



Civil Rights Division  
Small Business Development Program

# DBE Supportive Services

*Business Education & Mentoring*

Supportive Services Program Manager & Consultant

**TYLER**  
Construction Engineers, P.C.

Nashville, Tennessee  
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# Business & Technical Assistance Services:

TDOT DBE Supportive Services makes available Subject Matter Experts to assist certified TNUCP DBEs with the development (*webinars & one-on-one*) of their businesses.

## Subject Matter Experts in:

- Construction Estimating and Bidding
- General Business Counseling
- Business Development/ Strategic Marketing
- QuickBooks Accounting Assistance
- Financial Ratio Analysis
- Human Resources Compliance Assistance
- Indirect Cost Rate Schedules
- How to do business with TDOT





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Small Business Development Program

**TYLER**  
Construction Engineers, P.C.

**Email:** [dbe\\_supportive\\_services@tyler-engineers.com](mailto:dbe_supportive_services@tyler-engineers.com)

**Call:** 615.469.5398 or 1.888.385.9022

TDOT Supportive Services

[www.tylerengineers.com/supportive-services](http://www.tylerengineers.com/supportive-services)

For Business and Technical Assistance,  
please the online Intake Request Form:

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**Please Complete Webinar Evaluation Form:**

<https://www.surveymonkey.com/r/R6LRVC9>.

**see Chat for link**

## TDOT DBE Supportive Services Consultant Team Business Development Consultant



**Victor C. Tyler, P.E.**

Program Manager  
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Financial Management Analysis



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QuickBooks Accounting Trainer  
Financial Management Consultant



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Financial Management Consultant  
QuickBooks Accounting Trainer  
Leadership Development & Coaching



**Sandra T. Webb**

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Certified Payroll Specialist



**Curtis Webb**

Strategic Marketing Consultant  
External Board of Advisors Facilitator



**Teresa Daniel, PHR, SHRM-CP**

Human Resources Consultant  
Leadership Development & Coaching



Community Engagement and  
Outreach Consultant



## **Civil Rights Division**

Small Business Development Program

DBE Supportive Services

*Presents*

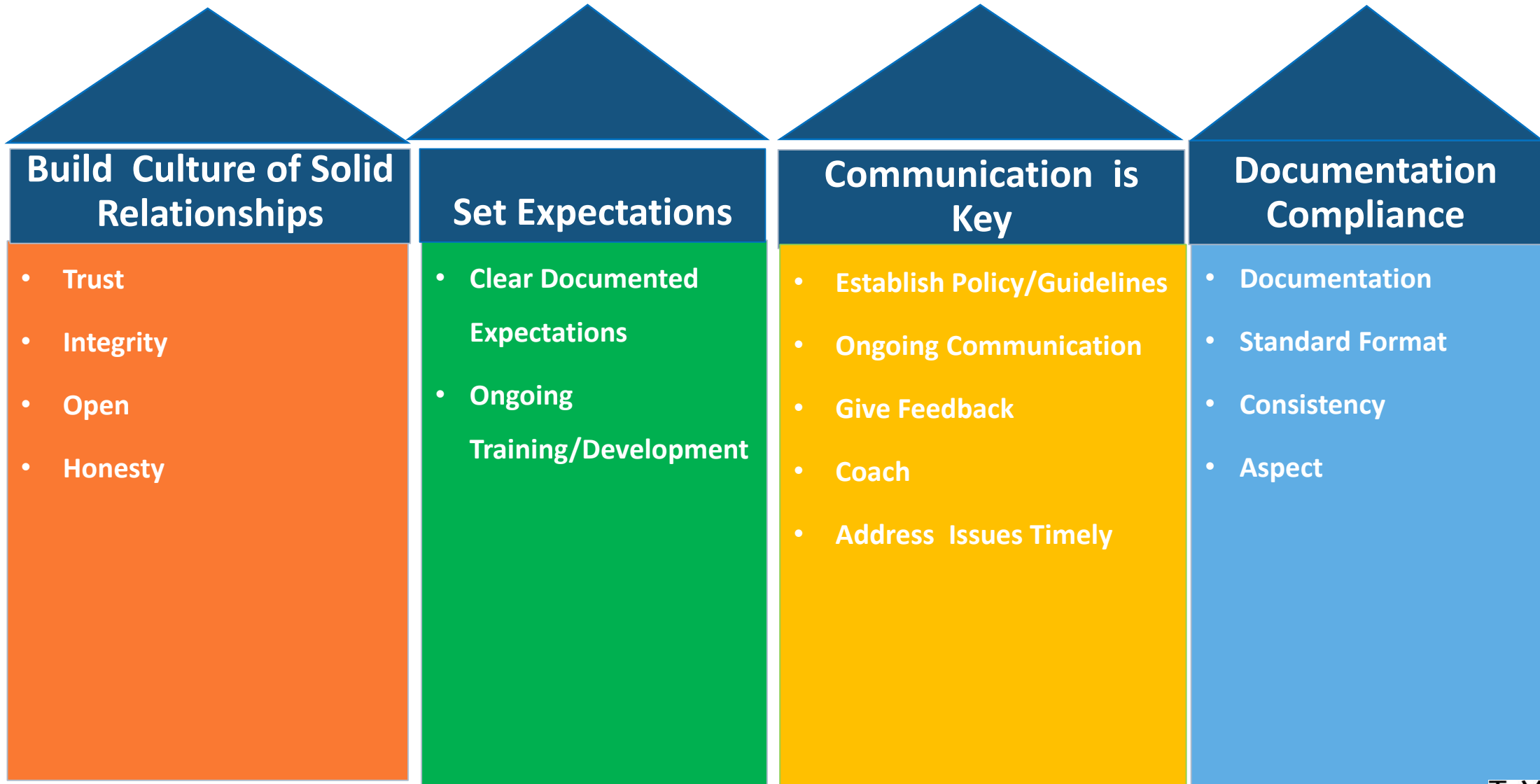
Managing The Profitable Business Webinar Series

