How to Manage Problem Employees

How to react requires looking at the big picture.

BY LAURA HILLS, DA

This article is an excerpt from Dr. Hills' book, The Problem Employee: How to Manage the Employees No One Wants to Manage. Copyright © 2021, American Association for Physician Leadership®, 800-562-8088, www.physicianleaders.org.

A Healthy Perspective about Managing Problem Employees

Wouldn't it be great if you never had a problem employee? For that matter, it would also be great if there was never a two-year-old who threw a tantrum. But we must be realistic. If human beings are involved, there will be problems. Maybe you won't have a problem employee on your staff today, maybe relatively few employees will cause problems for you over your career, and if you're lucky, maybe your problems will never become extreme. But eventually, there will be problems. As much as you may feel that you shouldn't have to

deal with those problems, you do, and you must. In fact, being willing and able to manage problem employees is an important part of your job if you have even one employee working for you.

Arguing that you should be able to manage people without dealing with their problems is no different from arguing that you should be able to drive a car but not have to deal with the rain or other drivers. The moment you get behind the steering wheel, you must deal with whatever comes your way. The same is true if you manage people.

Finally, if you have never had to manage a problem employee, count yourself lucky. As Anderson[1] explains, "Nearly every manager I've ever consulted to or coached has told me about having at least one employee who's not so great. I've come to think of it as an almost inevitable part of the manager's professional landscape."

There's generally that one or more employee who doesn't perform well, or is difficult to deal with, Anderson says, or who has a hard time getting along with others, or who means well but just doesn't ever quite do what's expected. Most managers get held hostage to these folks, Anderson adds, spending a disproportionate amount of time, thought, and emotional energy on them. Clearly, problem employees are a huge concern and challenge for most managers.

Why Is Managing Problem Employees Important, Yet Difficult?

Problem employees can take a significant toll on you, the rest of your staff, your patients, and your bottom line. For example, your best employees may become fed up and quit because of a problem employee's antics. Likewise, your patients may be so

turned off by problem employees that they go elsewhere for their healthcare services. Your own productivity may drop as you spend your time putting out fires and fielding complaints. Anderson describes this drain on a manager's time as "an endless vortex of ineffectiveness and frustration."

The rest of your staff may be distracted from their work and make more mistakes. Productivity and morale may plummet. Desirable new employees may avoid your organization because they've heard bad things about your work culture. If you think this sounds grim, it is. If that's not enough, all of this can cost your organization serious money. As Goldman[2] suggests, "The cost of keeping the wrong person can cost up to 15 times his or her annual salary." Keep in mind that this figure is conservative. It does not include the staggering costs of potential lawsuits and damage awards that can result from your problem employee's behavior.

Why do managers so often allow problem employees to continue to do their damage? It may be because they're like Augustine,[3] who says, "I hate confronting employees. I dislike it so much, in fact, that for the majority of my management career, I flat out avoided it." What exactly

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is there to dislike? As Augustine explains, "Well, just about everything. I dreaded the awkward 'I need to talk to you in private' conversation starter, feared that I'd be labeled as the 'mean boss,' and expected that my employee would lash out at me with snide excuses. And so, I avoided it like the plague." Even if you don't feel quite this way, you probably don't take pleasure in managing problem employees. And why should you? It's far more invigorating and

pleasant to focus on the employees who don't cause you problems, or on other positive aspects of your job.

What Is a Problem Employee?

There are many types of problem employees. Some may challenge the authority of their leaders. Some may create a negative or disruptive work environment for their peers. Some may struggle to meet their personal

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performance expectations. However, what problem employees have in common is that they consistently behave in ways that are not beneficial to your healthcare organization. Pay close attention to two words in this definition: consistently and behave.

A problem employee is a consistent problem. He is not a good employee who has an occasional off day or who makes a mistake once in a blue moon. As Parks[4] explains, "Extraordinary employees can also have a performance issue arise, and you have to address it. But it's not something that happens habitually." The problem employee is the one who consistently demonstrates problem-

atic behaviors over time. He is the employee who has a track record or predictable pattern of behavior that causes problems.

