



Conejo Business Times

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BUSINESS BENEFIT

Employment Law Expert Instructs Chamber's HR Committee on Dealing with Toxic Employees

When the behavior of a problem employee escalates, they can become "toxic" to a business and jeopardize the health and success of a company.

Karen L. Gabler, an employment law partner in the law firm of Nordman Cormany Hair and Compton LLP, addressed the Chamber's Human Resources Committee on how to manage difficult employees and learn effective tools to discipline or terminate the toxic employee.

Highlights of her discussion included the costs to the company, loss of productivity, morale issues, impact upon customers, impact upon vendors, litigation, and possible workplace violence.

Gabler focused on

how to manage the toxic employee by managing the situation. She suggested employers focus

on listening instead of arguing; request clarification of the issue; be brief in the discussion; ask for feedback; build in time to cool down; main-

tain an open door policy; do their homework by investigating the facts; deal with the behavior,



Ron Cooke, Nossaman, LLP, and Chairman of the Human Resources Committee, with Karen L. Gabler, Esq.

on listening instead of arguing; request clarification of the issue; be brief in the discussion; ask for feedback; build in time to cool down; main-

not the person; and let the employee assist in developing a solution.

When the toxic em-

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Employees

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ployee cannot or will not improve, documentation must be pertinent—including performance reviews, interim performance documentation, miscellaneous notes and memos and e-mail communications.

An employer needs to know when to give up. Specific situations include: when an employee is not willing to change, when alternative methods have

failed, and when it is necessary to protect the remaining employees and the workplace.

If termination is the final solution, the employer needs to document events leading up to the termination, have a reason to terminate even an at-will employee, and then hold the final meeting.

The Thousand Oaks–Westlake Village Regional Chamber of Commerce holds Human Resource Meetings quarterly. The next scheduled meeting is Thursday, October 22 at 4 p.m.