

## **SUBMISSION OF VINFEN CORPORATION**

### **2002 NEGLEY AWARDS FOR EXCELLENCE IN RISK MANAGEMENT**

For twenty-five years, Vinfen Corporation (“Vinfen”) based in Cambridge, Massachusetts has provided an array of services and programs to help people with disabilities live independently and with pride. Vinfen’s service delivery model depends on programs that support people in the communities where they live, enhanced by a robust matrix of clinical, rehabilitation and training services. Vinfen’s mission is to transform lives by building the capacity of individuals, families, organizations and communities to learn, thrive and achieve their goals. As a human services leader, Vinfen strives to be the provider, employer and partner of choice. Part of being the employer, provider and partner of choice includes placing a high value on staff training and development. Inherent in Vinfen’s mission is a commitment to provide quality learning experiences for staff. Vinfen recognizes that highly skilled staff members provide a quality of service that the individuals we serve and other Vinfen employees expect and deserve.

#### **VINFEN SUPERVISORY TRAINING PROGRAM**

In the Spring of 2000, in a proactive effort both to provide Vinfen managers with in-depth training on how to be a successful manager and to reduce employment-related legal claims, Vinfen developed a comprehensive eighteen (18) hour introductory management training program entitled “Vinfen Supervisory Training Program” (“The Program”). Combining critical legal information with practical how-to information about day-to-day managerial tasks, the Program consists of a series of training sessions that anticipate most, if not all, employee relations issues that frontline managers need to understand in order to be effective managers for their employees, while reducing legal risk to Vinfen.

The Program course materials include participant workbooks, overhead slides, and instructor’s guides developed by members of the Human Resources Department and the Legal Department, in consultation with a committee representing a cross section of senior and executive managers representing program field operations and corporate administrative departments. Vinfen introduced the Program in April 2000 and it is now mandatory for all managers.

The Program consists of four dynamic and interrelated modules described below that serve as critical building blocks for new managers (see Exhibits 1 —4 for actual Course Workbooks):

1. **Interview and Selection Skills** in which managers learn how to attract the right candidate for the position, how to identify and select effective advertising techniques, how to interview, and how to assess a job candidate;
2. **Job Coaching** in which managers learn how to work constructively with employees, how to help individuals set performance goals and work toward achieving them and how to develop each staff member to his/her fullest potential;
3. **Positive Corrective Counseling** in which managers learn how to confront thorny performance problems, how to assist employees in developing a performance improvement plan, how to document performance problems and any disciplinary action and how to terminate a poorly performing employee, if necessary; and
4. **Employment Law** in which managers learn the general tenets of federal and state anti-discrimination laws (e.g., the American with Disabilities Act, Title VII, Massachusetts sexual harassment laws), responsibilities of managers, employees and the company under these laws, leave of absence laws (including the Family Medical Leave Act and state parental leave statutes), and other general employment law matters.

In addition to teaching managers general guidelines in each area, the courses use hypothetical situations to encourage participants to engage in small group discussions with their peers where real-life problems can be shared and practical resolutions identified, while applying the very information the managers are in the process of learning. Each course is designed to build upon the content of the previous Program course(s) and is intended to be completed in sequence. The Program is offered on a quarterly basis, with classes meeting once per week for three weeks in a row. Upon completion of the Program, participants are

given a Certificate of Completion. Program trainers are Vinfen employees who have expertise in the areas of interviewing and hiring; coaching and motivating employees; positive coaching and progressive discipline; and employment law.

## **IMPACT OF THE SUPERVISORY TRAINING PROGRAM**

**Decreased employment-related legal claims:** One of Vinfen's primary goals in developing this training series was to reduce the number of employment-related claims that its employees file at outside forums (state or federal court or state administrative agencies) and to encourage employees to raise concerns about employment-related matters internally, before seeking external redress through the legal system. **The Program has been highly successful in both regards.**

First, since the introduction of the Supervisory Training Program, there has been an 80% reduction in the number of employment-related claims filed against Vinfen in outside forums.<sup>1</sup> While other factors also contributed to this reduction, the Program has been, and continues to be, a substantial factor in this sizeable and laudable reduction in employment-related claims and attendant costs. Equally important, managers and their employees better understand the mechanisms for raising employment law issues internally. This allows Vinfen to work constructively with its employees on resolution of issues, rather than to spend its financial and managerial resources defending external legal claims.

**More effective utilization of staff time:** As a direct result of the Supervisory Training Program, Vinfen management staff at all levels have been able to be more proactive, knowledgeable and efficient in handling employment issues. In fact, the Director of Human Resources has noted specifically that since the Supervisory Training Program was introduced, the nature of supervisors' requests for consultation has changed dramatically. Supervisors' queries have become much more sophisticated, evidence that managers have already effectively implemented the principles and strategies that they acquired in the Supervisory Training Program *before* seeking consultation with Human Resources. This maximizes the use of the manager's time and the Human Resources Department's time, and increases Vinfen's ability to respond to potential employment risk management situations in a timely basis. Vinfen has noted that trained supervisors are much less likely to make the sort of mistakes that novices make, which can exacerbate an employee relations problem and often increase employer liability.