A problem employee is also one whose behaviors are inappropriate and disruptive. As the SHRM Foundation[5] suggests, "Behavior that is not consistent with basic collegial and professional expectations can result in significant negative consequences to the organization and its people and can increase an organization's potential

legal liability." An employee's beliefs, culture, religion, values, gender identity, religion, sexual orientation, race, or ethnicity do not make him a problem employee. It is specifically what the employee says or doesn't say, or what he does or doesn't do, that will define him as a problem employee. Be especially cautious if you have not personally observed the problematic behavior. Verify that the employee has

done what others have accused him of doing. Gather more evidence if you are not sure. Your focus must be on the employee's behaviors that have been reliably observed.

Could Bias Be the Problem?

A good place to begin is to clarify precisely how the employee's behavior is unacceptable. Then check to make sure that neither you nor the employee's accusers are holding any biases or grudges against the employee. For example, did you inherit the employee from a previous manager, and does that color your thinking? Does the employee remind you of someone you don't like? Does she have an innocuous speech accent or habit that annoys you? Do you feel threatened by the employee or jealous of her? Or has something happened between you and the employee that you think you've resolved but that you can't let go of?

Be careful if you or the employee's accusers are biased against the employee, or you may set in motion a chain of attitudes and actions that unintentionally cause the poor job performance you don't want. Also consider whether you may be looking for fault because you are seeking evidence to justify the conclusion you've already reached. Even if you say nothing of your negative bias to the employee, he or she can probably sense your disdain in your actions, words, tone of voice, and general treatment. In such a circumstance, an employee can easily feel that he or

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she has already been written off and become discouraged and disengaged. It doesn't take long after that for an employee's work to suffer. According to Hill and Linebeck,[6] employees who feel that they're unwanted often avoid their managers, hide or ignore problems, and remain aloof and isolated from co-workers, who will probably turn against them in time, too.

Own up to your biases or the biases of the employee's accusers while there's still time to do something about them. Otherwise, you will be setting the employee up for failure. Such bias isn't fair, and it isn't an employee performance issue. It's a management issue, one that you need to deal with honestly and head-on.

**Have You Made
Your Expectations Clear?**

Some problem employees are fully aware of their problematic behavior. But that is not always the case. Some problematic behavior occurs because the employee doesn't appreciate the difference between acceptable and unacceptable behavior. In fact, he may mistakenly believe that his troubling behavior is beneficial to your organization. For example, a problem employee may repeatedly tell jokes or use nicknames that belittle his co-workers, thinking that he is funny and boosting morale; he may not know that his behavior is bullying. Or, he may understand that collegial work relationships are desirable but that his participating in a clique is not. Or, he may not appreciate the

fine line between chatting and gossiping, between being a top performer and being a prima donna, or between asking for your help when needed and coming to you with every little thing.

A great many problematic employee behaviors can be avoided by making your expectations clear. This, however, is not as easy as it sounds. As Loomis[7] suggests, "The number-one reason why smart, capable people have problems on the job is because they don't have clear expectations." A common reason that managers fail to make their expectations clear to their employees is that they assume too much. For instance, some managers mistakenly assume that employees who are new to the workforce already have a good sense

Seven Rules for Confronting Problematic Employee Behavior

Some employee behaviors can push your hot buttons. However, it's important for you to respond strategically, not emotionally. Follow these seven rules when you observe problematic employee behavior:

1 **Don't confront in anger.** If this is an emotional situation, calm down. Get your emotions in check before you say anything. Remember that although you have a right to feel angry, you don't have the right to act out that anger.

2 **Speak up as soon as possible.** Confront the employee as soon as your emotions are under control. Do it while the incident is still fresh in the employee's mind.

3 **Speak in private.** Make sure you're out of earshot of other employees. Be mindful, however, that inviting the employee into an office and closing the door can create a tense atmosphere before you've said a word. It also gets other members of the team to take note and to be curious. If appropriate, consider other ways that you may be able to speak privately to the individual without this stigma attached to it.

4 **Be specific.** Use tangible evidence and facts to state what you've observed, focusing on the employee's behavior, not intent. Don't bring hearsay or judgments into the conversation. You can find yourself squabbling over details, no matter how big or small. Point to data and quantify when you can.

5 **Stick to your point.** Don't water down the fact that this is a reprimand. Don't end by saying something like, "but overall, you've really been doing a great job." This may make the employee feel better, but it can be a confusing message. If you feel a need or desire to praise the employee, do it at another time.

