



Employment Bootcamp: Common Employee Problems and How to Solve them

Common Scenarios

- Lack of Documentation
- Lying
- Free Speech
- Accommodations
- Loudermill
- An uncommon predicament



Scenario 1

A City employee has significant issues working with other employees. The employee assaults another employee and an investigation is triggered. The investigation reveals that this has been a problem employee but little if any discipline has been imposed and/or documentation kept.

Termination is recommended.

What do you do?

Scenario 2



An employee is investigated for misconduct. It is bad, but not too bad. Discipline is warranted but termination is not on the table. A Loudermill hearing is given. The employee lies during the Loudermill.

-What do you do?

-What if the employee claims he/she was misunderstood?

-What if new information is learned after termination?

An EMS director complains on his/her Facebook and Instagram regarding their supervisor, lack of safety and concerns about management. These posts are made during the employee's work hours.

-What do you do?

-What if there are public complaints?

What if they use the EMS App provided by the City?

Scenario 3



Employee is not performing his/her job. You learn that he/she is having mental health issues.

-What do you do?

-What if the employee asks for an accommodation?

-What if they refuse accommodation, FMLA, etc?

-What if sick and vacation and FMLA is used up?

-Come back to work?

-What if they cannot perform essential job functions?

Scenario 4

Scenario 5

A Loudermill Review

- Predetermination letter
- Hearing
 - Attorney or not?
 - Who attend?
 - Record
- Discipline determination
- Appeal rights

Scenario 6

A defense lawyer finds herself on the plaintiffs side in a trial that is televised worldwide.

What would you do?