

The American Bar Association
Standing Committee on Lawyers' Professional Liability,
Commission on Lawyer Assistance Programs,
Law Practice Management Section,
Tort Trial and Insurance Practice Section,
Section of Litigation and the
ABA Center for Continuing Legal Education
Present

Strategies for Helping the At-Risk Lawyer





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This publication accompanies the audio program entitled "Strategies for Helping the At-Risk Lawyer" broadcast on November 20, 2008 (Event code: CET8SFH).

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MANAGING SITUATIONALLY DIFFICULT PEOPLE

Five to ten percent of the workforce are chronically difficult people. There are many types of difficult people, such as nitpickers, argumentatives, complainers and excuse makers. The chronic ones are difficult to handle; they won't change easily.

The vast majority of difficult people are not "chronics." They simply need help with the stressful situations they find themselves in. They will only remain that way as long as they are stuck in a difficult situation. When the situation changes for the better, they should also change.

In order to effectively manage these people, you have to be able to distinguish between those employees who are chronically difficult and those who are just situationally difficult. The challenge here is not to label people "chronically difficult" too quickly. The simplest way to find out whether that label is appropriate or not is to carefully examine that employee's work history. Has he or she been difficult with coworkers before, or is this kind of behavior relatively new? If there is no history of this behavior, then you will have to find out if that employee is in a difficult situation by sitting down and talking with him or her.

You should be looking for the following kinds of stressful situations:

- Personality conflicts
- Personal problems
- Work-related problems

It is important to emphasize that in discussing these three areas, you will need to keep the conversation focused on the employee's work performance. Any other approach could be considered prying and viewed as none of your business.

Personality Conflicts

Many times people become difficult because they are put in close proximity to people whose personality or work style is very different from their own. There are many different theoretical models that various consultants teach which articulate these distinctive styles. For example, there are thinking-oriented vs. feeling-oriented people and people who prefer knowing the broad outline of things vs. people who need to know all the details. It would be useful for you to learn about some of these models, so you will recognize these differences.

If you find out that an employee is having a personality conflict with someone he or she is working with, you have two options: Teach him or her how to appreciate the other person's style, or separate them. If you choose to try the former, you will need to get the difficult employee to stop judging the other person long enough to examine the situation objectively. Then you can demonstrate how the other person's opposite style can be a useful balance. For example, someone who is very good at seeing the broad picture really needs a partner who is good at handling the details. Creating this type of bridge between the two people should help resolve the situation for the difficult one.

In certain cases, it makes more sense to simply separate the two people, if they get along like oil and water. Doing so should help clear up the difficult one's negative behavior.

Personal Problems

This is a particularly sensitive area. These problems may include financial difficulties, marital problems, poor health or substance abuse.

These kinds of problems tend to evoke comments from managers such as "Don't bring it to work," "If they can't get their act together, we should just get rid of them," and "I don't want to hear about it."

Yet, although managers would like to think that they are not responsible for their employees' personal problems, they are responsible for the negative effects that these problems may have on their employees' work performance.

It is more cost-effective to help your people resolve their problems than it is to fire them. If they were good employees before the problem, they can be good again. And resolving the problem will avoid the substantial termination, hiring and training costs.

Again, when you talk with the difficult employee, focus on the issue of work performance, e.g., "Your performance has been suffering lately and I wonder what's been causing this." Emphasize that you want to help him or her get back on track.

Remember that you can't force someone to talk about these kinds of personal problems. However, if you're sincerely interested, most people will be willing to discuss what's going on.

Try not to get involved in discussing the problem in great detail. If you have an Employee Assistance Program (EAP), you will just have to assess what the problem is and send the person on to the EAP for assistance.

If you don't have such a program, then you should put together a referral list of hotlines, agencies and support groups. Having the name of a particular person to speak to will make it easier for the person to make the call. The United Way is an excellent resource in this area. Some Human Resource people turn to the Yellow Pages to see if they

can make an appropriate referral. Confirm the agency's credibility, if you decide to go this route.

