

Human Resources for Health Management Toolkit

Developed to assist managers in day-to-day HR management

Module 5: Human Resource Discipline



Partnership for Reviving Routine
Immunisation in Northern Nigeria;
Maternal Newborn and Child Health Initiative

www.prrinn-mnch.org

Acknowledgement

Human resource management is key to providing quality health care services. The understanding of the dynamics and management of human resources is the bedrock around which service delivery revolves.

The PRRINN-MNCH programme has over the last 7 years been actively involved in several ways to solve the challenges of managing human resources in the 4 states of its operations (Jigawa, Katsina, Yobe and Zamfara). This manual is one of the modest efforts by the programme to support states to address the challenges of human resource management.

In the course of its work, the programme realised that human resource management, as a distinct work stream, has been lumped together with personnel management. This has led to the neglect of key human resources activities and its attendant effect of overall performance and management of human resources. This manual therefore provides key managers with the basic step-by-step process of managing human resources.

During the development of this manual, several individuals have contributed to this final document. I would like to acknowledge the contribution of the Consultants led by Michael Siebert; State Teams under the leadership of the STMs; State Stakeholders led by Permanent Secretaries and Office of the Head of Service in Jigawa, Katsina, Yobe and Zamfara States. The Directors of Personnel Management and members of the respective states Human Resources for Health Coordinating Committees have all played significant role in refining this document and its adoption by the states. Also worthy of mention is the Programme's HR LECs who have been responsible for the day-to-day follow up in the development of the manual.

It is my hope and prayers that Human Resources Units of the respective states SMOH and other agencies will utilise this document to improve the quality of their work.

I would also like to acknowledge the funding for this document by UK and Norwegian Government through DFID.

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National Programme Manager

PRRINN-MNCH

Human Resources for Health Management Toolkit

Foreword

This *Human Resources for Health* Management Toolkit is a step-by-step guide for health planners and managers to improve planning and management of human resources (HR), for the health system as a whole and within health facilities. It aims to help address some of the acute problems from shortages of skilled, experienced health workers.

The HRH toolkit is partly the output of PRRINN-MNCH in northern Nigeria, the Partnership for Reviving Routine Immunisation in Northern Nigeria /Maternal Newborn and Child Health programme funded by the UK Government and State Department of the Norwegian Government for the benefit of the Nigerian people. Many staff and officials in the states where PRRINN-MNCH works and team members of PRRINN-MNCH have helped to develop and test this toolkit – their contributions are gratefully acknowledged. The output is also the result of ongoing collaboration in a number of countries between health professionals of Health Partners International and Health Partners Southern Africa.

PRRINN-MNCH works with federal, state and local governments and local communities to improve the quality and availability of maternal, newborn and child health care.

This management toolkit does not necessarily reflect the views or policies of the UK Government, the Nigerian Government or any of the state governments with which we work. However we hope it will provide useful, practical assistance and guidance for human resources managers in their work.

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February 2014

Preface

In any developing public health sector HR forms the foundation of health care service delivery. The key however is making sure that Ministries of Health have the right people with the right skills in the right positions in the right number at the right places. In Northern Nigeria the scenario is no different. In an effort to achieve this, PRRINN-MNCH embarked on a process of strengthening the HR function within the ministries through initiatives such as establishing HR Units with clearly defined objectives and responsibilities. These HR Units however needed basic step-by-step guidance as to not only to administrate HR but to comprehensively and effectively do HR Planning, HR Management and HR Development. Facing the shortage of qualified HR practitioners, the Human Resources for Health (HRH) Toolkit was developed from a wide range of sources to provide a reference document to assist HR officers and managers with HR related functions.

This toolkit is not all-inclusive and covers the key aspects around HR within the Northern Nigerian context and is aimed at addressing the basic elements of HR. Although Northern Nigeria is unique with specific challenges around HR management, planning and development, the basic principles of HR remains the same. The Toolkit therefore applies academic/theoretical HR methodologies and approaches into day-to-day actions.

