HR Manual for Managers
2016

Introduction

In the absence of real staff engagement, any kind of work culture can prevail-- positive or negative. Positive culture is utterly dependent on the engagement of staff: their investment in the mission of the organization and their ability to look beyond their day to day happiness to the satisfaction they get from working with a team aimed at a common goal.

Good personnel management is a key factor in creating positive culture and staff engagement. Research within Co-ops indicates that staff members are more satisfied and engaged when policies and procedures for personnel management are applied consistently and transparently and when staff have a relationship with their supervisors. According to a research done by the CDS Consulting Co-op, taken from over 200 staff surveys over a number of years, the following five factors are the strongest indicators for staff satisfaction:

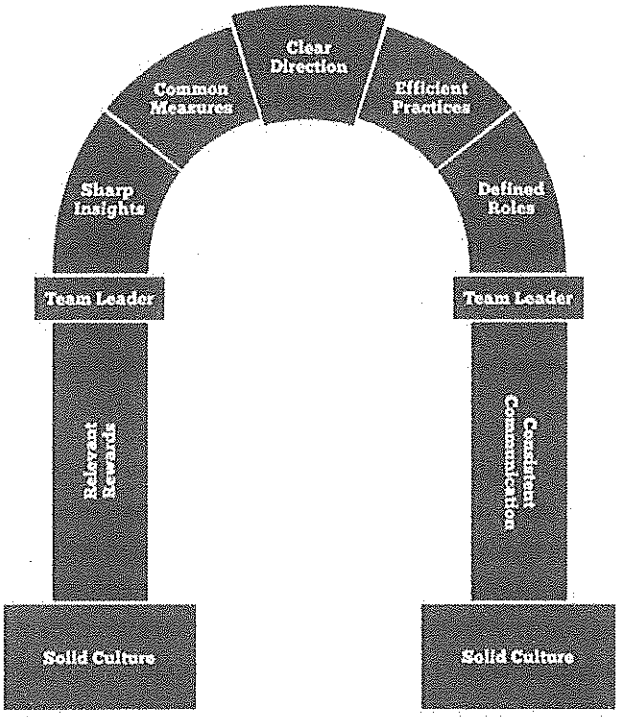
1. **Investment in Mission-** Employees need managers to speak to mission on a regular basis, to understand that they, staff, make a difference on a daily basis in enacting that mission, and to trust that decisions are made on the basis of a shared mission within their Co-op.
2. **Opportunity for Input-** Employees need to know that their opinions matter, that there is a structure for giving input on factors in the workplace that affect them.
3. **Opportunity for Advancement-** Employees value the opportunity to learn new things, develop in their positions, to see a clear path for their own advancement, and to trust that there is a common measure for pay raise and promotion decision making.
4. **Accountability-** Employees want clear expectations and defined roles, and to know that managers are paying attention to their work. They want to trust that good performance will be rewarded and that bad performance will be corrected. Staff members appreciate a fair and transparent system of accountability.
5. **Personal Connection to Management-** Employees feel connected to management when managers lead by example, are visible on the floor and know staff member's names. They feel disconnected from management when they perceive that managers are "hiding out" in their offices. Employees like to know that their good work is visible to management, and prefer to hear bad news in person.

Providing these five factors in the workplace for our staff creates a ***Positive Context*** for work to occur. The adage in leadership circles is, "When the context is positive the results are positive," according to the following line of reasoning:

Positive context (including the five features above) leads to a **Positive Assessment** of the work environment. The **Positive Assessment** (what one thinks about work) generates **Positive Emotions** about work. These feelings lead to the likelihood of more **Positive Behavior** at work, and increases an employee's performance and **Positive Results** in the workplace. This is authentic **Staff Engagement** and the beginnings of creating a **Positive Culture** throughout the store.

A lot is dependent upon the presence of a positive culture. The ability to grow and expand the Co-op's mission and presence in the community, the ability to provide authentic and excellent customer service,

the ability to retain good employees. The following graphic depicts how Positive Culture is both the foundation and the outcome of a healthy organization.



Please note the reiteration in this graphic of the themes described in the employee satisfaction data above. ***Employees want: relevant rewards, consistent communication, strong and available leadership, transparency in communication, defined roles, common measures of success, workplace practices that make sense, and a clear direction toward a shared mission.***

It follows, therefore, that effective managers are:

- Clear and Consistent
- Honest and Available
- Cool and Calm (at least most of the time)*
- Mission Driven

This HR Manual for Managers describes the different facets of personnel management that have to happen on a weekly, if not daily basis in every department. As we implement consistent systems for our personnel throughout the store, staff engagement and positive culture are bound to grow. And, as managers, your own stress level will diminish when you know exactly how these essential tasks are handled at the Moscow Food Co-op.

Cheers!

Karen A Faunce

Karen Faunce, Human Resources Manager

***Closing thought: taking care of yourself helps you take care of your employees.**

10 Ways to Overcome Stress

1. **Plan ahead. Ask questions about responsibilities, deadlines, and expectations.** Be positive. Questions should show that you want to do the job better. If a workload is too much, say so. Good supervisors want employees to do well.

2. **Avoid office gossip and constantly negative people.** Just say, "oh" when they start talking. Too much negativity affects morale and is contagious.

3. **Seek out someone who can provide a pep talk or encouragement.**

4. **Set priorities.** If e-mail is essential, set aside time for it but answer in a few short sentences and try to check it only at select points during the day.

5. **Refocus.** Look at what you contribute to by working, whether it's a larger goal or your family's well-being.

6. **Be clear that your job is not you.** You are a person with a job. Remember everything else in your life: friends, hobbies, family.

7. **Reward accomplishment** if you are a boss. It's amazing what a little praise will do.

8. **Get enough sleep.** Trading a half-hour of tv for extra sleep can change attitudes.

9. **Set aside time to play.** Play is an important aspect of being human, even if it's as simple as watching a movie with your children.

10. **Change your scenery.** Go to another room or take a walk outside. Take time off. Schedule vacations or even just a mental health day before you get overwhelmed.

Source: David Engen, Ceridian Performance Partners

Hiring

Hiring high-quality, high performing employees is one of the most important tasks of a manager, in terms of creating a productive and positive store culture. There are several logistical steps as well as professional and legal considerations that are discussed in this section.

Policy: Hiring (from the 2014 Employee Handbook)

All managers will follow these guidelines for hiring:

- We will comply with federal laws impacting hiring and employment practices.
- Our hiring decisions will follow sound business practices.
- We will have internal consistency within all departments by following the same procedures.
- Our hiring decisions will be fair to all prospective and current employees.

Moscow Food Co-op seeks to hire the best person available for all positions at the Co-op and is always looking to find excellent candidates for each job. When a regular position becomes available it is posted immediately.

