PREFACE

This Manual on Supervision was prepared for your use by the Field Administration Division of the Colorado Department of Human Services. It was written as a guide to new county directors to help them supervise county department of social services staff in accomplishing agency goals and objectives. We are indebted to the following who contributed articles about how to perform the difficult task of getting work done through others: Celestino Santistevan, Otero County Department of Social Services supervisor; Steve Brethauer, private consultant; and Sabrina Hicks, an attorney and CDHS Employment Affairs Services Director.

We define supervision as the ability to achieve planned results through staff who report directly to you. This may sound simple but it will consume about 80 percent of the time you spend managing the county department of social services. You manage the department through the work of others, so you have to be prepared to plan, lead, direct, delegate, teach, support and correct the people you supervise; who in turn, do the same for those they supervise.

Those of us who have long observed service of clients by agency staff have developed a conviction that the weakest link in the social service system is the line supervisor. There are several fundamental reasons for this. Effective supervision is easy to describe but difficult to achieve. It takes a lot of practice, planning, patience, and perseverance. People often accept promotions for the pay, status and prestige, not for the job of supervising others. Since it is often hard work, they want to focus on other aspects of the job like public relations or administrative functions. These are important but not critical. The other problem is that they may never have experienced a really good supervisor so it is hard to know how to do it. We are seldom taught how to supervise, just told to do it. Somehow we are supposed to do it effectively using our common sense.

The system tends to reward star performers by promotions to supervisory positions. Stars are used to praise and acknowledgment of their achievements. They are in control of the work performance and like the pressure of succeeding or failing through their own efforts. It is less comfortable to be judged on what someone else achieves. That is the role of the supervisor. Success is measured by how well staff performs. Satisfaction comes from coaching and mentoring someone else to be a star.

We realize there are many publications and courses on how to be a good supervisor. We encourage you to read and learn all you can because you are going to need it to manage your staff effectively. What we are offering are lessons for supervision in the context of a county department of social services. The knowledge and skills vary considerably with supervising caseworker units, assistance payments units, support and accounting units. The depth and breadth of the task is a challenge.

We hope that you will perform the following supervisory responsibilities more adequately after studying the contents of this manual:

❑ *Plan* – Determine what needs to be done, by whom, by when, and at what cost.

❑ *Staff* – Select and develop qualified people for each of your positions and communicate clear instructions and expectations to them.

❑ *Train* – Teach individuals and groups how to do their jobs.

❑ *Motivate* – Identify and help staff meet their personal and professional goals.

❑ *Coach* – Provide support and positive reinforcement and discuss with an individual how he or she might do better work, solve a personal problem, or realize ambitions.

❑ *Delegate* – Assign work, responsibility and authority so staff can maximize their productivity and ability.

❑ *Evaluate Performance* – Measure progress through monitoring, reward achievement; and take corrective action, when needed, to achieve your objectives.

❑ *Handle Pressure* – Fulfill responsibility in the face of emotional stress or pressing demands.

❑ *Manage Conflict* – Develop and implement solutions to constructively resolve or channel conflict into acceptable behaviors. Help your staff work willingly and effectively as individuals and groups.

If you are ready to take this journey with us, let us begin!

TABLE OF CONTENTS

SUPERVISION WITH RESULTS

SECTION II – INTRODUCTION

Our Definition of Supervision

A supervisor in any business is a person charged with overseeing the work of others to insure completion of defined tasks that are important to the delivery of products or services to customers of the business.

In social services, a supervisor is an administrative staff person to whom authority is delegated to direct, coordinate, enhance, and evaluate the job performance of staff hired to provide direct or support services to agency clients. The supervisor is accountable for the quantity and quality of the work his supervisee produces. In implementing this responsibility, the supervisor performs administrative, supportive and educational functions in the context of a positive relationship that fosters personal and professional growth, commitment, and productivity. The supervisor's ultimate objective is to deliver to agency clients the best possible service – both in quantity and quality – in accordance with agency policies and procedures.

Supervisors do not directly offer service to the client, but they do indirectly affect the level of service offered through their impact on the direct service supervisees. Supervision is, thus, an indirect service. We will expand on these functions in subsequent sections. Application of these functions is the cornerstone to becoming a successful supervisor.

The supervisor's position is the lynch pin function in a social services agency because it is the one position exercising the agency's administrative authority closest to direct contact with clients. The position also transmits agency policy to line workers and transmits feedback about policy and function from line staff to administration. This dual function can set up a dilemma since the supervisor advocates for and supports staff in their job performance while also representing agency administration in implementing agency policy.

The dilemma can be minimized when the supervisor focuses on common client goals and de-emphasizes the conflict of roles. The conflict must be managed by reconciling the needs of management with the needs of staff. This is best accomplished when both administration and line staff conceptualize the conflict as a problem to be solved, not a struggle for power and control. This allows the supervisor to be true to both constituencies.

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1

Director as Supervisor

The newly hired director of any county department has key staff reporting to him or her. In middle-sized or small counties they are either supervisors or line staff. In the larger middle-sized counties, the supervisees might be program administrators who have line supervisors reporting directly to them.

In any case, the new county director is not only an agency manager and administrator, but also a supervisor. This requires general and specific knowledge of programs administered by the agency and a comprehensive knowledge of human behavior and understanding of individual staff personalities, motivations, and behaviors. The director must apply this information to the interactions with supervisees. The type of work and competence of the staff affects the type of supervision required. The director will operate differently with caseworkers, technicians, and support staff. We intend to give clear directions for new directors faced with these differences.

People Business

Human Services are provided to people by people working in the profession, so don't leave everything you learned about yourself and others at the door when you start work. What you *learned in Kindergarten* is not all *you will ever need to know,* but it is certainly applicable and an important building block in your supervisory foundation that has been growing stronger through each accumulated experience. Supervision is more an art than a science and relies on consistency rather than brilliance. It is based on careful listening and focusing on the needs of your staff. It is down to earth, practical, and based on simple truths:

People are basically the same for all their differences – People need to be recognized as individuals, to be important and unique, and to gain acceptance and recognition from others, particularly their peers who do similar work and appreciate its difficulty. Our similarities outweigh individual differences and can be used to unite us in pursuing common goals. Supervisors play an important role in that appreciation and recognition. Supervisors should promote cooperation and common goals, but also recognize and respond to differences.

Everyone wants to do a good job and be successful – The majority of people in our country work in order to achieve personal and financial goals and to feel worthwhile. They want to contribute to an important cause, especially those who work in human services. Acknowledging their contribution and reinforcing it is the supervisor's job. If the boss doesn't value what you are doing, then who will?

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All employees have strengths and weaknesses – Strengths and weaknesses are clearly subjective and depend heavily on the context in which they are perceived. The supervisor analyzes how an employee uses personal traits to enhance or inhibit job performance. Are the behaviors an asset or a liability? It is the supervisor's job to utilize the individual's strengths and shore up the weaknesses so the employee becomes a better performer.

Know Yourself – How you relate to staff is colored by every relationship you have had in your life. Your success as a supervisor depends on how well you understand these previous relationships and your behaviors and attitudes in dealing with them. This will help you see staff needs, weaknesses and blind spots. Above all, do not expect to meet all of your social and psychological needs through the job. Everyone needs a personal life as well.

Conflict Clarifies – Often you learn more from your conflicts than from other relations because conflict clarifies issues and the nature of the relationship. Conflict starkly depicts differences between you and the other person and highlights your role in the transaction. We continue to review and process disappointments long after they are over. If people are honest about their role in conflict and study internal responses, however threatening or unpleasant, they learn how to work more effectively in future situations. They learn to accept unpleasant aspects about themselves and others and develop tolerance for differences. Mature people make better supervisors.

People learn differently and are motivated by different incentives – Some people learn by hearing, some by seeing, and some by doing an activity. The supervisor needs to discover the employee's learning style and focus on that method of teaching. In order to effectively motivate, the supervisor must learn what excites the employee or captures his or her interest. What supervisory actions or behaviors are perceived as supportive by the worker? When you learn these things, you have several powerful tools to keep staff involved in the job.

The relationship between a staff person and the supervisor is unique – A good relationship is based on trust, honesty, and genuine caring. The relationship is characterized as friendly but is not a friendship. The supervisor must maintain some emotional distance because consistency and fair treatment to all staff are important to good unit function. A supervisor should be perceived by staff as friendly, helpful, accessible, and empathetic.

The relationship between a supervisor and the employee is unequal - By definition the supervisor wields agency authority over the staff person and has extraordinary control and influence over that person's standing in the agency. This includes the power to reward for good performance, the power to discipline for poor performance, expert power that derives from knowledge and experience and the power that accumulates over time from consistent, supportive leadership. Power relationships will be explored more fully in the section on "Supervisory Power and Authority".

The supervisory relationship has boundaries – There are many attributes that connect us with others and form the basis for a friendship or a romance. If you are attracted to someone you supervise, be aware of the feelings but don't act on them. Don't engage in a romantic or sexual relationship with an employee. You can't keep it a secret and it will cause anger, resentment and accusations of favoritism. Try as you might, you lose your objectivity and begin to treat this person in special ways that violate precepts of fairness. This can compromise your authority and destroy the fragile trust and respect critical to effective supervision. A close friendship between the supervisor and employee may produce similar results because of the feelings of special or unwarranted treatment. You may inadvertently unleash a destructive force that can unravel relationships in the unit.

The supervisor must be adaptable and practice situational leadership – One size does not fit all. The supervisor must adapt to individual differences and meld them into a cohesive work unit that supports common goals. What works for one employee does not necessarily work for another. People are at different levels, skills, and stages of their careers. Some are eager to conquer the world and work overtime consistently to produce quality products. Others are jaded, tired, or coasting because they are putting most of their energies into their private life or other pursuits. You get them all and have to direct, teach and support each one so that every employee is working individually or together to create products and services to benefit our clients.

> ### *Master the people business and the job is a snap.*

SECTION III – SUPERVISORY POWER AND AUTHORITY

Excerpts From:

Alfred Kadushin
Supervision in Social Work

Columbia University Press – 1976

This section on Power and Authority is excerpted from <u>Supervision in Social Work</u> by Alfred Kadushin, Columbia University Press, 1976. Kadushin lists five types of power that can be exercised by a supervisor. These are Reward, Coercive, Legitimate, Expert, and Referential. A subset of Legitimate is Informational power. Before we discuss power and its variations, we need to discuss authority and its rightful place in the exercise of supervisory power.

Supervisory Authority

Authority needs to be distinguished from power. Authority is a right that legitimizes the use of power; it is the sanctioned use of power, the expected and validated possession of power. Authority is the right to issue directives, exercise control, and require compliance. It is the right to determine the behavior of others, to make decisions which guide the action of others. In the most uncompromising sense, "authority is the right to demand obedience; those subject to authority have the duty to obey."

This right of authority is distributed to the supervisor through the agency administrative structure. The supervisory relationship is established through authority delegated to the supervisor by the agency and through the supervisee's reciprocal acceptance of the supervisor's legitimate entitlement of authority.

Power is the ability to implement the rights of authority. The word "power" derives from the Latin *potere*, "to be able." If authority is the right to direct, command, and punish, then power is the ability to do so. The distinction is clearly seen in situations in which a person may have authority but no power to act and contrariwise in those situations in which the person has no grant of authority but nevertheless has the power to command. Extreme examples are the hijacker of a plane, who has power but no authority, and the prison warden held hostage by mutinous prisoners, who has authority but no power.

The source of the supervisor's authority is the agency administration representing community will. What are the sources of power that energize authority and make possible the implementation of the right to command? In addition to recognizing the legitimacy of the authority invested in the supervisor, what other factors prompt the supervisee to actually comply with the supervisor's directives? We shall see when the sources of power are understood.

SOURCES OF POWER

There are a variety of descriptive systems that categorize sources of power (Etzioni 1961; Presthus 1962; Weber 1946). Among the most frequently used is the classification developed by French and Raven (1960), who have identified five distinctive bases of social power: reward power, coercive power, positional power, referent power, and expert power. We will attempt to apply their categories to the social work supervisory situation.

Reward Power

The supervisor has the ability to control tangible rewards for the supervisees such as promotions, raises, more desirable work assignments, extra secretarial help, a better office, recommendations for training stipends, agency-supported attendance at conferences and workshops, and a good reference on leaving the agency. Rewards can be psychic as well – approval, commendations, supervisory expressions of appreciation.

If reward power is to be effective, it needs to be individualized and clearly related to differentials in performance. If rewards become routinized, as in the case of across-the-board raises, they lose their power to stimulate improvements in worker performance. The supervisor therefore has to be knowledgeable about the quality of the performance of different workers if he is to make a fair determination of allocation of rewards. Furthermore, the supervisee needs some confidence that the supervisor does, in fact, control access to rewards; that administration has granted him the authority to make crucial decisions relating to dispensation of available rewards.

As contrasted with certain other employment situations, human service agencies have limited reward power because they control only a limited range and variety of rewards. Production incentives, stock options, and so on are not available as possible rewards.

Coercive Power

The supervisor has the ability to control punishments for supervisees. These include demotion, dismissal, a poor "efficiency rating," a less satisfying work assignment, a negative reference on leaving the agency. There are psychic punishments as well – expressions of disapproval and criticism, snubs, and avoidance. Reward power and coercive power are overlapping, since the withholding of rewards is in effect punishment.

In the case of reward power, the supervisees are induced to comply with supervisory directives in order to achieve a reward. With coercive power, compliance results from the effort to avoid punishment. The strength of coercive power depends on the extent of belief in the likelihood of application of disciplinary actions. If the supervisees have reason to believe that little serious effort will be made to apply punishments, this is not an effective source of supervisory power.

Legitimate or Positional Power

By virtue of being invested with the title, the supervisor can claim the authority that goes with the position. We accept the authority of the office, and in doing so, accept as legitimate the authority of the person occupying it. The supervisee in taking a job with the agency has implicitly contracted to accept direction from those invested with agency authority. There is a sense of moral obligation and social duty related to the acceptance of positional authority.

Our entire experience with social groups, social organizations, and social institutions develops a predispositional set of constraints toward the acceptance of a person's right to command by virtue of being invested with a particular title. As a result of developmental experiences with parents, teachers, and others, we acquire a generalized readiness to conform to the rules of a game in which we care to participate and to the rules of an organization in which we seek membership. We recognize that general rejection of positional authority would make social life difficult, if not impossible. Consequently, the supervisee feels that the supervisor has a legitimate right, considering the position, to expect that suggestions and directions will be followed.

Positional power derives its force not only from prior reinforcing experiences in which obedience to those in positions of authority was rewarded by acceptance and approval, but also from its effect in making one's job easier. Barnard (1938) notes that the initial presumption of the acceptability of organizational authority enables workers to avoid making issues of supervisory directives without incurring a sense of personal subservience or a loss of status with their peers.

Referent Power

The supervisor has power that derives from the supervisees' identification with and a desire to be liked by the supervisor and to be like the supervisor. Referent power has its source in the positive relationship between supervisor and supervisee – in the affinity the supervisee feels toward the supervisor. It is relationship power. In effect, the supervisee says, "I want to be like the supervisor and be liked by her. Consequently, I want to believe and behave as she does" or "I am like the supervisor, so I will behave and believe like her." The supervisor is perceived as a model of the kind of social worker the supervisee would like to be.

The stronger the relationship, the stronger is the power of the supervisor to influence the behavior and attitudes of the supervisee. As a consequence of the relationship, the supervisee is strongly motivated to seek the approval and commendation of the supervisor. The supervisor becomes a person of meaning and significance whom the supervisee would like to please and to whom she feels a sense of personal loyalty. Referent power offers expressive rewards – the approval, commendation, and recognition of one's good work by the supervisor.

As a consequence of a strong interpersonal relationship, the supervisee is receptive to influence efforts on the part of the supervisor. There is gratification in responding to a self-image that is congruent with the supervisor's communicated expectation. As a result of identification, the supervisor's expectations become internalized. Supervisees then act as their own "supervisor," behaving as they expect the supervisor would want them to act.

Expert Power

Expert power derives from the special knowledge and skills which the supervisor has available and the supervisees need. This is the power of professional competence. The supervisee who attributes expertise to the supervisor has trust in his decisions and judgments. The supervisor has credibility for the supervisee. One component of attribution derives from relevant credentials the supervisor can offer. The supervisor who has an M.S.W., who has passed the Academy of Certified Social Workers' written examination, is initially perceived as having more expertise than a supervisor who does not possess such credentials. Ultimately, of course, the supervisor has to prove in practice that he can live up to the promise of his credentials.

The supervisor is able to influence the kinds of behavior that supervisees will manifest because he has the knowledge that indicates the way in which it is desirable or necessary for them to behave if they are to deal satisfactorily with work problems. The supervisees may not know what to do; the supervisor with the expertise knows what should be done. The supervisees' need for guidance from the supervisor's expertise results in control over their behavior.