6 **Spell it out.** Tell employees what they've done, how you feel about their actions, why you feel that way, and what needs to change. Be clear and specific.

7 **Make sure you've been understood.** Have the employee repeat back to you what you've said, what needs to change, why, by when, and what will happen if the poor performance or the specific behavior continues. **PM**

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of what is appropriate behavior in a professional workplace. Or they assume that their veteran employees know what is appropriate only to find that some have gotten away with problematic behavior in other jobs or with other bosses. Or some managers assume that their employees' appropriate behavior won't change, only to find that it does as those employees face new challenges in their personal lives.

Obviously, you will need to make your expectations clear when you confront employees who are exhibiting problematic behaviors. However, you will be even more effective if you also make your expectations clear before you have a problem. Certainly, you have an excellent opportunity to do this as part of your new employee training, because new hires generally are receptive to learning about their new workplace do's

and don'ts. Also look for opportunities to share your expectations with your entire staff through regular or periodic training programs. Perhaps you can incorporate smaller trainings within the time of your regular staff meetings, focusing on one topic each time you meet. You may also want to develop as-needed trainings when

you have an inkling that a specific problem is brewing in your workplace. An effective strategy is to introduce the concept of nonnegotiable behaviors. As Loomis suggests, these are the things that an employee must do and not do to succeed on the job. Talk about what it's like to work in your healthcare organization. Additionally, Loomis says, talk about

"what it's like to work for you." By making your expectations clear, you will find that preventing problems and holding employees accountable will be much easier.

Take Action Early

The best way to limit the damage a problem employee can do is to take

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fast, effective action. Unfortunately, problem employees often are allowed to stay at the party too long. Goldman warns that problem employees can become "cultural cancers" within the organization. As Goldman explains, "If we knew we had a cancerous tumor in our body," we'd take fast action. We would cut it out right

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away and get the chemotherapy or other treatment we need. However, Goldman warns, "In business, we often wait far too long."

In fact, the average wait is four to six months from the point that managers know they should cut the cord to the time that they let the problem employee go, Goldman says. In some instances, problem employees stay much longer. As Anderson reports, some employers are "hovering on the verge of letting problem employees go for years," but don't seem to be able to pull the trigger. Unfortunately, the longer problem employees stay, the more damage they do. As Goldman warns, "There's a point that when you know that it's not working...and you need to make the cut in the organization, but we often second-guess it and wait too long."

If you feel tempted to avoid your problem employees, treat the challenge as you would cancer. Diagnose the problem early and accurately. Begin an immediate and ef-

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fective course of treatment. Do whatever you must, even if the medicine is distasteful to you. Adjust the treatment as needed. Stay on top of things. When you've exhausted all the options, be willing to admit that there is no cure and say your goodbyes.

Documentation Mistakes and Best Practices

The purpose of documenting employee behavioral problems isn't just to record the employee's problematic behavior. It's also to show the steps you've taken to help the employee to succeed. As Meinert[8] suggests, "Good documentation creates credibility for the employer by showing that employees are treated in a fair and consistent manner." Meinert suggests that there are four documentation mistakes that employers commonly make:

1) They make vague, unclear statements about what the employee needs to do to improve. For example, they say that the employee needs to act more "professionally" or to show more "respect" or be a "team player." These are vague concepts because professional, respect, and team player can be interpreted in so many ways. Be especially careful to avoid saying that the employee isn't a good fit to your culture. As Meinert warns, that is a red flag that could cause the employee to believe the discipline or firing is attributable to his or her gender, race, or national origin, or to his or her membership in another

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group protected under federal civil rights laws. Stick to the specifics.

2) They add personal attacks or subjective comments. For example, they say that the employee has a bad attitude or that she is a liar or lazy. Or they say that the employee should care more about her appearance. In these examples, the comments draw subjective conclusions about the employee's character. Again, focus on the specific behaviors.

3) They provide little or no evidence to support decisions to discipline or terminate the employee. Hard evidence is the hallmark of good documentation. Include dates, times, quotes, witnesses, and appropriate documents.

4) They describe behaviors in absolutes. Words like always and never can easily be disputed by the employee's attorney. Instead, record specific dates to show when and where the unwanted behavior occurred, Meinert says. Keep your observations job-related.