Policy: Hiring of Relatives in the Workplace Policy

To reduce the potential for bringing personal conflicts into the workplace from outside, and to reduce the potential for perceived bias or perceived favoritism, there are some restrictions on the hiring of relatives at the Moscow Food Co-op. Relatives of Moscow Food Co-op employees will only be hired or promoted into positions where they will not supervise, or be supervised by, a relative.

For the purposes of this policy, "relatives" are defined to include spouses, domestic partners, parents, children, brothers, sisters, brothers-in-law and sisters-in-law, fathers-in-law and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren. This policy also applies to you if you are dating another employee and one of you would supervise the other.

The word "supervision" is defined to mean directly scheduling, evaluating, deciding upon salary-related matters, or disciplining another employee. "Indirect supervision" refers to oversight given via delegation through a chain of authority. (Please see the Conflict of Interest policy section for information about relationships that are established between employees after they are hired.)

Because of our small community and the high incidence of employees being related or sharing households, the following system of checks and balances is in place to prevent instances of real or perceived favoritism:

- An employee who indirectly or temporarily supervises a relative (as defined above) or directly supervises someone in his or her household, must engage a second party, either the Human Resources Manager or the General Manager, in any supervisory decisions (as defined above) regarding that person.

- Any employee who is involved in the recruiting or hiring of a relative (whom they may not supervise directly) or someone in his or her household must recuse him or herself from the final hiring decision about that person, and defer to the merit-based decision of the rest of the hiring committee.

Posting

It's our policy that all jobs be posted-- internally, or both internally and externally. Any position over 12 hours per week must be posted, and must have a corresponding hiring file created for our Human Resources archives.

- The ***Job Posting Request Form*** **(See Appendix A)** is located on the HR office door. This form is used to describe the position title, hours, wage, posting locations and interviewing availability of the hiring team. ***All job postings require the submission of this form (*see note below for rare exceptions.***) Completed forms may be submitted to the HR Drop Box outside of the office.

- **Posting Duration:** The position should remain open at least ten business days to ensure a quality pool. (Exceptions can be made, but 10 days is a best practice and should be followed whenever possible.)

- **Collecting Applications:** After a sufficient posting time has elapsed, see Human Resources to choose a list of interview candidates from the collected applications. Some pre-screening will have been done for completeness of submissions. ***An employment packet is considered complete when it contains a completely filled out MFC application form, and contact information for two references. A resume is optional for Orange/hourly category jobs and required for all other job categories.*** At least two, and usually three to five candidates should be chosen for interviews-- depending on the job category, number of applicants and quality of the pool.

- Besides paper applications, the Co-op now accepts online applications via **Applicant Pro**-- https://admin.applicantpro.com/. A link to all job postings is found on the Co-op Website (http://www.moscowfood.coop/employment/) and ADP portal (www.workforcenow.adp.com), allowing people to apply paperlessly. Applications can be screened, rated, exchanged and archived through the site.

- **Internal Applicants (See Appendix C):** In order to ensure that the Co-op gets a good return on the investment made in training a person for a particular department, employees are generally not permitted to transfer to a different department until they have completed at least six months in their current job. However, an employee may train in and add regular hours from other departments, with approval from both department managers and the General Manager, after he or she has completed the Initial Employment Period.

Anyone applying internally for an open position should use the internal application form found on the bulletin board outside the breakroom or on the ADP employee portal, and include a resume if the job is in the light green category or higher. All internal applicants who meet the

minimum qualifications of the position will receive an interview. Managers may certainly consult with an internal applicant's current manager to discuss work performance and, if that person is the top candidate, transition logistics.

Department specific positions, such as PIC, Lead or FC, and positions that are fewer than 12 hours/week should be posted in department log books, at the very least.

Full-Time, Part-Time and Sub Status:

Policy: Employment Status

Employment status does not imply a contract for employment nor does it affect your status as an at will employee. All employees fall into one of the following categories:

- **Full Time Scheduled** Employees: those who are scheduled for at least 30 hours per week are considered full-time employees and are entitled to full employee benefits.

- **Part Time Scheduled** Employees: those who are scheduled for at least 12 hours but fewer than 30 hours per week. These employees are eligible for all benefits except medical insurance.

- **Seasonal Flex** Employees: regular staff who raise their hours to temporarily work full time (30 or more hours per week) for a period of fewer than 90 days or the duration of summer break. These employees are eligible for all benefits except medical insurance.

- **Part Time Temporary Employees or Substitutes**: those who are hired for specific purposes for a period of fewer than 90 days or who work on an "as needed" basis as substitutes for regular staff. Part time, regularly scheduled employees working 12 or more hours a week are eligible to receive a 20% discount. Substitutes receive a one-time 20% employee discount each time they substitute for another employee.

When posting for a position (and when managing your staff schedules) you must keep in mind which category an employee is assigned to, as it affects the benefits that s/he receives. Therefore, an employee designated as full-time, must always (except in rare circumstances) be scheduled for 30+ hours/week to maintain their insurance eligibility; **but even if the person is not on our insurance, a bright line must be kept between categories.** A person who is part-time should rarely work over 29 hours in a week, since exceeding that will start the clock ticking for them to become eligible for insurance benefits. **Use the Seasonal Flex category for people who temporarily go to full time (e.g. for the summer)** With the Affordable Care Act, these lines need extra scrutiny. We are out of compliance if we don't offer benefits in a timely manner.

Consider these categories when hiring and always fill out an employee status change form when someone increases or reduces their hours.

Interviewing

- Create an interview pool of candidates. Give the applications for the interview pool to HR for scheduling. HR typically schedules the interviews for managers via google calendar unless another method is requested. If you schedule the interviews instead, drop HR an email with the interview information to help with communication when queries about the status of the search arise.

- Two documents need to be up-to-date by the time interviews take place:
  - A current job description for the position.
  - Interview questions that skillfully identify the ability of the candidate to perform the duties listed in the job description *and* comply with all legal and ethical requirements for interviewing.

