

INTRODUCTION

Supervising federal employees is different from supervising employees in any other system—military, private sector, health food stores, the NFL, hippie communes, or anywhere else. And you must understand these differences and be able to work within them if you're ever to become even a moderate success as a federal supervisor. Supervising federal employees is different for four main reasons.

First, the federal service operates within a framework of rules and regulations that governs all aspects of employment from hiring to retirement (or quitting or being fired). Sure, all large organizations have rules, but here's the difference between them and us: the feds take them seriously—especially those dealing with the major personnel management decisions—hiring, classification, discipline, firing. And not only do they take them seriously, the important ones are enforced by agencies outside of your own who have the authority to overturn what you have done, and in some cases, to even take disciplinary action against individual supervisors for serious violations of employee rights.

For example, an organization called the Office of Special Counsel investigates most allegations of prohibited personnel practices and has the authority to bring on its initiative disciplinary charges against federal employees (usually supervisors and HR specialists). And since its 1979 creation, OSC has sought discipline against dozens of supervisors and HR specialists for violating employee rights.

Second is the need for consistency. Not only do you work within a system of rules, these same rules must be enforced evenly and not selectively. Selective or uneven enforcement of rules is a common defense employees raise before any outside challenge or appeal: EEO complaints, MSPB appeals, labor grievances, and all other tribunals that hear federal employee challenges.

And because of this greater appellate coverage, federal supervisors must be ruthlessly consistent in their treatment of employees—even as we'll see, when it hurts. You must always be concerned with the precedential effect of important decisions. When you're dealing with problem employees or a disciplinary situation when you're tempted to let a serious offense pass because of fear that the offending employee will file some sort of complaint or challenge and drag you through that torture: think not about what happens if you take action, but what will happen when you don't. In federal

service, what you allow your worst employee to get away with becomes the workplace standard.

Third is job tenure. In private industry, non-unionized employees (89.7% of the private sector workforce) serve at will (except for the rare cases where they're under a contract) and can be fired on the spot for any reason or no reason (except for prohibited reasons like discrimination and a few others). In a management book a few years back, the author discussed how to deal with an employee who has great potential, and while certainly not incompetent, was only performing at an above average level. His answer: fire him or her, and replace the employee with a better one.

You laugh at this, and, after five decades of dealing with federal employees, so do I. No way you'd ever get away with that in federal service with a tenured employee, but you would in private sector without even having to lie about the real reason. In federal service, though, tenured employees (generally permanent employees past probation) have due process rights when removed, RIF'd, or victimized by other serious job actions. They have numerous procedural and substantive rights, including usually an appeal to an outside party before whom you carry the burden of proving your case. As we'll see, it's a myth that you cannot fire a federal employee, or that it takes forever. Indeed, it's frighteningly easy, but you have to ensure that certain rights are granted and protected when you do it.

But here's the real problem that tenure creates: dealing with the satisfactory and better employees poses obviously no problem for supervisors, and so too, believe me or not, is dealing with employees who are indeed incompetent. We'll show you later and it is that easy if you're serious.

But the real problem is this: the system makes it virtually impossible to get rid of a *marginal* employee—one who is barely above the firing level and while not incompetent enough to fire, you just cannot let him or her handle any important or complicated assignment without the closest supervision, correction, and guidance. You are stuck with that employee for as long as he or she chooses to stay and choose to perform marginally.

The same occurs with conduct issues. Just as you cannot remove a marginal employee for performance, you cannot discipline employees who commit marginal offenses—acts that you definitely do not like, and definitely poison the work site, but it's almost impossible to deal with through any sort of formal sanction. You've all seen that man or woman with the nasty sullen bitter attitude who goes around all day, not just griping like you and I do, but constantly ridiculing the agency, federal service, everybody in management, their coworkers, and virtually everything the agency does—but never a specific defamatory or malicious accusation against a

specific person, just this generalized toxic grousing. Because if you try, we're stuck with that principle of consistency we discussed earlier. You suspend somebody for bad-mouthing the agency, and he or she turns around and points to virtually every coworker, and they all do, who complained about something management did. And then you try to say, "Oh, but he's different, because he does it more" or some other lame justification, and...aww, just forget it.

