

DIFFICULT CONVERSATIONS: FIVE COMMON MISTAKES MANAGERS MAKE

Difficult conversations are part and parcel to employee management. On any given day, managers face employee relations issues ranging from minor skirmishes among coworkers, to performance problems and disciplinary challenges, to allegations of discrimination or complaints of harassment.

While these issues may differ in seriousness, one thing they have in common is that they require the ability to effectively communicate with the employees involved. Yet, many managers lack the knowledge and training to handle the variety of conversations (often difficult, awkward, and uncomfortable) that can arise from these issues.

Managers who are ill-equipped to confront relations issues are likely to make costly mistakes. These costs are often discussed in terms of lawsuits, but countless studies and surveys reveal that poor management most commonly leads to lower productivity, low employee morale, and high turnover.

The cost of turnover will vary by company and industry, but the Society for Human Resource Management (SHRM) predicts that every time a business replaces an employee, it costs between 6 and 9 months' salary on average. And, according to a 2019 survey by Development Dimensions International, a human resources and leadership development consultancy, 57 percent of employees said they have quit a job because of a manager.

All of this means that poor management can be costly to a business, even if it doesn't result in a lawsuit. Are you training managers to effectively handle difficult employee conversations? Or are they making some of these common mistakes, and potentially leading good workers right out the door?

AUTHOR:

JUDY KNEISZEL,

Editor

Judy specializes in issues such as background checks, discrimination, diversity and inclusion, policies and procedures, and sexual harassment prevention.

57%

of employees who left a job did so due to their manager.

#1 IGNORING THE ISSUE

One of the many challenges managers face is knowing when and how to address seemingly insignificant infractions of the rules, or minor employee squabbles. Generally, managers understand that allegations of discrimination and harassment are serious and need to be addressed immediately, but less significant behavioral issues, such as rudeness or tardiness, are sometimes ignored.

The trouble with this tactic is that the ignored behavior almost never stops on its own accord.

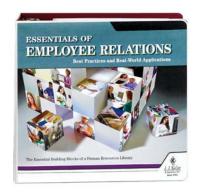
Further, the poor conduct often causes additional issues because other employees form their own perceptions about the situation, and act accordingly.

For example, a top-performing salesperson persistently shows up late for meetings and loudly refuses to comply with the dress code. The manager decides that while this behavior is not ideal, it's OK to let it slide because "that is just how Bill is." Besides, if Bill meets sales goals every month, there shouldn't be a problem, right?

If this behavior is not addressed, however, the manager may be sending the message to other employees that tardiness is perfectly acceptable, and that the dress code is a mere suggestion. So, when another employee starts showing up 10 minutes late, and yet another determines that jeans and sneakers are appropriate workplace attire, the manager will have a larger problem to address. Not only will the manager need to discuss tardiness and dress code violations with the perpetrators (including, belatedly, Bill), but now there may be accusations of favoritism. ("Bill does it all the time and never gets reprimanded!")

Nip small infractions in the bud before they bloom into larger issues.

If after the first incident, the manager had simply taken Bill aside and said, "It is important for you to be on time to the meeting. I expect you to make every effort to be here before it starts," these additional issues may have been avoided. Managers should understand that seemingly small infractions, which don't necessarily require discipline, still need to be nipped in the bud before they can bloom into larger issues.



Gain insights and learn best practices for improving employee interactions with the **Essentials of Employee Relations** manual. This complete guide is easy to use and covers all aspects of the employee/employer relationship, from recruiting and hiring to management and development (including discrimination), and more. It's an ideal resource for anyone with HR responsibilities.

GET THIS MANUAL NOW

Reserve policymaking for issues that impact many employees, not just a few.



#2 DANCING AROUND THE ISSUE

Sometimes a manager will decide that rather than dealing with an individual problem, it is easier to implement a new policy or procedure that applies to the whole group. While it is important to have policies in place to communicate expectations and ensure a safe, nondiscriminatory workplace, policymaking should be reserved for issues that impact the many — not created for the few. Crafting a new policy or rule is not a substitute for addressing issues with individual employees who are not meeting expectations or adhering to current rules.

For example, a manager notices that an employee is away from their workstation for 15 to 20 minutes at a time, several times a day. The employee has been covertly talking and texting on a cellphone from the bathroom. Instead of confronting the individual directly about the behavior, however, the manager gathers the team together and reminds them that they are required to be present at their workstations unless they are on an authorized break. The manager then declares that unplanned breaks (including bathroom trips) should be limited to no more than three minutes.