- The HR Manager or HR Coordinator is available to sit in on interviews when needed. At least two MFC supervisors need to be present for any interview.
  - Use the Interview Question Form to record answers—this becomes part of the new hire's employment record.
  - Use the Interview Scorecard to rate candidate's answers and presentation

Red Flags and Green Lights in Interviewing

Look out for ***Red Flags*** and ***Green Lights*** in interviewing any candidate. What happens in and around the interview can be a strong predictor for how the employment relationship may play out. The *Retail Basics* Curriculum lists the following warnings/endorsements:

Red Flags

- Late for the interview
- Talks in an angry or victimized way about former employers
- Shows a lack of enthusiasm in body language and tone of voice
- Wants to work at the co-op because it's "laid back"
- Gives rambling, off topic answers to interview questions, or gives short, vague answers with lack of detail
- Never admits to any weaknesses or mistakes
- Relentlessly self-promoting, apparently without reflecting on whether s/he'd have the motivational fit with the job
- History of frequent job hopping
- Can't supply verifiable references
- Willing to quit his present job without adequate notice
- Accepts the job and then tries to up the pay rate

Green Lights

- Has done research on the Co-op before the interview
- Asks questions that indicate interest in the Co-op
- Asks questions about the supervisor's expectations for employees
- Radiates enthusiasm in body language and tone of voice
- Talks positively about past customer service positions
- Can admit mistakes and what was learned from them
- Doesn't oversell herself and appears to reflect on whether she'd have the motivational fit with the job
- Plans to give his present employer adequate notice
- Fills out the application form legibly and completely
- Follows up after the interview by phone call or email

Interview Techniques (adapted from *Retail Basics*):

1. Explain how the interview will proceed.
2. Give the candidate your undivided attention.
3. Listen more than you talk. Allow for silence between questions, so that candidate can elaborate if needed.
4. Don't cut off or interrupt the applicant unless rambling, or not answering the question.
5. Use empathy and curiosity to encourage the applicant to reveal their authentic personality, interests and work ethic.
6. Listen to your gut feelings, but be on guard for your own biases.
7. Depict the reality of the position. Many don't realize that working at the Co-op is very hard work. Be positive but realistic about the joys and challenges of the position you're hiring for.
8. At the end of the interview, explain what will happen next.

Conducting a Legal Interview

All interview questions need to comply with Moscow Food Co-op Policies and follow federal and state laws. ***Often our questions are fine, but our informal conversation before and after the interview veers into dangerous territory.***

Examples include:

- "So what kind of last name is Sdrkudirdl?" (implied question about race, national origin or legal citizenship.)
- "What languages do you speak?" (Unless directly pertaining to the qualifications of the position, is inappropriate) or "Where are your parents from?" (which has the same problems as the question above.)
- "Are you pregnant?" (The law protects people from discrimination based on any medical condition, including pregnancy.)

- "How many kids do you have?" or "Who takes care of your kids when you're at work?" (Could imply discrimination against parents, or single parents.)

Please see **Appendix B** for a more complete list of illegal or risky questions, and their alternatives.

Finally: Give all interview notes and applications from the hiring process to HR for the hiring files.

Reference Checks and Notifications

- When a final candidate is selected, notify Human Resources. HR will check references before an offer is made to the final candidate. (References can be checked for more than one candidate if they are closely matched and more information is needed to decide.)

- If references are positive, make an offer to the top candidate. If s/he accepts, notify HR via email. ***Please always indicate the starting date, the number of hours and the wage for the new hire.***

Intakes

- Typically, HR schedules the intake session with the new hire before his or her first shift. If ***you*** schedule the intake session with HR, please remember to tell the new hire to bring his/her **Driver's License and Social Security Card, or Passport, and a voided check (or other legitimate banking document)** to the paperwork session.
- At the employee's initial intake with HR, the new hire:
    - Fills out paperwork including the employee data sheet, W4, I-9, EEOC survey, direct deposit form, communication policy, job description, shared discount form and handbook acknowledgement.
    - Receives a copy of the handbook and is oriented to the content and important policies; a benefits summary sheet, copy of the job description and employee card.
    - Gets an overall tour showing the upstairs, freight area, janitor's closet, photo board, back offices, job posting board and break room. In the break room, we cover:
        - Use of the time clock, missed punch forms
        - Walk/bike to work binder
        - Storing gear
        - Location of restroom, first aid kit, injury report binder, hand-washing sink and drinking water, freed out fridge, and free daily lunch items.

- I enter the new hire into the HR/Payroll system and send an email to payroll and IT to get them activated in the POS system.

Initial Employment Period (IEP) and On-Boarding

Policy: Initial Employment Period

All new employees undergo an Initial Employment Period (IEP), *typically* 90 days. This period is not a guarantee of employment for any set period of time and completing it does not change your status as an at-will employee.

On or before your first day of work, you will receive a copy of your job description and the criteria for evaluating your work. During your IEP, your supervisor/manager will hold informal check-ins to give you feedback on your progress in learning your new job. You are expected to ask questions during this period to ensure that you get the help you need to be successful.

Near the end of your IEP, your supervisor/manager will conduct a performance review to ascertain your success in completing the requirements of this period, including whether you have completed your mandatory classes and passed any necessary tests to demonstrate knowledge in particular areas. Your supervisor/manager may seek input from other employees who have trained you or worked closely with you.

If at any point during the Initial Employment Period your supervisor/manager concludes that you won't be able to adequately perform the job for which you were hired, your supervisor/manager may end your employment. Initial Employment Periods are extended when additional coaching is needed, when an employee's hours are so limited that training time takes longer, or in situations where the supervisor was not able to be present for most of the period. The delay of a performance review does not constitute grounds for filing a grievance.

Certain privileges are granted at the end of the successful completion of your Initial Employment Period, including merit-based wage increase eligibility, utilizing or donating paid time off, and filing a grievance.

You may train in and add regular hours from other sections or departments, with approval from both department managers and the General Manager, once you have completed the Initial Employment Period. (Employees are generally not permitted to transfer to a different department until they have completed at least six months in their current job.) If you move into another position at the Co-op, you will have an Initial Employment Period in that new position.

If you have left employment at Moscow Food Co-op for more than one year and are then rehired, you must complete a new Initial Employment Period....

What Happens during the IEP? During an employee's Initial Employment Period, managers have the responsibility of overseeing the progress and training of that person in his/her department. Regular check-ins are a best practice, and a structured and consistent training program for each position is

essential. Job Descriptions that are kept up to date inform training protocols, as well as performance reviews.

Training Protocols, now and in the future

- **Classes**

As of publication, the Co-op currently offers the **Customer Service, Identity Training, Open Book Management, Area Safety and Performance Improvement for Managers.** Employees who take these trainings receive their Training Passport to track their progress in completing mandatory trainings.

Other trainings being revised or developed are:

- Natural Foods Training
- Back Safety
- All Store Orientation
- Communications
- Harassment Prevention

Right now, trainings are stand-alone courses that employees sign up for at their convenience. In the future, some of these trainings may be folded into a comprehensive new hire orientation that takes place over one or two days.

Ultimately, we want staff to take responsibility for their workplace education, to get all mandatory trainings done within their Initial Employment Period, and to have wage increases tied to the successful completion of their training package.