The HRM Toolkit consists of 10 Modules as listed below.

Module 1: HR Planning

Strategic HR planning predicts the future HR management needs of the health services after analyzing the current human resources, the external labour market and the future HR environment that the MoH will be operating in. The analysis of HR management issues external to the organization and developing scenarios about the future are what distinguishes strategic planning from operational planning. The basic questions to be answered for strategic planning are: Where are we going with health services and how does that impact HR? How will we develop HR strategies to successfully get there, given the circumstances? What skill sets do we need?

Module 2: HR Management & Risk Management

Ministries with good governance practices clearly establish the division of authority and accountability among the senior management, HR director and line managers. The role of the senior management is governance and the role of the HR director is management. Sometimes the roles can get hazy. In clarifying whose job it is, the senior management and the HR director must always keep in mind the legal responsibilities and liabilities as the employer.

Module 3: Recruitment & Retention

Making sure you recruit well is so important. Committed, motivated, qualified employees help your ministry achieve its purpose. Health service providers cannot afford to be short-staffed. Limited financial resources mean that hiring mistakes can be a huge financial burden. Hiring the wrong person is a poor use of resources for recruiting and orienting a new staff member. Having clearly defined recruitment process and procedures prevents costly recruiting mistakes. Repairing the damage can take a lot of time and effort.

Module 4: HR Performance Management

Performance management is a process by which managers, supervisors and employees work together to plan, monitor and review an employee's work objectives and overall contribution to the ministry. More than just an annual performance review, performance management is the continuous process of setting objectives, assessing progress and providing on-going coaching and feedback to ensure that employees are meeting their objectives and career goals.

Module 5: HR Discipline

Clear expectation, appropriate supervision and feedback on a day-to-day basis are the best ways to avoid the necessity of implementing a discipline process as outlined below. However, when problems with behaviour or performance occur, discipline is necessary. By implementing a discipline process, you provide employees with an opportunity to become a productive part of your Ministry and you make any termination more defensible.

Module 6: Employment Termination

Termination is an action taken by the Ministry to end the employer/employee relationship. Ministries have a basic right to terminate the employment of an employee, but along with that right comes responsibilities. Employers must comply with the employment/labour standards and human rights legislation for their jurisdiction and beyond that, employers must treat employees fairly and in good faith.

Module 7: Diversity in the workplace

Building and sustaining diversity in Ministries can only be achieved by planning and design. It is therefore increasingly important to address how to support diverse, inclusive workplaces. What does a diverse inclusive work environment look like? How do we tangibly encourage and support diversity so that all people feel welcome within our workplaces irrespective of their gender, disability or race? When people feel welcome and safe from discrimination and harassment they are more motivated and their performance will improve. Absenteeism and performance problems decrease while productivity, morale and employee retention increase.

Module 8: Effective HR Teams

Despite the daily onslaughts of e-mails, phone calls and memos, meetings are still one of the most effective ways that people share and exchange information, get feedback, plan, collaborate and make important decisions for their ministries. So why do meetings have such a negative impact? Meetings seem to be getting longer, more frequent and generating fewer results. This can result in employees becoming frustrated as they feel that meetings are taking them away from, rather than adding value to their work. Ministries can increase the effectiveness of their team through effective communication, management of conflict and setting-up work teams.

Module 9: HR Training & Development

The changes in the public sector has had an impact on workplace learning. Think of the current positions in your ministry and the need for increased competence in change management, financial management, service delivery management, and so forth. Change also puts the spotlight on training and education as a means of equipping health workers with the tools they need to adapt to changing health skill requirements, organizational change and increasing complexity in the external public health environment.

Module 10: HR Information System

Computers have simplified the task of analysing vast amounts of data, and they can be invaluable aids in HR management, planning and development, from payroll processing to record retention. With computer hardware, software, and databases, Ministries can keep records and information better, as well as retrieve them easier and quicker. HRIS (Human Resources Information System) is an integrated system designed to provide information used in HR decision making. The HRAdmin software was developed and implemented in the four PRINN-MNCH states. This module provides end-users with the know-how of utilising the system to its full potential.