If the person agrees to seek assistance, set out a work plan that will periodically evaluate how things are progressing. You should agree that in two to four weeks you will get together to review their performance. If the employee is getting help, depending on the problem, there should be improvement over a number of months.

If you don't notice any change over a reasonable amount of time, don't be afraid to take disciplinary action. Above all, don't feel sorry for them. Demonstrating that there are consequences to their actions may shake them out of their inertia and get them to admit that they do have a problem.

Work-Related Problems

Many times, work-related problems are particularly hard to resolve because your company may not be willing to admit that there is a problem with the way it's doing things. In other words, it may be that it is your company that is chronically difficult and not the individual employee, who is simply a reflection of the problem.

For example, I counseled an employee who was referred to me by management as a "chronically difficult" person. He had been cursing at his coworkers and arguing about job assignments.

It turned out that the organization had high absenteeism and turnover rates and a lot of tardiness. None of these problems were being addressed by management. In their work culture, problems were basically avoided as much as possible.

The result was that this particular employee was constantly being asked to cover for other employees who were not there. Essentially, at times he was being asked to work one and one-half to two jobs.

When I investigated his work record, I discovered that he was a highly motivated person who really wanted to do a good job. However, he was nearly burned out from the excess work he was constantly given. This stressful situation led him to complain constantly and snap at other people.

It was the system that had worn him out. Yet, because the company didn't want to deal with its inherent problems, he had become the scapegoat.

If the employee you are concerned about doesn't seem to have any personality conflicts or personal problems, then you need to be willing to find out if the work environment is to blame. It's difficult to get employees to admit this is the case, because they are afraid of being penalized in some way if they talk openly about it.

You will have to be persistent in your investigation because if one employee is feeling affected by work-related problems, other employees will also feel it and your overall productivity and quality levels will suffer.

There are three kinds of work-related problems that occur most often.

Type One

The first type of problem is poor management.

Many employees initially become managers because of their technical skills, rather than their people-related skills. Research has shown that the majority of managers do not know how to give specific positive feedback to their people. Instead, they tend just to focus on what's gone wrong. People resent hearing that they have to stop doing something. They would prefer to know what they're doing right!

The bottom line is, difficult managers have difficult employees. To deal with this kind of situation, you may need to train your managers in how to give more effective feedback. Again, this will not only benefit

your “difficult” employees, it should raise the level of your employees’ morale and commitment in general.

Type Two

The second problem is that many employees do not receive the support they need. They feel overwhelmed by a lack of the right equipment or forms. They may not have enough time or money to get the job done right. They might also need to have the authority to resolve certain problems on their own, rather than referring them to other people. The result is that these kinds of employees become stressed out and “difficult.”

To avoid this problem, ask your people what would help them do their jobs more effectively. It may cost some money initially, but the results of those expenditures should pay off in more satisfied employees, as well as happier customers.

Type Three

The third type of problem involved a lack of motivating goals for your people. Your employees may simply feel bored or uninspired.

To motivate your people, you will have to focus on your mission statement. Remind them of the reason why the company exists in the first place. Set challenging company-wide goals for the year and the coming quarter. Be clear with all employees about how they are expected to contribute to the overall goal. Once again, this type of program will benefit all of your employees.

To sum up, difficult people are rarely hard-core cases. If you examine the stressful situations they are in, you will usually be able to find the cause of their behaviors. By working to resolve their problems, you will be helping your employees become more satisfied and productive.

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Originally published in Bay Area Tri-Valley Human Resources Administration, **Horizons**, Fall 2000

Coping With Very Difficult People

By Michael H. Smith, Ph.D. and Ellen Gunty, M.A.

"I never met a man I didn't like."

Will Rogers, American Humorist

"Will Rogers never met some of the people I work with."

Anonymous

There are two kinds of difficult people at work. The first kind is someone who may be too loud, too slow or too pessimistic. This kind of person can often be reasoned with. Disagreements can be negotiated and worked out.

