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WORDS MATTER: **TOP 10 EFFECTIVE DOCUMENTATION STRATEGIES**

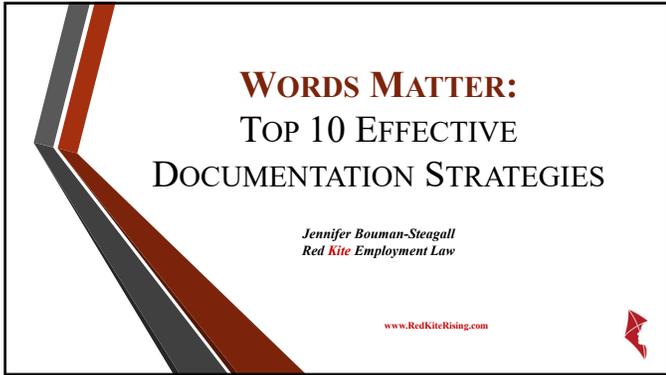
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Dynamic Storyteller / People Whisperer

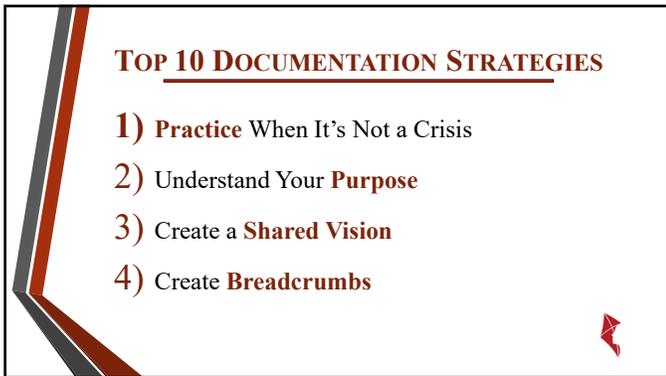
COURSE MATERIALS AND EXERCISES

We wish to express confidence that the information contained in these materials and presented during class is accurate and up to date. Please note that even though the instructor may be an attorney, no attorney-client relationship exists, and the information presented in this class and in these materials is not intended to be legal advice. Individual situations vary and appropriate resolutions are fact specific, and we recommend that you consult with Human Resources or your organization's legal counsel before you apply this information to specific risk management decisions.

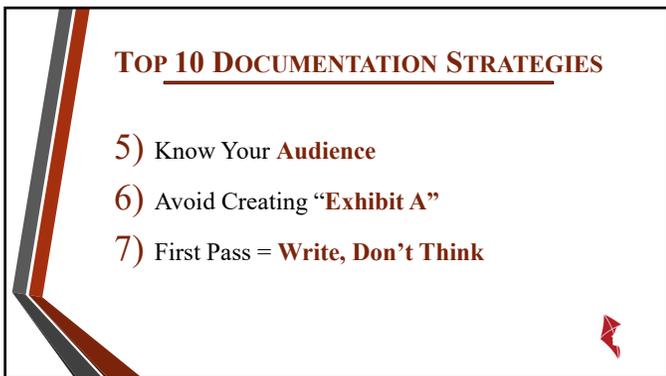




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Top 10 Effective Documentation Strategies

TOP 10 DOCUMENTATION STRATEGIES

- 8) Keep **Emotions** Out of It
- 9) Record **Exact Quotations**
- 10) Avoid **Protected Class** References



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TOP 10 DOCUMENTATION STRATEGIES

- Pro Tip #1:* Create safe **white space** for doodles
- Pro Tip #2:* **Hot Potato** Dr.'s notes
- Pro Tip #3:* Document **verbal/oral warnings**
- Pro Tip #4:* It May Not Be **Too Late...**



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THANK YOU!

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Where Are Employee Records Found?

- Personnel Files
- Supervisor Files (Secret?)
- Medical File
- Payroll File
- Employee Benefits File
- I-9 File
- Agency / Court Litigation / Attorney
- Unemployment
- Workers' Compensation

How Long Do You Have to Keep Records?

- Recruiting / Hiring – at least 1 year (2 years recommended)
 - **PRO TIP for Doodlers** – Create safe white space outside of the notes
- Payroll Records – at least 3 years (federal); up to six years under state law
- Personnel Records – 1 year (6 - 7 years recommended)
 - Employees may request a copy of their file.
- Medical Records – 1 year (2+ years recommended)
 - **PRO TIP** -- Doctor's notes go to HR, NOT in your desk or supervisor file.

What Constitutes Documentation?

- Hard copy documents (even drafts and the Sticky Notes!)
- Electronic files and records (regardless of where or how maintained)
- Audio and Video recordings / Photos
- Anything that “captures” a moment or moments in time.

DOCUMENTATION



NOTES:

GIVE FEEDBACK, GET RESULTS

*Focus on a **CONSTRUCTIVE, POSITIVE** approach with the goal of developing employee potential. This will be just one of many **CONVERSATIONS** you will have with the employee.*

Set Clear Expectations and Boundaries

- Lead by example.
- Be an active manager who pays attention. (Follow through; Be present)
- Implement and enforce company policies consistently and uniformly – you will earn more respect if you hold people accountable.
- Coach and discipline through meaningful interactions, constructive dialog, and shared visions of the path to exceptional performance.