Does this reaction stop the employee from cellphone use during work time? Probably not, because the manager failed to confront that as the specific behavior problem in this scenario. The employee is likely to find another location to use the cellphone, and the manager is now in the awkward and bizarre role of bathroom police to the rest of the team.

Directly confronting the offender would have been a better solution, but starting a disciplinary conversation can be uncomfortable for a manager. When handled properly, however, such a discussion is more likely to resolve the problem, and also avoid creating additional issues by involving the rest of the team members who are not violating the rules.

#3 FLYING BY THE SEAT OF THEIR PANTS

Very few employee relations incidents require an immediate response, but that doesn't stop some managers from reacting reflexively — and sometimes inappropriately. Some managers are quick to jump to conclusions, rush to judgment, or blow up at employees in frustration.

However, managers who make assumptions about behaviors or skip over inquiries are unlikely to come up with good solutions to employee problems.

In fact, a study from researchers at the Columbia University Medical Center found that accuracy in decision making can be improved even if a decision is postponed by only a fraction of a second. The study's researchers determined that delaying a decision by as little as 50 to 100 milliseconds allows the brain to focus on the most relevant information and block out distractors — that simply by doing nothing for a beat, a person is more likely to make a better decision.

So before jumping headlong into a potentially difficult conversation with an employee, managers should take the time to fully evaluate, analyze, and understand a scenario, and then plan an approach. They might try asking themselves:

- Can you fully explain the situation? Can you describe exactly what action or behavior is creating the problem? How is the behavior affecting the employee, the team, or the company?
- How might you approach the person about the behavior? What are the potential consequences of that approach? What is your ideal outcome in this situation?
- What information are you lacking? Where might you find that information?

Managers who can imagine the conversation beforehand, prepare for various reactions, and think of contingencies, will be better equipped to remain calm, understand the problem, and think of appropriate solutions when handling difficult conversations.

#4 HEARING, BUT NOT LISTENING

It is rare for people to give conversations their undivided attention these days. Whether it is a symptom of the technology age, or an effort to increase efficiency through multi-tasking, the results are often less than desirable.

People need to feel like they are being acknowledged and understood during conversation. Managers who continue to read emails or take calls during conversations, who don't maintain eye contact and/or interrupt employees, are not only discourteous, but they are also ineffectual.

For example, a manager who is not listening might miss an employee's request for accommodation under the Americans with Disabilities Act (ADA). An individual making a request for accommodation doesn't need to mention the ADA or use the phrase "reasonable



The Employee Relations Management Today

newsletter covers timely business topics affecting supervisors and managers and delivers expert insight and advice to help reinforce employee management skills at all levels in your organization. It provides critical information and guidance on effectively handling employee management issues and making better decisions. Additional regular features include key takeaway summaries and answers to industry FAQs.

GET THIS NEWSLETTER NOW



Even if an employee conversation does not involve discipline, it should be documented.



accommodation." The request can be made in plain language and can consist solely of an employee asking for an adjustment or change in work for reasons related to a medical condition.

An employee might tell a manager who has issued a reprimand for tardiness that a new medication is to blame for the inability to get to work on time. The manager needs to recognize that the employee's explanation is a possible request for a reasonable accommodation, rather than a lame excuse for tardiness.

An employee may be requesting a reasonable accommodation, rather than making an excuse to explain a behavior.

The appropriate response would be to start the interactive process (and likely involve human resources) rather than to immediately impose discipline for the tardiness, but the manager may not recognize the request if that manager is passively hearing rather than actively listening. Giving an employee undivided attention isn't just a polite idea — it's a management skill that should be practiced.

#5 FAILING TO DOCUMENT

Not all employee conversations involve discipline, but they should still be documented. Often, if a manager feels like a situation only requires a brief discussion and that the event or undesirable behavior is unlikely to occur again, the manager doesn't document the encounter. However, failure to document could make it difficult to establish a history or pattern if the behavior or similar actions were to recur in the future, or if there were questions about how the situation was handled.

Further, managers may change jobs or take temporary leave. If an employee issue was addressed but never written down, a new or temporary manager might not be aware of the previous issues. Documentation can serve to refresh everyone's memory about what was discussed, the date of the conversation, and what expectations were communicated or what action plan was created.

If the discussion does involve discipline, progress may need to be monitored, and further follow-up conversations might be needed. If suspension or termination becomes necessary, the documentation will also help support those decisions.

ARE YOU EQUIPPING YOUR MANAGERS?

Effective communication skills are fundamental to appropriately handling difficult conversations with employees. Managers need to be able to address an employee relations issue directly with respect and compassion, rather than ignoring the issue or avoiding direct confrontation.