In summary, we see that Reward, Coercive, and Legitimate power derive from the position itself which is conveyed by the agency; while Expert and Referential power come from the individual filling the position. This has important implications. All supervisors have Reward, Coercive, and Legitimate power; only experienced, savvy, and wise supervisors have Expert and Referential Power.

The reason why this point is critical is that people often run into difficulty in providing supervision when they do not know how to build either expert or referential power. They fall back on other sources of power, which in the absence of any personal power base, can make them seem to be hiding behind their position rather than standing on their own. Often, they will compensate for this by over-reaching in trying to demonstrate their command and this only aggravates the situation. Clearly, if a supervisor has demonstrated expertise in the job; once this fact is understood, the problem is usually on its way toward being solved.

Building Referential Power

When expertise is absent, referential power becomes the only game in town. What is often overlooked is that the exercise of personal power has to fit the person exercising it. Methods are advocated and people try to employ them but the first resource to examine is oneself. The style with which referential power is exercised must be based on the supervisor's own assessment of their own personality traits and how these traits can best be exploited to deliver the desired effect. Dissonance between the strategy and the person's style and presentation undermines effectiveness.

The most efficient means to begin building referential power are:

1. Quickly and firmly make administrative decisions. If more information is necessary before a decision can be made, quickly identify that, lay out what is needed, and reset for decision. Once made, stand by the decision even if its unpopular. If proven wrong, admit and own the error and fix the situation.

2. Never assign blame to your employees in a public setting or as a way of deflecting administrative displeasure. Deal with disciplinary issues privately and formally with tact, but with a plan and with consequences for non-compliance. This tactic reinforces the employee's perception of the supervisor's comfort and confidence in exercising authority.

3. Create formal mechanisms that support the employee and enhance their skills or career potential. One excellent way to do this is to employ the annual performance plan (See Establishing the Performance Plan page 19). Supervisees should be encouraged to pursue skill enhancement, education or any job-related project that will make them a more valuable asset. Because the supervisor is creating this process and marshalling the resources to enable it to occur, the supervisor's impact is felt at the personal level.

4. It is important that the supervisor be careful not to force too great a challenge on the employee. There may be times when the stability of the job itself offers support to a person who is undergoing real job stress or stress elsewhere in their lives. Also, an employee who is performing substandard work or who is exhibiting disciplinary problems should be helped to perform satisfactorily instead of being encouraged to take on more. In these instances the supervisor who respects the need of the stressed employee or who rationally deals with the performance/discipline problem is combining the personal exercise of power with the legitimate power that flows from the position.

5. The supervisor should use the authority of the position at the minimal level and should do so with no fanfare (see Non-authoritative use of Authority). Exercise of Formal power detracts from the use of Functional power.

Types of Power

The five sources of power have frequently been subdivided into two groups, functional and formal power. Functional power, which includes expertise and referent power, depends on what the supervisor knows, is, and can do. Functional power resides in the person of the supervisor. Formal power includes positional power and the power of rewards and punishments. The two groups of powers are complementary and support each other.

The most desirable situation for effective exercise of power is one where the formal power and functional power are congruent. This is the situation when the person accorded positional authority and the power of the office to reward and punish is, by virtue of his human-relations skill and knowledge of the job, also capable of demonstrating the power of expertise and of developing referent power. Functional authority tends to legitimize and make acceptable formal authority. Difficulty arises when the person with formal authority knows less or has less work experience than the supervisee or does not gain the respect of the supervisee. The supervisee is therefore less willing to grant the person's entitlement to the power of his position and this tends to attenuate and undermine his formal authority.

Since formal power is related to the office of the supervisor and functional power is related to the person of the supervisor, the latter is apt to be a more variable source of power. There is little difference between one supervisor and another in the same agency in their positional, reward, and punishment power. There may be considerable difference, however, in their total ability to implement their authority because of differences in their expertise and relationship skills.

The supervisees' readiness to accept the supervisor as an expert and as an object of identification and emulation is contingent on their experience in the interaction. If they find as they grow in knowledge and experience that they are less dependent on the supervisor for help in solving their work problems; if in testing the supervisor's advice and suggestions in practice they conclude that she is not the expert she claims to be or the expert they previously perceived her to be, expert power tends to be eroded. Similar kinds of changes may gradually take place in the supervisor's power to determine the behavior of supervisees as the relationship undergoes changes.

Formal authority is received automatically by ascription when a person is assigned to the position of supervisor. Functional authority has to be achieved by the supervisor and continuously validated. If the supervisees do not perceive the supervisor as an expert, the supervisor has no expert power; if supervisees feel no attraction to the supervisor and do not care whether or not the supervisor likes them, the supervisor has no referent power.

The different sources of power available to the supervisor to induce behavioral change in supervisees, and to control their actions, have different kinds of applicability and costs associated with their use. Further differences derive from professional ideology and the supervisor's predispositions. These result in differential readiness to employ particular sources of power.

Non-authoritative Authority

If, in order to perform functions that are necessary for achievement of organizational objectives, the supervisor must be granted, and must exercise, some measure of authority, how can this authority be most effectively manifested? The likelihood of the supervisees' accepting the supervisor's authority is increased if certain caveats are observed. They are designed to help the supervisor exercise authority without being officiously authoritative.

In general, the most desirable use of supervisory authority is oriented toward "exerting power with minimal side effects and conflicts," and seeking approaches "for the limiting of the exercise of power to the least amount which will satisfy the functional requirements of the organization and for maximizing role performance without the exercise of power" (Kahn 1964, p.7).

There is apt to be greater voluntary compliance with supervisory authority if its sources are perceived as legitimate, the methods employed in its exercise are acceptable, the objectives of its use are understandable and approved, and it is exercised within the limits of legitimate jurisdiction.

The attitude and spirit in which authority is employed is significant. If it is used only when the situation demands it and when required to achieve objectives to which both supervisor and supervisee are jointly committed, it is more likely to be accepted.

If it is exercised in a spirit of vindictiveness, in response to a desire for self-aggrandizement, a pleasure in dominance, or as a delight in self-gratification, it is less likely to be accepted. Supervisees can more easily understand and accept the exercise of authority if it is clear that authority is being used for the achievement of organizational goals rather than because its use is intrinsically pleasurable to the supervisor. If supervisees are committed to the achievement of the organizational goal, acceptance of authority is then congruent with their own needs and wishes.

The use of authority has to be perceived as a rational procedure designed to achieve mutually acceptable aims. If authority is employed in a manner which indicates that the supervisor is flexible and open to suggestions for changes in "commands" on the basis of relevant feedback from supervisees, it is less likely to be viewed as capricious and arbitrary. If, in exercising authority, the supervisor shares with his supervisees the reasons that prompt the directive; if he gives an opportunity for questions and discussion of the directive, the supervisees' feeling that this is a rational procedure over which they have some control is further enhanced. Through such participation the supervisees share control.

If authority is exercised in a predictable manner, the supervisees again feel they have some control over the situation. They can clearly foresee the consequences of certain actions on their part. Arbitrary exercise of authority is unpredictable and inexplicable.

Authority needs to be used with a recognition that supervisees, as adults, tend to resent the dependence, submissiveness, and infringement of individual autonomy implied in accepting authority. Authority is best exercised if it is depersonalized. Even in the best of circumstances, we are predisposed to resent and resist authority. It is, in its essence, antiequalitarian. It suggests that one person is better than another. Depersonalizing the use of authority is designed to mitigate such feeling. The attitude suggests that the supervisor is acting as an agent of the organization rather than out of any sense of personal superiority. The supervisee is not asked to acknowledge the superiority of the supervisor as a person but merely the assignment to a particular function in the agency hierarchy.

> ### *Authority is best exercised if it is depersonalized.*

If it is not to be resented, authority has to be impartially exercised. Impartial does not necessarily mean equal. It means that in similar situations people are treated similarly. If there is a rational and acceptable reason for unequal, preferential treatment, this is not resented. One worker can be assigned a much smaller caseload than another. If, however, the smaller caseload includes difficult, complex cases, the assignment will not be regarded as an unfair exercise of supervisory authority.

The supervisor needs a sensitive awareness that her authority is limited and job related. The administrative grant of authority relates to a specific set of duties and tasks. The legitimacy of the supervisor's authority is open to question if she seeks to extend it beyond recognized boundaries. Attempting to prescribe a dress code for supervisees or to prescribe off-the-job behavior causes difficulty because the supervisor is exceeding the limits of her legitimate authority.

The supervisor has to be careful to refrain from using authority unless some essential conditions can be met. Barnard (1938) points out that supervisory directives will tend to be resisted unless the supervisee can and does understand what needs to be done; believes that the directive is consistent with his perception of the purpose of the organization; believes it is compatible with his personal interests and beliefs; and is able to comply with it. Similarly, Kaufman (1973) notes that supervisee noncompliance results from the fact that the supervisee does not know clearly what needs to be done, cannot do it, or does not want to do it.

The most effective use of authority is the minimal use. Persistent use of authority increases the social distance between participants in supervisory relationships and results in a greater formality in such relationships. It intensifies a sense of status difference between supervisor and supervisee and tends to inhibit free communication. The supervisor therefore should make authority explicit as infrequently as possible and only when necessary.

> ### *The most effective use of authority is the minimal use.*

Supervisory authority can be more effectively implemented if agency administration observes some essential considerations. Most basically, only those who are qualified as supervisors should be appointed to the office, and appointment should be a result of fair and acceptable procedures. Only then will supervisees be likely to grant the supervisor's legitimate right to the title and to the authority associated with it.

Administration needs to delegate enough authority to enable the supervisor to perform the functions required of him and to delegate it in a way that conforms to the principle of unity of command. This principle suggests that a supervisee be supervised by, and answerable to, one supervisor. The exercise of authority is difficult if more than one administrative person directs the supervisee with regard to the same set of activities. There is difficulty, too, if no one has responsibility for some significant set of duties that the supervisee has to perform. Both gaps and overlaps in administrative responsibility create problems.

The administration needs to make clear to both supervisors and supervisees the nature of the authority delegated to the supervisors, the limits of that authority, and the conditions under which the authority can be legitimately exercised. A supervisee writes:

A reporter of a local paper asked the supervisor for permission to attend a group session of AFDC (Aid to Families with Dependent Children) mothers who had been meeting with me for some time. The supervisor referred the question to me. I indicated that I would like a chance to discuss it with the group. However, when the supervisor pressed for an immediate answer since a decision needed to be made without delay I said "no, I didn't think the reporter should attend the meeting." The next day the supervisor decided that agency policy dictated that the reporter should be permitted to attend because of the public relations opportunity for the agency. If I (the supervisee) had no real authority to make the final decision, the supervisor should not have asked me. It should have been clear in the beginning who has the right and responsibility for a decision of this kind.

SECTION IV – THE ADMINISTRATIVE ROLE

In the administrative role of supervision, the supervisor assigns staff space, desks and equipment; sets expectations, conveys unit and agency policy; schedules meetings, keeps track of attendance, and makes work assignments. Performance monitoring and evaluation are also critical functions. This administrative role ensures adequate coverage, smooth work-flow and accountability. Although the administrative role can entail many functions, we will concentrate on 14 areas that are critical:

1. Planning
2. Transmission of Policy and Procedure
3. Job Descriptions
4. Hiring
5. Establishing a Performance Plan
6. Monitoring Performance
7. Evaluating Performance
8. Implementing Corrective Action
9. Communication
10. Running Meetings
11. Delegating
12. Orientation to Agency Values
13. Conflict Resolution
14. Managing Liability

Planning

Many resources on Supervision overlook the critical function of planning. Often the line supervisor is appointed to oversee a functioning unit and little change in function or funding is envisioned by the agency's leadership. Even so, a supervisor may believe that a change in unit practice is necessary or that financial difficulties require a well thought out approach that addresses the shortfall while ensuring adequate service delivery. Some key planning issues are:

- *Staff Issues* - What sort of staff will be necessary? What skill sets are required? What qualifications will be required? What type of workload is indicated and how many staff will be required to perform the tasks responsibly?

- *Resources* - What resources or equipment will the staff need to complete the job and how will the resources be funded?

- *Training Needs* - What are the staff training needs, how will they be provided and how will the agency pay for the training?

- *Budget* – What is the total annual budget required to fund each supervisory unit and how will each unit be funded?

Transmission of Policy and Procedure

The supervisor should assure that all employees are aware of policy and have access to current versions. The policy is the required course of action and the procedure is the written description of how to implement the policy. Policies exist on three levels:

1) County employment policies that apply uniformly to all county employees. These include but are not limited to benefits, hours of employment, dress, grievance, travel policy and reimbursement, and other general rules of employment in the county. Since the Colorado Merit System was abolished by the Legislature in 1999, every county is required to incorporate the six federal Merit Principles into their county policy (See Appendix).

2) Policies specific to the performance of the job. These include the specific requirements and practices that the supervisor will expect of the employee. Operational policies must be in writing. Examples of these sorts of policies include: how the unit will insure coverage of 24-hour response requirements, and when and how to contact the supervisor for after-hours consultation

3) Policies required by the State. These policies are usually found in the staff program manuals like Volume 3 for Assistance Payments, Volume 6 for Child Support Enforcement and Volume 7 for Social Services and Child Care Services. Procedures are found in Agency Letters and practice manuals.

The supervisor should provide subordinates with current copies of the county's general employment policies and access to current versions of state manuals and letters. Many staff complain that policy changes get stuck on the director's or an administrator's desk and do not filter down to them. Timely notification of policy creation or modification is essential.

Job Description

The job description clearly and comprehensively describes the purpose and function of the job in question. It details specifically what the incumbent must do and additionally spells out the educational and experiential qualifications that a potential candidate must have in order to apply. A State "Position Description Questionnaire" is included in the Appendix as an example of building a job description. Each job description is reviewed and updated periodically by the supervisor and employee to respond to rapidly changing circumstances and to lessen the potential for litigation by employees. Each description should have 5 percent "Other Duties as Assigned within the Scope and Qualifications of this Position" included to assure flexibility. Team work should be included if the employee is expected to complete work assignments with other employees in the unit or agency.

Hiring

A good hire saves time, money and emotional energy and may be one of the most important administrative functions that you will perform. Make sure that you have checked the job description to verify that you are asking for the right skills and qualifications. You can use the following format for building a standardized approach to this critical duty:

TEN STEPS IN THE HIRING PROCESS

1. The first step is to create or review a job description. This will be the basis for the performance planning that you will do with your new hire.

2. The job description will clearly define the required functions of the job that will direct the questions in your hiring process and will establish *the minimum qualifications* that you will set for this job.

3. Many small county directors complain that it is very difficult to fill vacant positions. The best way to attract qualified applicants is to run a high quality program that is administered in an enlightened way. Good people are attracted to good programs. Beyond this important foundation:

    ▪   Are the salary/benefits competitive? (Call neighboring directors to learn what they are paying).

    ▪   What venues are most productive for advertising: schools of social work, system wide emails, local papers, community events?

4. Design a useful application form rather than rely solely on a resume. Resumes are useful and can offer different information but are not standardized and may not contain the information you need to adequately assess the applicant. Information should be gathered that identifies the applicant, details their education, experience and special skills, and provides contact information. Additionally, you may want to include sign-off sections that allow you to contact former employers, colleges, etc.

5. Once the application period is closed, screen all the applications against the minimum requirements that were developed from the job description. Evaluate each applicant against the high priority items. If there are areas that are unclear, call the applicant for clarification. Eliminate those who do not meet the minimum qualification, even if they show promise (see Ten Ways to Manage Liability). If you have more qualified applicants that you can conveniently interview, you may want to devise additional oral or written tests to winnow down the applicants to a reasonable number. Make sure to keep this screening process under your control.

6. Ground rules for interviews must include a review of what can and cannot be asked. For instance, you can ask if a person is 21 years of age or older if the age is a requirement for the job (e.g.: bartender) but you cannot ask about a person's age in an open ended way. The applicant might construe such a question as age discrimination. Check with your personnel office or the State Department of Labor and Employment, the State Department of Regulatory Agencies, or the US Equal Employment Opportunity Commission.

7. Essential questions to ask your applicants:

   ▪ Why do you want this job? (by exploring what they can give and what they will get, you can learn their motivation.)

   ▪ Of all the jobs you've had, which one did you like best? Why? (look for parallels between the example and the job you are offering).

   ▪ Where do you want to be in three years? Five Years? (a person with a plan usually produces more).

   ▪ What are your strong points? Weak points? A capacity for self assessment (both ways) is a strength in itself.

   ▪ Why did you leave your last job? Would you go back?

   ▪ How would your best friend describe you?

   ▪ Develop program specific questions.

   ▪ Ask situational questions that relate to the job.

8. Call references and previous jobs if not listed. Make sure that you obtained the authorization to do so on the application form before you contact anyone not listed as a reference. What you want to learn is how the applicant will perform if hired. You have found out how they perform in an interview, but that is not a reliable predictor of job performance.