- **Department Specific Training**

A department-specific inventory of training needs to be developed to catalog when and how the knowledge, skills and abilities for different jobs are conveyed in the store. Most departments have checklists and protocols that they use to teach new staff members their respective jobs. The more specific and consistent we are with our processes, the more high performing employees we are likely to have. This increases an employee's ***Opportunities for Advancement*** *and likely their overall satisfaction.*

Training Tips:

- **A new skill needs to be practiced for 20 days consecutively (or at least in a relatively short time frame) to make it into long-term memory.**
- **Information that triggers an emotional response or connection is more rapidly moved to long-term memory than information without emotional relevance.**

The 90 Day Review

The 90 Day Review includes store-wide criteria, and managers are welcome to customize the form to include essential 90 day knowledge, skills and abilities for the department as well. The performance review form should be directly tied to the job description that the employee received on the first day of employment. ***If you're regularly checking in with your new hire, there should not be any surprises in his/her 90 day evaluation.***

After successfully completing her/his IEP, an employee is able to **use and donate PTO** and is eligible to **use the Grievance Procedure** if needed. ***See the Wages and Performance Management section for more information on conducting performance reviews.***

- **If it doesn't work out**

Employees in their first 90 days are no easier or harder to release if they're not working out than an employee who has been employed for a longer period of time, according to the Department of Labor. Because we operate in an at-will state, we don't make a guarantee of employment to anyone, so passing the IEP doesn't provide any actual job security. *However,* in the first 90 days, it's a lot less likely that a former employee will have an unemployment claim against the Co-op because those calculations are based on where the person has worked the longest in that year.

All this being said, good documentation is essential in all cases, so if you can see that a new employee is not working out, be sure to document any incidents and corrections before making a recommendation for termination. ***Remember, only Human Resources, the Store Operations Manager or the General Manager can release an employee from the Co-op,*** and this is done after consideration of all the facts and reviewing any accompanying documentation.

For additional policies and procedures for corrective action and termination, please see the Corrective Action Section on page (__) and the MFC Employee Handbook.

Important employment landmarks

Days Employed	Benefit/Responsibility	Considerations
1	Begin accruing PTO	Can't use until 90 Days.
1-14	Sign up for employee portal, get food handlers' certification if required, get photo taken	Manager should monitor progress on these and give reminders.
60, plus any days until first of the month	Medical, Dental, Vision enrollment	If scheduled and worked hours = 30 or more per week. Employee must fill out form and submit to HR or Benefits before enrollment window closes. After that, must wait until open enrollment in December.
After successful completion of IEP (approximately 90 days.)	Use PTO Donate PTO Use the Grievance Procedure Cross-train in other areas of the store	Employees must pass the IEP. Success is contingent upon a positive performance review ***and*** completion of mandatory trainings.
Six Months	May apply for other open positions in the store	
Annual from date of hire	Annual Review	Satisfactory marks or higher in key areas of the position may result in a merit based increase, depending upon labor budgets and as long as the increase is within the boundaries of the current wage category.
Annual from date of hire	Auto-enroll in 401K program with automatic 2%-3% match from the Co-op.	Employee must opt out if not interested.

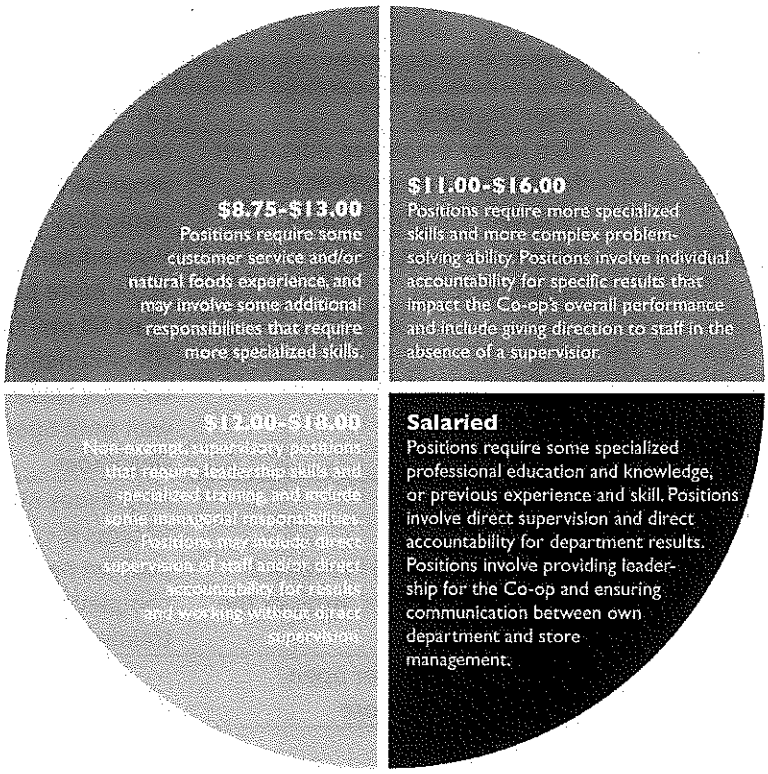
Wages and Performance Management

Wages

The Moscow Food Co-op currently uses the wage categories illustrated below to determine entry level, mid-level and high-level wages for a job that falls within that category.

When a position is posted, the manager can indicate which pie slice the position falls into and choose an appropriate starting wage for that position depending upon whether the job is entry level or requires some level of experience.

This section is being revised pending completion of 2016 Wage Audit and Wage Scale review.



Performance Reviews

Tip:

- **The ADP Personal Page has a Talent Profile where I track Training Records and Performance Review data. Use this page to create calendar reminders for yourself so that your performance reviews are always conducted on time!**

At 90 days and annually from date of hire, employees receive performance reviews, at which time they are eligible for merit-based wage increases. Department managers should have in mind a progressive wage track that an employee might follow from entry level to mid-level or high-level experience, as well as criteria for advancement to next tier positions.

- Raises: All raises are linked to performance. The criteria on performance reviews are linked to the job description for the position. Wage increases need to be based on labor budgets within the department, the wage histories of the employees in that department and actual performance of an individual. **In operations departments, wage increases need to be approved by the FRESH or Center Store managers (or in the future a Store Operations Manager) and submitted to HR. In Retail Support departments, wage increases need to be approved by the General Manager and submitted to HR. Use the *Employee Status Change Form* to document wage increases, promotions, title changes, changes in hours, resignations, terminations, etc. (See Appendix D)**

- Another affordable way to recognize high performing employees is to provide cross-training opportunities. Once an employee has successfully completed his/her Initial Employment Period,

s/he may cross train in other areas of the department or store. Additionally, giving an employee the opportunity to take on increased responsibility in the department is a good way to show your esteem for their work and to build skills for the possibility of future promotions.

