



I'm Just In HR, So How Do I Counsel My Boss and Keep My Job?

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Fran Sepler recently posted an insightful blog titled, *I'm Sort of Sorry: Coaching the High Level Harasser*, that discussed coaching a high-level performer regarding harassment, poor behavior or insensitivity.

Yes, it takes wisdom and experience to deal with an executive who controls valuable business or can fire you if your message is displeasing.

Often, the main problem is that the high performer's bad behavior has long been tolerated because he or she is a high performer. Odds are that the employer has looked the other way for some time when the high performer behaved in a churlish or unprofessional fashion.

The trick in confronting bad behavior

Lesson one is actually a question: When do you confront bad behavior that has not "yet" risen to the level of "harassment" but is inappropriate when viewed by any objective observer?

You already know what I'll say next from my lawyerly ivory tower — "*why have you allowed this behavior to go so far?*" Could you have dealt with these challenges in a "positive" fashion if you had stepped up earlier? Does your culture in fact reinforce such behavior, or perhaps a lesser level of incivility?

Who should counsel the high level professional?

If real legal exposure is presented, you may need to involve counsel in the meeting, both to show respect and to impart the fear of God. Some of us are pretty good at focusing the discussion on the risk presented, and therefore the urgency. Another plus to using outside counsel is that if the high performer reacts badly, he may only focus on the counsel, which is kind of hazardous for us.

It's really a judgment problem that needs to be addressed

Ms. Sepler discusses the need to first make the HLP understand the harm they have done to others, and the need to get the high level professional to walk in that person's shoes. Not just the harm to the business. That self awakening would be great; however, one may have to be satisfied with making the HLP recognize what a stupid thing they have done and how it may cost them money – their money.

However, I do not disagree with Fran's goal. We must try to get these individuals to recognize the inappropriateness of their behavior. We do not want counseling and retraining to depend upon a list of "what not to do's." We want the employee to learn how to be "professional" and to show good judgment in all areas.

Here's the key: Don't be timid!

Even if one successfully navigates the high level professional's current debacle, if not addressed, their lack of judgment will inevitably lead to further and even worse problems. From a utilitarian analysis, the question is when will the employer determine that this bad judgment outweighs the value of this high performer's "production?" After almost 30 years of cleaning up problems, I am convinced that bad judgment in one area will eventually affect one's professional activities.

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