   Because of fear of litigation, many previous employers will only give limited information. Do not be afraid to ask questions about their experience with this person. Often, what is not said can be as helpful as what is. Beyond wanting to make a good hire, it is essential that you try to get information on the person's previous performance because you have a responsibility to avoid putting your customers and other employees in danger. Depending on the position to be filled, you may want to make a police check, check for inclusion on the Colorado Trails data base for Persons Responsible for Abuse and Neglect or any other appropriate database. Hiring someone without trying to obtain available information may subject you to negligent hiring claims.

9. Make the job offer to your top candidate before rejecting the applicants that you have not chosen. The top candidate may not accept your offer and you won't want to start the process over again. The job offer should include salary, benefits, and terms of employment. You should be reasonably flexible about the start date. The person who leaves their previous employer with little or no notice may do the same thing to you. Make sure that you have coordinated with your personnel department before making the job offer. Have an agreement and start date once they have accepted.

10. Once you have a written agreement, notify the other candidates, thanking them for their interest.

Establishing the Performance Plan

The performance plan should be each employee's statement of what they intend to accomplish in the coming year. It must be done jointly by the supervisor and the employee and it should speak not only to what the employee will accomplish but also to the supervisor's responsibilities in that process. You should start by reviewing the job description.

The reason this is so important is that you should never require your employee to perform functions that lie outside of that job description. However, a supervisor often negotiates with the employee when something needs to be done. You may have employees who regularly do exceed requirements and expectations, but you can't require them to do so. Non-exempt positions under the Fair Labor Standards Act are prohibited from working overtime without time and a half compensation. The employee entered into an agreement on hire that was premised on the job as offered. Unilaterally changing the terms of the agreement by changing the job description leaves you open to challenges and tends to diminish productivity.

Except with new employees, your next task is to examine the performance plan that is currently in force. You should do this because you don't want to evaluate employees on criteria that are not included in the annual plan for their performance. If you begin to evaluate people on criteria that are not part of the job description and are not incorporated in the performance plan, you have introduced factors that they could not plan for, that they could not know they should perform, and that can be considered as arbitrary. This takes control of the process away from the employee. If they believe that cause and effect does not operate in their job environment, the chances are good that their job satisfaction and their productivity will suffer. If you don't agree with the proposed plan, then a new plan should be developed with the employee.

> *The performance plan should be each employee's statement of what they intend to accomplish in the coming year.*

A clear performance plan establishes the rules, produces an agreed upon operation of cause and effect in the job environment, and creates a reliable consistency. The supervisor concentrates on the larger strategic arena of what should constitute good and not-so-good performance and the employee is given tactical control on how they will perform with the agreed upon performance criteria. That sense of employee control is critical. As long as the plan has incorporated employee input on requirements and as long as the employee thinks the plan is fair, the employee will believe that he or she has control of the level at which they would be evaluated, because the evaluation will be based on the activities performed by the employee. For further discussion of the effect of non-contingent environments, see Seligman's article on Helplessness in the Appendix.

Many supervisors err in not detailing how they will measure performance. This can often lead to the perception that the evaluation is an arbitrary exercise. When the 'what' and 'how' of the evaluation are clear and agreed upon, any arguments focus on the quality with which the analysis was carried out, not with the issues analyzed or the factors used. This may not seem like much, but it simplifies defense of a rating by limiting discussion to the application of the objective measures.

> *Many supervisors err in not detailing*
> *how they will measure performance.*

You will want to include in the plan, tasks or projects that are motivators. Before you do that it is important to assess your employee. Are they experiencing any performance problems, or stress at home, or are they basically satisfied and not interested in working "outside the performance box". If any of these issues exist, it is best to stop with the basics of the job requirements.

If, however, your employee performs well, you can give them value added by including activities that are fun and can lead to professional enhancement, recognition, possible advancement, or achievement of a difficult goal. If a caseworker is interested in furthering their education, you can provide administrative leave and you can explore different funding approaches (does your county offer matches at local community colleges?). Put it in their performance plan and rate them on these activities.

If a tech or tech supervisor wants to attempt a combined community approach to building self-sufficiency, let them coordinate the agency's program. Again, include it in the plan. These are low or no cost issues that will generate improvement for your staff and can thereby cause sustained or improved productivity. Ask your staff to come up with projects that are important to them and assure them that it will be in their plan and that you will work to support them with their project.

When the plan has been completed, you should conduct a review of it at least quarterly, more often if the plan's steps require it or if the performance issues are corrective. The review should be done during your regular supervisory time with your employee and you should both discuss how the plan is working. Mutually agreed upon amendments can enhance the impact of the plan over the year. The review tells your employee that the plan is important to you and by logical extension that the employee is important to you also. By reviewing the plan you are also building and previewing the evaluation that comes at year-end.

TEN STEPS FOR PERFORMANCE PLANNING

1. Performance plans should be completed timely so that they are not addressing as future issues, events that have already occurred.

2. The performance plan should be the product of a joint process that is shared equally by the supervisor and the employee in question.

3. The initial portions should address the "boiler plate" issues that are agency requirements for all employees. Examples may address the hours of work, dress requirements, and other things that your personnel office requires.

4. Identify specific, measurable components of the job that are required of any incumbent.

5. Identify as tasks the acquisition of any skills, training, or education that will enhance the employee's function. This is an opportunity to support the employee in acquiring enhanced value by granting administrative leave or subsidizing training or education.

6. Include a "sandbox" goal in the employee's plan unless they are under corrective action. This entails assigning or delegating an area of activity that the employee finds enjoyable and interesting. It offers the opportunity for periodic changes of pace and function and helps motivate employees on the job.

7. Include any other reasonable function that the employee feels important unless it violates agency policy or creates too great a workload.

8. Negotiate with the employee the mechanisms and factors that will be used in measuring their performance. This is especially critical if an employee is under corrective action.

9. Review the plan at least quarterly with the employee. The review tells the employee that you think that he or she and the plan are important enough to spend the time. It also will provide for early detection and notification of problems and reinforces your credibility should problems develop later.

10. No performance plan is written in stone. As long as there is mutual agreement, adjustments can be made to reflect events as they unfold. The plan must be in writing and be signed by both the supervisor and the employee.

Monitoring Staff Performance

The first step in monitoring staff performance is to have regular individual conferences. For caseworkers this should be weekly and for techs and support staff monthly. These conferences should be structured and should never be replaced by an ad-hoc, open door practice. They should have a flexible structure such that the supervisor and supervisee can both present issues, review case files, prioritize follow-ups, discuss case problems and review the performance plan quarterly. Behavior and preparation for the conferences should be noted.

It is a good idea to review service case records and discuss them as a regular part of casework supervision. For technicians periodic sampling is effective. Accounting can be dealt with during monthly reviews of financial statements. The review of records is the most efficient way of examining the work product of your employees.

In day-to-day activities, the supervisor should be looking for indicators of performance. Indicators are discrete areas to investigate that are easy to access and critical to job function. When an indicator attracts attention, it is important to remember that indicators may not reflect problems. They do reflect changes in activity or different activity or production and that change bears further investigation. Using indicators in this way directs further monitoring activity. When fully developed, a system of indicators would start with a few high level factors that, if tripped, would lead to a second level and so forth. The levels would be progressively more detailed and therefore more labor intensive and they would direct the monitoring activities of the manager or supervisor who was using them.

The essential basis for monitoring staff performance is found in the regular contacts that are maintained by the supervisor. The contacts should be driven by the flow of work and by a regularly scheduled one-on-one supervisory conference.

In almost all situations, most monitoring can occur in the context of everyday activities with little extra work involved. It is important, however to emphasize that monitoring of any sort is only effective if it is done regularly. Regularity allows the observer to identify baselines, the variance from which can be an early indicator of problems.

> *The first step in monitoring staff performance is to have regular individual conferences.*

A sample conference guide for caseworkers is included in the Appendix and adapts well to the other positions. A verbal format for case reviews and two approaches to case record reviews, eligibility, and services are also included.

Regular monitoring is undercut by the perception that it is labor intensive. In most situations, that should not be the case. Areas for monitoring should be selected premised on their level of significance and their ease of use. If the area for observation is not significant, why spend valuable administrative time looking at it? Similarly, if it is very difficult to observe, it will take much time and effort to use. Therefore, it will not be used regularly and will not be of much value. Avoid difficult areas by selecting proxy factors or factors that are derivative of the activity.

Some key areas to monitor:

- Preparation and performance during one-on-one supervision;

- Ability to discuss and defend a treatment plan or eligibility decision;

- Ability to accept changes to a treatment plan when necessary;

- Review of at least two case records before and discuss during the one-on-one session;

- Feedback from the community;

- Performance during unit meetings;

- Interaction during daily contacts;

- Feedback from clients – particularly about accessibility;

- Timeliness;

- Respect shown for the integrity of individuals; and,

- Frequency of error.

A supervisor who can speak knowledgably about the performance areas listed above is in a strong position when questioned about their employee or when asked what they look for in staff performance.

When an employee's performance seems to be slipping, the monitoring will become more focused on the particular areas that are causing problems. When this happens, the supervisor should break the job out into constituent parts and isolate the specific problems areas. Indicators germane to these areas can be utilized to more closely monitor the job performance. Monitoring will occasionally lead to the need for corrective action. Here are more specific areas to target for workers:

FLAG ISSUES

- Worker on home visits not being where planned;

- Case records in disarray;

- Extremely high caseload without specific discernable cause;

- Consistently missed supervisory conferences;

- Consistently missed unit meetings;

- Internal and external complaints;

- Inaccuracies are disproportionate to other workers;

- Production is late consistently;

- Lack of notations or calculations on resources State Adult Income Maintenance;

- Lack of pursuit of other eligibility programs in State Adult Income Maintenance;

- Inability to observe daily schedule.

There are several pitfalls to avoid when flagging issues: Focusing on the cause rather than the behaviors; assuming the problem; and ceding control to the staff person.

Evaluation

When properly done, evaluation falls out of the performance planning process. You must evaluate your employee on the requirements that you set out in the plan. If you have reviewed the plan with the employee at least quarterly, the evaluation becomes the summing up of the reviews that have taken place.

You should be careful to limit the evaluation to what you and the employee included in the plan. (As long as both parties are amenable, performance plans can be modified during the year). You should do the evaluation with the employee in a location that insures privacy (your office if possible) over two meetings. The first meeting is to

allow the employee to describe how they think they performed and to share with them your assessment. This allows discussion of any areas of disagreement and affords the employee the opportunity to provide any further evidence related to performance. It also allows both parties to emphasize areas that should be included in the next year's performance plan.

The second meeting entails presentation of the final document as modified by any issues mutually agreed upon as a result of the first session. The document should be signed by both parties with a copy being provided to the employee. The original should be transmitted to the personnel office timely.

Evaluating employees with whom you have worked for a long time often seems like a redundant exercise. This can be offset by including different responsibilities or tasks requiring new skill sets into a mutually agreed upon performance plan. The development of greater skills or the meeting of new challenges will revitalize the evaluation process. These challenges might include areas of career development, or activities that are both beneficial to the department and of interest or enjoyment to the employee.

> ***You should be careful to limit the evaluation to
> what you and the employee included in the plan.***

SOURCES OF INFORMATION FOR EVALUATION

In addition to knowing what to look for, we have to know where to look in sampling worker performance. The supervisor needs to be able to obtain sufficient valid and reliable information representing the typical performance of the worker if she is to apply the criteria in making an assessment. The possible sources of information available to the supervisor regarding the worker's performance might include:

1. Supervisee's written records;

2. Supervisee's verbal reports of activity;

3. Tape recordings of supervisee-client (individual, group or community) contacts;

4. Video tapes of supervisee-client contacts;

5. Observation of performance via one-way mirror;

6. Observation of supervisee in joint interviews;

7. Observation of supervisee's activity in group supervisory meetings;

8. Observation of supervisee's activity in staff meetings and joint professional conferences;

9. Client evaluations of supervisee's performance; and,

10. Supervisee's correspondence, reports, statistical forms, weekly schedule, daily action logs, monthly performance records, etc.

A study of the actual sources of information utilized by supervisors in formulating evaluations indicates high dependence on a very limited group of sources – principally, the supervisee's written record material and the supervisee's verbal reports of activity. Less frequently utilized, but of some importance, are correspondence, reports, statistical forms, worker activity, staff meetings and group supervisory meetings. Audio and video tape recordings, direct observation of the worker, and client evaluations are almost never utilized (Kadushin 1974).

Implementing Corrective Action

There are two factors that must be recognized before means for dealing with performance problems are discussed: 1) Almost always, a supervisor will recognize performance problems later than they think that they should have noticed them. 2) Often, difficult employees will use "performance projection" ("It's not my fault that you are an inadequate supervisor"), which usually works powerfully on the unsuspecting supervisor. Don't buy into it!

STEPS IN PERFORMANCE MANAGEMENT.

1. Identify the problem. Insure that it is not a personality or style issue. These are not worth pursuing.

2. Usually problems are one of two types: a) the issue is egregious and little work need be done before imposing corrective action; or, b) the issue is not egregious.

3. In the latter case, it is important to verify that the performance is in conflict with the specific job description or the performance plan that is currently in force. If it is not, you should rethink your assumption about the employee's performance.

4. If the issue is not immediately sanctionable, a verbal review is in order. It can be quite informal, but the supervisor should record its occurrence.

5. If it continues, a memo should be delivered privately and face-to-face detailing the issue and requesting a plan to correct the problem from the employee. An offer of material assistance to the employee should be made. The goal should *always* be successful performance.

6. If the problem continues, a formal plan of corrective action should be developed by the supervisor and the employee. Time limitation is important; 90 days is usually adequate although the nature of the problem dictates the actual time. The plan should stipulate what the employee must do to correct the problem, what the supervisor's role will be, and the possible consequence for failure. It should also be clear that, at a minimum, monthly supervisory sessions will occur during the life of the plan with the employee being free to access the supervisor for assistance or review at any time. This step in the process should be approved by your personnel office before implementation.

7. Failure at this point should result in some form of corrective response from the administration (you). Is it possible that there is another job in which the person could be more successful? Is a downgrade appropriate? Is termination the proper choice? Whatever the decision, it should close out the corrective action. Planning at this level *must* include your personnel officer or county administrator.

8. The goal of each step in the process is the correction of the problem and the closing out of the corrective action process. Working through a performance issue is empowering for the employee and a wonderful success for the supervisor.

9. Throughout this process, the supervisor should maintain a spiral notebook or some other handy recording device and set down in outline every interaction with the employee. Include date and time when making individual records.

10. The recording of information should be done immediately after the interaction so that the record is as accurate as is possible. The recording should be in an easily understood shorthand so that the supervisor does not have to spend inordinate time doing it. This will be the documentation that underpins any administrative action. The ability to refer to specific instances of performance and to what was done by the supervisor is the most important factor in successfully carrying out corrective action.

11. Equally critical is recognizing the fact that corrective action is relatively easy to implement but it is emotionally taxing. This fact is why it is so essential to insure that all activities have been consciously geared to help the employee to succeed. In this way, if negative personnel action should be required, the supervisor will feel clear about the choice and confident that the process was, in every way, fair to the employee. This will help the supervisor in carrying out unpleasant duties, and will also be key in defending against any adversarial actions that follow the disciplinary measures.

Communication

Almost all of the supervisor's job is dependent on good communication. Effective communication is the foundation to all of the successful interactions on the job. It is your job to actively listen to your staff when they need to communicate. Clear your mind of all other matters and focus on what they have to say. Listen! Ask questions that clarify what the person says. Indicate your understanding by paraphrasing what they say, particularly, when it is complex and multi-faceted. The following steps are ways of enhancing the quality of communications on the job:

1. The most effective communication tool is effective listening.

2. Get out from behind your desk and go see your workers in their own environment.

3. Be listening to the pace of work and do not intrude when you will be a distraction.

4. Do not assume that you know what your staff wants or needs. Listen carefully to what they are telling you.

5. During individual conferences, establish a professional mileau, set the meeting out as their time and listen actively. Allow no interruptions except for emergencies.

6. During unit meetings, ensure that all members participate, establish rules for the meetings (no interrupting, etc), maintain a safe environment in which free communication can occur.

7. Communicate criticism privately.

8. Communicate praise publicly.

9. Use day-to-day communication to reinforce a non-judgmental, free flowing approach that insures transfer of needed information and the safety to suggest new and different ideas.

10. Communication is enhanced by liberal doses of humor.

With all of the advances in technology, there can be no excuse for not communicating regularly with your staff about agency policy, administration's thinking and the latest developments that effect staff. Use email, cell phones, pagers, video conferencing and all the other means you have at our disposal.

Delegation

Delegation is a powerful management tool that enables you to meet great expectations with limited resources. With its use, you are able to get more done using significantly more of the talents of your staff. Delegation, when done well is the ultimate example of " Better – More Efficient." Here are ten steps to help with effective delegation:

TEN STEPS TO DELEGATION

1. Delegation must serve two purposes: it must assist management with the performance of required duties and it must challenge staff by providing added responsibility and greater proficiencies. If there is no perceived benefit to staff, delegation will breed resentment.

