

## **Counseling**

Supervisors have key responsibilities to provide regular, meaningful guidance, feedback, and support to their employees. When dealing with behavioral or performance concerns, it's essential to document counseling conversations to provide the employee with written records of the identified deficiencies and the supervisor's expectations moving forward. Counseling conversations demand a delicate balance of empathy, clarity, and firmness. They should aim to be constructive and supportive while also addressing the opportunities for the employee to rectify issues.

Supervisors should consider including the following components into their counseling:

- Choose an appropriate location to have the conversation, preferably neutral and quiet.
- Schedule the conversation to occur when parties are calm and focused.
- Directly address the concerns, providing corroborating examples.
- Use factual language and avoid making assumptions or accusations.
- Encourage the employee to share their perspective, and practice active listening.
- Be specific about expectations and identify the preferred timeline for improvement.
- Offer guidance and resources to the individual, such as training opportunities.
- Clearly communicate next steps, should the employee fail to improve or address the issue(s).

Documentation can take the form of a memorandum, counseling worksheet, summary e-mail after a counseling conversation, or other written format. The documentation should be addressed to the employee from the supervisor, with "Counseling Memo", "Documentation of Counseling", or similar as the subject. The content or body of the written documentation should describe the opportunities for improvement (e.g. behavior, performance, communication, etc.), and outline necessary corrective action and/or future behavioral expectations. A counseling worksheet is available on CHR Employee Relations' website (see [Counseling Documentation Worksheet](#)).

To the extent possible, training or other educational support can be extended to the employee, tailored to the areas for improvement identified during counseling sessions. Please visit Central Human Resources' website for more information on the learning opportunities that are available to employees, many of which are offered at no cost.

Following counseling conversations, the supervisor should regularly follow-up with the employee to check and document progress. These check-ins serve as chances to acknowledge and celebrate progress, or alternatively, to offer further guidance and support. However, if the behavior has been addressed in prior counseling sessions, or if the behavior warrants disciplinary action after establishing just cause, the appropriate level of discipline should be applied. The levels of formal discipline are listed below, and additional information can be found on CHR Employee Relations' [Employee Discipline](#) page.

For any questions on what level of discipline may be appropriate, or to seek additional guidance, please contact CHR Employee Relations directly at [employee-relations@usf.edu](mailto:employee-relations@usf.edu).

## **Discipline for Probationary Employees without Regular Status in Any Class**

Throughout the probationary period, it's crucial for the supervisor to closely collaborate with the employee, ensuring clear understanding of work standards and behavioral expectations. Any breaches of these standards or expectations must be documented in writing. The supervisor may provide counseling, apply

progressive discipline, or consider termination, based on the particular circumstances.

Should termination of the employee become necessary, written notification is provided citing failure to successfully complete the probationary period (refer to Notification of Termination during Initial Probationary Period). Depending on the circumstances, the employee may receive two weeks' notice or less.

### **Discipline for Employees with Regular Status**

Employees with regular status may face disciplinary action or termination if just cause is established. Examples of just cause include those outlined in the [USF Progressive Steps for Disciplinary Action](#), among others. Persistent inability to fulfill assigned duties or consistently subpar performance may warrant disciplinary measures, up to and including termination.

Disciplinary actions may include oral reprimand, written reprimand, disciplinary demotion, disciplinary reduction in pay, suspension, and dismissal.

**Oral Reprimand** – A documented conversation between a supervisor and an employee about a behavioral problem. It is intended to get the attention of the employee and to identify the problem, and what corrective action is expected. An oral reprimand is the first official step of Progressive Discipline.

