



June



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### Upcoming Events

[Market Your Brand - What Does That Mean?](#)

June 10th

What customers know and think of your company creates a "branding experience." The path to achieving customer engagement-which drives increased revenue and profit-runs through your employees. Before spending one more dollar on another program to reach more customers, leverage the marketing power lying dormant amongst your employee ranks. Join us to learn to more! Dan Day, of Brandtender Marketing, along with Kate Richards, will offer

## AssetHR E-Newsletter

Dear AssetHR Friends,

### HR for Managers

[Oops, I Did It Again: Ten Most Common Managerial Mistakes That Lead to Litigation](#)



In our May newsletter, we relayed that employers who fail to adopt and follow basic good management practices will substantially increase their risk of litigation and liability. We put forth that an employee who feels "wronged," is more likely to place a legal label on the action you took with them because they perceive they were treated unfairly. Whether they actually were treated unfairly isn't the issue - they "feel" wronged and therefore, they decide to investigate taking legal action. Those who supervise or manage others need to recognize their behavior can unwittingly lead employees to feel misled, lied to or otherwise unfairly treated. We covered the first five of ten mistakes supervisors and managers often make last month. In this issue we offer the "rest of the story," - all due respect to Paul Harvey, of course.

#### **6. Mistake: Ignoring Problems**

Employers ask for trouble when they ignore problems and complaints. Failing to address performance issues has the practical effect of lowering performance standards. It leads employees to believe that they are performing at satisfactory levels because management has not told them otherwise.

their experienced perspective on how and why employees are your best "brand" spokespeople.

### Coming in July:

Mastering the Sales Connection™ and Creating The First Class Experience™!

Do your employees engage your customers and exude your brand?

Whether on the telephone or face-to-face, are they creating a first class experience every time? Does everyone on your team understand their role in the sales process? Join Laurie Lynard, of Telemasters, for a conversation to better understand how your employees can make more effective connections to better attract and retain customers.

### Partner Spotlight:

Dan Day, Brandtender Marketing

Dan has immersed himself in understanding the "how" and "why" employees are the key to successfully engaging your customers. For more information; check their website [here](#).

Management may be dissatisfied with an employee's level of performance, and may truly believe that the employee ought to know he or she is missing the mark. Unless supervisors confront employees about performance deficiencies, however, and expressly state what employees need to do to meet expectations, change is unlikely. When after years of accepting poor performance a manager finally acts, perhaps by discharging the poor performer or perhaps by passing the employee over for promotion, the employee may react with surprise, hostility and claims of discrimination.

### 7. Mistake: Put Nothing in Writing

Without a written record documenting employee performance issues and management's response, employers increase the risks of "he said, she said" situations when taking adverse employment actions. Employees who have not been given (and/or requested to sign) counseling memos or performance evaluations frequently claim that the counseling, the warning or the evaluation was never received. Verbal warnings carry less weight than written warnings with employees, their lawyers and juries. Employees who have been repeatedly spoken to, but never written up, are likely to discount or even disregard the importance of the counseling. Employers who do not document employment issues leave themselves with little concrete evidence to prove a history of poor performance as the reason for discharge, instead of, for example, retaliation for taking medical leave.

### 8. Mistake: Understand That Boys Will Be Boys

A hostile work environment, whether because of sexual harassment or harassment based on age, disability, race or any protected class, may arise from either severe or pervasive conduct. Jokes, e-mails and passing comments when considered individually may be of little consequence. Accumulated and viewed as a whole, however, they can be used to show pervasive misbehavior that has converted a professional workplace into a frat house. That a harassing employee may not intend to harass his co-worker does not constitute a defense nor does it create a shield from being sued. Employers who know of employee misconduct, such as use of the company's e-mail system to send sexually explicit jokes or photographs, and who fail to take action to stop the conduct, substantially increase their risk of litigation and liability for damages.

### 9. Mistake: Lie

When management fails to tell the truth, employee disgruntlement inevitably follows, and with it a fast track to the courthouse - and potential liability. Employers do not protect themselves by telling an older employee that he is being discharged because of job elimination when the true reason is

poor performance. As soon as someone (younger) is hired to replace the discharged employee, the company's lie, even if intended to protect the employee from hurt feelings, will be seen as a pretext to hide discrimination.

### **10. Mistake: Cover-up**

Repeatedly, experience shows that a cover-up carries worse consequences than the initial misdeed. Shredding documents, deleting files or throwing away drafts upon learning of an impending lawsuit can all add up to trouble. When confronted with a bad situation, it remains true that honesty is the best policy.

## **Lead-er-ship**

### **Increasing Your Awareness of Effectively Leading Your Own Ship**

"Like all valuable commodities, truth is often counterfeited."

~James Cardinal Gibbons



Your staff is the most valuable asset you have in your organization. Nothing happens without your people. While it's tempting to avoid a conversation that may include conflict or sensitivities, ultimately you do your employee a disservice not to open the dialogue. Ignoring, lying, or covering something up to avoid these delicate discussions isn't worth it. Treat your staff with the utmost consideration - prepare, then kindly open the conversation to deal with challenging issues. Truthfully let your "yes be yes," and "your no, be no." Your manager/employee relationship will be richer, in the end, for having done so.

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