Performance v. Development Coaching

PERFORMANCE Coaching

- ✓ Short-term
- ✓ What the learner does
- ✓ Problem solving
- ✓ Judgement / evaluation
- ✓ Speed
- ✓ One right answer (usually)
- ✓ Tactical Fixing of behaviors needed now

DEVELOPMENT Coaching

- ✓ Long-term
- ✓ Who the learner is and how they think
- ✓ Understanding
- ✓ Curiosity
- ✓ Patience
- ✓ Multiple right answers / options
- ✓ Growth and learning over time

Coaching Should be a Dialog – Create a Shared Vision

- Coach with **intention** – encourage and guide improvement while closing the performance gap between what you wanted and what you got.
- Listen** more than you talk.
- Avoid distractions and **stay focused**.

- Set **realistic** expectations.
- Address issues **real time** – don't stand by and watch failure.
- Brainstorm** strategies and suggestions for improvement.

- Encourage** employee to respond to your comments.
- Discuss **goals** for the upcoming period, if appropriate.
- Be prepared to give **specific examples** supported by documentation.

- Don't make **promises** you can't keep (AT WILL STATUS).
- Be direct, honest, and forthright**; do not avoid the negatives.
- Focus on behaviors**, NOT personality.

- Don't forget about the **KUDOS!**

WHAT SHOULD DOCUMENTATION INCLUDE

PRO TIP: PRACTICE when things are not a crisis.

What Do You Want to Accomplish? (UNDERSTAND YOUR PURPOSE)

- Create a **SHARED VISION** -- Set Expectations; provide information.
- Create **BREADCRUMBS** to Empower Decision Making –
 - Reflect on Support provided so far (past, present, future).
 - Have you done enough? What should happen next?
- Refresh Recollection** / preserve details – esp. good for employee reviews.
- Coaching, counseling, **performance management** or delivering consequences.
 - **Consider YOUR AUDIENCE** – communicate in a way that is meaningful to your listener
 - E.g., written warning, corrective action plan, employee review, etc.
 - **PRO TIP:** Document oral or verbal warnings too.
- Comparators** – are you being consistent, uniform, and fair? (Aggravating / Mitigating)
- Legal Defense (EXHIBIT A)** -- opportunity to tell your side of the story and/or explain your decision.

When Should You Document?

- Every time you meet with an employee for personnel action or significant work-related reasons.
- Every time you discipline (even for verbal warnings).
- Every time an employee has a grievance.
- Every time you discuss policies and procedures.
- Every time you conduct an investigation.

- ✓ Record the date, time and detailed information while being objective, simple and specific - make a record of what you did.

Use the 5 Ws: Who, What, When, Where, Why

- ✓ Be complete but don't write a book –

1st Pass = WRITE, DON'T THINK

2nd Pass = think it through

3rd Pass = final review

- ✓ Avoid vague language; **use FACTS**, not conclusions.

Keep your EMOTIONS OUT OF IT!

Use your senses and consider the effects of the employee's actions?

- ✓ Avoid specific threats – e.g., you will be terminated in 30 days.
- ✓ Be consistent, fair and honest; focus on performance, not personality.
- ✓ **Record EXACT QUOTATIONS**

NOT: “She used profanity and left.”

NOT: She said, “This is f*!ing bulls#*%t!”

- ✓ Keep comments appropriate – **AVOID PROTECTED CLASS REFERENCES.**

He raised retirement as an option saying, “I was planning to retire at age 65.”

- ✓ Listen with real interest; be open-minded.
- ✓ Record reference to and reissuance of the rule in question and record any ultimatums given.
- ✓ Stay on track – do not negotiate and do NOT make promises!
- ✓ Ask the employee to sign or make some other comment on the form.
- ✓ **Avoid the PERILS OF EMAIL** – tone, one-sided conversations, and an employee's need for a personal connection.

Problematic Employee Reviews

- The evaluations are not consistently implemented.
- The evaluations are not documented.
- The evaluations are not aligned with actual job descriptions or expectations.
- The supervisors fail to clearly set forth employee deficiencies.
- The supervisors fail to follow-up or follow-through on the goals outlined in the reviews.
- The supervisors are afraid to be honest, candid, and straightforward.

Most Common Errors

- Different Perspectives*** -- Walking into a performance evaluation with a completely different perspective about the employee's performance and/or employee is evaluated by someone who didn't know the job or how well employee was performing it.
- Content is Demotivating*** – Message communicated in a way that makes employee feel unappreciated, undervalued and worse still, invisible.
- Surprises*** – Employees hate surprises! Breach of trust in the process leads employee to further disengage.
- Over Inflating Performance*** -- Biggest mistake includes inflating performance to avoid confrontation. Be Honest. Keep conversation open-ended and allow employees to respond to a supervisor's comments. Focus on issues, not people.

Know When to LET GO

You can't save every employee. A great leader / coach commits to ensuring employees have the tools and resources to be successful, and that includes giving sufficient time and attention to help the employee grow and develop in the position. Unfortunately, some employees do not show the necessary improvement or do not respond to coaching for a variety of reasons, and the time comes to consider transitioning the employee out of the company.