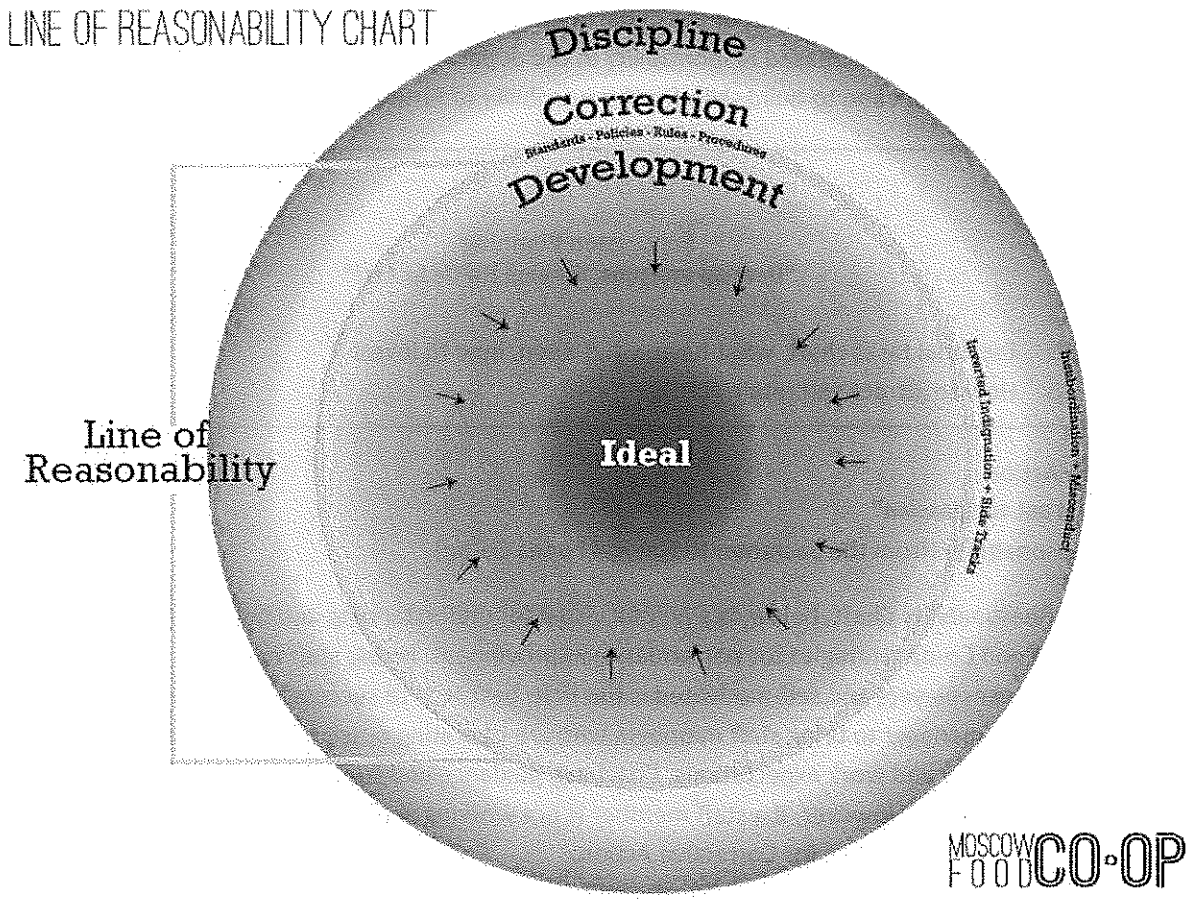
Succession Planning
"Develop everyone, develop HIPOs faster!"

- Essential tasks chart, what have, what need, how to invest
- How to attract and retain HIPOs

Corrective Action
"Leniency is not compassion"
Line of Reasonability (from the Sacramento Natural Foods Co-op)

The Line of Reasonability Chart, below, is a helpful visual for understanding and helping staff understand the Moscow Food Co-op strategies for performance improvement. ***Hiring*** staff members who are inclined to be team players and self-motivated is the first, best step to successful performance. And it is the duty of every manager to bring staff members who are operating outside of the boundary back in to alignment with policy and work expectations. Coaching, guidance and support are essential for our staff, and should be on-going. However, if a staff member is not working according to expectations, the following processes are in place for Corrective Action:

1) **Verbal Reminders:** Staff who are in the outer green zone, near the "blue line of reasonability" need guidance back toward the center. Verbal corrections should be **private, brief, and to the point.** Make a ***Note to File*** to document that you've spoken with the staff member about an issue and be sure to date it. (The staff member does not need to sign anything. Notes to File are not included in the personnel file unless further Corrective Action warrants the documentation. Keep it private and store it separate from Personnel Files.)
2) **Coaching Session:** For job clarification and brainstorming a solution to an issue that is still within or touching the "blue line." If someone does not successfully pass the criteria for their Initial Employment Period, a ***Coaching Memo*** can be used to document the agreement that comes out of the Coaching Session between the staff member and the manager.
3) **First Warning:** Use for the first time a behavior is over the "blue line." For example, a missed shift, a tardy after the person has been verbally warned, a violation of policy or procedure that is not severe, but if repeated, could constitute further corrective action- such as gossiping, accidentally leaving product out to spoil, or frequently forgetting to clock in or out.
4) **Final Warning or Suspension:** Used for violations of policy or conduct, or continued sub-standard work performance. Severity and frequency determine which warning is delivered. Suspension can be with or without pay (the "with pay" option might be to conduct an investigation of a serious accusation for which there is not yet any evidence, while "without pay" would be used for a transgression that is serious enough or frequent enough to suspend while managers decide on the future of that person's employment.) **(See Appendix E for forms)**



Be ready to manage negative reactions to coaching and discipline

Side tracking- When an employee diverts the conversation from his or her behavior or responsibility. Respond by using redirecting language, such as "Right now, we're talking about your attendance, not your co-worker's attitude" for example.

Inverted Indignation- When an employee tries to make you wrong for coaching or correcting.

Insubordination- When an employee blatantly disregards your managerial directive. This should be treated as a very serious disciplinary matter.

The best manner to conduct a coaching or disciplinary conversation is to **have any forms or documentation ready to go**. Have HR, Senior Manager or the General Manager sit in with you, or another manager if the above are not available, depending upon the severity of the offense. Make the correction brief and to the point, give a clear timeline for improvement, and make clear what will happen if the behavior doesn't change.

Attendance issues and tardiness need to be handled consistently within your department. The timeline for correction and any consequences you attach need to be applied even-handedly for everyone.

Remember that some attendance issues are caused by legitimate personal difficulties an employee may be having, in which case clarify your standards, and then discuss possible accommodations that would still maintain those standards, such as time off, a temporary reduction of hours, etc. ***Any situation with legal or medical considerations, such as FMLA or ADA, needs to be handled by HR.***

Painless Performance Improvement a la Sacramento Natural Foods Co-op

First, and this is the **Hardest Part—Take their attitude and your attitude out of the equation and focus *only* on observable behavior.**

Then, there are brief and sequential steps to be followed to improve performance:

1) **Observe**- State what you have observed.
2) **Wait-** Wait for a response.
3) **Remind-** Remind them of the goal, i.e. "being on time," "finishing freight by noon," "finishing the pots and pans before clocking out," or "following the Communication policy."
4) **Solve-** Ask **them** for a specific solution to the problem.
5) **Agree-** Overtly agree together on the best solution. Don't walk away with this part unresolved.
6) **Follow up-** Follow through to ensure their success, and recognize success when it occurs.

