



The Dark Side of HR

Human Resources

- ◆ We ALL deal with HR, whether you have an HR Department, use the County Clerk's Office, or you are HR yourself.
- ◆ We all have employees.
- ◆ Human Resources = employees!

The Bright Side of Employees

- ◆ “My employees are like family to me.”
- ◆ “The people I get to work with every day make the job worthwhile.”

The Dark Side of Employees

- ◆ “[Employee] is so unpleasant, no one wants to work with them.”
- ◆ “Dealing with [Employee] is enough to make me want to retire early.”

Potential Issues:

- ◆ Personal hygiene
- ◆ Attitude or lack of professionalism
- ◆ Pot-stirring
- ◆ Work product or performance issues
- ◆ Termination

Hygiene:

- ◆ Employee has poor personal hygiene and co-workers and/or members of the public have complained.

Hygiene:

- ◆ Set up a meeting. Consider whether you want a witness based on the specific facts of the situation.
- ◆ Have a letter ready to memorialize the conversation (or prepare it after the meeting).
- ◆ *“I have received complaints from co-workers, and/or members of the public regarding lingering odor after you have left the room.”*

Hygiene:

- ◆ Use the hygiene language in the policy as your starting point.
 - ◆ *“You are a valuable employee, but you must be able to comply with the office policy regarding hygiene.”*
- ◆ If the employee attributes it to a medical condition, they may be entitled to FMLA with proper documentation from their healthcare provider.

Attitude and/or Professionalism:

- ◆ The way the employee talks to you, co-workers, members of the public, other county employees.
- ◆ Muttering to self, or talking under their breath.
- ◆ Phone and/or email etiquette.
- ◆ Disrespectful when you ask them to do something.

Attitude and/or Professionalism:

- ◆ Use the relevant policy language as your starting point.
 - ◆ *“As you know, our office policy requires...”*
- ◆ Consider recording the conversation, or having a witness present.
- ◆ Have a letter ready to memorialize the conversation (or prepare it after the meeting).

Attitude and/or Professionalism:

- ◆ Be prepared with specific examples of the behavior.
- ◆ If they try and deflect, stay focused.
 - ◆ *“I appreciate you sharing your concerns, however, now is not the appropriate time. We are discussing your behavior. We can talk about that at a different time.”*
- ◆ Set clear expectations going forward.
 - ◆ *“If I receive another complaint about _____, that will be cause for termination.”*

Pot-Stirring:

- ◆ Employee creates morale issues within the office, or within the courthouse.
- ◆ This impacts working relationships and creates a toxic environment for all.
- ◆ Use relevant policy language as the starting point.
 - ◆ *Promote policies of the office, fosters positive working relationships with co-workers and other courthouse employees.*

Pot-Stirring:

- ◆ Set a meeting with a witness, or recording.
- ◆ Have a letter ready to memorialize the conversation (or prepare it after the meeting).
- ◆ Be prepared with specific instances of behavior. Identify the impact on the office.
- ◆ Set clear expectations for future behavior.
- ◆ *“We are a team in this office, and good working relationships are critical to our efficient operation. If you continue to talk badly about coworkers to other courthouse employees, it will be grounds for termination.”*

Performance Issues:

- ◆ Consider what objective performance expectations were communicated with the employee and how.
 - ◆ Job description?
 - ◆ Team meeting? Email?
 - ◆ Office policy?
- ◆ Job negligence v. miscommunication?

Performance Issues:

- ◆ Give specific feedback about the issues:
 - ◆ Examples of errors
 - ◆ Other meetings, emails, or coaching provided.
- ◆ Give clear expectations going forward:
 - ◆ *“If you continue to make this same mistake, it may be grounds for termination.”* .
 - ◆ *“We will meet again in thirty days, and if you have not shown substantial improvement in the areas discussed today, you will be terminated.”*

Performance Issues:

- ◆ This doesn't have to be a "mean" conversation.
- ◆ *"You are a valued employee, which is why I am giving you a chance to show improvement."*
- ◆ *"I really enjoy working with you, so I hope you take this opportunity to really learn the process/task/etc."*
- ◆ *"I don't want to lose you, but I'm sure you understand, I can't keep employees who aren't able to _____. Use this next thirty days to really give it all you have and we will visit again about your performance."*

Termination:

- ◆ Have a witness, or consider recording the conversation.
- ◆ Know ahead of time what you need from the employee:
 - ◆ Passwords, keys, county property, etc.
- ◆ Have your talking points prepared ahead of time.
- ◆ Have a letter ready to memorialize the conversation.