The second kind of person is not as easy to handle. They don't really respond well to reason and negotiation. In fact, sometimes it is almost impossible to get your way with them.

We took an informal poll with our clients and we asked them to describe the kinds of people who were most difficult to cope with at work. That's how we came up with the four types that we'll focus on in this article. These four were at the top of everyone's list.

Now these four types of people are somewhat disparate. Two of the four are classic personality types: the narcissist and the person with boundary and self-control issues (also known as "borderline personality"). The other two are people with behavioral problems: the substance abuser and the violence-prone person.

In this article, we will describe each of these types of people and give you specific ways of recognizing them. Then we will offer you some practical advice about how to cope more effectively with them.

Narcissists

In plain language, narcissists are people with huge egos. They feel like the whole world revolves around them. They are extremely self-centered people.

Sometimes their extremely high opinion of themselves is justified; sometimes it isn't. Steve Jobs, the CFO of Apple Computer, Larry Ellison,

the CEO of Oracle and Bill Gates, the Chief Software Architect of Microsoft all exhibit narcissistic tendencies. There is a book with the amusing title, What's the Difference between Larry Ellison and God? Answer: God Doesn't Think He's Larry Ellison. Gates' unwillingness to budge on his core position in the Microsoft anti-trust trial is a good example of a narcissistic inflexibility.

Narcissists tend to expect that everything be done for them immediately and when they don't get their way, they often say, "Do you know who I am?" It's extremely difficult to say "no" to these people. You can recognize narcissists from the following behaviors:

- They have a very grandiose sense of their importance and specialness.
- They have a strong sense of entitlement and require excessive amounts of praise and approval from the people around them.
- They tend to lack empathy and are very hard on their employees or co-workers.
- They are very arrogant or haughty, which makes them difficult to get along with.
- They tend to brag a lot about their great accomplishments and their perfect relationships.

Coping with Narcissists

Even though narcissists are extremely difficult to deal with, there are certain things you can do to make it easier on yourself:

- Always empathize with their feelings but don't expect the same in return.
- Praise their achievements, but don't be artificial about it because they'll usually see through that.
- Be careful when they ask for an honest opinion of their ideas: They really want you to affirm their ideas without criticism.
- Be prepared to be available day or night. They will not tend to consider your needs or obligations.
- Allow them to take the credit even if it's your idea.
- If they are wrong about something, you'll have to probably show them why it's really in their best interest to change their minds.

People with Boundary and Self-Control Issues

People with boundary and self-control issues are often very creative people. They generally work very hard and produce outstanding results.

But they are often very difficult to deal with emotionally. They are very unstable and have a lot of trouble with their interpersonal relationships.

These people are extremely difficult to be around. Because of their lack of clear boundaries, they will often barge into your office or interrupt conversations. Due to their inability to control themselves, they tend to do whatever they feel like doing in the moment. They can be very impulsive and may change their minds repeatedly.

You can recognize them through the following behaviors:

- They tell you much more about their past than you ever wanted to know.
- They say great things about your potential, but then after a problem, they are very critical.
- They act impulsively by making poorly thought out business decisions or spending money in inappropriate ways.
- They exhibit strong mood swings that are accompanied by extreme anxiety or intense anger.

Coping with People with Boundary and Self-Control Issues

These are some useful ways of coping with this type of person:

- Set very clear boundaries with them. They will whine, cry, get angry and resist, but don't give in.
- Expect a volatile love/hate relationship, but don't take it personally.
- Resolve your anger outside of the relationship because it will just feed their own anger.
- Keep detailed records describing their unstable decisions and erratic spending habits. These details will be important if they need to be disciplined or fired.
- Talk to them about what the consequences of their actions will be; e.g., "If you do that again, I'll have to report you."

Substance Abusers

Substance abusers are people who inappropriately use either alcohol or drugs (amphetamines, tranquilizers, cocaine, marijuana, heroin, etc.). The drugs or alcohol have become an increasingly important part of their lives, which has made them ignore their responsibilities at work and/or at home.