What this means is that you must be cold-blooded in both hiring and probation—far more than your friends in private industry who could fire somebody the day before retirement. Because once our federal employees (a) get hired, and (b) complete probation, you are stuck (again, unless the person is indeed incompetent or committing specific disciplinary offenses).

Last is motivation. Federal employees march to the beat of a different drummer. This is a bit of an oversimplification, but in private industry, it really is mostly about the money, even if it actually is only a scorecard.

However, federal employees, for the most part are motivated much differently. The National Park Service has an over-used saying, "We pay our people in sunsets." Laugh if you want, but there is almost literal truth in that saying. What brings good men and women to the Park Service is not salary or the great sex, but those sunsets and all they signify—the challenge, the fun, the interest, the coworkers, the desire to help people and make a difference, and, yes, the pride in wearing the flat-brim campaign hat.

I'm not a Pollyanna and I realize that there are some awful jobs in federal service and some components of federal agencies that are less desirable than others, but virtually every federal agency has its own version of paying people in sunsets—aspects of the job that we'll discuss in more detail later that draw and retain good men and women who, are happy to be paid well, but want more out of their careers than being able to spend money.

And this is not theoretical, an MSPB study found that eighty-five percent of new federal employees listed "wanted to make a difference" as a major factor in choosing a federal job. Sure, the money's nice, but in federal service it is much more about excitement, meaning, fun, independence, control, decision-making, challenge, and opportunity. Therefore, federal supervisors must use entirely different motivational strategies—those that focus on the inherent qualities of the job itself.

As a federal supervisor, you have five major personnel management responsibilities that follow a natural progression of hiring, assigning duties, managing performance, maintaining discipline, and managing time. And sprinkled into every one of those five core responsibilities are additional

issues of dealing with employee medical problems, equal employment opportunity, and labor-management relations.

Although you may, I do not intend that you read this book cover to cover. Therefore, I have tried to make each chapter stand alone as a separate topic you can refer to when you wish, but at the same time since they are all related in some form, I've tried to maintain a continuity and flow and will often refer to a link in a previous or upcoming chapter. I'd suggest that you do read the first two chapters, especially the second that carefully lays out your legal rights as a supervisor and your corresponding legal duties to your employees. At the end of each chapter is a quick summary and, in some, reference materials and decision flows. I hope I can help.

CHAPTER ONE

MANAGING FEDERAL

EMPLOYEES

*People don't change that much
Don't waste time trying to put in what was left out
Try to draw out what was left in
That is hard enough.*

—Marcus Buckingham and Curt Coffman in
First, Break All the Rules

Readers who have read other works of mine know that I don't like to waste your time with theories, abstractions, and the purely conceptual. However, before we discuss your HR responsibilities in detail, I want to set the foundation with two crucial points about managing people in general and how these principles apply to federal employee. These principles will appear in and apply to virtually every HR responsibility we'll cover in this book. We'll start by recognizing what you can and cannot change about your employees, and then turn to the basics of motivation in federal service.

WHAT YOU CAN AND CANNOT CHANGE

Many supervisors believe or are mistakenly taught that employees are a blank slate: that you can make any employee do anything with the right stimuli, usually incentives, disincentives, sweet talk, nasty talk, pep talks, accompanied by the right body language. Those who believe this essentially place the supervisor in the role of therapist where the solution to every problem or defect with an employee is to change the employee, usually through a variation of counseling, training, or any other stimuli short of shock treatment.

Conversely, others believe, equally mistakenly, that you cannot change the way people are. Every aspect of their personalities, traits, attitudes, prejudices, skills, and behaviors is set in their DNA and there's nothing you can do to change them. They believe that the role of supervisors is to change themselves and the work environment and adapt it to the employee. As one website put it, "It's important that managers change rather than trying to change the staff."

The truth, as with most all issues in life and management, lies somewhere

in the middle. The reality is that there are some aspects of job behavior that you can change, and an almost equal number that you cannot. And an important starting point in any discussion about supervision is a keen understanding of what you can and what you cannot change about your employees. The reason that this is so important for federal supervisors is that if an employee quality or trait is one that you cannot change, you must address that during the hiring process, because once you hire a person who lacks that characteristic, you'll be stuck. Conversely, if it's an attribute you can change, you can mostly ignore it during hiring and focus on it once hired.