- The employee must receive clear communication that an oral reprimand is being issued, along with the reasons for it, emphasizing that repeated unacceptable behavior may lead to more severe disciplinary actions.
- This conversation should be documented in writing (see [Progressive Discipline Form](#)). Both the supervisor and the employee should sign and date the document to acknowledge receipt, with the original given to the employee and a copy retained by the department.
- If the employee refuses to sign, this refusal must be noted on the document (e.g., "Employee Refused to Sign").
- A copy of the document must be sent to CHR Employee Relations for inclusion in the employee's official personnel file.
- The employee should receive a copy of the document. If they declined to sign, a copy should be emailed to them.
- Any written response from the employee should be attached to all copies of the document.
- Oral reprimands shall not be used as a basis for later disciplinary actions against an employee provided the employee has maintained a discipline-free work record for at least one (1) year subsequent to the reprimand.
- Oral reprimands after a period from one (1) year from the date of delivery to the employee may be requested to be marked as 'Expired'. The request must be made by the employee the reprimand was issued to, and must be in writing to [employee-relations@usf.edu](mailto:employee-relations@usf.edu).

**Written Reprimand** – Applied after an oral reprimand has been issued and no change in behavior has resulted, or it is administered as the first step of progressive discipline if the severity of the infraction warrants. It formally places the employee on notice that corrective action must be taken.

- The reprimand must be approved by the dean/director/designee and CHR Employee Relations.
- The document (refer to [Progressive Discipline Form](#)) must be signed and dated by both the supervisor and the employee as acknowledgment of receipt. In case the employee declines to sign, a notation of the refusal must be made on the document. It's advisable to have a witness (typically not

a peer or the employee) sign as well, confirming that the employee received the document.

- If the employee refuses to sign, the refusal must be noted on the document (e.g. “Employee Refused to Sign”).
- The employee is provided with a copy of the document. If they refused to sign the document, a copy should be e-mailed to them.
- A copy of the document must be forwarded to CHR Employee Relations for the employee's official personnel file.
- If the employee provides a written response, it is attached to all copies of the document.
- Written reprimands shall not be used in later disciplinary actions against an employee if the employee has maintained a discipline-free work record for at least the subsequent two (2) consecutive years.
- Written reprimands after a period from two (2) consecutive years from the date of delivery to the employee may be requested to be marked as ‘Expired’. The request must be made by the employee the reprimand was issued to, and must be in writing to [employee-relations@usf.edu](mailto:employee-relations@usf.edu).

**Suspension** – Temporarily relieving an employee of duties for up to three workdays and placing him/her on leave without pay. This is usually administered following one or more written reprimands. However, a suspension may be the first step of progressive discipline if the severity of the infraction warrants. CHR Employee Relations must be consulted in the consideration for suspending an employee.

- The dean/director submits a written request and supporting documents to CHR Employee Relations, proposing suspension of the employee. If the evidence appears conclusive, a written authorization to notify the employee that a suspension is being proposed is provided to the dean/director by Employee Relations, along with a notification letter to the employee. The number of days of proposed suspension is based on the nature and severity of the infraction and/or past practice for similar or comparable circumstances.
- The employee has a right to attend a predetermination conference, scheduled and conducted by CHR Employee Relations. The employee may bring a representative and witnesses and/or submit written statements or other documentation. If the employee elects not to attend the conference, a decision is made based on the information available.
- A final decision is made by Employee Relations to either:
  - Delegate authority to the dean/director to proceed with the requested action and notify the employee with a letter provided for that purpose or
  - Advise the dean/director of any changes to the requested action and how to proceed.
- The dean/director issues the letter to the employee by personal delivery or certified mail/return receipt requested (or comparable means), specifying the date(s) of the action.
- During the period between notification of the proposed action and notification of the effective date of the action, the employee is expected to perform his/her duties without disruption. (However, if the situation warrants, the employee may be placed on administrative leave, with appropriate justification.)

**Dismissal** – Separating an employee from the university. It is the most severe form of discipline and is either the initial step in the case of a major offense or the final step in the progressive discipline process. CHR Employee Relations Consultant must be consulted in the consideration for dismissal.

- The steps in the dismissal process are the same as those for suspension, except that, during the period between notification of the proposed action and notification of the effective date of the action, the employee may be placed on administrative leave, with appropriate justification.