Substance abusers have the following indicators:

- A recurring pattern of erratic behavior, such as a failure to keep appointments and meet deadlines, which continues even at the expense of professional obligations and interpersonal relationships.
- Mood swings and inappropriate aggressive or sexual behavior.
- They may acknowledge their substance usage with statements like "We partied all weekend."
- Slurred speech, unsteadiness, impaired memory and/or alcohol on their breath.

- Unstable behavior in dangerous situations, such as while driving or using industrial machinery.
- Repeated involvement in substance-related legal problems, such as arrests for "Driving Under the Influence."

Coping with Substance Abusers

The coping skills used with the other types will not work very well with abusive people. You can't set clear boundaries, feed their egos or make them keep their agreements with you. Their main focus of attention is the substance they're abusing.

The best thing you can do for them is to get them help. So if you experience them using drugs or drinking on the job, report them to your supervisor or HR. Even calling attention to their poor work performance may get them the help they need.

People Who Are Violence Prone

Many people who have a tendency to become violent have a history of violent behavior both on and off the job; e.g., spousal abuse and destruction of property. But they need to be exhibiting potential signs of violence before you can legally do a detailed background check. So you need to keep a careful eye out for people who are responding badly to stress on the job. Perhaps they are upset because they were not given a bonus or a raise or maybe they were just laid off.

Research has found that the potentially violent individual is usually a white male, 25-40 years old, who is a loner with a history of violence and current family/marital problems.

The warning signs might include:

- Inappropriate blame of others, especially those in authority
- Excessive use of alcohol or drugs
- Strong mood swings
- Employees reporting that the person is a "time bomb" or "acting crazy". Strong fascination with weapons or violence
- Work-related problems, such as lowered productivity, excessive absences or tardiness
- Destruction of property at work and/or verbal or physical intimidation.

Coping with a Violence-Prone Individual

You need to use extreme care in responding to this type of person. Keep these tips in mind:

- Do not argue with them or threaten them in any way.
- Keep detailed accounts of their behavior.
- Report them to the proper people who can deal with the situation.

If you have to interview them, keep the door open and let people know where you are.

A response to a potentially violent person should generally not be on the one-to-one level. You should have an entire system in place at your organization, including a Threat Assessment Team, a plan to evacuate the building and a phone line to anonymously report potential threats. (Call or email Dr. Smith for a copy of an article that discusses these issues in more detail.)

The people we've been discussing are not easy to deal with. But if you know whom you're dealing with and what to say and do with them, you'll be able to cope more effectively.

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Issues About Substance Abuse

Checklist

Substance abusers demonstrate a consistent pattern of use which leads to impairment or distress over a sustained period of time.

Rate the following behaviors on a scale of 1-10 with 1 being low and 10 being high:

- 1__ There is recurring pattern of substance use which causes erratic behavior, failure to meet deadlines, appointments, and other obligations.
- 2__ You notice recurring usage in dangerous situations such as while driving or using industrial machinery.
- 3__ You hear that they are repeatedly involved in substance related legal problems such as DUI problems.
- 4__ You observe that usage continues even at the expense of interpersonal relationships or professional obligations.
- 5__ You notice inappropriate, aggressive, or sexual behavior, mood swings and other kinds of poor judgment.
- 6__ You observe slurred speech, unsteadiness, impaired memory, rapid involuntary eye movement or you smell alcohol/drugs on their breath.
- 7__ You can see certain physiologic indicators such as a red nose, capillary hemorrhages, pinpoint or extremely enlarged eye pupils, running nose and/or hypertension.
- 8__ They reveal participation in substance usage i.e., when asked about their weekend, they regularly say, "We partied the entire time".

Anger at Work Checklist

Angry employees display persistent verbal and emotional displays of disapproval and criticism toward work and/or other employees.