Termination

Remember, only Human Resources, (a future) Store Operations Manager or the General Manager can release an employee from the Co-op. After going through the sequential steps on the Corrective Action form, managers who have sufficient documented evidence of a breach of policies or procedures, or poor performance, may recommend an employee for termination. It may be necessary to suspend the employee during the time that HR is consulting with the Store Operations Manager or General Manager about termination proceedings. ***If you need to make a quick decision and circumstances are getting heated, you can send an employee home. Don't say words you'll regret. Avoid swearing or raising your voice. Simply dismiss them for the day and meet with your supervisor or HR to plan a resolution.***

Legal Considerations

- Employees who are terminated may file for Unemployment, placing a burden on the Co-op to justify "cause" for termination. Clear records, following progressive corrective action, and documentation that is **unemotional, unbiased and brief** are the best tools we have to demonstrate fairness in our employment decision-making.

- All Corrective Action, including termination, needs to refer to Observable Behaviors, not "Attitude" or "Vibes."

- You can put yourself and the Co-op in deep legal trouble for making negative statements to or about an employee or their performance in a public work setting. ***Always handle personnel matters privately. IF YOU'RE ABOUT TO TALK TO OR ABOUT AN EMPLOYEE, GO TO A PRIVATE SPACE AND CLOSE THE DOOR!***

- Just like in hiring, medical considerations, marital status, sexual identity or orientation, parenting status, race or national origin, (and even where they live and if they have a car--unless they volunteer that these matters may impede their ability to get to work) are **Off Limits** in the Corrective Action process. **Don't go there.**

- **All personnel matters are handled confidentially. You may not talk about an employee's performance or corrective action record, nor reveal if a person has filed a workers' compensation or unemployment claim, to anyone except their direct supervisor (with extreme discretion), your supervisor, HR and the General Manager. We do not tell others about writing someone up, even in order to assure coworkers that a problematic situation is being resolved. All you can do is reassure staff that you are handling the problem and that you would treat their employment matters with just as much confidentiality.**

Again, any situation with legal or medical considerations, such as FMLA or ADA, needs to be handled by HR. Some employment situations involve contacting our attorney, and this is done by HR or the GM and requires time. Stay on top of employment issues so they don't escalate.

Tip:

- **Build a rapport with employees about their strengths. Even though correction is sometimes necessary, holding your staff in high regard will go a long way toward creating positive culture and preventing self-defeating behavior.**

Sub Status and Resignations

When an employee decides to voluntarily leave the Co-op or go to sub status, we prefer at least two weeks' notice ***In Writing*** as this documents their decision and determines their eligibility for future re-hire. **Managers** are asked to give at least one month notice in writing.

When you receive notice from an employee, give their notification to HR and fill out an Employee Status change form with their last day worked and effective date clearly delineated. This gives us plenty of time to work out insurance coverage considerations, schedule an exit interview if desired, and initiate a job search.

You may grant an employee "Sub Status" rather than processing a resignation if you and the employee agree that the employee may be eligible to return to the schedule within six months. **It's very inconvenient, for payroll and benefits reasons, to rehire a terminated employee after fewer than six months. And if an employee who goes to sub status doesn't work any shifts within six months, they will be dropped from the sub roles. Finally, an employee who indicates a desire to be a sub, but then proves to be unreliable, may be dropped from the sub roles sooner than six months.**

Tip:

- **Have all employees going to sub status complete the Substitute Status request form. This protects the Co-op from frivolous Unemployment claim from people who have voluntarily gone to sub status. (See Appendix D)**

Employee Claims

Policy: Harassment

Moscow Food Co-op does not tolerate harassment in any form by employees, board members or customers that affects job status or benefits, interferes with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. Acts of harassment include unwelcome behavior, whether in acts or words, that are based upon an employee's gender, race, sexual orientation, age, ancestry, religion, disability, or status in another protected group. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," jokes about gender-specific traits, obscene language or gestures, displays of obscene pictures or printed material, and physical conduct. Moscow Food Co-op will not, under any circumstances, condone or tolerate conduct which may constitute sexual harassment on the part of any of its employees. It is our policy that all employees have the right to work in an environment free from any type of illegal discrimination, including sexual harassment. Any employee found to have engaged in such conduct will be subject to immediate discipline, up to and including termination....

If you believe you have experienced or witnessed acts of harassment by any person in your work at Moscow Food Co-op, you are encouraged to immediately report the situation to your supervisor, Human Resources, or the General Manager. Our policy is to investigate all complaints of harassment promptly and thoroughly. Investigations will include interviews with the directly involved parties and, if necessary, other employees who may have knowledge of the alleged harassment. To the fullest practical extent, Moscow Food Co-op will keep confidential all complaints and the terms of their resolution. If an investigation confirms that harassment has occurred, Moscow Food Co-op will take corrective action, up to and including immediate termination of employment, as appropriate.

If any employee comes to you feeling that they have experienced or witnessed harassment, report the incident immediately to HR. As stated above, a confidential investigation will take place to ascertain what has taken place and what needs to happen next. **Important: these proceedings are confidential. You can't talk about, explain or update your staff about an investigation. This is for everyone's protection.**

Grievances

If an employee wishes to file a Grievance invoking the policy, please notify HR immediately. HR will put the employee in touch with the staff advocate, or the employee can reach out to the advocate personally. At the time of this writing, the staff advocate is **Peg Kingery.**

See the Grievance Policy below:

Policy: Grievances

Grievances, other than those against the GM, are filed through the Human Resources office. An employee who believes that he or she has been affected by a management decision that is in violation of Moscow Food Co-op policies may file a grievance. To be eligible to use the grievance procedure, an employee must have successfully completed his or her Initial Employment Period. Employees who have been terminated or have resigned from the Co-op are not able to use the Coop's grievance processes.

All grievances must fall into one of these three categories:

- A claim that a management decision violates existing Co-op policies.
- A claim that a management decision creates an unfair situation for which no policy exists.
- A claim that a management decision duly following Co-op policy creates an unfair situation because the policy itself or its application is inherently unfair or discriminatory.

A staff advocate will be made available to assist in navigating the grievance process. A Grievance Committee will be randomly selected from a pool of eligible management and non-management employees. The Grievance Committee will conduct an investigation and their findings are advisory to the General Manager, who has final decision-making authority on employee grievances. All employees involved in a grievance process must sign and abide by a confidentiality agreement.