*Session 7: Coaching, Counseling and Policy to Manage Employees*

*Facilitator: Teresa Daniel, PHR, SHRM-CP*

**TYLER**  
Construction Engineers, P.C.

# HR Pillars for Managing Your Employees



# HR Strategy for Building Relationships

## How Leaders Build Relationships



## Leadership Traits/Techniques

- **Respect**- A basic principle that will prove valuable
- **Listen**-Listen, and Listen Again
- **Empathy** –Understanding how others feel
- **Patience** –Don't rush your communication
- **Clarity** -Be direct and clear
- **Positivity** – A positive attitude goes along way

# HR Strategy for Building Relationships

## Maximize Communication

- Minimize Employee Issues
- Increase Morale
- Increase Productivity

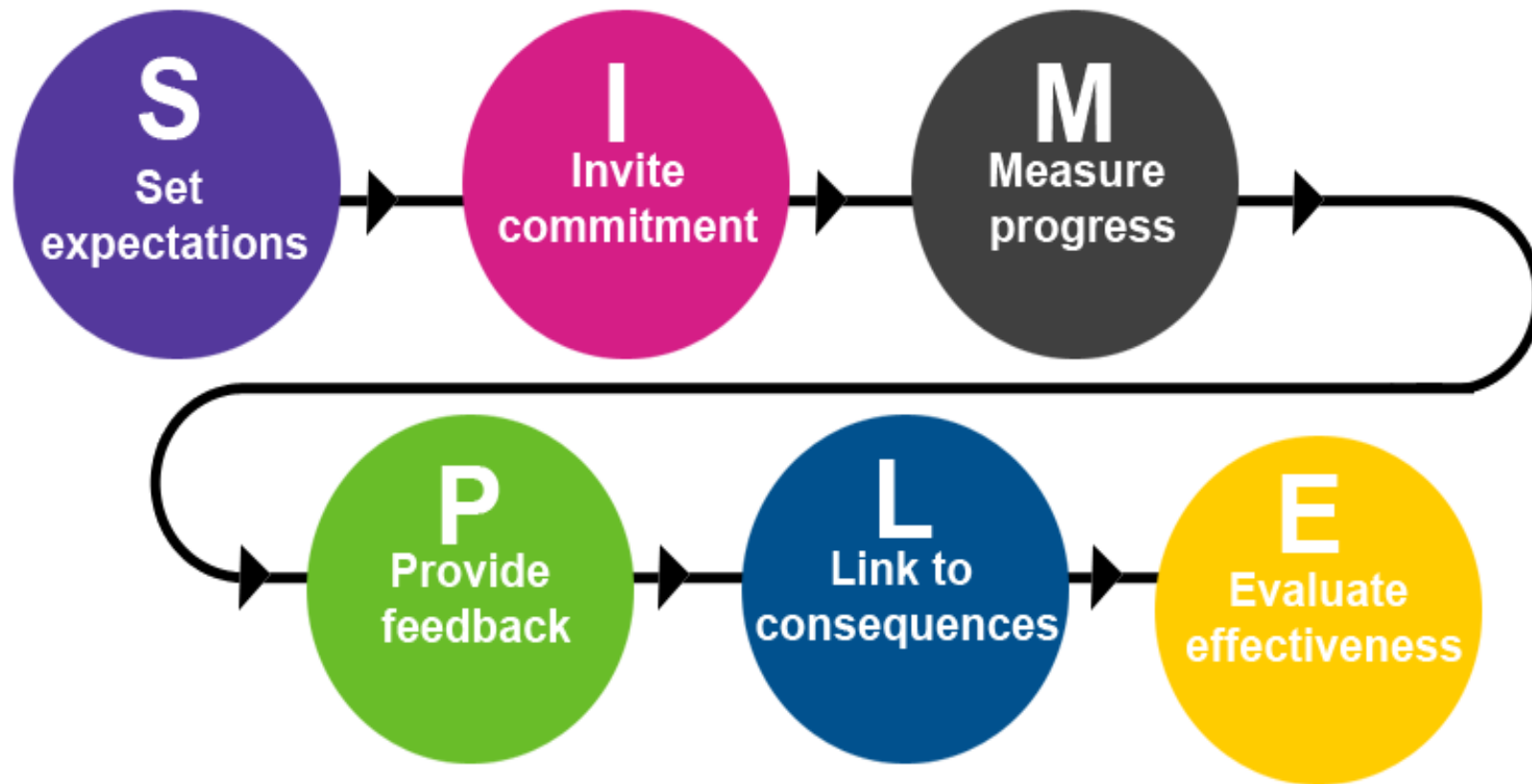
## Outcomes for Your Business

- Research shows that positive employee on average are 50% to 70% more productive.
- **\$Increased Bottom Line for a Profitable Business**