2. Select tasks that can be managed by subordinates and that will offer benefit to both you and to the selected staff person.

3. Select an employee who would be interested in doing the job.

4. Select an employee who has the potential to do what you are asking.

5. Select an employee who will be able to arrange their time in order to accomplish the job. Delegating duties to a high performer who is already overloaded, particularly when other staff members are not as busy is a recipe for discontent.

6. When you delegate a task, describe the job and the expected results completely.

7. Ensure that the employee understands and agrees to whatever level of oversight you think will be necessary. Also, ensure that your sense of oversight required does not appear to be unnecessarily intrusive to the employee as this will undercut their sense of challenge and empowerment.

8. Provide both the authority and the resources necessary to accomplish the tasks. Assigning responsibility without the authority to do the job is a mistake too often made.

9. Ensure that you inform other parties who need to know about the reassignment of responsibilities.

10. As agreed on, periodically check progress and provide support as needed. You now have a double stake in succeeding – greater efficiency and a more highly motivated and skilled staff member.

Orientation to Agency Values

Agencies need clear, concise statements of vision, purpose, mission, and goals to provide direction for employees. The employee's job description should relate directly to the agency value statements, so the employee can see how and where they fit in with the accomplishment of these values. It also gives them a sense of connectedness with others within the organization who are working to accomplish the same mission and vision. The specific goals of the individual units may differ, but should be congruent with the global values articulated for everyone.

It is the supervisor's responsibility to orient new employees to the values and culture of the organization and to keep all staff consciously aware and working toward the realization of these values. The supervisor is solely responsible to set the vision, values and culture of the individual unit. This can be done through written orientation and training materials, agency logos, emblems, signs, and an annual strategic planning process where units meet to set annual goals, evaluate progress and celebrate accomplishments. The supervisor who provides strong leadership in this area will generate referent power.

> *It is the supervisor's responsibility to orient staff into the values and culture of the organization.*

It is important to have understandable and inspirational value statements that are neither grandiose nor simplistic. A certain amount of thought and creativity should go into the effort. Agencies need to include all staff in the effort so there is ownership in the agency's purpose. If your agency has not yet developed these values, do so as soon as is feasible. It is an excellent opportunity to familiarize yourself with staff and positively influence them.

Here are some practical definitions of these value terms:

Agency Vision – "Leadership is what gives an organization its vision and its ability to translate that vision into reality." – Warren Bennis and Burt Nanus, *Leaders.* One of the leader's most critical functions is to create a vision of what the organization will be like five to ten years in the future.

Mission Statement – A mission statement is a written statement about the organization's purpose, values, customers, and goals. It embodies the organization's culture and should be developed at all levels of the organization in order to inculcate these values into all employees. Stephen R. Covey in *Principle-Centered Leadership* believes that mission statements need to address all four basic human needs: economic or money need; social or relationship need; psychological or growth need; and spiritual and contribution need.

Goals – Goals provide direction, tell you how far you have traveled; make sure your overall vision is attainable, clarify everyone's role, and give staff something to strive for. Supervisors need to develop unit goals in addition to facilitating the accomplishment of agency goals. All effective goals need to be clear, specific and unambiguous; measurable; realistic and attainable by average employees; relevant to the agency's mission and vision; and time-bound with starting points, ending points, and fixed durations.

Conflict Resolution

DEFINITION: Conflict can be defined as an active striving for one's own outcomes which, if attained, precludes the attainment by others of their own preferred outcome, thereby producing hostility.

It is unrealistic to think that business can be conducted in any meaningful way without conflict. Conflict is a reality and must be acknowledged and dealt with, not ignored. It will not go away. Conflicts usually arise in an organization with limited resources that are contested. Conflicts also arise when people hold different values. Thomas Jefferson said that "An association of men who will not quarrel with one another is a thing which never yet existed."

> *"An association of men who will not quarrel with one another is a thing which never yet existed."*

The major sources of conflict arise from three general categories: communications, the structure of the situation, and personal behavioral factors. Here are details:

Communications

▪ Disputes arise in semantics when people use different meanings for the same word or use the wrong word when intending something else.

▪ Disputes arise from misunderstandings that are inherent in people's communications. It is easy to mis-communicate facts, behavior and intent.

▪ Disputes arise from faulty communications between individuals. The British author Lynn Truss illustrates this so well in her best-selling book on punctuation titled: *Eats, Shoots and Leaves: The Zero Tolerance Approach to Punctuation.* The title depicts a Panda Bear who eats shoots and leaves as part of his regular diet; but when a comma is added after *eats*, he becomes a desperado who enters a bar, orders a meal which he eats, shoots the patrons, and leaves the bar to elude capture. What a difference a comma makes!

Structural

- Conflict originates from different organizational positions and roles. We already talked about the conflict inherent in the supervisor's relationship with the supervisee because of the power and authority differential.

- Conflict arises from barriers created by administrative policy and procedure, particularly when personnel policies and procedures like dress codes affect personal choices or preferences.

Personal Behavioral Factors

- Conflicts commonly arise over personal value systems. The Israeli-Palestinian conflict is a classic example.

- Conflicts arise over differing attitudes about work, punctuality, time management and etc.

- Idiosyncratic behavior that is perceived as weird, repulsive, or crazy can also be a source of conflict.

Since conflict seems to be inevitable in human interactions, it is best to approach it in a constructive manner. Conflict can clarify situations and is a useful tool in achieving objectives. Additional benefits include:

1. Leads to problem identification and resolution that can be an effective method for surfacing prejudices, identifying inequities and airing differences.

2. Brings new ideas to the situation.

3. Helps people recognize and understand other points of view.

4. Challenges persons to think through their feelings and positions.

5. Helps to define the values and needs of other individuals.

Studies indicate that in companies that recognize and handle conflict, the end result is often greater teamwork and stronger relationships.

STRATEGY TO MANAGE CONFLICT EFFECTIVELY

1. The supervisor should set the tone with staff to let them know that conflict is normal in the workplace, something to be expected and accepted. Conflict is a legitimate means for expressing differences. If the supervisor is comfortable and treats conflict as a normal condition, staff will too.

2. Managers and supervisors should accept responsibility for resolving conflicts if staff are unable to do so among themselves. Let staff know ahead of time that it is your job to moderate the discussion and facilitate the resolution of differences.

3. Establish the ground rules for staff discussions and let the staff know ahead of time that conflict is acceptable and can be managed. Encourage everyone to express their views, but to manage their anger.

   - Ground rules should allow for the expression of emotions, while concentrating on understanding what is at the root of the conflict.

   - Ground rules should encourage all involved to be open and honest in their communications, while being respectful to others involved.

   - Everyone involved needs to be assured that they will have an opportunity to be heard.

   - All parties should be encouraged to listen to each other without argument or anger.

   - Everyone involved must understand that broad generalizations will not be allowed and that criticisms, opinions and complaints have to be supported by facts, not feelings.

   - No interrupting.

4. Give everyone an opportunity to express feelings.

5. Encourage staff to focus on issues, not personalities. Be tough on the issue but easy on the people.

6. Offer feedback to the parties to make sure everyone understands the issues involved. Try to identify the key areas of disagreement, and keep the discussion focused on those issues.

7. Don't allow side squabbles to detract from the real issues.

8. Focus on the areas of agreement and get staff to acknowledge when they view the issues similarly.

9. Manage the emotions of the situation. When emotions start to become difficult to control, take breaks to help those involved keep their cool or regain their composure.

10. If you are making a policy decision or setting goals for the unit, encourage consensus but make the best decision for the unit or agency based on all of the views expressed. The expression of conflict often strengthens the decision.

Managing Liability

Supervisors need to operate in a professional manner that limits the agency's liability and the liability of employees. Since staff deal with difficult program and personal issues when they provide services to clients, a certain amount of risk is involved. It is important to limit the risk as much as possible.

TEN WAYS TO MANAGE LIABILITY

1. Remember that your best defense is the responsible and knowledgeable performance of the job.

2. It is important to know where the issue will come from. The majority of cases come from child protection as follows:

    - Failure to Diagnose

    - Failure to Report

    - Failure to Properly Investigate

    - Wrongful Removal or Detention of Children

    - Failure to Properly Select or Monitor Placement

3. It is important to remember that the State and counties have sovereign immunity unless they choose to relinquish it. Generally speaking, this means that in policy setting and policy matters there is no liability.

> *Supervisors need to operate in a professional manner that limits the agency's liability and the liability of employees.*

4. Most litigation centers on the ministerial function or staff performance of the policy. This point is critical. If policy level activity is not subject to litigation; and if staff are acting within the boundaries of policy, then they and their department are well defended in the event.

5. Ensure that your department's policies are congruent with the State's and that they have been thoroughly vetted in the local community. Conformity to State rule and to State recommended practice assures that your policy reflects standards that are considered effective and responsible. Also, since they have been reviewed in your own community, they will represent the consensus position for performance.

6. Ensure that your staff is fully trained in their area of responsibility.

7. Ensure that they meet the qualifications for the performance of their jobs.

8. Ensure that there is consistent oversight so that performance reflects the set policy.

9. It is also important to verify that your county government has appropriate insurance coverage, including mechanisms to cover malfeasance by employees.

10. Document, document, document. Document the workers' training and qualifications; document your oversight of the worker; have your workers document their performance; and document your policy setting process.

SECTION V – THE SUPPORTIVE ROLE

The second critical supervisory role is the supportive function that a supervisor provides to staff. The challenge for today's supervisor is to create a supportive environment in which staff have the opportunity to perform at their highest potential. This can best be done when employees have regular access to their supervisor, both for ad hoc needs and for regular formal contact. Caseworkers should be seen formally weekly; eligibility technicians monthly and business office staff as needed and for presenting and explaining monthly reports. In these regular contacts, during meetings, and as you make decisions that impact your staff, you should be cognizant of the following principles:

1. *Champion Honesty and Candor* – Create a safe, comfortable environment where honesty and candor are practiced.

2. *Develop Trust and Respect* – Trust and respect your staff and they will reciprocate.

3. *Foster Independence and Autonomy* – Encourage independence, good judgment, and autonomy.

4. *Recognize Good Work* – Recognize and reward staff for quality performance.

5. *Support Staff Goals* - Help staff achieve personal and professional goals.

6. *Motivate staff* – Involve staff in decision-making and offer opportunities for professional development.

7. *Treat Staff as Individuals* – Assess the needs, skills, style, motivations and accomplishments of each employee and provide what they need to flourish.

8. *Encourage Cooperation* – Encourage employees to work together in small groups or teams.

9. *Lead by Example* – Adopt the values you advocate and live by them.

10. *Have Fun* – Work hard and have fun while doing it. Celebrate accomplishments.

> *Create a supportive environment in which staff have the opportunity to perform at their highest potential.*

Champion Honesty and Candor

The key to creating a supportive environment is to create openness throughout the organization. In an open environment, employees can bring up questions and concerns – in fact they are encouraged to do so. Individuals can be candid and honest about concerns without fear of retribution. Hidden agendas seldom exist when staff are not punished for being honest and candor is truly encouraged. Staff then can say the same thing in business meetings that they say informally among themselves.

When employees see that supervisors are receptive to new ideas, they are more likely to think of new and better ways to conduct business and improve services. When supervisors consider criticism that is warranted and make positive changes in behavior, this creates a comfortable work setting. It is equally important for the supervisor to tackle tough situations and problem employees – staff know the supervisor is serious about honest relations.

Develop Respect and Trust

If the supervisor develops an open environment by encouraging honesty and candor and treats the staff and others with respect, then staff will begin to trust that it is a safe place to work. The supervisor must be consistent, reliable, and predictable so that staff can trust that when something happens, it will be treated the same way each time. Like offenses will be treated the same and discipline will be meted out the same. Trust begins with the supervisor.

Supervisors must learn to trust their judgment about people. It begins with the hiring. The supervisor hires good trustworthy people, trains them to do the job and then trusts them enough to get out of the way. The supervisor needs to be positive about staff and generally give them the benefit of the doubt. When this happens, both end up in a better place. Additionally, the supervisor must have or acquire mastery of the functions that are required of staff and accept responsibility for the output of the unit.

Foster Independence and Autonomy

After supervisors hire good people, train them well, and provide good supervision, employees become strong and independent people who exercise good judgment in making decisions. Once they learn the job, don't hover over them prescribing how something should be done. Involve them in making decisions, especially about their assignments. They value being given the latitude to perform their work in a way that suits them.

Delegation is the essence of good management. It frees up the supervisor to manage time more appropriately, develops management skills, promotes organizational efficiency, and shifts decision-making to the appropriate level. It is equally beneficial for the employee. It increases job satisfaction, provides variety and novelty, and increases job skills. It also exposes the employee's potential to the supervisor. Delegation steps include: inform the person what needs to be done (focus on results), fix firm deadlines, provide adequate resources, give advice without interfering, build in controls, back up the person in disputes, and give full credit for results. Successful delegation increases the likelihood that the employee will get the job done to your expectations and their own. Not only that, but independent employees bring additional ideas, energy and initiative to the job (See Delegation on page 29).

Recognize Good Work

 Recognize and reward quality and productivity. Most work is accomplished in small segments that are performed daily. Seldom do we experience major breakthroughs. The annual performance evaluation consists of a review of all of the jobs performed over the year. That is why recognizing quality products or efforts as they occur is so important. This identifies and reinforces good practice.

Be honest in rewarding good performance and be specific. An example, "keep up the good work" or "you're doing really well," when not tied to specific performance is so general or meaningless that it could result in rewarding sloppy or inaccurate work, or work that is not completed on time. This gives staff the wrong message. A better example is "the treatment plan you developed for the Smith family was detailed, well-written and truly dealt with the role reversal that has undermined the parent-child relationship." The need for specific feedback holds true when doing corrective action with staff. Letting them know specifically what is deficient allows them to focus on solving the problem. Offer suggestions and involve them in seeking solutions.

Avoid generic praise to a unit or group unless the group is being acknowledged for a particular team project. Generic praise is nice, but the impact is diluted. The downside is that it may come across as insincere or manipulative. When an employee writes a good letter, adroitly handles a tough situation, or solves a tough problem, say so verbally and in writing and put a copy in their personnel file. Recognize each contribution privately but be careful about announcing them publicly. Set some criteria about public recognition, so that you are consistent and fair in announcing it. People are sensitive to public praise if they believe it is unfair or inconsistent. Public recognition can sometimes backfire.

> *Be honest in rewarding good performance and be specific.*

Support Staff Goals

An effective supervisor takes the time to learn about each employee's professional and personal goals and facilitates the achievement of these goals. Personal involvement with staff and the development of a good relationship are important. The employee appreciates and responds to the supervisor's genuine interest. This is not just about being nice and feeling good. It's about focusing on the personal and professional goals of staff and developing their skills and capacity for the organization. When staff grow and develop on the job, they experience greater satisfaction and productivity. Everyone benefits. Developing human potential and capacity is at the core of all human service activity.

Motivate Staff

Employees may not need a pay raise as much as personal thanks and appreciation from their supervisor for a job well done. This recognition, the worker's personal achievement, the work itself, the challenge of responsibility and the potential for advancement all are stronger motivators than salary. Obviously, employees who are motivated are more productive and committed to the agency, colleagues and management. It takes a supportive environment to nurture commitment. Consider the following as motivators:

- As mentioned, personally thank staff for quality work – one on one, in writing and publicly. Do it promptly, often and sincerely. Insure that praise is directly tied to specific instances of performance.

- Take the time to meet with and listen to staff. Give them as much time as they need.

- Provide specific feedback about the performance of the employee, the unit and the agency.

- Encourage new ideas and initiative.

- Provide information about the job, unit, and agency and explain how each employee fits into the overall scheme.

- Involve staff in decisions, especially about their assignments.

- Use performance as the basis for recognizing, rewarding, and promoting staff. Deal with marginal or poor performers so they improve or leave.

- Offer staff opportunities for growth and achievement.

Treat Staff as Individuals

When supervisors hire an employee they are optimistic that the qualities they identified in the interview process are predictors of success on the job. They have to accept the new hire with all their assets and deficiencies and hope that with good supervision the person will develop into an effective, satisfied, and productive employee. It is the supervisor's job to accurately assess what the employee needs and then design the appropriate package to meet these needs. Supervisors must adapt their supervisory style to the employee, not the other way around. This includes experienced as well as new employees. Staff performance varies depending on the person's circumstances and the nature of the work assigned. It is a continuum:

1. Inexperienced rookies will need a lot of instruction, clear direction, close monitoring, and encouragement. This requires more of your time, with regular conferences, and close supervision. You have to know how they are doing so you can reinforce good performance and extinguish bad.

2. Journeyman need coaching. A good coach starts out by explaining and demonstrating the task or lesson. After the coach explains the task and has the employee do it, he follows it with a critique. Next, the coach has the employee explain it and do it, followed by a critique. Good coaches try to provide the following:

   - Coaches provide context and vision to the employee. They explain the big picture and where the employee's job fits in.