In order to be considered, a grievance must be filed within 10 calendar days of the management decision that is being grieved. The decision remains in effect during the grievance process. The Grievance Committee must convene within 10 calendar days from the time the grievance is filed, and an advisory finding must be made within 10 calendar days of the committee's first meeting.

Grievances against the General Manager fall under the domain of the Board of Directors....

Injuries and Workers Compensation

If an employee is injured at work, they need to fill out a ***First Report of Injury*** located in the employee break room. Areas marked in red are important areas to be filled out at the time the injury occurs. Turn in the report to the HR Drop-box, and send a copy with the employee to the doctor or hospital if treatment is needed. **If going to Quick Care, there is also a specific form for that office that can be found on the HR office door.**

If a file is accepted by Workers Compensation insurance, the agency will typically cover medical expenses, and some lost wages, but only after an employee has missed five days of work. Good documentation is essential, including doctor's notes excusing employees from work, assigning duty restrictions, as well as indicating that an employee is able to return to work at full capacity. **Because these are medical issues, HR needs to receive all copies of doctor's notes and injury documentation.**

FMLA and ADA

Under federal law, employees at the Co-op are covered by protections afforded by the Family and Medical Leave Act, as well as the Americans with Disabilities Act.

FMLA provides job-protected leave for an employee who has worked at least one year and 1250 hours at the Co-op, and is invoked to provide leave for a variety of protected activities, such as the birth of a child, caring for an ill family member, surgery or caring for someone in military service. Below are a few details about the provision. (The full policy can be found on page 41 of the Employee Handbook.)

- FMLA leave is for 12 weeks, either continuously or intermittently taken.
- FMLA leave is unpaid, unless an employee has PTO to cover the leave.
- The Co-op continues to pay insurance while an employee is on job protected leave.
- HR handles the details including medical documentation and return to work certification.

If an employee in your department is going on leave for these qualifying reasons, they need to talk to HR ASAP to make arrangements for their job and insurance protection to be arranged.

ADA ensures that people with disabilities are treated fairly within the workplace. Many medical conditions are covered by the ADA, and therefore anytime an employee brings a medical issue (either physical or mental) you can recommend that they speak to HR.

ADA regulations are among the most complex compliance arenas that employers have to manage. A best practice is to simply direct an employee to HR anytime a medical issue comes up—especially if it is accompanied by any type of request-- such as leave time, extra time to complete a task, a change in scheduling, etc. OR if a medical issue is cited as the reason an employee is having problems with their work.

When in doubt, see HR about any medically related issues with your staff.

Appendix A- Job Posting Request (with Notes)

Moscow Food Co-op Job Posting Request

Manager	
Date	
Position	Indicate part time/full time and position title
Where to post	Indicate internal/external; default is Indeed, Craigslist, Co-op website, and Provender/NCG for professional/specialized positions
Ideal start date	
Shifts/Hours	Indicate shifts and hours, if known. Try to be accurate in your posting about the number of hours, and make a clear distinction between above/below 30 hours (FT) because of the benefits implications. Indicate if weekends are expected, and/or if you are able to accommodate upcoming student schedule changes
Wage Category/Pay Rate	Use wage scale graphic to identify quadrant; ie "Orange, hourly," plus dollar amount, or DOE
Interview Times Available	
Comments	

Appendix B- Interview questions to Avoid!

Category	Problematic Question(s)	Acceptable Alternative
Age	"How old are you?" "What is your date of birth?" "When did you graduate from school?"	"Do you meet the state minimum age requirement for work?" "Are you over 18?"
Arrests and Convictions	"Have you ever been arrested?"	*In cases of business necessity only:* "Have you ever been convicted of a crime?"
Availability for work on particular days	Any inquiry about religious observances or family responsibilities	"The regular hours for this job are.... Can you work such a schedule?"
Birthplace/Citizenship	"Where were you born?"	"Can you show proof of eligibility to work in the United States?"
Clubs and Associations	"To what organizations do you belong?"	"Do you want to provide any additional information that relates to your ability to perform the job, such as professional and other organizations that are job-related?"
Education and level attained	"Do you have a college degree?" (*If not justified by business necessity)*	"This job requires a college degree. Do you meet that requirement?"
Financial Status	"Have you ever filed for bankruptcy?" "Do you own a car?" "Do you own your house?"	"This job requires use of a car. Do you have a valid drivers license and access to a car?"
Gender/family status/family plans	"Are you pregnant?" "Do you have children?" "Do you plan to have children?" "Are you married?" "What sort of childcare have you arranged?"	"This job requires extensive travel, extensive overtime, etc. Can you meet those requirements?"
Language skills	"What is your first language?"	"This job requires public speaking, extensive writing in English, etc. Do you have the skills to meet those requirements?"
Medical Conditions/Disabilities	"Do you have a disability?" "Do you have any health problems?" "Have you ever filed for workers compensation?" "How much sick leave did you use at your old job?" "Have you ever been hospitalized?" "Have you ever been injured on the job?"	"Can you perform the essential duties of the job for which your applying either with or without reasonable accommodations?"
Military record	"What sort of discharge did you receive after your military service?"	"Have you ever served in the military? What were your dates of service and what training/skills did you receive?"
Name	"Have you ever changed your name?" "What was your maiden name?"	"Is there any additional information that we would need about your name to verify your employment record?"
Physical Attributes	"What is your height/weight/dress size?"	None, except in those very limited circumstances where height and

		weight are a bona fide occupational qualification (BFOQ), such as weight for firefighters.
Race	All questions regarding race are impermissible	None
Relatives	"Who is the relative to be notified in case of emergency?"	"Is there anyone we should notify in case of emergency?" (best asked after hire) "Do you have any relatives who work for this company?"
Religion	Unless a BFOQ for the job requires membership in a particular religion (as in a minister for a professor of theology) questions regarding religion are impermissible	None
Sexual Preference	Questions about sexual orientation are irrelevant to employment and prohibited by many state employment laws	None
Smoking	Questions about smoking are prohibited under some state fair employment laws	None
Financial, Residential, Transportation	Unless the job requires that the person be on-call, or use their own vehicle for work, or provide their own work equipment or specific wardrobe, these questions are not appropriate.	"Are you able to meet the requirement for the stated start time for the position?" "Are you able to meet the dress code for the Co-op?"

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Appendix C- Internal Application (Please note, an electronic version of this application is found on the ADP employee portal, linking the applicant to our Applicant Pro Recruitment system.)

INTERNAL APPLICATION

Name _____ Date _____

Position Applying For _____ Hiring Manager _____

Current Position _____ Current Manager _____

Contact Phone or Email:_____

***Please note: Applicants need to have successfully completed their Initial Employment Period before being considered for other positions within the store. Typically an employee needs to be in his/her position for six months before applying for a transfer. (See handbook for policies pertaining to internal applications.)**

1. Please describe why you want to transfer to this new position, or make this change to your employment at the Co-op.

2. Please describe how your skills and experience match the qualifications listed for the open position/shifts.

3. Please describe your employment history at Our Co-op. When were you hired? What positions have you held? What special projects have you taken on?