# HR Strategy for Maximizing Employee Performance

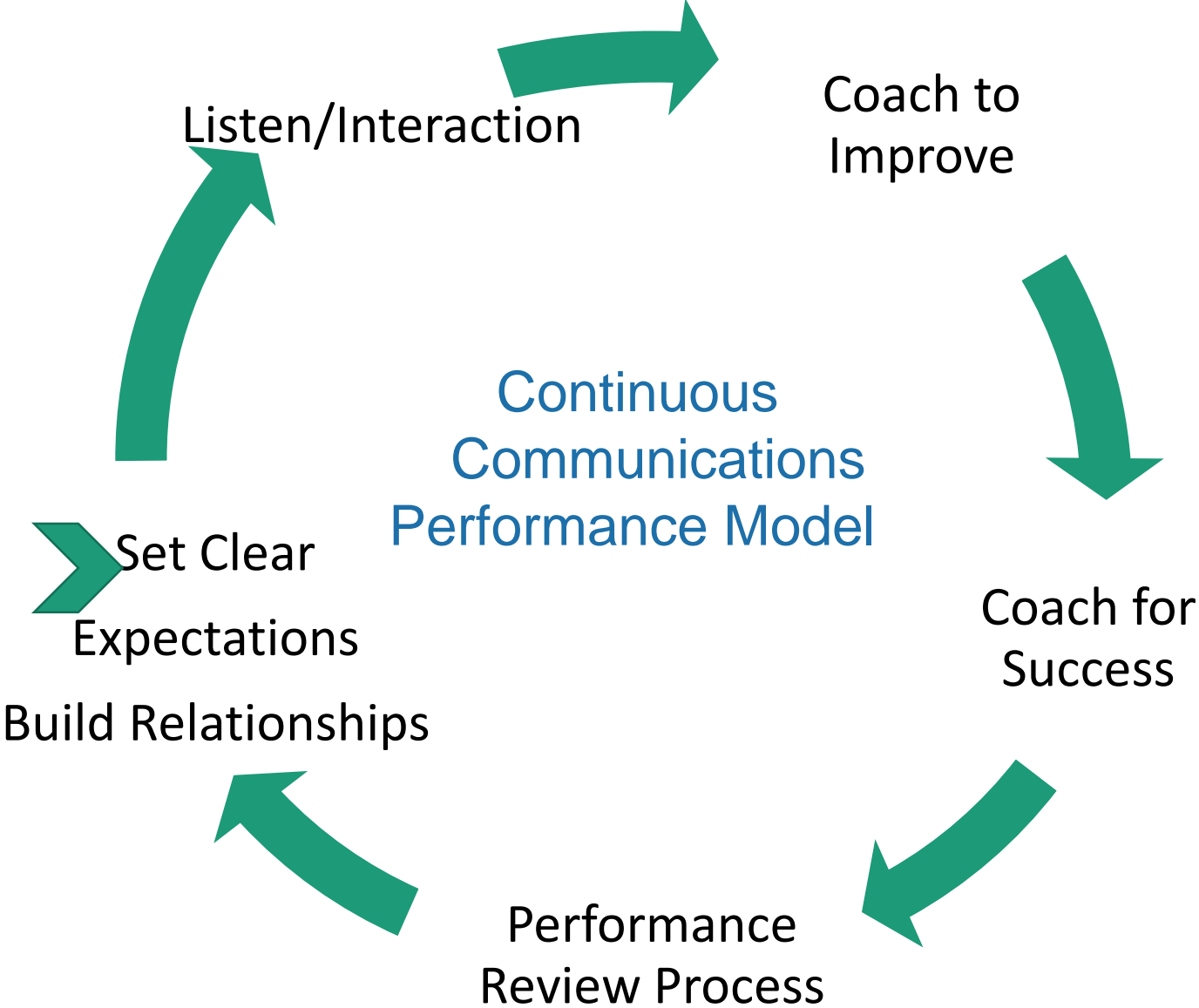


# HR Leadership Strategy for Employee Communication



*“The most important thing in communication is hearing what isn’t said”. — Peter Drucker*

# HR Strategy for Effective Communication



# HR Strategy Effective Communication

## How Do You Communicate With Your Employees?

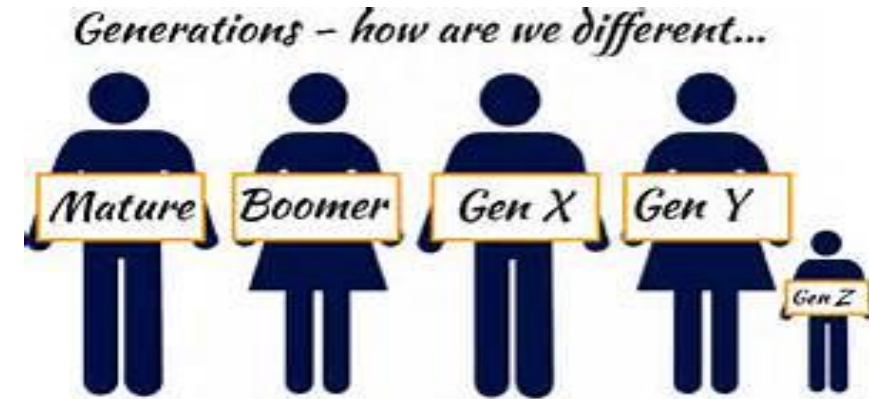
- Accommodate different learning styles
- Consider employees personal needs, such as flexibility with scheduling
- Don't confuse character problems like immaturity or laziness with generational traits
- Be careful not to follow blanket stereotypes



“What if, and I know this sounds kooky, we communicated with the employees.”

# HR Strategy Effective Communication

- Accommodate different learning styles