   - Coaches provide knowledge and perspective. They share their own experiences and encourage the employee to apply this to the current situation.

   - Coaches are a sounding board to the employee - someone to bounce ideas off and offer reflections.

   - Coaches provide needed resources to the employee to help them achieve success.

   - Coaches provide a helping hand when tasks become overwhelming.

3. Fully competent employees need encouragement, recognition, advice and support to act independently. They are self-starters operating on their own with general guidance. They still need supervisory conferences, but the tone, content, and interaction is different. The successful supervisor must be able to shift quickly from one mode to the other. It's not about the supervisor; it's about the employee requesting and receiving support.

> ***It is the supervisor's job to accurately assess what the employee needs and then design the appropriate package to meet these needs.***

Encourage Cooperation

Employees are hired as part of a unit, part of a division and part of the agency. They work individually and with others to meet goals and accomplish tasks. Many tasks require additional resources provided by staff. Supervisors should use formal teams like task forces, work groups, and committees, to achieve specific goals. Their purpose, expected product and timeline should be clearly spelled out when they are formed and reiterated as individuals are assigned.

There is synergy when two or more employees work together on a project. The product is often more thoughtful, comprehensive, and of higher quality than when one employee is assigned the same task. The team utilizes individual strengths, minimizes deficits while members provide support to each other. The successful completion of quality products also increases the team's morale and has a positive effect on the entire unit, particularly if there is more than one team operating.

Informal or casual associations of employees develop spontaneously within the formal structure of the organization. Associations can be people who eat lunch, socialize, or hang out together. Although they have no specific tasks assigned by the supervisor, they are important links of communication outside of the official channels and provide a relatively safe environment for ventilation. Supervisor's should exploit these opportunities by eating lunch with supervisees and providing insight to the workings of the executive management team in terms of personality traits and interactions. This gives staff a different perspective about leadership that can be helpful to them in dealing with agency decisions.

Lead by Example

The supervisor has the most influence on the unit values, attitudes and behaviors of employees. Staff take their cues from the supervisor and are careful to observe the supervisor's consistency between practice and preaching. When consistent, the supervisor can inspire and motivate employees to follow the desired unit values, attitudes and behaviors. If not, then a level of cynicism develops that can undermine morale and productivity. Inconsistency also makes it difficult to administer discipline to employees. Often, the supervisor will back off problem behaviors because they do not want to be accused of hypocrisy. This worsens the situation. Walk the talk.

Have Fun

It's important to have fun at work since we put so much of ourselves into the effort. Employees do better work when they are relaxed and comfortable. Supervisors should create an informal work place that stresses hard work, humor, informal groups, and celebrations. If the supervisor leads by example and creates an environment that champions honesty, develops trust and respect, fosters independence, recognizes good work, supports staff goals, motivates staff, treats each as an individual, and encourages cooperation, then it will be a fun place to work. It was no accident that Readers Digest created a feature column called, "Laughter is the Best Medicine".

> *Employees do better work when they are relaxed and comfortable.*

SECTION VI – THE EDUCATIONAL ROLE

The third role of the supervisor is the educational function. Effective use of the educational function can lead the employee to improved practice, career development and a sense of vitality that crosses over into the motivational area, a part of the supportive function.

New directors, particularly those who come into the job from outside the system, may find their role particularly challenging because they face the paradox of providing educational resources to employees who have greater knowledge and experience in their respective jobs. This paradox does not really exist as long as the supervisor does not fall into the trap of trying to be something they are not. In this case, it means not trying to be an expert in all things.

During the course of performing their administrative role, they will become aware of their employees educational needs. This may occur when discussion and planning for a particular case seems to arrive at a dead end, or when an employee points out an area in which they would like to develop further skills.

The director as supervisor cannot, and should not try to address every need alone. There are many resources that can be purchased or provided without cost that will effectively address the perceived need. The key is to create an ongoing interaction that is open and encourages self-assessment and innovation. A basic tool in management is the modeling of desired behavior. When the director is open and comfortable with assessing his or her own areas that need improvement, this sets the tone that encourages staff to identify their own.

> *When the director is open and comfortable with assessing his or her own areas that need improvement, this sets the tone that encourages staff to identify their own.*

An effective method for encouraging this openness is to be aware and sensitive to the individual's learning style. By tailoring interactions to the employee's individual style, the supervisor enhances the opportunities to identify needs while also directing the selection of the types of resources that will best meet their employee's need. Even though we identify various learning styles, most people learn through a combination of styles, although they have a predilection toward one over another.

Visual Learner

There are different theories about learning styles. One way to learn is primarily by seeing information. The learner benefits from viewing the material through demonstrations, pictures, graphs, charts or diagrams. Many musicians learn to read music learn this way. They translate the symbols into musical notes and patterns. Painters are able to see and portray colors more astutely than others.

Auditory Learner

Some people learn more quickly and effectively by listening to words, instructions, music, patterns, and tones. Verbal repetition of the material is an easy way for them to learn. They can remember words, poems, tunes, songs, and sounds more readily than others. A lot of famous musicians have learned to sing and play by ear when they can't read a note.

Experiential-Empathic Learner

This person learns new skills by focusing on their feelings about situations they have experienced. In casework, they develop skills by listening to people's problems and triumphs and identifying with them by comparing these emotions to similar experiences in their own life. This is a person who tends to go with their "gut" or intuition about a situation. They go from the specific experience to broad-based principles.

Hands-On Learner

This is a person who primarily learns new skills by actually trying them out. They learn best with specific demonstrations and an opportunity to replicate the motion, movement, or procedure. Some skills require this style as a precursor to competence. Think of all the sports activities we engage in. Ever learn to ride a bicycle without actually getting on the seat and balancing while moving. It can't be done.

Intellectual-Empathic Learner

Another type of learning is the person who uses analytical skills to learn how to do something. They think things through according to logic and patterns and are able to apply broad-based principles to a specific incident that they experience, thereby testing the theory. These are people who can see similar patterns in disparate occurrences and can come up with amazing conclusions.

Adult Learning Different from Children

Whatever the learning style of the adult, we know that they are significantly different enough from those of a child to warrant a different focus of educational resources and application. We know the following about adult learners:

- Adult learners have accumulated a vast amount of experience and learning.

- Adult status requires active participation in the learning process.

- Adults have varying cognitive styles.

- Adults tend to formulate principles out of specific examples rather than theory.

- Adults have longer attention spans and can postpone gratification.

- Adult learners often resist the dependency status implied in the teacher-learner relationship.

Assess Each Employee's Learning Style

As you begin to assess the adult learner, you should ask yourself questions about the interaction you have with each employee. Specifically:

- Do they learn best by listening or reading?

- Do they learn best through action in a practice situation?

- Do they learn best in a group or in an individual setting?

- Do they learn best inductively or deductively?

- Do they learn quickly or must they integrate information over time?

Once you have identified educational needs, it is important to write them down and include them in the employee's Performance Plan. By doing these things, you convey their importance and you give your employee the benefit of improving skills while positively affecting their performance rating. As noted in the Administrative Role of Supervision, once anything is included in the Performance Plan, it should be reviewed regularly with the employee. Further, it should suffuse day-to-day interactions.

Training Techniques

There are many training techniques available to supervisors and professional trainers in teaching staff the skills and knowledge they must acquire in order to perform their jobs proficiently:

- *Use of Experts* – An expert is anyone who has a special talent, skill, or background. Experts many be called upon to lecture and to demonstrate creative activities whenever the topic requires specialized knowledge or skills. The use of experts lends variety to the training and establishes credibility.

- *Lecture* – Lectures are useful when it is important to establish a body of knowledge and common understandings among the participants as a foundation for more active experiences.

- *Group Discussions* – Discussions may be structured or unstructured. You may use questions, experiential exercises, worksheets, case studies, etc., to structure group discussion. Unstructured discussions frequently arise spontaneously and require little prompting. In either type, it is important for you to maintain an atmosphere of openness and trust and to be accepting and reinforcing. You must also encourage participation from all group members and prevent the dominance of any one member. You should frequently redirect questions, clarify what has been said, and summarize the major points.

- *Experiential Exercises* – Exercises that require active involvement and the application of personal experiences are most conducive to adult learning. These exercises provide the workers with opportunities to apply content, to test hypotheses, to practice skills, to arrive at creative solutions and to explore personal values and attitudes. These activities facilitate group skills such as cooperation and the ability to reach consensus. In this type of exercise, workers are guided by the task rather than by the trainer. Experiential exercises most strongly support the principle that the most valuable learning is an autonomous act. In addition, these exercises are often the most interesting and the most fun.

- *Guided Imagery* – An effective method of changing pace, of relaxing participants, and of encouraging quiet self-exploration is guided imagery which involves directing the group to relax, close their eyes and imagine a place or situation that the trainer describes.

- *Checklist* – Checklists may be used to gather information on the group, evaluate training, identify specific interests, evaluate performance, afford opportunity to practice what has been learned, and strengthen recall.

Additional information on learning styles and adult learning is available in the Appendix or can be developed by Field Administration.

SECTION VII – DEALING WITH PROBLEM EMPLOYEES

One of the most difficult tasks for a supervisor is to deal with problem employees. That's hard enough, but sometimes it's difficult to recognize who has the problem, the supervisor or the employee. You must sort this out first. Questions to ask yourself:

- Who has the problem, the employee or me?

- What is the nature of the problem? Does it affect performance or just irritate me?

- Why do I have a problem with this person? Is it attitude, work habits, values?

- If it is mostly me, what can I do about it?

FOUR GENERATIONS IN THE WORK PLACE

If you concluded that the employee's performance and productivity are acceptable, but you either don't like or don't understand the person; you may be dealing with a person who has different attitudes and values about work. It happens. For the first time, American businesses have four different generations in the work place at the same time, sometimes in the same work unit. They don't have to be poor performers in order to be a problem employee for you. You may not understand them or be able to communicate effectively with them. Sometimes, their work style or attitude can affect the work environment. The burden is on you to understand them and learn to work with their values and behavior.

Ron Zemke, Claire Raines, and Bob Filipczak wrote about *Generations at Work: Managing the Clash of Veterans, Boomers, Xers, and Nexters in your Workplace*, Performance Research Associates, Inc., 2000. In their seminal book they provided a thumbnail sketch of each generation and its characteristics. Here are the four generations and their characteristics at work:

The Veterans

The veterans were born between 1922-1943 (52 million people). They were strongly influenced by World War II and the values that enabled America to successfully wage war and forge a bitter peace. They value the following:

- They like consistency and uniformity. They were raised with predictable rules and social mores.

- They prefer things on a grand scale. They like things niftier, more new-fangled, bigger and better. World War II was waged on a grand scale.

- They are conformers. They believe in following the rules because rules are put into place by persons in authority who know what they are doing.

- Veterans believe in logic, not magic. After all, they participated in the post-war industrial expansion and put a man on the moon in 1969. It takes scientific thinking not wishful thinking to do this.

- They are disciplined and hard working. They learned from their depression-era parents that hard work, discipline and education were the way to a better, more financially successful life.

- They are oriented to the past and absorbed with history. After all, a lot of history occurred during their formative years.

- They have always believed in law and order. Rules and laws were developed to govern people who need to respect these laws in order to live together peacefully.

- Their spending style tends to be conservative. They save money and try to avoid debt.

The Boomers

The Baby Boomers 1943-1960 (73.2 million people). Those born during or after World War II were raised in an era of extreme optimism, opportunity and progress. Here are some of their core values:

- They believe in growth and expansion – the one consistent watchword of their lives. America's prosperity knows no bounds. The few recessions between periods of economic expansion were mild bumps in the road.

- They think of themselves as stars of the show. They tend to be spoiled, fussed over, and the focus of their parents' attention and interest. They are the first generation to get more than they needed of the consumer goods for Christmas, birthdays, and other occasions.

- They tend to be optimistic. Their life experiences are filled with educational and economic opportunities. They are the generation that could have it all.

- In school and at home, they learned about teamwork. The focus in school shifted from learning reading, writing and arithmetic to learning how to get along, accepting diversity, and treating each other with respect.

- They have pursued their own personal gratification, uncompromisingly, and often at a high price to themselves and others. Personal income and job goals became more important than family goals.

- They have searched their souls – repeatedly, obsessively, and recreationally. Whatever they do, they do it with self-indulgence.

- The Boomers have always been cool. Their taste in music, clothes, sports, and celebrities have always been cooler than their parents.

The Generation Xers

Generation Xers 1960–1980 (70.1 million people). They were born after the blush of the Baby Boom and came of age deep in the shadow of the Boomers and during the rise of the Asian Tiger. Here are their values:

- Generation Xers are self-reliant. They had to be to survive as children with two parents working. They spent a lot of time in day care and hanging out as latch-key children. They were the most attention deprived, neglected group of kids to grow up in a long time.

- They are seeking a sense of family. In the absence of their own parents, this generation learned to create its own surrogate family of friends and co-workers.

- They want balance in their lives. They don't intend to spend inordinate time burning themselves out at work. Their parents lived to work and they work to live. They don't necessarily like overtime or after-hours work.

- They won't try to juggle all the conflicting roles of work, family, recreation like their boomer parents. They go home at 5 p.m. no matter what.

- They have a nontraditional orientation about time and space. They don't think much of work hours and tend to focus on results. They believe that it makes little difference when they get the job done, as long as it gets done.

- They like informality and dress casually on the job. They don't pay much attention to titles and formal protocol.

- Their approach to authority is casual. They have been disillusioned by authority after Watergate and public scandals. Often, their parents have not lived up to the values they profess which is another source of disillusionment to the Xer.

- They are skeptical. They have learned not to place their faith in others and to be careful with loyalty and commitments.

- They are attracted to the edge. To them the job is just the job. Their sense of adventure and risk-taking behaviors is expressed outside the workplace, sometimes in extreme sports like sky-diving.

- They are technologically savvy. Computer skills are every bit as fundamental as reading, writing and arithmetic to earlier generations. They are the techies in the work place.

The Generation Nexters

Generation Nexters 1980–2000 (69.7 million). They are the generation born of the Baby Boomers and early Xers and into our current high-tech, neo-optimistic time. Here are their core values:

- The Nexters are optimistic about life and the future. Unlike the Xers, they were coddled by their parents who wanted them and even spent time at home with them.

- Like the veterans, they tend to have a strong sense of civic duty and are not tuned out politically like the Xers. A lot of young people volunteer for civic activities and favorite causes. A criterion for getting a scholarship from the Never Forgotten Fund (Honors victims of the Columbine Shooting) is the student's involvement in the community.

- They exude confidence in themselves, their skills and their mature perspective about life, family and work.

- They are a lot more like the Veterans in their attitude about work, discipline and duty.

- They are not loners like the Xers and tend to have strongly developed social skills. They relate well to older adults.

- There are not tuned-out, burned-out cynics like the Xers, and have moral values more like their grandparents from the Veterans generation.

- They have street smarts like no other generation before them. They know drugs and violence first hand with school shootings and pre-teens involved in gangs, shootings and rave parties.

- They believe in diversity and have truly lived in an integrated society where racial, ethnic, and language differences are not viewed in the same way as previous generations. They are more egalitarian in their views and more accepting of differences.

There are other human behaviors that can make employees a problem to supervisors and management. When individuals with these behaviors are handled properly, they can be good performers. It is important to understand these behaviors and learn ways to deal effectively with them. Remember, these behaviors are on a continuum and that an individual can revert to more than one in order to cope with stress or exercise power and control in a particular situation.

We are all shaped by our childhood experiences. We learned to deal with stress, conflict, and adversity by adapting coping mechanisms that worked for us in our families. The problem is, they may not serve us well in the workplace. They may make us difficult to work with. It is important for supervisors to recognize these behaviors and learn to deal effectively with them so that employees can get along with each other and the supervisor. Here are six behavioral styles that people learned growing up and some of the behaviors accompanying them as identified by Roberta Cava in her book *Dealing with Difficult People,* Firefly Books Inc., 2004. A brief profile is offered with some suggestions about how to handle people using them:

Assertive Behavior

This person has respect for himself – expresses his needs and defends his rights. This person also has respect for other person's needs and rights. When issues of conflict arise, he asserts his beliefs and defend others. These folks are direct and honest and give supervisor's useful feedback about themselves, the supervisors and co-workers. Reward this behavior and feel fortunate to have someone who communicates directly with you.

Passive Behavior

Passive people have difficulty respecting themselves and defending their rights. When conflict occurs, they remain silent and accept changes they don't agree with because they don't believe they have any power to make a difference. They don't believe people will listen because others have no respect for them or their ideas. There are several manifestations of passive behavior.

Their behavior is driven by fear of not measuring up and a concern that everyone must like them so they agree with everyone in order not to offend. When faced with conflict, instead of fight or flight responses, they simply freeze. They are often shy or bashful people who have difficulty making decisions because they are afraid it won't be the right one. This makes them procrastinate and stall in making decisions or they are very self-critical of the decisions that are made or lack confidence in defending them. At any rate, others can push them around and bully them into agreement.