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<sup>1</sup>This calculation is based on the comparison of the number of employment-related legal claims filed in calendar year 2000 to calendar year 2001. This calculation is based on data through the date of submission, November 9, 2001.

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**Improved staff morale:** By requiring that new managers attend the Supervisory Training Program, Vinfen has improved the morale among its junior managers. Specifically, managers report that they feel that they have been given the tools to handle properly the myriad of employment issues that likely will arise in their programs. This enhances morale, as managers feel supported by the company and, perhaps more importantly, have a clear understanding that they are not handling difficult employee issues alone. Rather, managers understand that a network of professionals (their own supervisors, Human Resources or the Legal Department) support them and assist them whenever they need help.

**Increased staff retention:** Vinfen believes that a link exists between skills taught to new managers through the Program and employee retention. In an industry where a high turnover rate is common, especially among direct care staff, training supervisors properly to screen candidates, match candidates with positions, and avoid legal issues in the hiring and supervisory process translates into better hiring decisions of employees who are more likely to remain at Vinfen. Similarly, encouraging and training managers in employee coaching, in which a manager works with an employee who may need assistance in sharpening certain skills or highlighting certain abilities, can directly affect staff retention by providing guidance and career development that an employee may require in order to remain effective, productive and satisfied at work.

**Reduction of inappropriate, high risk behavior:** Another benefit of the Training Program has been the reduction of high risk employee relations behavior by Vinfen managers at all levels. By attending the training, managers learn and understand what is expected of them in their role as a Vinfen manager, and the serious consequences to Vinfen organizationally when managers fail to comply with Vinfen's expectations of them as professionals. Moreover, a manager who understands that inappropriate behavior creates risks to Vinfen (and therefore its employees and consumers) is better suited to explain such risks to his or her employees in a meaningful way.

## IMPROVEMENTS IN **QUALITY OF CARE**

Vinfen's Supervisory Training Program has had a direct effect on improving the quality of care provided to its consumers. As a practical matter, every dollar saved in litigation defense costs is an additional dollar for Vinfen to spend enhancing consumer services. Every hour that a manager saves by clearly identifying and containing a problematic employment issue before it explodes, is an hour that can be directed towards the manager's program and the consumers it serves. Every employee who remains with Vinfen as a result of job coaching by a caring manager is an employee who has a more lengthy relationship with the consumers that we serve. Every hour that Human Resources, the Legal Department and senior managers save because the managers they are advising are better prepared to handle employment situations is an hour that these senior managers can use towards meeting Vinfen's mission of transforming lives.

## **RELEVANCE TO THE INDUSTRY**

Vinfen's Program is highly relevant to the mental health industry because mental health organizations often face employment-related claims. The Vinfen Supervisory Training Program can be replicated at other mental health organizations that have human resources and training professionals on staff. Vinfen's Program was implemented entirely within its existing resources. Instructor's guides are available for three of the four training modules<sup>2</sup>. Case studies could be customized for the particular population of persons served and other unique aspects of the agencies.

Vinfen uses its General Counsel to train its managers on the nuances of federal and state employment law issues because it believes that such issues, and the complex questions inevitably raised during this section of the Program, are crucial to the managers' understanding of their responsibilities and can only be responsibly taught by a well-trained lawyer. However, many human service organizations don't have an inhouse lawyer. In that case, Vinfen suggests that this segment could be led by an outside lawyer who specializes in employment law issues. Given that many states encourage, if not require, training on the various anti-discrimination laws (such as sexual harassment) and that providing such training to all managers can significantly assist in an employer's defense to employment discrimination costs, the expense is easily justifiable and will have substantial rewards in terms of current and future risk reduction for any mental health organization. The lawyer could also review the Program materials to add any specific state law requirements unique to that jurisdiction.

For other human service organizations with Human Resources staff with the experience and ability to conduct in-house training, Vinfen believes that its Supervisory Training Program training can be customized and applied successfully with strong

risk reduction results.

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<sup>2</sup> There is no Instructor's Guide for the Employment Law module.

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## **HISTORY AND SCOPE OF ORGANIZATION**

Vinfen Corporation is a private, non-profit human services organization that provides a wide array of programs and facilities to help people with disabilities live independently and with pride. Vinfen serves individuals with psychiatric and developmental disabilities, behavioral health issues and other health conditions. Since 1977, Vinfen has empowered disabled individuals and their families, offering hope that these men, women and children can attain the highest possible level of independence and quality of life. Vinfen is the largest provider of human services in Massachusetts, with an annual operating budget of approximately \$70 million. An innovator of programs and services, Vinfen is also a leader in public policy and advocacy issues.

Vinfen supports programs at over 200 community sites in Massachusetts .from the New Hampshire border through the Boston metropolitan area to Cape Cod –as well as in Connecticut. Vinfen serves thousands of people each year in acute care, residential, respite, day and crisis intervention programs. Services that enhance Vinfen's core programs include family support, supported employment, vocational training, school-based services, hospital diversion, and training and development.

