sign.
8. A week or two after the appraisal interview, ask the employee for feedback about the process. Integrate suggestions into future appraisals.
9. Never combine appraisals with any form of disciplinary action.

The Appraisal Interview

The appraisal interview is a face-to-face meeting with the supervisor and employee. If both are well-prepared, it should take about 30 to 45 minutes for the interview to be completed.

A good interview process includes:

- Clarification by the supervisor of the intent of the appraisal (positive, developmental, etc.)
- Presentation by the employee, in point form, about their strengths, accomplishments, successes, etc.
- Validation by the supervisor of the strengths and accomplishments identified by the employee, and presentation of additional strengths that the supervisor identified but were not presented by the employee



an excellent structure for the written summary, the process of preparing for and managing the appraisal interview is more important than the form itself.

Principles of Performance Appraisals

1. Practice “no surprise” appraisals. Deal with performance issues as they arise, and unless the issue remains a problem, do not rehash it during the appraisal interview.
2. To create employee ownership of their job, involve the employee in each step of the process. This can include:
 - Reviewing job descriptions, standards, and outcomes
 - Reviewing performance objectives, goals, and achievements since the previous appraisal
 - Identifying strengths and areas for improvement
 - Establishing goals for the future.
3. Complete appraisals:
 - A few days prior to the end of the three month probationary period
 - On or near the anniversary date
 - More frequently when employees change jobs or when new tasks are assigned or new skills are being acquired
 - Less frequently (e.g., once every 2 years) for long-term, stable employees.
4. Begin preparation at least one month in advance:
 - Meet with, or talk to, the employee and discuss the steps of the appraisal process
 - Set a date, time, and location for the appraisal interview



- Presentation by the employee of the areas for improvement, challenges to be addressed, skills to be learned or strengthened, etc.
- Validation by the supervisor of the areas for improvement and presentation of additional areas for learning. Remember the “no surprise rule” discussed above
- Confirmation by the supervisor that the probationary period has been successfully completed. This should be followed up with a letter or clearly stated in the written summary of the performance appraisal provided to the employee
- Discussion of goals with timelines ending on or near the annual performance appraisal date.

The date and time for the annual appraisal can be set at the end of the interview. This interview should be in the same calendar month as the employee was hired. The anniversary date of the employee should remain the same regardless of changes of positions, transfers or promotions during the preceding year.

Related Topics: Coaching, Constructive Critical Feedback, Disciplinary Letters, Dismissal, Employment Standards, Mentoring, Orientation, Positive Feedback, Probationary Status, and Regular Supervision.



Performance Appraisal - Annual

At the end of the first year of employment and for each successive year after that, each employee should participate in a performance appraisal. The supervisor and employee should have completed a probationary appraisal. The goals from this appraisal become part of the review for the annual appraisal.

It may be appropriate for long-term employees (e.g., 5+ years of employment), who have demonstrated ongoing diligence and skill to participate in performance appraisals once every two years rather than annually. The organization should have a policy that directs this process. It is wise to include the option for all employees (regardless of length of service) to have an annual appraisal if they so choose. Some employees like the process of receiving annual formal feedback, regardless of how long they have been working for the employer. The policy should also specify that the supervisor/manager may require any employee (regardless of length of service) to participate in an annual appraisal. This means that reducing the frequency of appraisals is something the employee earns and is discretionary based on an assessment by management that the employee's performance continues to meet the employer's expectations.

The principles for completing an annual appraisal are the same as for the probationary appraisal. Please refer to the section of the book located immediately before this current topic.

Most organizations have forms or a format developed to guide supervisors and managers. However, the form does not guide the actual process of the appraisal. In fact, even if the form provides an



excellent structure for the written summary, the process of preparing for and managing the appraisal interview is more important than the form itself.

The Appraisal Interview

The appraisal interview is a face-to-face meeting with the supervisor and employee. If both are well prepared, it should take about 45 to 60 minutes to complete. A good interview process includes:

- Clarification by the supervisor of the intent of the appraisal (positive, developmental, etc.)
- Presentation by the employee, in point form, about their strengths, accomplishments, successes, etc.
- Validation by the supervisor of the strengths and accomplishments identified by the employee and presentation of additional strengths that the supervisor identified but were not presented by the employee
- Presentation by the employee of the areas for improvement, challenges to be addressed, skills to be learned or strengthened, etc.
- Validation by the supervisor of the areas for improvement and presentation of additional areas for learning. Remember the “no surprise rule” discussed above.
- Discussion of goals for the upcoming year ending with the annual performance appraisal one year hence.

The date and time for the next annual appraisal can be set at the end of the interview.

Related Topics: Coaching, Constructive Critical Feedback, Performance Appraisal (Probationary), Positive Feedback, and Progressive Discipline.