Prepare documentation with the expectation that an internal or external third party will review it. As Meinert suggests, "Include enough information so others know what happened and what steps were taken to put the employee on notice and offer the individual an opportunity to correct performance." In addition, these best practices will help you to prepare your documentation:

• *Define your expectations specifically.* For example, don't say that the employee must show up to work on time. Instead say, "The employee's job begins at 8:00 am each day, at which time she should have stowed her coat and personal gear and be at her workstation in uniform ready to begin the day's work."

• *Include the employee's explanation for why expectations aren't being met.* As Meinert suggests, "Having a two-way conversation shows the manager's attempt to be fair and to learn how to help the individual."

• *Prepare a detailed action plan that the employee should use to improve his behavior.* Include specific steps the employee will take to improve and what you will do to help. Be realistic and reasonable. Focus on a few key areas.

• *Set deadlines for correcting the behavior.* Don't say, "We expect you to turn things around immediately." That can mean different things to different people, Meinert warns. Rather, say, "We expect your workstation to be cleaned up as specified by 5 p.m. tomorrow, and that it will remain in the condition specified from that point forward." Then follow up. Or for senior-level employees, Meinert suggests, put the responsibility on them to report back to you by the deadline. Document what happened at your follow-up, including the employee's explanation, if any.

• *Describe the consequences if the behavior continues.* Depending on the severity of the problem behavior, you may not want to discuss consequences in early coaching sessions, Meinert says. However, disciplinary action will be needed for more serious behavioral problems and after repeated attempts to help the employee meet expectations have been unsuccessful.

Document your verbal and written warnings. As Keinbaum[9] suggests, a series of written warnings will help to reinforce the seriousness of the employee's behaviors. It also puts the employee on notice of the potential consequences of his or her actions if he or she fails to improve. This can be important when an employee is developing a pattern of behavioral issues, Keinbaum says. If it looks like you may have to discipline or terminate the employee, document the employee's history in a written warning and include a statement such as "further violations of policy will result in disciplinary action, up to and including termination," Keinbaum says.

When and How to Refer Problem Employees to Others

You may encounter an employee behavior problem that is beyond what you can handle on your own. Certainly, this is the case if the employee poses a threat to himself or to others. If the threat is imminent, call for immediate assistance to ensure everyone's safety.

You also may encounter employee behavioral problems that do not seem to be imminently dangerous but that are best referred to others for assessment and treatment. For example, you may suspect or find that the employee is dealing with addiction, abuse, depression, or other mental health issues that are affecting his

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behavior at work. According to Partners Healthcare System,[10] the best time to refer the employee for help is early on. As Partners Healthcare System warns, "Don't tread water by accepting excuses from the troubled employee." Early intervention may help keep the employee's problem from getting worse.

Give the employee time to seek the help you suggest. Then follow up. In the best case, the employee will get the help he needs and at the same time work with you to improve his behavior at work. However, if the employee does not follow through on your referral, or if the referral doesn't improve his behavior at work, you will need to treat the employee as you would any employee whose behavior is out of bounds. Clarify your expectations, provide a plan for improvement with deadlines, and warn the employee of the consequences if his problematic behavior doesn't improve. Then, follow through with disciplinary action or, if need be, termination. As much as you may want to be sympathetic to the employee's situation, you must not let his personal problems harm your healthcare organization or the patients it serves.

When to Fire Problem Employees

There are many legal reasons to fire an employee, such as bullying,

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sexual harassment, poor performance, insubordination, embezzlement, and safety violations. However, less dire problem behaviors also are common and legitimate reason for termination. If you've put in the time to try to correct problematic behavior and documented it, but the problems continue or worsen, it's time to let the employee go. As Betterteam[11] suggests, "Allowing bad behavior to continue after warnings sets a bad example and hurts morale."

When is it time to fire your problem employee? According to Faus,[12] it's when the behavior doesn't improve or when it gets worse. Most problem employees will react by fixing the problem or at least trying hard to improve. However, as Faus suggests, "If you find that your efforts to deal with a problem employee are met by disinterest, disengagement, or even worse behavior," that's a good sign that firing is warranted. Be mindful, however, that the employee may give lip service to trying to improve. Or, he may improve for a while but revert to his old problematic behavior. Stay on top of the situation.