Managers should be trained to apply critical thinking skills to employee conversations. They should ask questions, aim for understanding, listen attentively, and seek solutions that benefit all stakeholders.

These conversations may be uncomfortable and even embarrassing for a manager, but they are probably more so for the employees, so managers should be taught to show compassion.

Managers who commit the five common mistakes discussed here are probably making other mistakes as well, and likely creating a work environment where employees don't feel comfortable raising concerns because they don't think their complaints will be taken seriously and don't believe their managers will take appropriate action to correct issues.

As an HR practitioner, your first step in creating a workplace that inspires employee loyalty, engagement, and retention might be a few difficult conversations with your front-line managers about their communication skills.

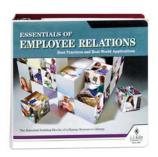


Get all the compliance tools you need to succeed. Complement one of our manuals with a membership to the J. J. Keller® COMPLIANCE NETWORK and gain access to J. J. Keller's industry-leading compliance news, analysis, expert guidance, and other content personalized to your exact regulatory needs.

CALL 1-800-327-6868 TO LEARN MORE

WE'RE HERE TO HELP

As the nation's leader in regulatory compliance and best practices expertise, J. J. Keller is your reliable source for help complying with employment law and reducing the risk of litigation. In addition to DOL, we cover EEOC, DOT, OSHA, EPA, and other agencies.



GET MANUAL



GET NEWLETTER

ESSENTIALS OF EMPLOYEE RELATIONS MANUAL

This comprehensive manual is an ideal resource for anyone with responsibilities related to employee relations. It offers expert guidance regarding every aspect of the employer/employee relationship: recruiting and hiring; management and development; and employee separation. Gain valuable insight and improve employee interactions with real-world examples, illustrations, and answers to frequently asked questions (FAQs) surrounding employee relations.

ESSENTIALS OF EMPLOYEE RELATIONS MANUAL

This employee relations newsletter provides HR professionals, supervisors, and anyone who manages people with expert insights and advice aimed at strengthening the skills needed to handle human resource issues in today's workplace. Topics covered include employee management guidelines, highlights of relevant court cases and laws, best practices for improving your training program, and more. Ensure employees understand how their actions can result in liability for themselves and the company.

For more information, call 800-327-6868 or visit JJKeller.com



Complement Your Print Manual with an Entire **NETWORK** of Safety & Compliance Expertise

Become a member of **COMPLIANCE NETWORK** and gain access to J. J. Keller's industry-leading safety and compliance content – custom-tailored to your exact regulatory needs.

MEMBERS ENJOY THESE VALUABLE BENEFITS:

PERSONALIZED REGULATORY CONTENT

for workplace safety, transportation, environment, HR, and other markets.

- ▶ NEWS & TRENDING ISSUES relevant to your industry, area(s) of operation, and more.
- ▶ J. J. KELLER INSTITUTE, an expansive collection of articles, videos, and interactive exercises spanning 120+ compliance topics.

UNPRECEDENTED ACCESS TO EXPERTS

through question submissions, one-on-one phone or video consultations, and in-depth research requests.

AND MORE

GET FREE RESOURCES

ABOUT THE AUTHOR

JUDY KNEISZEL, EDITOR J. J. KELLER & ASSOCIATES, INC.

Judy Kneiszel is an Editor on the Human Resources Publishing Team at J. J. Keller & Associates, Inc. She conducts research and creates content on a variety of HR-related topics and contributes to a number of Human Resource products including the *Employment Law Regulatory Alert* newsletter and the *Essentials of Employee Relations* manual. Judy specializes in issues such as background checks, discrimination, diversity and inclusion, policies and procedures, and sexual harassment prevention. She is a member of the national chapter of the Society for Human Resource Management (SHRM).





ABOUT J. J. KELLER & ASSOCIATES, INC.

Since we began as a family-owned company in 1953, our purpose at J. J. Keller & Associates, Inc. has been to protect people and the businesses they run. Today, serving 500,000+ companies across North America, our associates are making a larger impact than ever. Transportation, construction, utility, healthcare, education and industrial organizations of all sizes rely on our expert insights to help create safe, respectful work environments and simplify complex government regulations. They trust in our comprehensive portfolio of solutions, including cloud-based management tools, training, consulting, professional services, publications, forms, PPE and safety supplies.

HR professionals rely on J. J. Keller's experts, products and services to address core HR topics — including FMLA, ADA, HIPAA, FLSA, and employment law — to reduce risk, improve regulatory compliance and manage performance. Learn more at jikeller.com, and follow us on LinkedIn, X, and Facebook.