

Federal Employee Relations Course (Intermediate)

Gain advanced knowledge of federal employee relations to effectively address complex workplace issues and advise management.

Group classes in Live Online and onsite training is available for this course. For more information, email onsite@graduateschool.edu or visit: <https://www.graduateschool.edu/courses/federal-employee-relations-intermediate>



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Course Outline

Module 1: Basic Workplace Rights and Expectations

- Legal foundation of management's right to assign work and set expectations.
- Key management rights and limitations in directing the workforce.
- Employee rights, including the right to due process in agency actions.
- Core due process procedures supervisors must follow.

Module 2: Coverage Requirements for Disciplinary and Adverse Actions

- What actions are covered (e.g., suspensions, removals, grade/pay reductions, furloughs ≤30 days) and what are not.
- Which employees are covered vs. excluded and why that matters.
- Jurisdictional issues: probationary removals, pre-/post-appointment reasons, and appeal rights.
- When actions are considered voluntary vs. involuntary (e.g., resignations, demotions via reassignment).

Module 3: Approaches to Discipline and Adverse Action

- Determine whether the problem is misconduct or performance—and choose the correct path.
- Principles of discipline: positive vs. negative, progressive discipline, and "just cause."
- When adverse action procedures apply; employee coverage and voluntary/involuntary actions.
- Constructive suspensions/removals and harmful procedural error.

Module 4: Common Problems in Discipline and Adverse Action

- Indefinite suspensions and criminal/off-duty misconduct (ascertainable end, reasonable period).
- Security clearance or license failures; correcting erroneous personnel actions.
- Threats, falsification, insubordination, and misuse of government property/vehicles.
- Leave problems (AWOL, abuse, excessive absence) and medical inability to perform.

Module 5: Proving Disciplinary and Adverse Actions

- Standards of proof (preponderance) and establishing nexus to the efficiency of the service.

- Formulating charges: charges, elements, and specifications; naming and combining charges.
- Selecting penalties using Douglas factors and agency tables of penalties.
- Assessing credibility with Hillen factors.

Module 6: Taking Performance-Based Actions

- Distinguish performance vs. conduct issues and understand procedural differences.
- Chapter 75 vs. Chapter 43 routes; when each applies.
- Performance Improvement Plans (when to issue, components, monitoring, and documentation).
- Within-Grade Increase (WGI) denials and reconsideration basics.

Module 7: Leave Basics

- Federal workday/workweek rules and leave charging basics.
- Annual and sick leave administration, approvals, and required medical documentation.
- FMLA coverage, rights/responsibilities, and related programs (Wounded Warriors, military family, exigency leave).
- LWOP, leave transfer, and other miscellaneous leave categories.

Module 8: Medical Issues and Reasonable Accommodation

- Two paths: address performance/conduct or the medical condition itself.
- Reasonable accommodation—definitions, request formats, and when accommodation is not reasonable.
- Medical documentation rules and confidentiality.
- Disability discrimination theories and how RA interacts with discipline/performance.

Module 9: Grievances, EEO Complaints, and Appeals

- Overview of appeals procedures across MSPB and EEOC (including mixed cases).
- MSPB process steps and key filing timelines.
- Choosing EEOC or MSPB; handling “mixed case” scenarios.
- Special considerations, including contract employees.

Module 10: Federal Sector Arbitration

- Grievance procedures leading to arbitration and how arbitrators are selected.
- Threshold issues of arbitrability and framing the issue/theory of the case.
- Conducting hearings—opening statements and closing briefs.
- Relationship between MSPB decisions and arbitration outcomes.