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February 2014

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1. Discipline

Clear expectation, appropriate supervision and feedback on a day-to-day basis are the best ways to avoid the necessity of implementing a discipline process as outlined below. However, when problems with behaviour or performance occur, discipline is necessary. By implementing a discipline process, you provide employees with an opportunity to become a productive part of your organization and you make any termination more defensible if taken to court.

1.1 Preparing for discipline

Most employees want to do a good job. The manager/supervisor can help employees succeed on the job by:

- ✓ Providing a thorough orientation for new employees
- ✓ Clearly establishing expectations for behavior and performance
- ✓ Providing training, coaching, and mentoring
- ✓ Providing feedback through appropriate supervision
- ✓ Implementing a good performance management process

However, in every workplace there will be situations where an employee fails to meet expectations or where an employee commits acts of misconduct.

A well-designed performance management system will help employees to understand expectations and goals and measure performance towards those goals. Training, coaching, and mentoring will help when an employee is falling short of meeting the goals. Positive reinforcement will foster an environment of performance improvement.

There may be times when, despite all of the supervisor's best efforts, the employee continues to demonstrate unsatisfactory performance or problem behaviour. Traditionally, managers/supervisors have used progressive discipline to deal with these situations. The aim of progressive discipline is to help the employee turn around the problem behaviour and become a positive contributor to the organization.

Key HR Principal

The employer should have a policy covering discipline that has been read by, understood, and agreed to by the employee at the time of hire.

Progressive discipline is meant to be corrective rather than punitive, with the overall aim to rehabilitate the behaviour of the employee. Except in the most serious of

situations, termination of employment is - and always should be - the last resort. This final step should be taken only after the employee is provided with several chances to improve behaviour.

1.1.1 Establish a discipline policy and procedures

The approach taken by your ministry on discipline should be set out in a policy - rather than determined after an incident has occurred. Establish a discipline policy and procedures for your organization in consultation with your staff by considering:

- a. What types of behavior or problems could result in immediate termination (after a proper investigation)?
 - ✓ It should be clear that your organization reserves the right to terminate for serious problems such as illegal activity, abuse, harassment, theft, and fraud without going through a progressive discipline process
- b. Does the manager/supervisor require approval of his/her supervisor before implementing progressive discipline or at some point during the discipline process?
 - ✓ The discipline process may, in the end, result in a termination
 - ✓ Given the potentially serious nature of progressive discipline, consider who needs to be informed about the situation and when
 - ✓ Consider who will be responsible and accountable for the disciplinary decision
- c. Does your ministry have a Code of Conduct and an Appeals Process to support the discipline process?
 - ✓ A Code of Conduct lets your employees know the organization's expectations for behavior. With a Code of Conduct in place, employees are less likely to be taken by surprise if disciplined about inappropriate behavior in the workplace
 - ✓ An appeals process assures employees that their concerns will be heard if, in their opinion, discipline has been implemented inappropriately
- d. Will the policy state the minimum number of verbal or written warnings that will be given before progressing to the next stage of the process?
 - ✓ There is no set standard on how many verbal or written warnings must be given, however, the employer must be consistent from one situation to the next
 - ✓ However, the final warning should indeed be final and another incident should result in termination

