



# Basic Employee Relations Course

## Introduction

In an ideal world, supervisors and employees would know the rules and follow them. But that is often not the case. Sooner or later, a supervisor is going to come to you and say, "I want to fire this person," and you'll be on the spot. The supervisor will need your guidance on what to do and how to do it. Your advice will affect not only the success or failure of your organization's discipline program, but how your office is perceived by others.

In assisting supervisors to take disciplinary actions, it is essential that ER Specialists guide supervisors that the purpose of discipline is to correct and rehabilitate. The ER Specialists must advise the supervisor on the necessary procedures when supervisors tolerate inappropriate conduct for a period of time and then want to implement for a severe penalty.

It is important to help the supervisor understand that a serious penalty may not be supported because the disciplinary process is only now beginning.

Disciplinary actions require that supervisors exercise judgment and that their decisions can withstand scrutiny by the Merit Systems Protection Board, arbitrators, or other third-party examiners.

Your role as an ER Specialist is challenging and significant. You are management's key advisor in this area. The servicing Human Resources office is the primary local source of authoritative information and shares the responsibility with managers to ensure actions comply with governing requirements. The technical requirements are critical. In order for you to provide the proper advice, you must understand them. You must be able to determine when a disciplinary action is appropriate and when it is not. And more importantly, you must be able to effectively communicate that knowledge to management officials so they can make informed decisions.

One of your primary roles is to know the applicable laws, rules, regulations, and pertinent case law and local precedent for specific situations. You will find that being able to refer back to laws, rules, and regulations will keep you grounded and help build credibility with your managers. Additionally, keeping abreast of case law and changes will allow you to adjust, within legal bounds, to current situations.



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During this module we will cover the following topics:

- Discipline and Adverse Actions
- Determining the Charge
- Selecting the Penalty
- Douglas Factors
- Burden of Proof
- Proposal Notice
- Notice of Final Decision
- Special Considerations