For example, you cannot teach creativity. If you need an employee who sees and thinks from different perspectives than others, and is always putting forward newer and better ways of doing things, you must spend time during the hiring process looking for information about that candidate's imagination and originality from all your assessment sources we'll discuss in [Chapter Three](#).

Conversely, don't worry excessively about specific skills and experience beyond the basic qualifications during the hiring process. There is no limit to what motivated and talented people can learn. Let's start with what you cannot change.

WHAT YOU CANNOT CHANGE

Motivation and Work Ethic

Frederick Herzberg, management scholar and the father of job enrichment, put it best, "It's the job of a manager not to light the fire of motivation, but to create an environment to let each person's personal spark of motivation blaze."

You cannot motivate employees. You can, of course, demotivate them. But if you, for whatever reason, have hired somebody or been handed somebody who simply does not want to be there, there is nothing you can do. As we'll discuss in detail later in this chapter, your role in motivation is, as Herzberg found in his research, not to light a spark, but create the right environment in which motivated employees can flourish.

Motivation starts with your hiring motivated employees and then creating the right environment with the factors we'll discuss later. Because if somebody is not already motivated, no amount of clever words, financial inducements, appeasement, improved working conditions, or other incentives is going to change the person.

Same with the related issue of work ethic. If you've hired or inherited the employee who simply has a diffident attitude towards coming to work, finishing work on time, and doing it well, you'll not be able to somehow manipulate that employee into anything resembling somebody who cares.

Psychological Make-Up and Personality Traits

You cannot change the way people are wired. Psychologists have studied and categorized all manner of human personality traits, including one who studied over 600 traits. However, these days, they all seem to agree on five core personality traits. We'll go through them briefly, not for you to learn them, but mainly so that you can relate them to your own experiences. As we glance through them, think of your own experiences with subordinates, coworkers, or supervisors who did or did not demonstrate them.

Openness

People who demonstrate this are flexible, open to new ideas, creative, and not only accept change but are usually the engineers and advocates of change. They are not just willing to learn new skills and challenges, they seek them out and pester you for those opportunities.

Conscientiousness

Conscientious people not only pay attention to detail, but are thoughtful and able to weigh the effects of their actions on others. They plan ahead with goals in mind, prioritize their work, think about how their behavior affects others, and are mindful of deadlines.

Extroversion

Extroverts are not just comfortable in social and work groups, but perform better working with others because they draw energy working with people. Because they enjoy meeting new people, they perform well in jobs that require dealing with strangers.

Unlike the other traits where people who score high will be better employees in any situation, the extent to which an extrovert or introvert will perform better obviously depends on the job. Introverts will adapt better and perform better in jobs where they work alone and work products are not dependent on cooperation with others, e.g. claims examiners, processing clerks, tax examiners. Extroverts placed in those jobs will likely be frustrated and not last long.

Agreeableness

Agreeable people work well with others because they are cooperative, care about others, have empathy, show kindness, and are loathe to criticize others. We need not burden ourselves discussing employees who lack the trait, because you've seen enough of them and probably have a few working for you now.

Composure

Composure is manifested in people who can handle stress, do not get upset easily, worry less about less important matters, and are not easily depressed. Conversely, those who are not composed are not merely easily stressed, but experience mood swings, are always nervous if not neurotic, and worry excessively.

This one is important to remember because few government jobs are stress-free, and those few that are probably of no value and should be eliminated. One federal judge, responding without sympathy to a federal employee who wanted management to accommodate his "disability" of inability to handle stress by reducing the stress of his job noted, "a job without stress is a hobby." Interestingly, EEOC does not consider stress, by itself, to be a disability. EEOC accepts as disabilities mental conditions whose signs and symptoms include stress, like PTSD, but stress alone it considers to be merely a personality trait.

If you supervise positions that have higher amounts of stress, make sure you spend time during the hiring process making sure you hire candidates who can handle it, because you'll not be able to change them if they cannot.