- e. Will your ministry have different lengths of suspension?
- ✓ There is no set standard for the length of suspensions, however, the employer must be consistent from one situation to the next
 - ✓ Some organizations start with a one-day suspension and allow for additional suspensions of three days, five days, ten days, etc. after the initial and subsequent suspensions. This will depend on the nature of the behaviour
- f. Will both the employee and the employer have the option to ask someone else to witness the discussion(s)?
- ✓ Being disciplined is likely to raise a number of issues for the employee, one of which is the fairness of the process. One way to try and alleviate this concern is to allow the employee to have a coworker of his/her choice sit in on the discussions (note that in a unionized requirement, the presence of a union steward may be required by the collective agreement)
 - ✓ If the discipline process moves to the suspension or termination phase, the manager should have a witness to the discussion/meeting to confirm that the employee was treated fairly and with respect
 - ✓ Any witnesses to the process must be informed of the need for confidentiality and any breaches of confidentiality should be dealt with
- g. Are there circumstances when a suspension could happen without the preceding warnings?
- ✓ It should be clear that your organization reserves the right to suspend an employee without going through the preceding steps of the discipline process, if the nature of the behavior warrants suspension
- h. How much time must pass without another infraction to give the employee a 'clean slate'?
- ✓ The length of time should reflect the severity of the problem. Once the employee is given a 'clean slate', if a behavior problem occurs, the discipline process would start over at the beginning
- i. How will you accommodate situations where the employee's behaviour or performance deficiencies are as a result of mental or physical disability?
- ✓ You are under an obligation to abide by human rights codes/act. If a mental or physical disability was the cause, or a contributing cause, of the problem, the employee may need to be accommodated. For example, if the employee has a substance abuse problem that was the cause, or a contributing cause, of the problem, he or she may be required to undergo treatment rather than receive a suspension from employment.

Once the discipline policy and process for your ministry is established:

- ✓ Train all manager/supervisors on the process to ensure that it will be applied fairly, consistently, and appropriately
- ✓ Clearly communicate the discipline policy and process to your employees
- ✓ Clearly communicate the organization's expectations for behavior
- ✓ Apply the discipline policy fairly and consistently
- ✓ Base disciplinary decisions on the facts of each situation

It is very difficult to terminate an employee for job performance deficiencies. You would have to demonstrate that the employee was given very clear guidelines and expectations for performance, time and support to improve, training and coaching, and ongoing feedback before disciplining an employee for lack of performance. You would be wise to consult with a lawyer if you are considering terminating the employment of an employee, for cause, for performance deficiencies.

1.1.2 Determining appropriate action

When a problem occurs, the manager/supervisor will have to determine the seriousness of the situation and the appropriate response. In making this decision the manager/supervisor needs to be fair and act in good faith towards the employee. Some factors to consider in making this determination are:

Factor to consider	Related questions to ask
Past record	Is the behavior consistent or inconsistent with past behavior of the employee?
Intent	Did the employee act with willfulness or intent, or was the problem due to carelessness or inattention?
Frequency	How many times has the problem occurred?
Time frame	Has the problem occurred frequently in a relatively short period of time?
Repetition	Has a similar or the same problem happened before? How long ago was the previous occurrence?

Seriousness	How serious is the problem and has it had a negative impact on the organization and/or other employees?
Treatment of others	How have other employees been treated for the same behavior?
Provocation	Was the employee provoked by the actions of another individual?
Admission and apology	Has the employee admitted to behaving poorly and apologized for the behavior?
Other questions to consider include:	<p>Was the employee given advance warning of the possibility of disciplinary consequences of their conduct, through a policy on progressive discipline?</p> <p>Was the supervisor's investigation conducted fairly and objectively?</p> <p>Did the investigation produce clear and substantial evidence that the employee committed the infraction?</p> <p>Did the organization apply its rules, directions, policies and procedures without discrimination?</p> <p>Are there any mitigating factors? For example, does the employee have some personal, physical, or psychological issues that would explain the behaviour or actions?</p>

1.1.3 Planning for a disciplinary discussion

If the situation is determined to be minor, the manager should have a discussion with the employee to establish the standards for future behaviour.

If the behaviour is as a result of an employee's personal, mental, or other psychological issues, the supervisor should determine how the employee can be assisted with counseling.