- Consider employees personal needs, such as flexibility with scheduling
- Don't confuse character problems like immaturity or laziness with generational traits
- Be careful not to follow blanket stereotypes



# HR Strategy Effective Employee Coaching

## COACHING PROCESS

*“All coaching is, is taking a player somewhere he can’t take himself.”*

Bill McCartney, University of Colorado, Football Coach

and President of Promise Keepers



# HR Leadership Coaching Strategies

## Coaching techniques for improvement and success

**Coaching for Success-** Guiding employees toward success in new or challenging situations

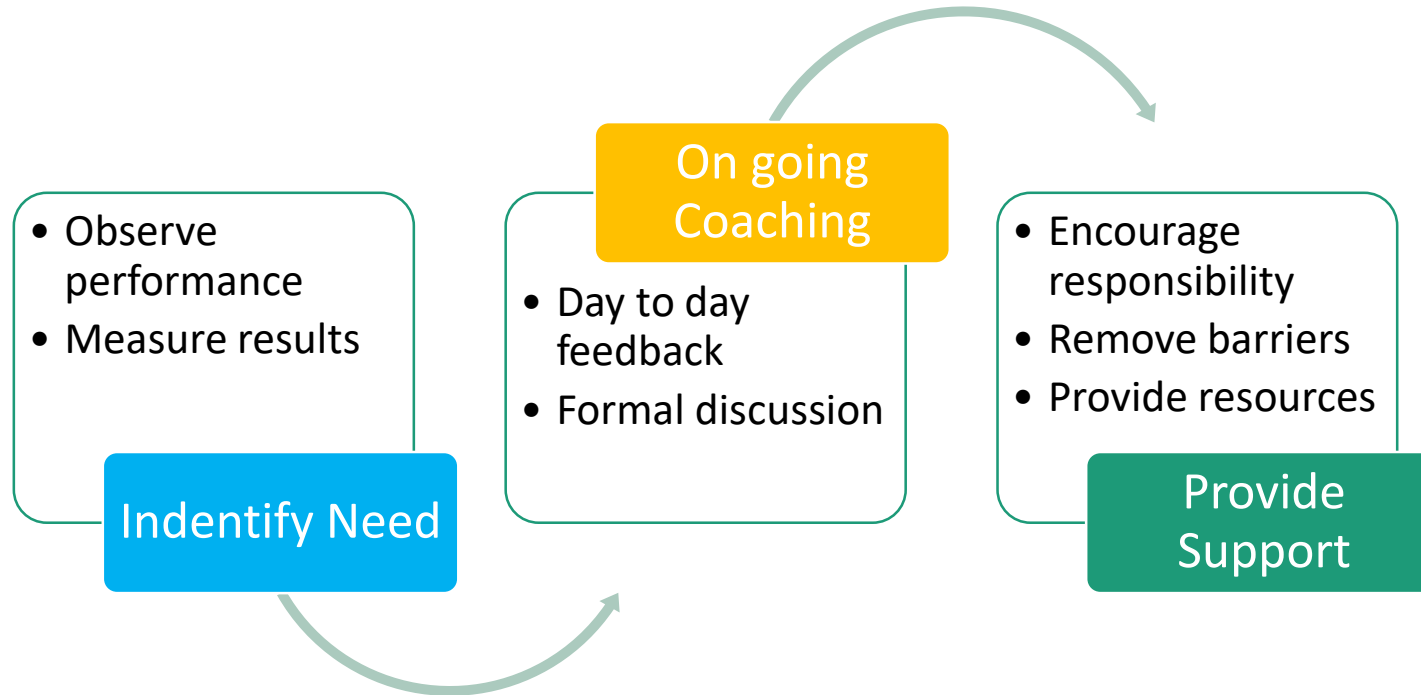
**Coaching for Improvement-** Guiding employees to improve unacceptable performance or work habits

