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For Business Owners



THE CHALLENGES OF DEALING WITH AN INCOMPETENT EMPLOYEE

It might seem common sense to encourage employees to adopt a positive attitude towards their work. But how do you tell an employee that he/she appears to be incompetent without negatively affecting attitude? This is one of the reasons why employers avoid taking action against poor performing employees.

Unlike misconduct, incompetence is not considered to be the employee's fault. Instead it is regarded as a form of incapacity. Labour law requires an employer to adhere to certain principles and guidelines before dismissing an employee who performs poorly.

In simple terms, an employer should follow the following process:

- Firstly, the employee must have a proper understanding of the key elements of the job and the performance standards required by the employer. These should be communicated to the employee at the outset, unless the employee could reasonably be expected to be aware of such standards.
- Secondly, upon failing to meet the required standards, the employer should meet with the employee to establish where the problems are and how to address them. In this regard an evaluation should be done, followed by appropriate instruction, training, guidance and counselling.
- Thirdly, the employee should be given a fair opportunity to meet the required standards. This implies a reasonable time for improvement, as well as further evaluation and counselling if necessary.

Employers encounter several obstacles to implement the above-mentioned process:

- Firstly, there might not be any performance standards in place or, if there are, they are not known to employees or compliance is not monitored.
- Secondly, managers might not have the skills or inclination to draft or scrutinise job descriptions, set performance standards and evaluate an employee's performance in terms of these standards.
- Thirdly, managers might tend to address and resolve matters as they arise. They seldom keep an adequate written record of incidents or aspects of poor work performance.
- Fourthly, managers seldom regard performance management as a priority due to time constraints.
- Finally, confronting an employee about his/her incompetence is not easy. Often there is an accumulation of minor issues that might appear petty if viewed individually. When confronted, very few people respond well to anything that might affect their sense of dignity. More often than not it evokes a response of denial. As a consequence the employee tends to feel victimised, becomes withdrawn, demotivated or displays a negative attitude towards the employer, manager or fellow employees. It is a delicate situation that has to be managed carefully.

For these reasons, managers tend to avoid confronting employees who perform poorly. The problem with their performance is either understated or not dealt with at all. Eventually the employer cannot tolerate it anymore. At that point the tendency is for the employer to dispose of the problem quickly and decisively. Proceedings are initiated with a view to dismiss the employee. More often than not the employee is taken by surprise. In view of the legal requirements mentioned above, such a dismissal is likely to be procedurally and substantively flawed.

The most effective way to deal with poor work performance is to introduce an appropriate performance management system. This will differ depending on the nature and size of the

business. If performance management is institutionalised, proper job descriptions are drawn up, performance standards set and evaluation meetings held in respect of all employees. No employee has reason to feel singled out. It is also easier to confront a poor performing employee in this context.

Cases of incompetence should be identified and addressed as early as possible. If the applicable guidelines are followed, performance does not improve and the employee is subsequently dismissed, such dismissal is more likely to be regarded as being procedurally and substantively fair.

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