SUGGESTIONS:

- Be gentle and patient with them.

- Help them identify when others are using them.

- Praise them when they stand up for themselves and for producing good work.

- Rehearse assertive behavior with them and help them weigh the pros and cons of any proposed solutions.

- Set clear expectations with realistic deadlines.

Aggressive Behavior

These are individuals who learned early that they had to fight in order to preserve their rights or sense of identity. They also learned that they could intimidate others into getting their own way. This is a double-edged sword. They have no respect for other people's rights and tend to disregard them in an argument or conflict but are also ashamed or embarrassed when they succeed. They try to overrun people who oppose their views or simply shout them down. They make things go their way or not at all. They railroad, bulldoze, and shove their ideas and wishes on others using persistence, coercion and even threats. It's easy to recognize them because you know they are out to get you.

Individuals with this behavior take their anger out on you and often use fear and cruelty to control others. They criticize and browbeat others to get their way. They can be really picky and find fault with other people and ideas. Some bend rules to get their way and patronize others. Often, they will interrupt you in the middle of your thoughts and change the subject. They can be stubborn, competitive and persistent. They wear you down to get their own way.

SUGGESTIONS:

- Make sure you deal with aggressors when you are calm. Let them vent their anger. Don't let them provoke you into an outburst or overreaction.

- Be sure to give them recognition when it's due.

- Give them clear feedback about their behavior, its effect on you and on other employees, and your expectations for change.

- If they attack you in public, deal with them then and there with facts and let them know this is unacceptable behavior and you will deal with it in a formal way.

- Identify your concern about their negative-thinking attitude and ask them to work with you to correct their destructive behavior.

Passive Resistance

These are people who are trying to become more assertive in their behavior. Instead of asserting their rights, they resist authority or directives they don't agree with or feel are detrimental to them.

They may play the part of the martyr – act overworked, persecuted or totally dependent. Often, they are uninvolved because the uninvolved person is never wrong – but is never right either. They appear to agree, but don't support anyone else's ideas unless they happen to be the same as theirs. They may seem open, assertive and even extroverted. This covers for a lack of honesty. Some are chronic complainers who whine about everything.

Driven by childish insecurity, they complain when everything is going well. Others fawn over you as boss or extravagantly praise so they can manipulate you. Some make promises they will never keep or they commit to do things they can't possibly fulfill. They crave the center of attention by exaggerating the value of what they do, where they have been or what they know. They use phony illnesses to get the attention they crave.

SUGGESTIONS:

- Give them the attention they crave and keep them busy doing things they like to do and are good at.

- Give them constant feedback on their performance and make sure they know exactly what you expect from them.

- Give them praise where praise is deserved and correct them when they try to exaggerate their contributions.

- For renegers, make sure they know the consequences if they fail to follow through.

- Talk about what their body language is telling others.

- Provide a clearly defined job description that includes set standards of performance on how they are to complete tasks.

Indirect Aggression

These are people who are stuck between assertiveness and obvious aggression. They use subtle, underhanded ways like sabotage and sarcasm to get their way. They often resort to sabotage to get back at you. They engage in put-downs or sarcasm with nasty barbs about your flaws. They are masters at punishing with the silent treatment. They can start praising you and end up with a qualifying put-down. They are gossip-mongers and people who tattle on their co-workers.

Some suffer from jealousy and resentment and cannot accept that you have earned whatever status or recognition you have achieved in life. They tend to steal the limelight in work situations, taking credit for work they didn't perform or pretend they are something they are not. They can be two-faced and deliver deliberately ambiguous messages that are misconstrued. They are guilt-givers and skeptics who are adept at passing the buck.

SUGGESTIONS:

- Obtain proof if work has been sabotaged and confront them with your expectation and the consequences if it happens again. Serious offenders may need to be terminated.

- Cut short discussions that are malicious and curtail gossip.

- Ask a lot of questions requiring direct answers that will pin them down.

- Express displeasure at snitches and evaluate your own behavior to make sure you haven't been encouraging them.

- Use feedback to identify what you see them doing. Ask them to account for why they are behaving this way.

- Encourage and give them praise for authentic acts.

- Make sure they know clearly what you want from them and when you want it, in writing if possible.

- When delegating assignments, make sure they know that they're responsible for the task and when you expect it to be completed.

Passive-Aggressive

These individuals bounce back and forth between passive acceptance and temper tantrums or other aggressive behavior to get their way. They can be very dangerous. Often, they have a pathological reaction to authority and persons they perceive are in positions of authority. They channel their aggression into passive behavior to stonewall progress by slowing down efforts of others. They are hard to detect and you often feel frustrated in dealing with them and don't always understand why. They were excessively controlled as children who have learned how to control others without confrontation. They love to play win-lose games and put something over on others.

Adult tantrums are designed to cope with feelings of fear, helplessness and frustration. To a child, they are a great equalizer; but to adults, tantrums produce a greater backwash of anger and resistance than any other difficult behaviors. They can utilize hidden ways to intimidate. They have no qualms about attacking others in public, and like to appear the victor. Often, they enjoy pointing out every fault and mistake you make and blow small discrepancies out of proportion. They tend to take everything personally and make sure others are "paid back" for any perceived mistreatment. They can be zealots about issues and bull through without consideration of the consequences. These people promise but fail to deliver, leaving you holding the bag. They resist change and are often temperamental, moody, and demanding.

SUGGESTIONS:

- Give them time to run down and regain control over their tantrums. Walk away to give them time so you don't reinforce this behavior.

- Prepare yourself psychologically for the next encounter.

- Encourage them to obtain help to deal with their anger.

- Walk away from them, explaining that their tactics won't work on you anymore.

- Confront them privately, warning them that if they continue to belittle you in public, you will be forced to make a formal response.

- Put everything in writing when you are dealing with this individual.

- Keep them busy. Use their high energy for productive means.

- Expect them to fulfill their obligations with no special treatment.

Corrective Action Flow Chart

If employees don't respond to the corrections and strategy suggested above, the situation may require formal corrective action (Please see section on Corrective Action in Administrative Role). The diagram on page 57 helps you identify Corrective Action Steps with the terms defined on this page:

Discovery – This is the initial realization that the employee's performance is flawed or lacking enough to warrant some corrective action. This information may have come from peers, reports, letters, clients, record review, or individual or group interaction. There is a need to correct the action or behavior.

Informal Verbal Correction – Unless the problem is serious enough to warrant a formal correction, the initial correction should simply be verbal. The expectation here is that the employee will voluntarily correct the problem immediately upon hearing from you. The verbal correction should include an explanation of what is wrong and includes clear directions about how and when to correct it.
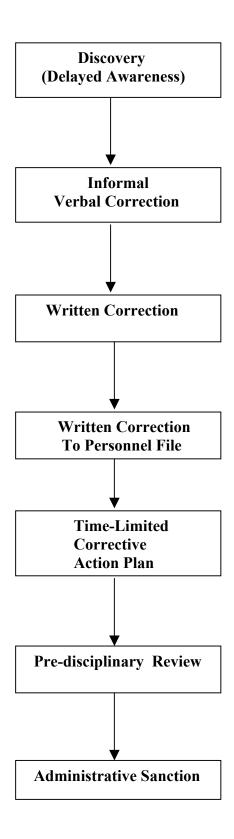
Written Correction – The next step is to put the correction in writing, in either a memo, or letter to the employee. This formally notifies the supervisee about the infraction or deficit, with a directive about when and how to correct the problem. Corrective actions need to follow a progression from less serious to more serious if the employee ignores the verbal correction or the same correction must be made several times in the performance period.

Written Correction to Personnel File – As the infractions become more serious or the last verbal and written reprimands are ignored, the next step is to put a written document into the employee's personnel file where it becomes a permanent record of performance. Some supervisors put a time limit on how long the reprimand remains in the permanent file contingent on a change in behavior or improved performance.

Time-Limited Corrective Action Plan – This is a formal document developed by the supervisor and supervisee with a specific action delineated with time frames for accomplishment and review. If the employee meets the criteria outlined in the action plan, then it is completed with no other action taken. Of course, it becomes part of the permanent personnel file.

Pre-Disciplinary Review – Anytime pay or status is altered through corrective action, a pre-disciplinary review is required to be sure that the action is in compliance with personnel rules and is congruent with the offence and similar to actions taken against other like offenses with other employees.

Administrative Sanction – The employee may be put on leave without pay, demoted, transferred to another position, or fired.

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┌─────────────────────────┐
│       Discovery         │
│   (Delayed Awareness)   │
└─────────────────────────┘
             │
             ▼
┌─────────────────────────┐
│        Informal         │
│    Verbal Correction    │
└─────────────────────────┘
             │
             ▼
┌─────────────────────────┐
│    Written Correction   │
└─────────────────────────┘
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             ▼
┌─────────────────────────┐
│    Written Correction   │
│    To Personnel File    │
└─────────────────────────┘
             │
             ▼
┌─────────────────────────┐
│      Time-Limited       │
│       Corrective        │
│      Action Plan        │
└─────────────────────────┘
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             ▼
┌─────────────────────────┐
│  Pre-disciplinary  Review │
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             ▼
┌─────────────────────────┐
│  Administrative Sanction │
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Games Employees Play

There are a series of games that caseworkers and others can play on their supervisor in order to manipulate them in order to get their way. While these vignettes were written specifically for child welfare staff, the issues of power and control are applicable in all supervisor-supervisee relationships. The content simply changes. Let's explore them:

Manipulating Demand Levels

1. TWO AGAINST THE AGENCY

One series of games is designed to manipulate the level of demands made on the supervisee. One such game might be entitled *Two Against the Agency* or *Seducing for Subversion*. The game is generally played by intelligent, intuitively gifted staff who are impatient with routine agency procedures. Forms, reports, punctuality, and recording excite their contempt. The more sophisticated supervisee, in playing the game, introduces it by suggesting the conflict between the bureaucratic and professional orientation to the agency.

The bureaucratic orientation is one that is centered on what is needed to insure efficient operation of the agency; the professional orientation is focused on meeting the needs of the client. The supervisee points out that meeting client need is more important; that time spent in recording, filling out forms, and writing reports tends to rob time from direct work with the client. And further, it does not make any difference when he comes to work or goes home as long as no client suffers as a consequence. Would it not therefore, be possible to permit him, a highly intuitive and gifted worker, to schedule and allocate his time to maximum client advantage and should not the supervisor , then, be less concerned about the necessity of his filling out forms, doing recording, completing reports, and so on?

It takes two to play games. The supervisor is induced to play (1) because he identifies with the supervisee's concern for meeting client needs; (2) because he himself has frequently resented bureaucratic demands and so is, initially, sympathetic to the supervisee's complaints; and (3) because he is hesitant to assert his authority in demanding firmly that these requirements be met. If the supervisor elects to play the game, he has enlisted in an alliance with the supervisee to subvert agency administrative procedures.

2. BE NICE TO ME BECAUSE I'M NICE TO YOU

Another game designed to control and mitigate the level of demands made on the worker might be called *Be Nice to Me Because I'm Nice to You.* The principle ploy is seduction by flattery. The caseworker is full of praise: "You are the best supervisor I ever had," "You're so perceptive that after I've talked with you I almost know what the client will say next," "I look forward in the future to being as good a social worker as you are," and so on. It is a game of emotional blackmail in which, having been paid in this kind of coin, the supervisor finds herself incapable of firmly holding the worker to legitimate demands.

The supervisor finds it difficult to resist engaging in the game because it is gratifying to be regarded as an omniscient source of wisdom. There is satisfaction in being perceived as helpful and in being selected as a pattern for identification and emulation. An invitation to play a game that tends to enhance a positive self-concept and feed one's narcissistic needs is likely to be accepted.

In general, the supervisor is vulnerable to an invitation to play this game. The supervisor needs the caseworker as much as the caseworker needs the supervisor. One of the principle sources of gratification for a worker is contact with the client. The supervisor is denied this source of gratification, at least directly. For the supervisor, the principle source of gratification is helping the caseworker grow and change. But this means that she has to look to the caseworker to validate her effectiveness.

Objective criteria of this effectiveness are, at best, obscure and equivocal. However, to have the supervisee say explicitly, openly, and directly: " I have learned a lot from you," "you have been helpful," "I am a better worker because of you," is the kind of reassurance needed and often subtly solicited by the supervisor. The perceptive caseworker understands and exploits the supervisor's need in initiating this game.

Redefining the Relationship

3. PROTECT THE SICK AND THE INFIRM

A Second series of games is also designed to mitigate the level of demands made on the supervisee; but here the game depends on redefining the supervisory relationship. Games permit one to control the conduct of others by influencing the definition of the situation. These games depend on the ambiguity of the definition of the supervisory relationship. It is open to a variety of interpretations and resembles, in some crucial respects, analogous relationships.

Thus, one kind of redefinition suggests a shift from the relationship of supervisor-supervisee as teacher-learner in an administrative hierarchy to supervisor-supervisee as worker-client in the context of therapy. The game might be called *Protect the Weak and Infirm* or *Treat Me, Don't Beat Me.* The supervisee would rather expose himself than his work. And so he asks the supervisor for help in solving his personal problems.

The sophisticated player relates these problems to his difficulties on the job. Nevertheless, he seeks to engage the supervisor actively in a concern with his problems. If the translation to worker-client is made, the nature of demands shifts as well. The kinds of demands one can legitimately impose on a client are clearly less onerous than the level of expectations imposed on a worker. And the supervisee has achieved a payoff in a softening of demands.

The supervisor is induced to play (1) because the game appeals to the social worker in him (since he was a social worker before he became a supervisor and is still interested in helping those who have personal problems); (2) because it appeals to the voyeur in him (many supervisors are fascinated by the opportunity to share in the intimate life of others); (3) because it is flattering to be selected as a therapist; and, (4) because the supervisor is not clearly certain as to whether such a redefinition of the situation is not permissible. All the discussions about the equivocal boundaries between the supervision and therapy feed into this uncertainty.

4. EVALUATION IS NOT FOR FRIENDS

Another game of redefinition might be called *Evaluation Is Not for Friends.* Here the supervisory relationship is redefined as a social relationship. The worker makes an effort to take coffee breaks with the supervisor, invites her to lunch, walks to and from the bus or the parking lot with her and discusses some common interests during conferences. The social component tends to vitiate the professional component in the relationship. It requires increased determination and resolution on the part of any supervisor to hold the *friend* to the required level of performance.

5. MAXIMUM FEASIBLE PARTICIPATION

Another and more contemporary redefinition is less obvious than either of the two kinds just discussed, which have been standard for a long time now. This is the game of *Maximum Feasible Participation*. It involves a shift in roles from supervisor-caseworker to peer-peer. The caseworker suggests that the relationship will be most effective if it is established on the basis of democratic participation. Since she knows best what she needs and wants to learn, she should be granted equal responsibility for determining the agendas for conferences. So far, so good.

The game is a difficult one to play because in the hands of a determined caseworker, joint control of agenda can easily become worker control with consequent mitigation of expectations. The supervisor finds herself in the predicament of trying to define the game. For one, there is an element of validity in the claim that people learn best in a context that encourages democratic participation in the learning situation. Second, the current trend in working with the social agency client encourages maximum feasible participation with presently undefined limits.

To decline the game is to suggest that one is old fashioned, undemocratic, and against the rights of those on lower levels in the administrative hierarchy – not an enviable picture to project of oneself. The supervisor is forced to play but needs to be constantly alert in order to maintain some semblance of administrative authority and prevent all the shots being called by the caseworker-peer.

6. IF YOU KNEW DOSTOYEVSKY

A third series of games is designed to reduce anxiety by reducing the power disparity between supervisor and worker. One source of the supervisor's power is, of course, the consequence of his position in the administrative hierarchy vis-à-vis the supervisee. Another source of power, however, lies in her expertise, greater knowledge, and superior skill. It is the second source of power disparity that is vulnerable to this series of games. If the supervisee can establish the fact that the supervisor is not so smart after all, some of the power differential is mitigated and with it some need to feel anxious.

One such game, frequently played, might be called *If You Knew Dostoyevsky Like I Know Dostoyevsky.* During the course of a conference the supervisee makes a casual allusion to the fact that the client's behavior reminds him of that of Raskolnikov in *Crime and Punishment*, Which is, after all, somewhat different in etiology from the pathology that plagued Prince Myshkin in *The Idiot.* An effective ploy, used to score additional points, involves addressing the rhetorical question: "You remember, don't you?" to the supervisor. It is equally clear to both the supervisee and the supervisor that the latter does not remember – if indeed, she ever knew what she cannot remember now. At this point, the supervisee proceeds to instruct the supervisor. The roles of teacher-learner are reversed – power disparity and supervisee anxiety are simultaneously reduced.

The supervisor acquiesces to the game because refusal requires an open confession of ignorance on her part. The supervisee in playing the game well cooperates in a conspiracy with the supervisor not to expose her ignorance openly. The discussion proceeds under the protection of the mutually accepted fiction that both know what they are talking about.