**Managing Performance Problems-** Addressing chronic performance issues, poor work habits, or serious misconduct

**Your are the head coach for your team**



# HR Leadership Coaching Model





# HR Leadership Employee Coaching

## Top 5 Reasons Business Owners Don't Effectively Manage/Address Employee Issues

### Stop

- Too busy
- I don't want to hurt anyone's feelings
- Employee has personal problems, I don't want to add to it
- It will go away
- I might get sued

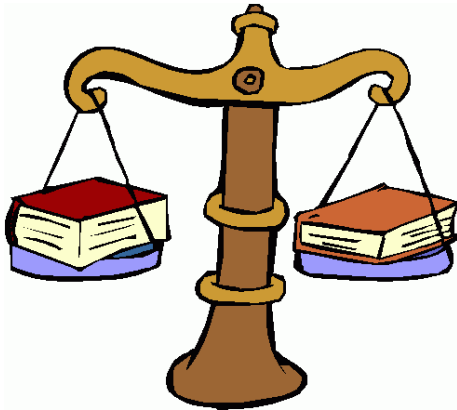
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### Start

- You have to make time to manage, failure to do so could negatively impact your profitability business
- Be honest and be respectful constructive feedback can benefit the employee
- Your role is to manage performance, refer employees to EAP /Social Services
- No, the issue will not go away it will only get worst
- Seek legal advice

# HR Leadership Compliance

## LEGAL ASPECTS AND EMPLOYEE DISCIPLINARY ACTIONS



*“At his best, man is the noblest of all animals; separated from law and justice he is the worst.”*

*-Aristotle*

# HR Leadership Compliance

*“Discipline is the bridge between goals  
and accomplishments.”  
-Jim Rohn*



# HR Leadership Compliance

- Civil Rights Laws
  - Employers cannot use disciplinary procedures against an employee merely due to the employee's membership in a protected class
- Whistleblower Protection
  - The federal Whistleblower Protection Act prohibits employers from retaliating against employees
- Contractual Rights
  - Express (e.g., written contract between employee and employer)
  - Implied (e.g., employee handbook can create an implied contract)

# HR Leadership Compliance

## At-Will Versus Due-Process Employees

Most employees have an at-will employment relationship with their employers. This means that an employer may discharge the employee for any reason, **except the following:**