If the decision is made to implement progressive discipline, the manager/supervisor needs to consider the appropriate time and place for the disciplinary discussion.

j. Timing discipline

The discipline process should happen reasonably soon after an incident and progress to the next stage in the process, if necessary, without undue delay. If the discipline process results in a termination, any undue delays in the process could be interpreted as condoning the behaviour and will make it difficult to rely upon the behaviour as the cause for the termination of employment.

k. Privacy

At each stage in the discipline process the manager/supervisor should meet with the employee in private. If your organization allows the employee or employer to have a witness at the process, the witness(es) should be informed of the confidential nature of the process.

1.2 Progressive discipline

Progressive discipline is a formal process of increasingly severe consequences for dealing with issues of misconduct in the workplace. Increasingly severe consequences are used to give the employee incentive to improve. However, if the employee continuously fails to make the necessary changes, the end result of a progressive discipline process is termination .

Most progressive discipline processes include the following stages:



Remember to define in your policy the minimum number of verbal or written warnings that will be given before progressing to the next stage of the process, while allowing yourself some discretion depending on the nature of the misconduct.

If the problem is corrected at one stage of the progressive discipline process, the disciplinary process ends.

1.2.1 Stages of progressive discipline: verbal reprimand

- ✓ Set up a disciplinary discussion as per guidelines above
- ✓ Clearly identify the problem or issue with the employee's behaviour or performance
- ✓ Give the employee an opportunity to respond and/or explain contributing factors (i.e. mitigating factors; provocation; mistake; etc.)
- ✓ Provide the employee with clear instruction on how to improve and outline any support you can give the employee to make the required changes

- ✓ Ensure the employee understands the standard that is expected
- ✓ Explain the consequences of not correcting the behaviour (depending on your policy and the nature of the misconduct, this may be another warning at the same stage or progression to the next stage of the process)
- ✓ Provide a specific time period during which the change is to take place

Make sure that you place a notation in your calendar to indicate that the verbal warning has taken place along with the time period for change.

1.2.2 Stages of progressive discipline: written reprimand

Prepare a written reprimand if the problem, or another problem with the same employees, happens again within the timeframe outlined in your organization's progressive discipline policy. Deliver the written reprimand in a private meeting, discuss the contents of the reprimand with the employee, allow the employee to respond, and determine if there are any contributing factors. The written reprimand should include:

- ✓ A description of the problem or issues
- ✓ Reference to the verbal reprimand that preceded the written reprimand and the changes in behaviour that were expected
- ✓ Clear instructions on what and how the employee is expected to change The consequences of any further incident

The employee must sign a copy of the written warning to confirm that s/he has received, read, discussed, and understood the warning. If the employee refuses to sign, make a note that the employee refused to sign. Give the employee a copy of the written warning and place a copy of the written warning and the employee's confirmation of receipt in the employee's personnel file. If the employee refused to sign, make a note that a copy of the warning was given to the employee.

Warnings are still valid even when an employee refuses to sign the document. If an employee refuses to sign, the manager should make note of this on the document and provide a copy to the employee. A template for written warning letter is attached as Annex 1.

1.2.3 Stages of progressive discipline: suspension

It is important to note that it is not legal to suspend an employee without pay as part of a progressive discipline process unless the employment contract explicitly or implicitly permits such a method of discipline. Prepare a letter of suspension that includes:

- ✓ The length of the suspension
- ✓ The date on which the employee may return to work
- ✓ Restate the contents of the written warning
- ✓ Indicate the behavior that has led to the suspension and the necessary changes that are required
- ✓ State the consequences of not making the necessary changes upon return to the job
- ✓ Provide the employee with information about appealing the discipline and the timeframe in which to do so

The employee must sign a copy of the letter of suspension confirming that s/he has received, read, discussed and understood the reason for the suspension. If the employee refuses to sign, make a note that the employee refused to sign. Give the employee a copy of the letter of suspension and place a copy of the letter of suspension and the employee's confirmation of receipt in the employee's personnel file. If the employee refused to sign, make a note that a copy of the letter was given to the employee.