Employee Responses:

- ◆ The Crier
- ◆ The Pleader
- ◆ The Denier
- ◆ The Deflector
- ◆ The Acceptor
- ◆ The Yeller
- ◆ The Merry-Go-Round

The Crier:

- ◆ Have tissues available.
- ◆ Find something encouraging to say.
- ◆ *“I know this is hard, but now you have the opportunity to find a position somewhere that you really love.”*



The Pleader:

- ◇ Stand firm.
- ◇ You have thought about it carefully before making the decision.
- ◇ *“You have been given every opportunity to improve, without result.”*
- ◇ *“You have been given additional chances, with no change. Which is why we are having this meeting.”*
- ◇ *“This is not productive at this point, so I’m going to have to ask you to leave now.”*



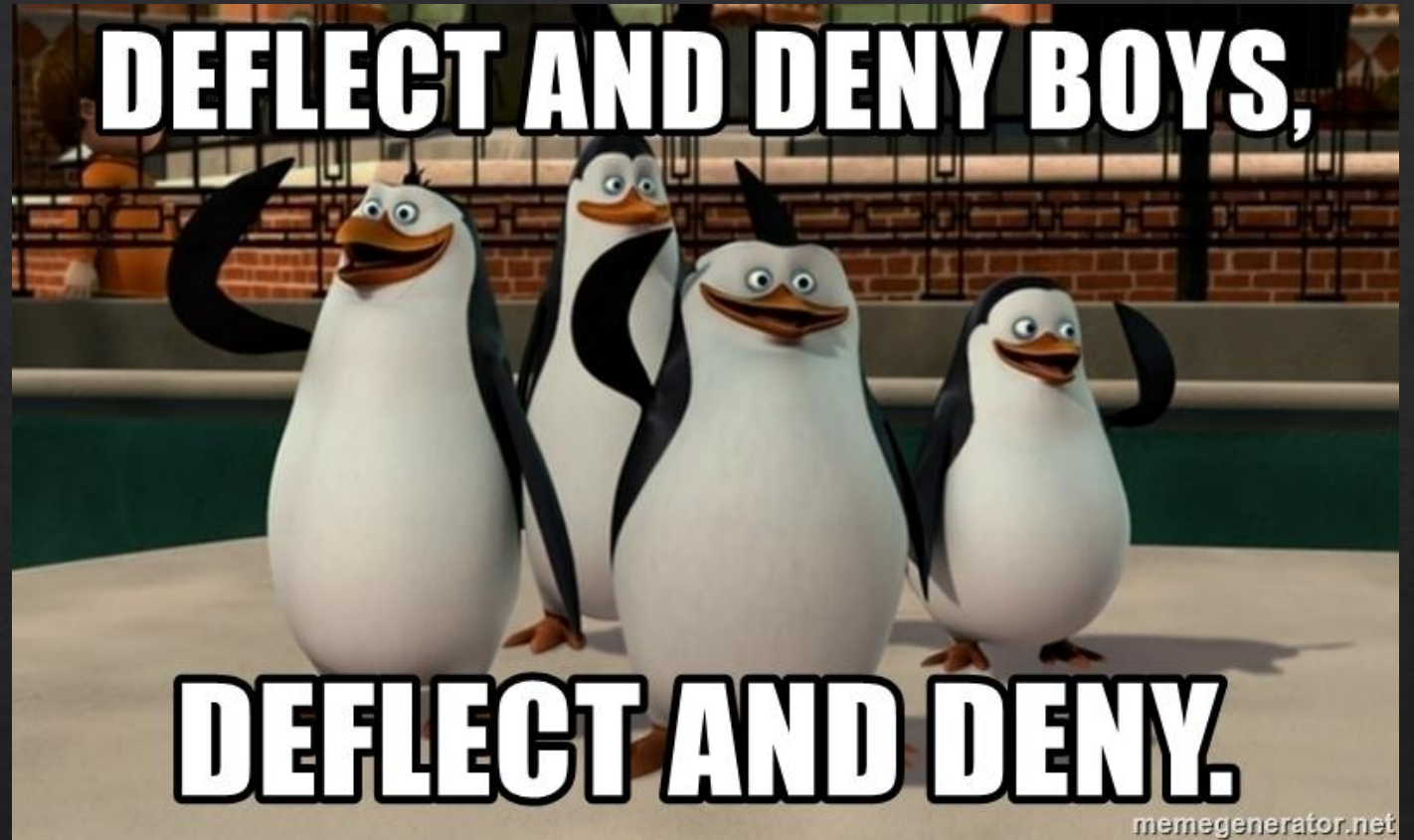


The Denier:

- ❖ You don't have to convince them that this is the right thing to do. You have already decided that.
- ❖ Stand firm.
- ❖ *"I'm sorry, but this is my decision."*
- ❖ *"I'm relying on [my own observations] [reports from multiple sources], and this is my final decision."*

The Deflector:

- ◇ This is not about other employees, this is about the one in front of you!
- ◇ Don't get off track.
- ◇ *"While I appreciate you sharing this, now is not the appropriate time to report these things."*
- ◇ *"This meeting is not about them, it is about your performance / behavior / attendance, etc."*



THAT'S OK

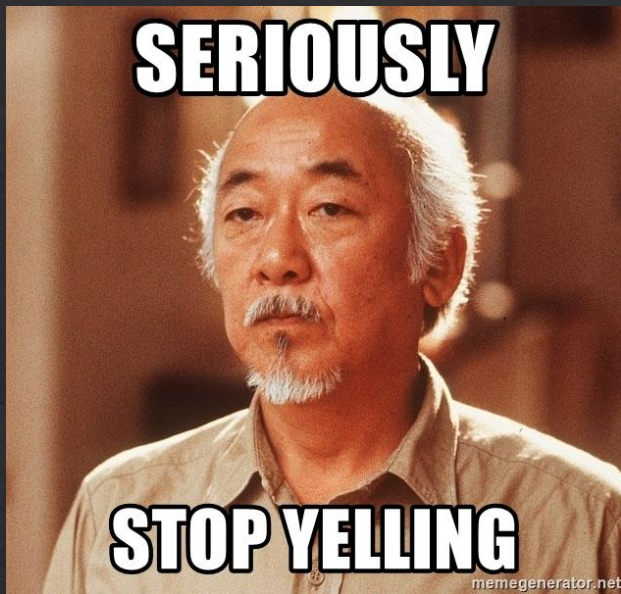


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The Acceptor:

- ◆ Don't keep talking!