The content for the essential gambit in this old game changes with each generation of supervisees. The author's impression is that currently the allusion is likely to be to the work of the conditioning therapists – Eysenk, Wolpe, and Lazarus – rather than to literary figures. The effect on the supervisor, however, is the same: a feeling of depression and general malaise at having been found ignorant when her position requires that she know more than the supervisee. And it has some payoff in reducing supervisee anxiety.

7. SO WHAT DO YOU KNOW ABOUT IT

Another kind of game in this same genre exploits situational advantages to reduce power disparity and permit the worker the feeling that he, rather than the supervisor, is in control. This game is *So What Do You Know About It?* The worker with a long record of experience in public welfare makes reference to "those of us on the front lines who have struggled with the multi-problem client," exciting humility in the supervisor who has to try hard to remember when she last saw a live client.

A married worker with children will allude to her marital experience and what it "really is like to be a mother" in discussing family therapy with an unmarried female supervisor. The older worker will talk about "life" from the vantage point of incipient senility to the supervisor fresh out of graduate school. The younger worker will hint at her greater understanding of the adolescent client since she has, after all, smoked some pot and has seriously considered LSD. The supervisor trying to tune in finds her older psyche is not with it.

The supervisor younger than the older worker, older than the younger worker – never having raised a child or met a payroll – finds herself being instructed by those she is charged with instructing. The roles are reversed and the payoff lies in the fact that the supervisor is a less threatening figure to the supervisees.

Another, more recently developed procedure for "putting the supervisor down" is through the judicious use in the conference of strong four-letter words. This is "telling it like it is" and the supervisor who responds with discomfort and loss of composure has forfeited some amount of control to the worker who has exposed some measure of her bourgeois character and residual Puritanism.

8. ALL OR NOTHING AT ALL

Putting the supervisor down may revolve around a question of social work goals rather than content. The social action-oriented caseworker is concerned with fundamental changes in social relationships. He knows that obtaining a slight increase in the budget for his client, finding a job for a client, or helping a neglectful mother relate more positively to her child are not of much use since they leave the basic pathology of society undisturbed and unchanged.

He is impatient with the case-oriented supervisor who is interested in helping a specific family live a little less troubled, a little less unhappily in a fundamentally disordered society. The game is *All or Nothing at All*. It is designed to make the supervisor feel he has sold out, been co-opted by the Establishment, lost or abandoned his broader vision of the "good" society, become endlessly concerned with symptoms rather than with causes. It is effective because the supervisor recognizes that there is some element of truth in the accusation, since this is true for all who occupy positions of responsibility in the Establishment.

9. I HAVE A LITTLE LIST

All of the games mentioned have, as part of their effect, a shift of control of the situation from the supervisor to supervisee. Another series of games is designed to place control of the supervisory situation more explicitly and directly in the hands of the supervisee. Control of the situation by the supervisor is potentially threatening since she can then take the initiative of introducing for discussion many of those weaknesses and inadequacies in the supervisee's work that need fullest review. If the supervisee can control the conference, much that is unflattering to discuss may be adroitly avoided.

One game designed to control a discussion's content is called *I Have a Little List.* The supervisee comes in with a series of questions about his work that he would very much like to discuss. The better player formulates the questions so that they have relevance to the problems in which the supervisor has greatest professional interest and about which she has done considerable reading. The supervisee is under no obligation to listen to the answer to his question.

Question 1 having been asked, the supervisor is off on a short lecture, during which time the supervisee is free to plan mentally the next weekend or review the last weekend, taking care merely to listen for signs that the supervisor is running down. When this happens, the supervisee introduces Question 2 with an appropriate transitional comment and the cycle is repeated. As the supervisee increases the supervisor's level of participation, he is by the same token decreasing his level of participation since only one person can be talking at once. Thus, the supervisee controls both the content and direction of conference interaction.

The supervisor is induced to play this game because there is narcissistic gratification in displaying one's knowledge and in meeting the dependency needs of those who appeal to one for answers to their questions, and because the supervisee's questions should be accepted, respected, and, if possible, answered.

10. HEADING THEM OFF AT THE PASS

Control of the initiative is also seized by the caseworker in the game of *Heading Them Off at the Pass.* Here the caseworker knows that his poor work is likely to be analyzed critically. He therefore opens the conference by freely admitting his mistakes – he knows it was an inadequate interview. He knows that he should have, by now, learned to do better. There is no failing on the supervisor's agenda for discussion with him to which he does not freely confess in advance, flagellating himself to excess.

The supervisor, faced with overwhelming self-derogation, has little option but to reassure the worker sympathetically. The tactic not only makes difficult an extended discussion of mistakes in the work at the supervisor's initiative, it elicits praise by the supervisor for whatever strengths the supervisee has manifested, however limited. The supervisor, once again, acts out of concern with the troubled, out of his predisposition to comfort the discomforted, out of pleasure in acting the good, forgiving parent.

11. LITTLE OLD ME

There is also the game of control through fluttering dependency, of strength through weakness. It is the game of *Little Old Me* or *Casework a Trois.* The caseworker, in her ignorance and incompetence, looks to the knowledgeable, competent supervisor for a detailed prescription of how to proceed: "What would you do next?" "Then what would you say?" The caseworker unloads responsibility for the case onto the supervisor and the supervisor shares the case load with the worker.

The supervisor plays the game because, in reality, he shares responsibility for case management with the supervisee and has responsibility for seeing that the client is not harmed. Further, the supervisor often is interested in the gratification of carrying a caseload, however vicariously, so that he is somewhat predisposed to take the case out of the hands of the supervisee. There are, further, the pleasures derived from acting the capable parent to the dependent child and from the domination of others.

12. I DID LIKE YOU TOLD ME

A variant of the game in the hands of a more hostile worker is *I Did Like You Told Me.* Here the worker maneuvers the supervisor into offering specific prescriptions on case management and then applies the prescriptions in spiteful obedience and undisguised mimicry. The worker acts as though the supervisor were responsible for the case, he himself merely being the executor of supervisory directives. Invariably and inevitably, whatever has been suggested by the supervisor fails to accomplish what it was supposed to accomplish. *I Did Like You Told Me* is designed to make even a strong supervisor defensive.

13. IT'S ALL SO CONFUSING

It's All So Confusing attempts to reduce the authority of the supervisor by appeals to other authorities – a former supervisor, another supervisor in the same agency, or a faculty member at a local school of social work with whom the supervisee just happened to discuss the case. The supervisee casually indicates that in similar situations his former supervisor tended to take such and such an approach, one that is at variance with the approach the current supervisor regards as desirable. And *It's All So Confusing* when different "authorities" suggest such different approaches to the same situation.

The supervisor is faced with "defending" her approach against some unnamed, unknown competitor. This is difficult, especially when few situations in social work permit an unequivocal answer in which the supervisor can have categorical confidence. Since the supervisor was somewhat shaky in her approach in the first place, she feels vulnerable against alternative suggestions from other "authorities" and her sense of authority vis-à-vis the worker is eroded.

14. WHAT YOU DON'T KNOW WON'T HURT ME

A supervisee can control the degree of threat in the supervisory situation by distancing techniques. The game is *What You Don't Know Won't Hurt Me.* The supervisor knows the work of the supervisee only indirectly through what is shared in the recording and verbally in the conference. The worker can elect to share in a manner that is thin, inconsequential, without depth of affect. He can share selectively and can distort, consciously or unconsciously, in order to present a more favorable picture of his work. The worker can be passive and reticent or overwhelm the supervisor with trivia.

In whatever manner it is done, the worker increases the distance between the work he actually does and the supervisor who is responsible for critically analyzing with him the work done. This not only reduces the threat to him of possible criticism of his work but also prevents the supervisor from intruding into the privacy of the relationship between the worker and the client.

Supervisor's Games

Workers are not the only ones who play games in the supervisory conferences. There are also several games that supervisors play with their staff. Although this is not necessarily desirable, it gives the supervisor an edge over a game player.

Here is some strategy that supervisors can use to deal with the games played on them by their workers. Read this part carefully, particularly if you recognized many of your staff in the games.

Let the supervisory games begin!

15. I WONDER WHY YOU REALLY SAID THAT

It would be doing both supervisor and workers an injustice to omit any reference to games initiated by supervisors – unjust to the workers in that such omission would imply that they alone play games in supervision and unjust to the supervisors in suggesting that they lack the imagination and capacity to devise their own counter games. Supervisors play games out of felt threats to their position in the hierarchy, uncertainty about their authority, reluctance to use their authority, a desire to be liked, a need for the workers' approbation – and out of some hostility to workers that is inevitable in such a complex, intimate relationship.

One of the classic supervisory games is called *I Wonder Why You Really Said That?* This is the game of redefining honest disagreement so that it appears to be psychological resistance. Honest disagreement requires that the supervisor defend her point of view, present the research evidence in support of her contention, be sufficiently acquainted with the literature so she can cite the knowledge that argues for the correctness of what she is saying. If honest disagreement is redefined as resistance, the burden is shifted to the worker. He has to examine his needs and motives that prompt him to question what the supervisor said. The supervisor is thus relieved of the burden of validating what she has said and the onus for defense rests with the worker.

16. ONE GOOD QUESTION DESERVES ANOTHER

Another classic supervisory game is *One Good Question Deserves Another.* It was explicated some years ago by a new supervisor writing of her experience in an article called "Through Supervision with Gun and Camera":

I learned that another part of a supervisor's skills, as far as the workers are concerned, is to know all the answers. I was able to get out of this very easily. I discovered that when a worker asks a question, the best thing to do is to immediately ask for what she thinks. While the worker is figuring out the answer to her own question (this is known as growth and development), the supervisor quickly tries to figure it out also. She may arrive at the answer the same time as the worker, but the worker somehow assumes that she knew it all along. This is very comfortable for the supervisor.

In the event that neither the worker nor the supervisor succeeds in coming up with a useful thought on the question the worker has raised, the supervisor can look wise and suggest that they think about it and discuss it further next time. This gives the supervisor plenty of time to look up the subject and leaves the worker feeling that the supervisor is giving great weight to her question. In the event that the supervisor does not want to go to all the trouble, she can just tell the worker that she does not know the answer (this is known as helping the worker accept the limitations of the supervision) and tell her to look it up herself…

In Response to Games

The simplest and most direct way of dealing with the problem of games introduced by the worker is to refuse to play. Yet one of the key difficulties in this has been implied by discussion of the gain for the supervisor in going along with the game. The supervisee can only successfully enlist the supervisor in a game if the supervisor wants to play for his own reasons. Collusion is not forced but is feely granted. Refusing to play requires the supervisor to be ready and able to forfeit self-advantages.

For instance, in declining to go along with the worker's requirements in playing *Two Against the Agency,* the supervisor has to be comfortable in exercising his administrative authority, willing to risk and deal with worker hostility and rejection, willing to accept and handle the accusation that he is bureaucratically, rather than professionally oriented. In declining other games, the supervisor denies himself the sweet fruits of flattery, the joys of omniscience, the pleasures of acting the therapist, the gratification of being liked. He has to incur the penalties of an open admission of ignorance and uncertainty and the loss of infallibility.

Declining to play the games demands a supervisor who is aware of and comfortable in what he is doing and who is accepting of himself in all his "glorious strengths and human weaknesses." The less vulnerable the supervisor, the more impervious he is to gamesmanship – not an easy prescription to fill.

> *The less vulnerable the supervisor,*
> *the more impervious he is to games.*

A second response lies in gradual interpretation or open confrontation. In the usual social encounter each party accepts the line put out by the other party. There is a process of mutual face-saving in which what is said is accepted at its face value and each participant is allowed to carry the role he has chosen for himself unchallenged. This is done out of self-protection since in not challenging another, one is also insuring that the other will not, in turn, challenge one's own fiction. Confrontation implies a refusal to accept the game being proposed by seeking to expose and make explicit what the supervisee is doing. The supervisory situation, like the therapeutic situation, deliberately and consciously rejects the usual roles of social interaction in attempting to help the supervisee.

Confrontation is, of course, a procedure that needs to be used with some regard for the worker's ability to handle the embarrassment, discomfort, and self-threat it involves. It needs to be used with some understanding of the defensive significance of the game to the worker. It might be of importance to point out that naming the interactions that have been described as *games* does not imply that they are frivolous and without consequence. Unmasking games risks much that is of serious personal significance for the worker. Interpretation and confrontation here, as always, require some compassionate caution, a sense of timing, and an understanding of dosage.

Perhaps another approach is to share honestly with the worker one's awareness of what he is attempting to do but to focus the discussion neither on the dynamics of his behavior nor on one's reaction to it, but on the disadvantages for him in playing games. These games have decided drawbacks for the worker in that they deny him the possibility of effectively fulfilling one of the essential, principle purposes of supervision – helping him to grow professionally. The games frustrate the achievement of this outcome. In playing games the worker loses by winning.

And, if all else fails, worker's games may yield to supervisor's counter games. For instance, *I have Made a List* may be broken up by *I Wonder Why You Really Asked That?* After all, the supervisor should have more experience at gamemanship than the supervisee.

SECTION VIII – LET'S HEAR FROM EXPERTS

In this section, we have asked experts in the field to write articles about their experiences. We are happy to share their expertise with you. Each author is introduced in an editorial note at the beginning of the article. So, let us hear from our experts:

SITUATIONAL LEADERSHIP

By Celestino Santistevan

EDITOR'S NOTE: Celestino Santistevan is a child welfare supervisor for Otero County. He has worked as a county director and Field Administrator with extensive experience supervising staff. In this article, he describes situational leadership where the supervisor adjusts his approach to the needs of the person being supervised.

Welcome to supervision in the county department of social services system. Either you have been on the job for a while or have had an opportunity to read this manual after the first hectic weeks or months as a director. Supervisory styles can range from authoritarian to democratic, but in the end your success or downfall will be dictated by what you do as a leader.

The situational leadership model provides a type of supervision that actively allows you to track an employee's work, participate with them in the task and offers you and the employee a sense of accomplishment and satisfaction. This section on supervision will resonate with you if you have ever seen the movie the "Karate Kid". Like the Japanese Karate teacher Miyagi, played by Pat Morita, you can mentor new staff through the four quadrants in the diagram that follows and describe the employee's progress and level of supervision required. In the movie, Miyagi takes the rookie Danny, played by Ralph Macchio, who lacks confidence and coordination and teaches him discipline and obedience by having Danny polish a car with both hands circulating in opposite directions until he gets into a rhythm. The hand movements are building skills he will need later in defensive blocking movements.

Miyagi first demonstrates the lesson while asking Danny to imitate his movements without an explanation. Obedience, trust and discipline are required. He then explains the movements and asks his student to learn specific skills. When the student has achieved a level of competence in the movements, he tries the Karate moves on an opponent. The teacher's role is to reinforce the correct form and eliminate bad form or movements. Just as the supervisor's role is to reinforce good casework practice and eliminate poor practice that harms clients. As the student masters the physical skills, the teacher focuses on the development of concentration, control, courage and discipline. This requires the teacher to step back and observe, encourage and reward with his approval. It is the same in social services. Whether supervising a new employee or an experienced one, the relationship and task of the supervisor and the supervisee will go through these stages depicted in the movie and the diagram:

Journeyman 3 Needs Medium Supervision	**Apprentice** 2 Needs High-Medium Supervision
Fully Competent 4 Needs Low Supervision	**Rookie** 1 Needs High Supervision

Quadrant 1 indicates the need for highly structured weekly or more frequent supervision in which the supervisor makes decisions and the employee listens and learns. Remember, the employee's competence and confidence shifts back and forth through the quadrants depending on the ease or complexity of the situation he encounters. That means their need for supervision also shifts accordingly.

There is a reason why you hired this person and why this person wishes to work for you. If the employee questions everything, or asks you to justify your behavior, you may need to re-examine the reason you hired him or her. The learning task for a rookie is to observe and learn, not question the competence and knowledge of the supervisor. Quadrant 1 is where a supervisor starts with a new employee, or if needed, takes an experienced employee back to this step to learn a new task or relearn a previous one.

Quadrant 2 requires high to medium supervision (structured weekly conferences) where the employee observes and asks questions. Is this stage, the supervisor begins to teach the employee technical skills, procedures and service delivery skills. The supervisor explains in more detail what needs to be done and begins a "hands on approach." Supervision is still required weekly with frequent checkups on case decisions.

In Quadrant 3 the supervisor provides medium supervision (still weekly conferences) with the employee directly involved in client interactions and case decisions. The employee functions within limits defined by the supervisor. In this phase, the supervisor begins to give the employee reasonable freedom but under careful watch. The employee is given the opportunity to justify and explain the reasoning for doing or wanting to do a task. At this level, the supervisor monitors and if necessary, goes back to an earlier step.

In Quadrant 4 the employee operates independently, requiring little hands on supervision (worker meets regularly to present case plans and strategy) but checks with the supervisor to be sure the learned skills are being applied correctly. In the movie, Danny is on the mat and looks at Miyagi for approval to finish the contest. Miyagi nods his approval. That simple nod is validation enough for Danny to win.