Depending on the nature of the misconduct, the employee may receive a series of suspensions if the behaviour is not corrected. In addition, the final suspension might be termed as one "last chance" to correct behaviour before the final step in the process, termination of employment, occurs.

1.2.4 **Stages of progressive discipline: termination**

At the termination stage, the manager/supervisor should meet with the employee to inform the employee that his or her employment with your ministry has been terminated for cause. The manager/supervisor should have a witness present at the meeting. A letter confirming the termination of employment should be given to the employee. Place a copy of the termination letter in the employee's personnel file.

1.3 **Documenting the process**

For each step of a progressive discipline process, it is important to fully document the situation and retain all documentation in the employee's confidential file. For each incident create a factual document that contains information such as:

- ✓ The employee's name and job title
- ✓ Others who were involved in, or witnessed, the situation
- ✓ Where and when the incident took place including date, day and time
- ✓ Documentation of the problem including a factual account of what happened and why it was a problem
- ✓ What policies or rules were broken

- ✓ What was the consequence of the behaviour to other employees or the ministry
- ✓ Changes that are required to correct the problem
- ✓ The date by which the change/improvement must be made
- ✓ The consequences of not making the necessary change
- ✓ Date the documentation was written up
- ✓ The signature of the manager/supervisor who wrote up the documentation

Place the documentation of the incident in the employee's personnel file, remembering that all employees have the right to read their own personnel file. The documentation of an incident that is kept on file should not contain information that has not been addressed with the employee.

If discipline results in a termination of employment, your organization may be faced with a lawsuit. Others will then read all documentation. For this reason it is very important to verify details, document facts and avoid emotional or editorial comments in any documentation.

Employee Discipline First Warning Letter

Dear:

Re: Unacceptable Job Performance

As you are aware, we have been very concerned with your ongoing work performance for some time now. These concerns have been brought to your attention verbally. Unfortunately, however, the situation has now reached the point where these concerns must be documented in writing.

The following are the minimum performance standards/expectations in your position:

[OUTLINE IN A SPECIFIC AND DETAILED MANNER ALL THE MINIMUM PERFORMANCE EXPECTATIONS OF THE POSITION]

Unfortunately, your work performance is below the above outlined minimum performance standards/expectations. Specifically, your performance is below these minimum standards/expectations in the following areas:

[OUTLINE THE DEFICIENCIES]

Your performance below the minimum required standards/expectations is not acceptable and cannot be tolerated. This letter constitutes a written warning that an improvement to these minimum standards is required, failing which your employment will be in jeopardy.

We will review this matter with you again on [DATE], in order to determine if the necessary improvement has occurred. If we can help you in any way to improve your performance to these minimum standards/expectations, please speak to *[APPROPRIATE MANAGER OR SUPERVISOR]*.

We sincerely hope that your performance does improve in the future and that you can become a valued member of the workforce.

[Your Ministry].

DATED this day of, 20...

Signed Employee

Human Resources for Health Toolkit

This toolkit helps you to get the most out of your investment in human resources for health. You need to plan and manage your human resources actively, ensuring optimal efficiency.

This toolkit shows you how.

People form the foundation of health care service delivery. Thus it makes financial sense to manage these valuable resources to ensure that:

- The right people with the right skills need to be available in the right number at the right place to do the right job
- Timely and accurate data on availability and distribution of health workers is accessible for informed decision making

The Modules

1. **HR Planning**
2. **HR Management & Risk Management**
3. **Recruitment & Retention**
4. **HR Performance Management**
5. **HR Discipline**
6. **Employment Termination**
7. **Diversity in the workplace**
8. **Effective HR Teams**
9. **HR Training & Development**
10. **HR Information System**

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The PRRINN-MNCH programme is funded and supported by UK aid from the UK Government and the State Department of the Norwegian Government. The programme is managed by a consortium of Health Partners International, Save the Children and GRID Consulting, Nigeria.