

Legal Connections



POWERED BY THE COLUMBUS BAR ASSOCIATION

SEPTEMBER 28, 2018

LISTEN UP: THE VALUE OF EMPLOYEE FEEDBACK

Most of us can relate to the disappointment of being part of a dysfunctional organization. Whether we've worked for a failing business, played on a struggling sports team or served on a board with an ineffective chair, we can relate to the frustration of an organization not firing on all cylinders. In contrast, the experience of being part of a successful organization that routinely achieves its goals, isn't afraid of failure and where members are working at peak performance is inspirational and rewarding.

What sets the dysfunctional organization apart from the high achiever? I believe it starts with listening to what its team members have to say. The skill of actively listening is vital to anyone in charge of managing people. Before an employee comes forward to raise a concern or to point out an opportunity for improvement, the employee needs to feel confident they will be heard and not be summarily dismissed or, worse, face



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negative consequences for speaking up. We beat the drum to our kids: "See something. Say something." Why should it be different with adults in the workplace? It shouldn't.

As business owners we must expect the same of our employees. We tell our employees to report suspected acts of discrimination,

harassment, violence (or threats of violence) in the workplace, bullying, safety violations, fraud or theft. But what happens when our employees do come forward? Do we truly listen to what they have to say? If the #MeToo Movement has taught us anything, it has (I hope) taught us that when an employee comes forward, we should take the report seriously, let the employee talk without judgment or interruption and actively listen to what the employee has to say.

Unfortunately, most of us could do better: "Most people do not listen with the intent to understand; they listen with the intent to reply." (Stephen Covey, "The 7 Habits of Highly Effective People")

I am not proposing, by the way, that an employer should let its employees do all the talking. I am saying, however, that an employer should encourage employees to speak up while the employer listens.

In difficult coaching sessions or disciplinary meetings, employers should give employees the opportunity to explain the situation. It's perfectly acceptable to ask if anything is happening with the employee to lead to the performance issues. Then be quiet and listen.

The employee can decide how much information to share. Likewise, when an employee with a mental or physical disability comes forward to request an accommodation, it's up to the employer to explore what the employee may need to do their job. The law calls this the "interactive process." I call it conversation.

Encouraging employee feedback and listening to what they have to say when they do speak up is imperative to improving the company's bottom line and reducing legal risk. ■

"Making informed decisions are critical to the success of your business. Create a culture that encourages employee interaction."



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"It takes a great [employer] to be a good listener."

— Calvin Coolidge

EDUCATION & EVENTS

Monday, Oct. 1 • 12 – 1:30 p.m.
Trial Skills Boot Camp 1: Intake, Case Analysis & Initiation
1.5 CLE/NLT Hours (with 0.5 Prof. Conduct)

Thursday, Oct. 4 • 1:30 – 4:45 p.m.
Secrets to Winning by Writing: What Judges & Law Clerks Want
3.0 CLE Hours

Friday, Oct. 5 • 12:30 – 4 p.m.
Legal Practice Lab Session Three: Finances
3.0 CLE Hours (with 0.75 Prof. Conduct)

Monday, Oct. 8 • 9 a.m. – 4:30 p.m.
2018 OVI Seminar Part I and II
Each session is 3.0 CLE Hours, and lunch will be included.

All classes listed are offered at the Columbus Bar Associations offices, 175 S. Third St. Ste. 1100. To register, call 614-221-4112 or enroll online at www.cbalaw.org.

JOIN US Thursday, Oct. 25 for a dive into Immigration Law 101. Learn more about pro bono clinics and the basics of immigration law: cbalaw.org

JUDGE THE CANDIDATES: LEARN MORE ABOUT FRANKLIN COUNTY JUDICIAL CANDIDATES

Each election year, voters in Franklin County are responsible for electing our judges. Many feel uninformed about the candidates' credentials and about the impact judges have on their daily lives. Without question, the work of our judiciary has a significant impact on individuals, corporations, and our overall community. Their importance to our society is as significant as any elected official.

This year, there are four contested races for the Franklin County Common Pleas Court, General Division as well as three contested races for the Domestic

Relations/Juvenile Division. In order to help voters make more informed decisions about the candidates they elect for judge, the Columbus Bar Association offers information on Franklin County judicial candidates in a variety of ways.

JudgeTheCandidates.org is a non-partisan website designed to offer candidate biographies, attorney poll results and the results of the CBA Judicial Screening Committee.

The Judicial Screening Committee



interviews judicial candidates in order to get a better idea of their character and qualifications. This information is compiled into an easily accessible document geared toward helping the public learn more about the candidates.

The CBA strives to have a politically balanced Committee in order to reduce the influence of partisanship.

The bi-partisan committee ranks each candidate "Highly Recommended," "Acceptable," or "Not Recommended,"

based on interviews and information provided by the candidates about their experience.

All results from the Judicial Screening Committee are available online for public consumption, and voters may view this information to help them make an informed decision at the polls.

Visit the website today: www.judgethecandidates.org. ■

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Employment
LAW
Update 2018



OCTOBER 17 (1:30-4:45pm @ the Columbus Bar Association)

Taught by seasoned professionals in the area of **employment law**, this program will provide a Marijuana Law Update, Sexual Harassment Update: One Year After #MeToo, and Legal Rights of Employers and Employees for Off-Duty Conduct.

Registration:

www.cbalaw.org

(614) 221-4112