Your words or looks of encouragement are enough for your staff's performance to flourish and the behavior to make you proud.

Going from Quadrant 1 to Quadrant 4 will depend on the employee's learning curve. The journey from a rookie who makes no decisions to one who makes routine decisions with supervisory oversight and approval should take no longer than one year. The supervisor evaluates performance throughout this period. At the end of the year, a decision is made to retain or let the employee go based on the performance, level of supervision required, and whether the employee can continue to progress. At any time the supervisor may take the worker back to step 1 when warranted by the performance. When this happens, it may take extra time to get back on track.

The journey the teacher and student take together creates a special and lasting bond.

Consultants Help Child Welfare Supervisors

By Steve Brethauer, LCSW

It's lonely out there for supervisors making tough decisions in isolation about children and their families. It's nice to have an expert to confer with before the decision is made and someone whose opinion you value to assist in changing agency behaviors and values. The Colorado Department of Human Services (CDHS) provides consultation services to county departments of social services using expert contractors. Colorado's CPS Expert Consultant Project was born out of a recommendation from a State-County Workgroup on Methods to Improve Child Protection Supervision.

Consultation is the formal process of giving professional advice to another based on expertise and competence in the profession. It is an indirect service delivery process offered to social work professionals who provide direct services to clients. The Consultation Model is intended to enhance the child welfare supervisor's clinical skills by including the supervisor in all phases of the consultation, regardless of whether or not caseworkers, administrators or others also receive consultation. In order to be eligible for consultation, CDHS requires that agency supervisors participate in the referral process.

Since consultation is provided to agency staff, there is rarely direct contact between the primary client of the agency and the consultant. The direct contact usually is with the worker, supervisor or administrator who requests the involvement of the consultant on behalf of the client. The relationship among all parties is referred to as a triad.

Consultation Goals

Although methods and techniques of consultation may vary, there are three overall goals achieved through the process. The first is to help make responsive services available to families and children. The second is to engage agency staff who interacts with the families and children. Third is to facilitate effective problem solving among staff in order to benefit children and families engaged in the system. (Zins, p. 16)

Consultation can be provided to workers, supervisors and administrators in the child welfare system. To increase effectiveness, it is helpful for consultants to be available on an on-going basis for those who utilize this service. "An interpersonal relationship between Consultant and Consultee is cooperative, mutually respectful, collegial, voluntary and confidential." (Zins, page 6) Consultation is not intended to be a replacement for supervision. Consultation embraces a different role than does supervision.

Consultation contains several distinct elements:

- Consultation is usually time-limited.

- It is case or situation specific.

- Consultation is a process of joint systematic problem solving.

- It is more effective when available on a planned basis.

- Consultation usually is not utilized just for an emergency situation.

- Input and recommendations can be accepted or rejected by the agency staff.

- There is no administrative sanction to implement input or recommendations.

- Consultation is a confidential process within the system using it.

Consultation is usually time limited because there is a specific agency circumstance the administrator or supervisor would like to address or process. Since they are aware of consultation as a resource, they seek to have the input indigenous to that process focused on a specific circumstance or event. Consultation tends to be more effective if the process begins "when the iron is hot". Upon conclusion of the intervention, the consultant's services usually are ended until requested for another issue. There are circumstances when regularly scheduled consultation becomes a part of an agency's culture and the consultant is able to provide a different perspective to agency staff on an ongoing basis. This is part of the preventive element of the consultation process.

Once a problem is defined, the consultant and agency staff determines what intervention would be most helpful. Consultation objectives may include:

1. Assessment of a case situation or agency problem.

2. Suggested methods of intervention.

3. Provision of information, education, and an independent perspective on the situation.

4. Joint problem solving with the agency staff.

5. Recommendations regarding strategies or changes pertaining to current situation.

 Joint problem solving is the core of consultation. The ability of a consultant to join in this problem solving process and present alternative solutions or recommendations establishes a mechanism for enhanced assessment, analysis, and solutions within an agency.

As mentioned earlier, agency staff are not bound to accept the recommendations of the consultant. They may disagree with the consultant's recommendations and choose not to utilize the input. However, if the consultant is chosen carefully and engenders the confidence and trust of agency staff, consultant recommendations are usually followed. They may be accepted totally or partially as part of the solution to the problems presented.

The freedom to accept or reject consultation input is one of the major differences between supervision and consultation. Supervisory direction contains the administrative authority and sanction inherent in the role of the supervisor in an agency. A consultant relies upon their role as "expert" and uses referential sanction as the primary basis for their role.

Consultation is more effective when the agency has an existing relationship with the consultant prior to a problem developing. The ability to have access to a consultant, who is a known quantity, makes the decision to utilize that consultant much easier. Each consultant brings a specific background of knowledge and skills they are able to apply in the problem solving process.

Objective Perspective

An additional strength of consultation is that the consultant stands outside the system. This distanced perspective may allow the consultant the ability to limit issues of interference or "baggage" that may hinder staff who have been closely involved with a situation for some time. Also, the consultant usually takes an overview and strives to move away from a narrow focus that sometimes develops when staff may become "stuck" on certain situations.

Inherent in the consultation process is training. If the consultation process is effective, there will be an educational component that assists the customer to address similar situations in the future with additional skills.

It is important to note the foundation of consultation is not to "solve" problems from the outside. "The consultant brings his or her expertise to bear on the subject while engaging the expertise of other participants in order to solve a child related problem. The input of other participants carries power equal to that of the consultant." (Zins, page 17)

For consultation to be fully effective, the consultant must understand the culture of the organization they consult with and must be able to assist the staff understand that culture before change can take place. Consultation also assumes that change occurs most effectively when all affected members of the system are involved in planning, implementing and evaluating that change. Finally, consultation must assume a goal of moving beyond understanding a specific situation to planning and implementing healthy change in the organization. This becomes an extremely challenging process when personal interaction patterns in the agency are affected.

In summary, consultation is an indirect method of service that focuses upon problem solving in an area identified by the customer. Consultation has different goals than supervision and is a corollary to supervision rather than a replacement or substitute for it. Consultation is systematic and structured. The consultant must have a set of specialized skills and knowledge to impart as part of the problem solving process. Consultation also requires elements of trust and interpersonal acceptance to be effective.

The original number of CPS Expert Consultants was four, but has recently expanded to provide a more comprehensive approach to child welfare issues and support for staff. You may obtain consultation services from CDHS by calling 303-866-4191 or from Steve Brethauer by calling 970-332-4555.

Reference: Zins, Joseph E., Kratochwill, Thomas R., and Elliot, Stephen N., Editors Handbook of Consultation Services for Children. 1993

Supervisory Guide to Dealing with the Least Palatable Issues

By Sabrina Hicks

EDITOR'S NOTE: Sabrina Hicks is an attorney with the Colorado Department of Human Services. She currently serves as the Employment Affairs Statewide Services Director, which encompasses civil rights, workplace violence, substance abuse and background investigations for the Department.

Supervision can be difficult in the best of times. A supervisor's responsibilities include duties that many people would prefer to avoid, such as addressing personnel issues. When this is coupled with the fact that many supervisors in government agencies (be they state, federal, county or municipal) are asked to both supervise and perform at least one other job, supervision becomes that much more difficult when tough personnel issues arise.

However, the benefits of taking the care to address personnel issues with caution far outweigh the costs of neglecting the issues. Neglecting the issues can cause the problems to worsen, adversely affect morale, and, in some cases, can cause liability for the agency as well as the supervisor personally.

The terms "discrimination," "harassment," and "hostile work environment" mean different things to different people. In the work environment, these terms have legal connotations to the employer.

Civil Rights Act of 1964

The Civil Rights Act of 1964, as amended, is referred to as Title VII. Title VII is the federal law that protects employees from being discriminated against on the basis of race, color, sex, national origin and religion. The Americans with Disabilities Act protects employees from discrimination on the basis of disability. The Age Discrimination in Employment Act protects employees age 40 and over from discrimination on the basis of age.

From Title VII, the courts have also found protection for employees with regard to sexual harassment. The courts have defined sexual harassment as offensive, unwelcome requests for sexual favors, sexual advances, or other verbal or physical conduct of a sexual nature that adversely affects the terms and conditions of employment. The laws of sexual harassment apply to male-female claims, female-male claims, and same sex claims.

Some local jurisdictions in Colorado also have laws that protect employees from discrimination on the basis of their sexual orientation.

Protected Classes

By law, employers must not engage in conduct that intentionally or indirectly has the impact of resulting in discrimination or harassment based upon protected class status. "Protected classes" are:

- Race
- Color
- Sex
- National origin
- Religion
- Disability
- Age
- Sexual harassment
- And in some cases sexual orientation

Supervisors have a positive duty to ensure that the workplace is free of such discrimination.

Discrimination and Harassment

Discrimination and harassment are conduct that creates or results in adverse employment action to an employee due to that employee's protected class status. What can constitute and adverse employment action?

- Demotion
- Termination
- Lack of promotional opportunity
- Denial of leave
- Suspension
- Loss of pay by other means
- Transfer of job duties
- Transfer of shift
- Taking away the ability to attend trainings
- Taking away supplies or furniture
- And other actions that would convince the court that the employee was treated differently based upon his or her protected class status

Hostile Work Environment

Hostile work environment has been defined as harassment or discrimination that is unwelcome, and so severe and pervasive that is unreasonably interferes with the individual's performance. The term "hostile work environment" is usually heard around sexual harassment claims, but can also apply to any other protected class status.

It is important that supervisors act upon claims of discrimination, harassment, and hostile work environment. The claims may be substantiated, or may not be substantiated. The claim may have been made by an employee who is upset because he or she is being disciplined or corrected for performance issues. The claims may have been made because the employee simply does not like his or her co-worker or supervisor. The employee may claim "hostile work environment" because the supervisor is hostile to everyone. However, the employer needs to have the ability to show with documentation that the claims were investigated and evaluated. The proactive approach to prevention and prohibition of discrimination, harassment and hostile work environment will protect both the agency and the supervisor individually.

County Policy Is Critical

The supervisor should be aware of what the county policy states with regard to discrimination, harassment and hostile work environment. This article is advisory only and should not supplant the directives, policy or protocol from the county commissioners or management. All claims should be consistently handled according to policy. Some counties have a human resource office, a county attorney or other outside agency that takes responsibility for the handling of these claims. If there is not another responsible entity to manage the claim, the supervisor should ensure that the claim is investigated and may need to conduct the investigation personally. However, the supervisor should not conduct any investigation of claims filed against themselves.

Many times, an employee will render a claim of discrimination, harassment or hostile work environment using the terms generically and not with regard to protected class status. For example, an employee may perceive that another person is hostile and thus creating a "hostile work environment." However, if the person accused is hostile to everyone, regardless of race, sex, religion, etc., this does not qualify as the legal definition of "hostile work environment." If the accused is indiscriminately hostile, there is a problem, but it lessens liability with regard to a Title VII claim. During an investigation, the investigator should first attempt to decipher whether the claim is truly a Title VII claim with regard to the legal definitions of discrimination, harassment or hostile work environment.

Magic Words Not Required

On the flip side, the employee should not have to use what the courts have coined as "magic words" before action is taken on a claim. For example, if employee X advises that employee Y is treating him badly and upon questioning he states that he is unsure of why this treatment occurred, but that it began after he rejected employee Y's request for a date, the supervisor should still take this seriously and act upon it. The employee is not required to specifically use the "magic words" such as "discrimination," "harassment," or "hostile work environment" before action is taken.

The investigation into a claim of discrimination, harassment or hostile work environment should be made quickly, although the employer should strategize thoroughly prior to the conduct of the investigation. Thoughts on this would include whether the accused should be placed on leave (typically paid leave) during the conduct of the investigation, safety of the staff, the most confidential means of conducting the investigation, parties necessary to interview and any other issue that arises.

At times, it may seem more expedient for business interests to place the person making the allegations on leave. However, this is normally not advised, as the placement on leave of the alleged victim may look retaliatory. If the person making the allegation requests leave, this should be documented and the employer should have the request made in writing.

Document All Accounts

When conducting the investigation, the investigator should document all accounts of the issue. It is recommended that the person conducting the investigation and the person making the decision on the issues thereafter, keep in mind that should the issue go to court, it will not occur within weeks. It will typically occur after a period of months or even years. The documentation of the investigation and any decisions that occur from that investigation should be well enough written that the narrative can refresh the author's memory whenever it finally goes to court.

A mistake that can commonly be made with the documentation is the use of adjectives rather than examples. For instance, when a claim that arose in 2003 was investigated, and the documentation states that the employee was "aggressive" both the investigator and the employer may have known what that meant to the case. But when the case goes before a judge in 2004, and the opposing counsel is questioning him or her about what made the employer decide that the person was "aggressive" it may be hard to recall. Examples of behaviors are easier to identify later than adjectives.

Potential for Two lawsuits

Another point the employer should take into consideration prior to the conduct of an investigation is that every investigation contains the capacity for at least two lawsuits, one from the alleged victim and one from the accused.

Many times, an employee will approach a supervisor and request that he or she speak to the supervisor confidentially. With regard to claims of harassment, discrimination and hostile work environment, the supervisor should advise the complainant that every effort will be made to keep the information as confidential as possible, but that the investigation may require that issues be addressed with the accused, in which case, complete confidentiality is not possible. Although this may cause a chilling effect on reporting, it needs to be addressed up front.

Cases of anonymous reporting may be difficult to address. On the one hand, the employee accused should be advised of his or her accuser. On the other, the claim may have come anonymously due to fear of the accused. Anonymous claims are difficult to investigate, in that one is not able to question the accuser or accusers. Additionally, many other employees, be they witnesses or the accused, may feel that a claim without a name attached is worthless. Many times, the anonymous complainant is known by the claims made in the report, and this can cause morale issues as well. When reviewing the anonymous complaint, the employer should evaluate the claims and decide whether there is enough information to proceed with an investigation.

Title VII Prohibits Retaliation

Title VII prohibits an employee from being retaliated against for making claims under the act, participating in an investigation or acting as a witness. Retaliation claims can be far more expensive than the initial claim of discrimination, as the claim of retaliation carries with it the knowledge of an initial Title VII complaint. Retaliation can take many forms, such as a change in shift, change in days off, increase or decrease in overtime, removal of office furniture or training, or anything that injures the employee's pay, status or tenure in the workplace. All employees should be advised against the practice of retaliation.

Once an investigation has been conducted, the employer should address the issues with the accused and the alleged victim. If there is no substantiation of a Title VII claim, the parties should each be advised in writing. If there is substantiation of a Title VII claim, or if it is found that there are other issues not arising to the Title VII level, but troubling nonetheless, the employer should also address those issues. At the end of the process, all employees who participated in the investigation should be advised that the investigation has concluded.

No Full Disclosure

This does not mean that all employees, or even the alleged victim, need be made aware of the actions taken against the accused. Many times, by the end of an investigation, certain parties will not be happy until they view a public flogging of one employee or another. This is typical, however; the employer should make decisions carefully when considering the disclosure of actions taken against a single employee.

> *Certain parties will not be happy until they view a public flogging of one employee or another.*

As difficult as investigations can be, they are usually the result of more than a single issue. The good news is that the investigation should have brought out many of the issues in the environment. The bad news is that the investigation may act as an irritant to fermenting issues. Dealing with these issues after the investigation is crucial to the health of the organization. The handling of the matter will depend on the case, but tools such as mediation, facilitation, training, and specific team building may be employed for those impacted by the investigation.

When all is said and done, it is more important that a claim is handled appropriately than the fact that the claim arose at all. Liability increases for the employer and the individual supervisor for a mishandling of Title VII claims. Aside from being against the law, the employer and supervisor will pay dearly for attempting to sweep something under the rug or for any showing of indifference to one of these claims.

Direct your inquiries to Sabrina Hicks at 303-866-7182 or email her at sabrina.hicks@state.co.us.

APPENDIX

LIST OF ATTACHMENTS

A. The Supervisor as Teacher
B. Empowerment
C. Motivation
D. One More Time: How Do You Motivate Employees?
E. Fall Into Helplessness
F. Delegation
G. Providing Feedback
H. Ten Rules for Managing Effective Meetings
I. Stimulating Discussion
J. Key Differences in Type of Meetings
K. Solutions to Common Meeting Problems
L. Checklists to Determine if a Meeting is Required
M. Activities Involved in Conducting Meetings
N. Worksheet for Planning a Meeting
O. The Selection Process
P. State of Colorado Position Description Questionnaire
Q. Federal Merit Principles
R. Resources for Managing Burnout
S. Analytical Table of Contents for Getting to Yes
T. Monitoring
U. Principle Categories for Monitoring
V. Format for Ongoing Individual Conferences
W. Case Review Verbal Format
X. General Criteria for Reviewing a Social Services Case Record
Y. General Guidelines for Assistance Payment File Review
Z. Ten Ways to Implement Formal Corrective Action
AA. What Makes an Effective Executive