A cost–benefit analysis also can help you determine if it is time to terminate the problem employee. As O'Donnell[13] suggests, "The trick is finding the balance between the effort needed to correct problems with the reward of reclaiming a good employee and the bonus of not having to go through the time, the energy, and the expense of replacing them [sic]." You hired your problem employee because you thought she held promise. Unless the employee completely misrepresented her skills and expertise, she was likely a productive member of the team at some point. As O'Donnell asks, "If you could correct the problem and get them back to that place, would it be worthwhile?" Your next question then is, "How likely is it that the employee will correct the problem?" If your repeated efforts don't get the employee's behavior where it needs to be, it's time to part company.

Managers often complain about having to correct their problem employees. According to O'Donnell, managers reason, "The employees are adults and they know what's expected of them—why do I have to nag them about problems? It's uncomfortable!" But all employees, including problem employees, rightfully read an absence of correction as tacit approval, O'Donnell warns. The unexpected "you're fired" down the road often is the shocking end result. As O'Donnell suggests, "No one should ever be surprised to be fired. Unless your company has fallen victim to a pirate-worthy hostile takeover, or a *60 Minutes* exposé that brings the villagers with torches and pitchforks, getting fired should never come out of the blue for any employee." Every problem employee who is terminated should know it's coming and be ready to take responsibility when it happens. As O'Donnell says, "No surprises allowed."

Of course, you will do your best to help your problem employee to improve. Many problem behaviors require very little management and can easily be nipped in the bud. Sometimes improvement will take a little longer, but

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you will eventually succeed in turning the employee's behavior around. Sometimes you won't. Firing a problem employee who you have managed is difficult. However, it will be necessary if the employee has not improved despite your repeated efforts and warnings. When you must terminate, keep in mind that the termination is necessary not only for your healthcare organization, but often for the employee himself. When it's time to terminate, make sure your documentation is in order. Develop a transition plan before you let the employee go so that you're not left scrambling. Prepare for the termination meeting so you have everything needed in hand. Then, make the ter-

mination as quick and painless as you can.

Just as managing problem employees is an important but challenging part of your job, so, too, is terminating the ones who just don't improve. You may find it difficult to let a problem employee go, even though you know you must. You may feel guilty, whether or not you should. As Green[14] suggests, "Firing someone is usually a terrible feeling. It feels terrible even if the person has been warned repeatedly and had every chance to improve. It's someone's livelihood, after all, and it's tough to be the person who takes paying work away from someone." After your termination meeting, you will have an excellent opportunity to reflect upon everything you did

to help your problem employee improve. Ask yourself these questions. Did you:

• Gather sufficient verifiable evidence of the employee's problematic behavior?

• Act quickly?

• Clearly describe when and how the employee's behavior needed to change?

• Follow through?

• Issue multiple warnings, including the consequences if the behavior didn't improve?

• Refer the employee to internal or external resources as needed?

• Document the employee's problematic behaviors, your meetings and warnings, and the employee's responses?

Avoid Hiring Problem Employees

If you dread or are putting off confronting a problem employee, you may need to shift your mindset. Augustine(3) suggests four strategies:

1 **Put yourself in your problem employee's shoes.** Imagine that you've been working in your healthcare organization for a long time, thinking that everything's going fine, until your manager comes to you one day and, without warning, announces, "Your behavior has been a problem." Constructive criticism is not always easy to hear. However, as Augustine suggests, "Your employees would rather be told—early on—that their work is lacking, rather than be surprised by more harsh action down the road." Simply by realizing that, confrontation becomes a little less intimidating, Augustine says, adding that in the grand scheme of things, confronting the problem will help your employee to succeed and to avoid bigger problems.

2 **Make employee feedback routine.** Is the only news your employees receive about their performance bad news? If so, that's a problem. As Augustine explains, "Because I avoided confrontation so adamantly, whenever I asked to speak with someone privately, it was laughably obvious that he or she was in trouble. It was reminiscent of when someone would knock on your classroom door in elementary school to announce, 'Anna, the principal would like to see you,' and the entire class would resound with a chorus of ominous 'oohs.'" Augustine's suggestion: Make employee feedback meetings standard and follow a regular schedule, such as biweekly. As Augustine says, "The meetings got me and my employees talking on a regular basis, which helped me practice my confrontational skills. And as a bonus, when a bigger issue arose, my request to meet with an employee didn't incite such a grand event."