1. Discrimination
2. Illegal firing of a whistleblower
3. Implied contract
4. But.....

## Best Practices Compliance Tip

Recommendation: Have a reason for disciplinary actions/termination

# HR Leadership Strategy Dealing with Employee Issues

## Teresa's Top 5 Five Employee Issues

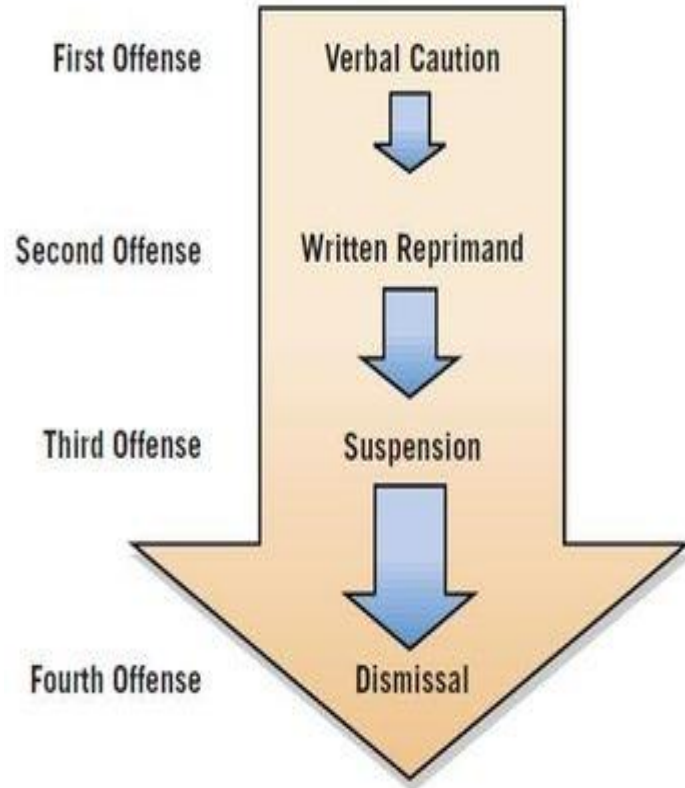
- Tardiness
- Absenteeism
- Poor Performance
- Misconduct
- Insubordination



## Best Practices Compliance Tip

Safety/Violence in the workplace .

# HR Leadership Strategy Employee Counseling



*Establish a Progressive Discipline Policy that will give procedural guidance*

## Best Practices Compliance Tip

Excessive incident/issues may warrant moving to next/final step.

# HR Leadership Strategy Effective Performance

**POLICY AND PROCEDURE TEMPLATE WORK SHEET**

Insert Company Logo

Policy Title:	
Effective Date:	Intranet/Webpage Reference:
Next Review Date:	

**Purpose:** State why the policy is needed in this section.

\_\_\_\_\_

\_\_\_\_\_

**Policy Statement:** This section will include an overall statement of the policy.

\_\_\_\_\_

\_\_\_\_\_

**Definition(s):** Define any key terms in this section that will be helpful to understanding the policy.

\_\_\_\_\_

\_\_\_\_\_

**Procedure / Guidelines:** This section will include the steps and the guideline to ensure compliance/follow through. Be descriptive and tell your employees exactly what they need to do and how they need to do it to be in compliance with the policy.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**References:** Include references to other policies in this section.

\_\_\_\_\_

\_\_\_\_\_

**Attachment(s) / Related Document(s)** include any examples that will be helpful for compliance.

\_\_\_\_\_

**Owner Approval/Legal Review:** Policies should be approved by the department head and the CEO/President of the company to ensure compliance and support from leadership. A final legal review is also recommended for HR Policy manual to ensure compliance with applicable employment laws.

\_\_\_\_\_

\_\_\_\_\_

CEO/President or Department Head                      Date

*Establish a Progressive Discipline Policy that will give procedural guidance*

- Purpose statement
- An outline of each step of discipline
- State the results if policy is violated
- Leadership support
- Share with employees/new hire onboarding

## Best Practices Compliance Tip

If not documented it did not happen



# HR Leadership Strategy/Techniques



## How to address issues with employee

- Do not have the conference report prepared prior to meeting
- Meeting should be private
- Allow the employee to tell their side of the story (Listen)
- Don't rush to judge or discipline
- Investigate/Review incident
- Timely Follow up/ Follow Through
- Communicate decision/resolution

## Best Practices Compliance Tip

Don't address issues at the copier, breakroom or a group

# HR Leadership Strategy Employee Counseling

EMPLOYEE CONFERENCE REPORT SAMPLE TEMPLATE	
EMPLOYEE NAME:	DATE:
DEPARTMENT:	
POSITION:	SUPERVISOR/TITLE:
PRESENT AT CONFERENCE:	
TYPE OF MISCONDUCT OR PERFORMANCE PROBLEM:	
SUPERVISOR'S REVIEW OF PERFORMANCE ISSUE/INCIDENT	
Page: Employee Conference Report	
ACTION TAKEN	DISCIPLINARY ACTION HISTORY
<input type="checkbox"/> Verbal Warning	Verbal Warning Date: _____
<input type="checkbox"/> Written Warning	Written Warning Date: _____
<input type="checkbox"/> Probation (from _____ to _____)	Probation Date: _____
<input type="checkbox"/> Suspension (from _____ to _____)	Suspension Date: _____
<input type="checkbox"/> Termination	
This warning will be made part of your record. Any further incidence of misconduct and/or poor performance may result in additional disciplinary action, up to and including dismissal	
EMPLOYEE'S COMMENT:	
Supervisor's Signature	Date
Employee's Signature	Date