4. What are your plans for the future? Where would you like to be in a year or beyond?

5. Schedule of Availability

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

The information provided on this application (and accompanying resume, if any) is true and complete to the best of my knowledge. I understand that falsified information or significant omissions may disqualify me from further consideration and may be considered justification for dismissal if discovered at a later date.

I understand that employment at the Moscow Food Co-op is for no definite period of time. The Moscow Food Co-op and its employees have at all times the right to terminate the employment relationship.

*
Applicant Signature

Please attach a resume and additional pages if needed, including other information that would be helpful in assessing your qualifications and interest in this position.

Please submit your materials to the Human Resources Drop Box. Your previous performance evaluations and disciplinary record may be included with these application materials for the Hiring Manager's review. If you meet the minimum qualifications for the position, you will be contacted for an interview.

EEOC Statement
The Moscow Food Co-op provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, national origin, age, disability, genetic information, or status as a covered veteran in accordance with applicable federal, state and local laws. The Moscow Food Co-op complies with applicable state and local laws governing non-discrimination in employment in everylocation in which the company has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Employment Information Must be True
All candidates for employment must fully complete, date and sign the standard Moscow Food Co-op Employment Application form. The completed form is to be signed by the applicant to verify the accuracy and completeness of all information. A resume will not be accepted in lieu of a completed employment application, although resumes are welcome.

Moscow Food Co-op relies upon the accuracy of information contained in the employment application as well as other information presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information may result in exclusion of the individual from further consideration for employment, or termination of employment if the person has already been hired.

Appendix D: Employee Status Change Forms (with Notes)

Moscow Food Co-op Employee Status Change Form

Please file all changes to employment status with the Human Resources office

Effective date should always be
- At the beginning of a pay period for wage increases.
- The day after the last day worked for resignations and terminations.

Name _____ **Effective Date**

Manager _____

Reason for Change:

___ Raise
___ Training completed
___ 90 days completed
___ Add a department
___ Department Transfer
___ Other _____

___ 30+ hours
___ 12 - 29 hours
___ To Seasonal Flex
___ To Sub Status
___ From Sub status to scheduled
___ Resignation
___ Termination

If separation, address change for W-2:

Payroll needs to know when employees go above or drop below full time (30 hours) for benefits purposes.

Please List any changes/additions to the areas listed below	
Job Title	**Be specific**
Level/Department	**Include wage category, department**
Pay	**Be specific about whether this is only when the person is clocked in under a certain code or if it is for all codes.**

Comments:

In the case of wage increases, encourage employees to increase 401K contribution below, or talk to HR or Benefits if they have questions

Increase your 401(k) contribution? ☐ Yes 1% more, ☐ Yes _____% more, ☐ No Thanks

Employee Signature _____ Date _____

Managers: If this is an adverse action, the form must be signed by the employee

Manager/Supervisor _____ Date _____

HR Manager/GM _____ Date _____

Updated: 07/13/2016

Substitute Status Form

When an employee wants to go to sub status, this form is required in addition to verbal notification or a letter, **and** signed status change form.

Employee Name: _____

Position/Department: _____

Manager: _____

Sub Status effective date: _____

Reason: _____

***Employee, please note:** going to sub status **does not imply a guarantee of future work**. Managers utilize subs based on department needs first, and then based on availability of the sub. Leaving a scheduled position for sub status is a decision an employee makes at the risk of his/her own future employment with the Co-op and eligibility for benefits.

Going to sub status can be a mutually beneficial arrangement for the Co-op and those wanting occasional work, or those wishing to facilitate a future return to a scheduled position, should one become available. Again, there is no guarantee that a scheduled position will be offered in the future. **Inactive subs may be dropped from the sub rolls after six months.**

Employee Signature_____ Date _____

Manager Signature _____ Date _____

HR Manager Signature _____ Date _____

COACHING MEMO

Date:

Employee:

Manager/Supervisor:

Issues discussed:

Action(s) to be taken by employee:

Action(s) to be taken by supervisor:

Date for improvement or next check in:

_____ _____

Signature of Supervisor date

_____ _____

Signature of Employee date

CORRECTIVE ACTION REPORT

Staff Member _____ Position/Title _____ Date:_____

Action Taken:

☐ First Warning ☐ Final Warning ☐ Suspension ☐ Termination

Depending on the nature of the offense, the co-op reserves the right to skip any steps at its discretion.

Date of Occurrence (if applicable): _____ Time: _____ Location:_____

Statement of the concern: Explain in detail, including where event(s) occurred, who was involved, if incident has occurred before and why this situation concerns the co-op.

If any misconduct observed, check the appropriate item(s). It is not necessary to categorize poor performance as misconduct unless any of the following are relevant:

____ Refusal to observe written policies and procedures of the co-op
____ Intentional contradiction of management decision or refusal to follow reasonable instructions of supervisor
____ Theft of co-op cash, merchandise or other property of the co-op
____ Misrepresentation of hours worked
____ Acts of discrimination or harassment toward the co-op staff
____ Acts or threats of physical violence
____ Unauthorized use of co-op funds or property
____ Selling alcohol to a minor
____ Possession, sale, or being under the influence of drugs or alcohol on co-op premises or on paid time
____ Absence from work without informing supervisor
____ Unauthorized release of confidential information
____ Other, please describe

In cases of termination, skip down to the supervisor's and HR's manager's signature.

To avoid the consequences of further corrective action, the staff member must take the following specific actions:

Timetable for improvement:

Date of meeting to review staff member progress:

This form is used for a formal corrective action session. It may or may not be preceded by a note to file or other coaching memo. **Be as detailed as possible when filling out this form. Have employee sign form. Inform employee if a follow up session is to be expected and when. Dept. of Labor prefers to see a "pattern" of corrective action for any given issue. Be as consistent as possible.**

Failure to correct this behavior and/or further violation of co-op policy will result in additional disciplinary action up to and including termination.

Staff Member's Statement (optional):

Employee's signature _____ Date _____

Signature of the staff member indicates an understanding of the purpose of this warning and does not necessarily signify agreement.

Supervisor's signature_____ Date _____

Human Resources Manager's signature_____ Date _____

Check-in on Progress since Previous Corrective Action Report

How has the staff member's performance improved since the previous meeting?

Have there been any recurrences of the misconduct (if any) documented on this report?

Have there been any other incidents of misconduct?

Further action to be taken:

Employee's signature _____ Date _____

Signature of the staff member indicates an understanding of the purpose of this warning and does not necessarily signify agreement.

Supervisor's signature_____Date _____

Human Resources Manager's signature_____ Date _____