- ◆ If it seems like it is too easy, just run with it.
- ◆ *"I appreciate your work for the County these past months/years, and wish you the best."*



The Yeller:



- ◆ If you are worried, consider alerting court security before the meeting in case you need assistance.
- ◆ Do not make excuses for them because they are being fired. You do not have to tolerate someone speaking to you that way.
- ◆ *"I am going to have to ask you to leave now. I will pack up your personal items and send them to your home address."*

**AND THE MERRY GO ROUND
BEGINS AGAIN**



The Merry-Go-Round:

- ◇ The conversation just keeps going and going in circles.
- ◇ End it!
- ◇ *“This is no longer productive, so I am going to ask you to leave now. I will pack up your personal items and text you when they are ready for pick up.”*

Review Your Policy:

- ◆ Make sure your expectations are laid out in your executive office policy:
 - ◆ Attendance, including call-in procedures.
 - ◆ Professionalism, courtesy.
 - ◆ Hygiene, appearance, cleanliness.
 - ◆ Use of personal communication devices (cell phone, iPad, personal email, etc.)
 - ◆ Duty to report certain behavior. (This may be included in the Countywide policy.)
 - ◆ Remember – your policy is a living document! Change it as needed.

Equal Protection:

- ◆ As a government employer, you cannot treat similarly situated people different without a valid reason.
- ◆ When making the decision to write up/termination/demote, consider would you do the same even if it was your favorite employee?