## Outline Document Conference Report

- Use a consistent format
- Concise with specific detail of incident or issue
- State disciplinary action taken
- Employee Comments

## Best Practices Compliance Tip

Document as if it will be seen by a court, judge, or EEOC 2 to 3 years later

# HR Leadership Strategy for a Compliant Documentation

**EMPLOYEE CONFERENCE REPORT SAMPLE TEMPLATE**

EMPLOYEE NAME:		DATE:
DEPARTMENT:		
POSITION:	SUPERVISOR/TITLE:	
PRESENT AT CONFERENCE:		

TYPE OF MISCONDUCT OR PERFORMANCE PROBLEM:

SUPERVISOR'S REMARKS:

Page 2 Employee Conference Report


ACTION TAKEN	DISCIPLINARY ACTION HISTORY
<input type="checkbox"/> Verbal Warning	Verbal Warning Date: _____
<input type="checkbox"/> Written Warning	Written Warning Date: _____
<input type="checkbox"/> Probation (from _____ to _____)	Probation Date: _____
<input type="checkbox"/> Suspension (from _____ to _____)	Suspension Date: _____
<input type="checkbox"/> Termination	

This warning will be made part of your record. Any further incidence of misconduct and/or poor performance may result in additional disciplinary action, up to and including dismissal

EMPLOYEE'S COMMENT:

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee's \_\_\_\_\_

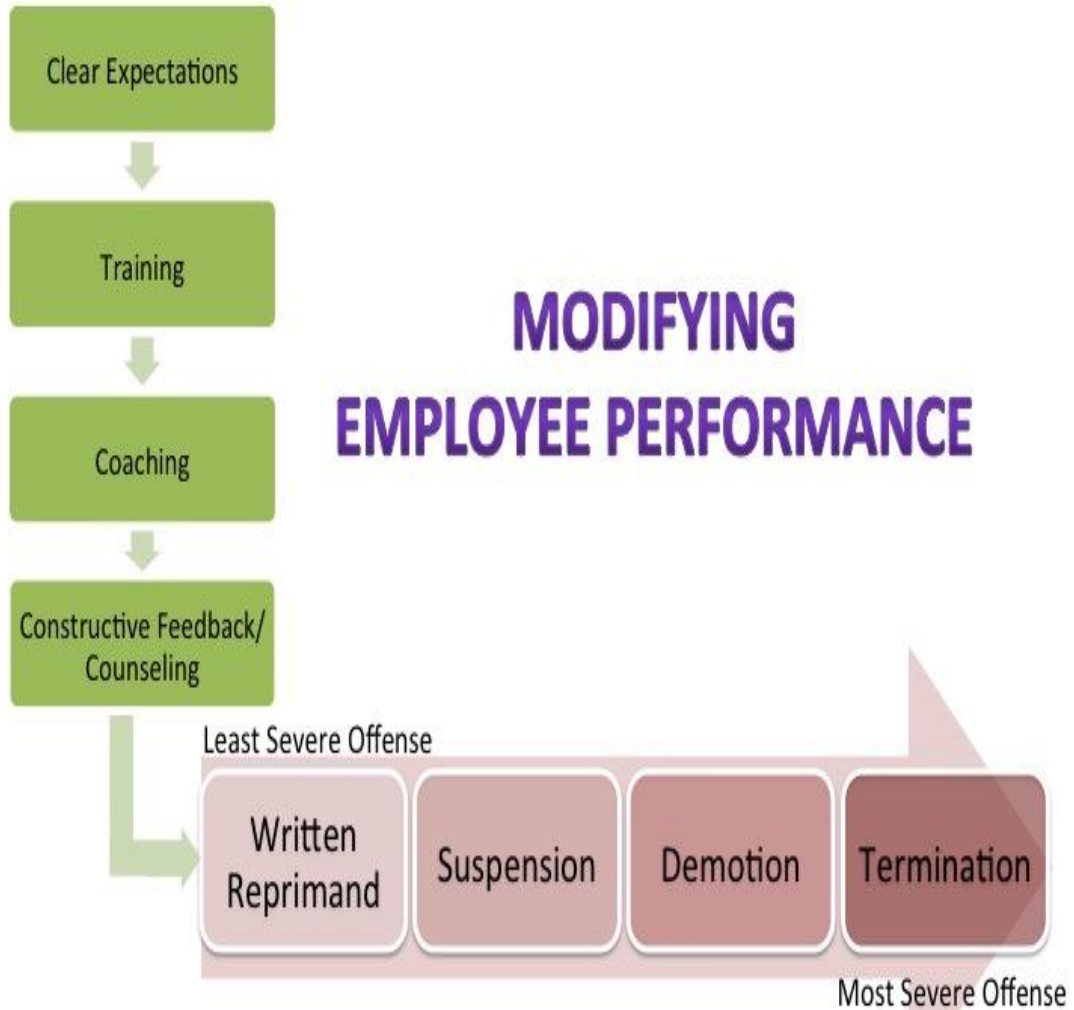


- (CR) prepared **after** review/investigation is complete
- Review your findings/result of investigation
- Give employee opportunity to be heard
- Allow employee to make comments on the (CR)
- Ask employee to review, sign, and date
- (CR) to employee
- Inform employee (CR ) will be placed in their file