Talent

Talent, not skill, is the inherent ability and capacity to do the job and learn the skills required. Writing ability, for example, is an inherent talent that requires years, if not decades, of honing. Mark Twain began writing professionally in his teens, and then with extensive polishing eventually became one of America's greatest authors. You cannot, as many federal agencies try, improve the writing of a poor writer with a three-day class.

WHAT YOU CAN CHANGE

Skills and Knowledge

A PBS documentary showed a manager from the corporate headquarters of The Container Store, talking about hiring, and she said "We don't look

for skills. You can teach people anything.” And she goes on to say that what they look for is enthusiasm and talent—themes we’ll revisit later. It is rare in both private sector and federal service to see selections in which skills or knowledge were over-riding or determining factors. They were *always* secondary.

Southwest Airlines, whose HR practices are consistently recognized by independent outsiders as among the best in America, include its famed hiring slogan, “hire for attitude, train for skill.”

One writer described this strategy as “inflexible” but meant it as a compliment. SWA focuses almost exclusively on identifying candidates for all jobs who genuinely share its customer-friendly attitude and corporate culture. Among many SWA anecdotes was its refusal to hire a highly qualified pilot applicant whom it had recruited because he was curt and condescending with the receptionist. The selecting official said that good pilots were easy to find, but polite people were far fewer. The pilot did not fit their culture and that was it.

This is especially true in federal service. As we’ll discuss in detail in [Chapter Three](#) on hiring, by the time applicants for your vacancies reach you, the federal hiring system has already determined that they can perform at least at the basic qualified level. Focus on those crucial traits that never show up on the application—motivation, attitude, character, work ethic, energy, and a personality that fits the job.

Because there is no limit to how motivated, dedicated, and talented people can learn new and often difference skills, or ingest detailed knowledge of a topic previously completely foreign, motivation and talent almost always overcome skills and knowledge shortcomings.

Discipline

We’ll spend considerable time on discipline in [Chapter Six](#), but adherence to rules, both written and unwritten, is for the most part highly situational. I’m not a Pollyanna and I recognize that a small minority of employees will sin against their employer no matter what the situation or environment. But the vast majority of employees, when put into an environment with high standards of behavior that are enforced, will respond in kind. The converse is true: when placed into a work environment with lax standards, their behavior will adapt accordingly. An Army colonel told me once, “When one employee does something wrong, it’s an employee problem. When two employees do it, it’s a management problem.” More on this in [Chapter Six](#).

Job Performance

No, you cannot make a silk purse out of a sow's ear, but employee performance is for the most part highly malleable. If you take employees with even average talent, psychological make-up, and motivation, you can materially affect their level of performance.

If you set clear goals that challenge the employee, you follow up on those goals, you point out when those goals are in danger of not being met, and create all manner of positive consequences when they're achieved, you can significantly affect employee performance.

In dealing with all aspects of managing people, stay keenly aware of what you can and what you cannot change. Spend your time and effort working on those aspects where you can make a difference, and don't waste your time trying to change what you cannot.

WHAT REALLY MOTIVATES EMPLOYEES

Much of this book is about motivating employees. No, not in the wrong sense we discussed above where you're playing the cheerleader and the therapist, but in the sense that most of what you do in human resources management affects not merely efficiency of operations, but the motivation and drive of employees.

For all that has been written or taught about motivation, for our purposes, we can reduce it to a few essentials—especially given our raw material in federal service, men and women who are for the most part eager to live a life that makes a difference.

Understanding why federal employees act the way they do is the foundation for everything you do as a federal supervisor. You don't have to be a psychologist, but you do need some insight into why federal employees perform, because supervising federal employees is different from supervising private sector employees for a variety of reasons, not the least of which is why people go into the jobs they do. Let's turn now to motivation, job satisfaction, happiness, and how you apply those principles to the federal worksite. Let's start off with some general principles by looking at why people work and then turn to your role in motivating employees.

WHY PEOPLE WORK

All the empirical data on the subject supports two important principles about people on the job: (1) the overwhelming majority of people want to work, and (2) they want to do it well.