3 **Prepare for the confrontation.** It may be that you are avoiding confrontation with your problem employee because you fear that he will deny what you say, argue, point fingers, or make excuses. As Augustine says, "I've found the key to this is preparation. Turns out, confronting someone is easier when you have plenty of documentation to prove your case."

4 **Realize that confrontation does not make you mean.** Confronting an employee whose behavior is out of line is not being mean or excessive. It is your job. As Augustine suggests, "Truthfully, your employees expect—and benefit—from that kind of tough love." In fact, Augustine says, not confronting problem employees is doing them a disservice. **PM**

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If you can answer yes to these questions, take comfort in knowing that you have done everything you could have done to help the employee. If you can answer no to even one of these questions, look for opportunities to do better next time. Remember that your employees make their own choices, and those choices have consequences. And who knows? As Green suggests, maybe the termination will be a wake-up call that will help the employee to do better in the future. Even if not, remember that you made the best choice you could for your team and your organization. That's all you can do. That said, it's good and normal to feel compassion, so feel it if you must, but let the guilt go. Then focus on giving the job to someone who will do better with it.

Nobody intends to hire a problem employee. Yet, somehow a few seem to work their way through the system and get hired. So, what character or personality traits, habits, and attitudes suggest that you have a prospective problem employee sitting in your interview chair? As Booher[15] suggests, "Narcissism, arrogance, over-sensitivity, self-protection, bullying, abusive language, passive-aggressive behavior, sexual harassment, violence—these certainly make the list." Of course, you have to know what to look for. To help, Booher suggests four recruitment strategies that can help you identify candidates with a high potential for becoming a problem employee:

1) Pay close attention to their entrance. Your first impression is often spot on. Did the candidates arrive on time? Were they dressed appropriately? How did they treat your employees? Did they seem more nervous than you would normally expect candidates to be? Or, did they seem overly confident?

2) Ask revealing interview questions. Booher suggests that past performance is the best predictor of future performance. Therefore, Booher says, "Ask questions about what they have done, not what they would do in some future situation." For example, Booher suggests:

– What are three of the nicest things your former bosses have said about you?

– What kind of negative feedback have you received from former bosses and co-workers?

– If I call your boss for a reference, what will he or she tell me is your greatest strength in working with other people? What will he or she tell me is your greatest area for improvement in working with others?

– If I call your staff or co-workers and ask what they like about working with you, what will they say? What will they say you could improve?

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– Tell me about four times that you've been under great stress. How did you handle that? Did your co-workers know? How were they able to help you through those difficulties?

– Tell me about two failures you've had and what you did to overcome them.

> ### As Booher says, "Better to spend a good deal of time to investigate and not hire, than to hire a productive but toxic performer."

– What kind of people do you think are most difficult to work with? What techniques do you use to work with these types?

– Who have been your mentors and role models through the years?

3) Listen to their language. Do you detect a whiff of cynicism or sarcasm in their comments? Are their lighthearted comments thinly veiled barbs at someone else's expense? Do they seem like the kind of people who could laugh at themselves and their own foibles on occasion? Do they give credit to others during the interview?

4) Check multiple references. Make it clear from the start that you'll be checking with previous employers or you'll not be moving forward. As Booher suggests, "That helps get answers that are closer to reality." In fact, after stating your intention to check references, Booher says, you may have applicants offer "corrections" and "amplifications" on what their résumé says regarding job titles, job responsibilities, and accomplishments. After the interview, ask the candidates' references to speak to their ability to work with others. For example, ask:

– Would others describe him as a team player, or does he work better alone?

– Would his co-workers ever use the word "kind" to describe him?

– Would you say that he was liked, aside from how he performed his job?

– How would his co-workers describe his communication style? Upbeat? Factual? Neutral? Negative? Resentful? Straightforward? Direct? Blunt? Compassionate?

Notice that you're asking the reference to tell you how they think others would answer the question. As Booher suggests, "That phrasing frees them to give their own opinion anonymously as if speaking for the team." Speak with several references to get a well-rounded picture of the candidate. As Booher says, "Better to spend a good deal of time to investigate and not hire, than to hire a productive but toxic performer." **PM**

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