## Best Practices Compliance Tip

Recommend do not force to sign note; employee reviewed did not wish to sign

# HR Leadership Strategy Effective Performance



*Train project managers/employees on HR Compliance*

- Create disciplinary/counseling policies; practice fairly and consistent
- Document, document, and document
- Follow up as promised

## Best Practices Compliance

Don't ignore issues, they will not go away without a plan of action to

# HR Leadership Strategy Employee Counseling

*Please note: This is a sample document for training purposes and best practices. Please refer to your legal advisor to ensure your final document is compliant with applicable state and federal employment law for your specific business situation.*

## Draft for Corrective Plan of Action (Insert Company Name)

**Employee:**

**Date:**

**Attendees:**

This plan will address some areas of concern that have recently been raised relating to your job performance and conduct in the office.

Areas of Concern	Action Employee Will Take to Improve	Supervisor's Action to Assist Employee	Completion Date
1			
2			
3			

The above areas are critical areas (see attached job description) and performance in these areas must be improved in order for you to be effective in your position. Resources exist to assist in these areas, including support from me, administrative staff, and others.

We will meet weekly to monitor your progress, areas of concern, and completion date.

It is my goal to assist you with improving your performance. It is your responsibility to improve your performance and maintain acceptable performance throughout your employment. If improvement is not made by the date agreed upon progressive disciplinary action up to and including termination will occur.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# HR Leadership Strategy for a Compliant Documentation

## Your Decision to Terminate

- Prior to terminating the employee check for:
  - ✓ Consistency
  - ✓ Adequate documentation
  - ✓ Review personnel file/what is the status of past evaluations
- Reminder to seek advice from legal counsel if needed.



# HR Leadership Strategy Effective Performance

## Your Ongoing Management After End of Employment

- ✓ Inform others only on a need to know bases( Managers etc.)
- ✓ Never discuss issues with other employees
- ✓ Assign duties to ensure effective transition
- ✓ Ensure employees feel supported as a team not abandon
- ✓ Maintain documentation



# HR Leadership Strategy Toolbox

- ✓ Inform others only on a need to know bases( Managers etc.)
- ✓ Never discuss issues with other employees
- ✓ Assign duties to ensure effective transition
- ✓ Ensure employees feel supported not abandoned
- ✓ Maintain documentation



## Best Practices Compliance Tip

Remember to leave people with their dignity



# HR Leadership Toolbox for Performance Management

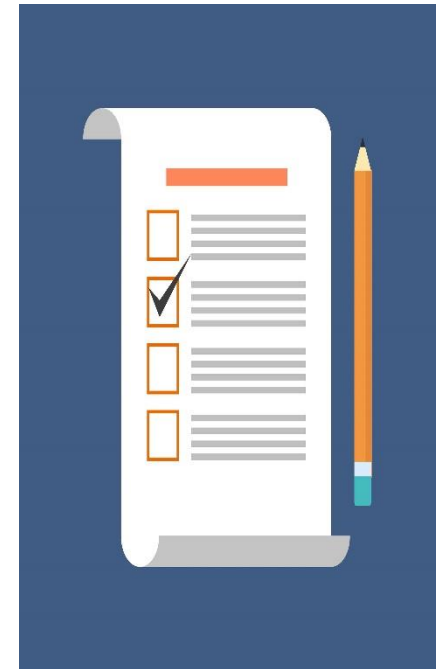
**What's in Your Leadership Toolbox ?**

**What have you learned**

**Activity Slide**

# HR Leadership Strategy Tools/Techniques End of Employee Checklist

- ✓ \_\_\_ Review all findings prior to meeting/legal advisor if needed
- ✓ \_\_\_ Conduct meeting in private consider witness (supervisor/manager)
- ✓ \_\_\_ Include prior disciplinary actions to show pattern
- ✓ \_\_\_ **Present your decision respectfully**
- ✓ \_\_\_ Collect keys, IT access and other business related items
- ✓ \_\_\_ Provide contacts for benefits and final paycheck



**Best Practices Compliance Tip**

Remember to leave people with their dignity

# HR Compliance Building Strategy