Rate the employee/firm with 1 being low and 10 being high:

Individual

- 1 ____ Is frequently anxious, agitated and stressed
- 2 ____ Tells you that your work needs to improve in a loud, emotional and harsh tone
- 3 ____ Has no patience for mistakes and reacts loudly and intensely
- 4 ____ Is loud and abrasive in a public setting
- 5 ____ Is negative about most things at work
- 6 ____ When upset, his/her physical presence is intimidating (nasty and demeaning when returning work)
- 7 ____ Mainly displays anger toward staff or associates

Firm

- 10 ____ Behavior has been going on a long time
- 11 ____ Many employee complaints have been noted
- 12 ____ Staff turnovers is higher than other comparable firms
- 13 ____ Exit interviews target the person
- 14 ____ "What do we do about him/her?" is often heard
- 15 ____ Informal "feedback" discussions with peers have not helped
- 16 ____ Liability issues are frequently raised

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Depression Inventory Checklist

Employees with depression may be irritable, lack motivation, have low energy and be unduly pessimistic.

Rate the following behavior on a scale of 1-10, with 1 being low and 10 being high.

- 1 ____ Lacks energy and has trouble motivating himself/herself to do things
- 2 ____ Is agitated, restless, anxious much of the time
- 3 ____ Tells you that things are unlikely to get better
- 4 ____ Is irritable much of the time. Will often lash out or explode at those around them
- 5 ____ Tells you, or you observe, that he/she is eating and sleeping too much or too little
- 6 ____ Tells you, or you observe, that he/she feels overwhelmed by his/her life
- 8 ____ Tells you that he/she is having trouble enjoying anything and has lost interest in activities he/she used to enjoy
- 9 ____ Is having trouble concentrating, or making decisions
- 10 ____ Is engaging in compulsive behavior: alcohol or drug use, sex, high-risk sports, gambling, shopping, pornography, eating, etc.
- 12 ____ Is withdrawing from people
- 11 ____ Tells you about suicidal thoughts or a plan to kill him/herself

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Issues About Gambling

Checklist

Gamblers demonstrate a consistent pattern of high-risk financial behavior which leads to distress and impairment over a sustained period of time.

Rate the following behaviors on a scale of 1-10 with 1 being low and 10 being high:

- 1 ____ The person lacks concentration and focus at work. Is often restless and irritable.
- 2 ____ The person is taking excessive time off from work.
- 3 ____ The person tells you about troubles at home.
- 4 ____ You observe or hear about the person having serious financial difficulties.
- 5 ____ You observe or hear about the person taking gambling trips or vacations. Intensely shares the experiences.
- 6 ____ You observe or hear about the person losing large amounts of money on gambling trips.
- 7 ____ You observe or hear about the person betting large amounts on sporting events.
- 8 ____ You observe or hear about the person organizing and enlarging office pools for major sporting events.
- 9 ____ You observe or hear about the person discussing betting, betting odds and big wins or losses.
- 10 ____ The person asks to borrow short-term money from you and then can't pay it back.
- 11 ____ You observe or hear about the person's spouse talking with the Finance Department about significant withdrawals from the 401k.

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Issues About Internet Pornography Checklist

People who view Internet pornography or engage in chat rooms or other forms of cybersex, exhibit inattention to their work, spend excessive time online, often distance themselves from others and feel distress over time.

Rate the following behaviors on a scale of 1-10 with 1 being low and 10 being high:

- 1 ____ You notice a change in the person's usual work behavior.
- 2 ____ You notice a lack of concentration toward his/her work.
- 3 ____ The person complains about being tired at work and tells you that they were up late on the Internet.
- 4 ____ You notice that the person is spending a lot of time online.
- 5 ____ You observe when you pass by his/her workstation, the computer monitor is quickly shut off
- 6 ____ You observe or hear that the person becomes angry and irritable when asked to decrease his/her involvement with the Internet.
- 7 ____ You observe that his/her office door is often closed at odd times.
- 8 ____ When you knock on his/her door, there's an unusual long time before you are asked to come in.
- 9 ____ You notice that his/her clothes are slightly disheveled when he/she emerges from the office.
- 10 ____ You observe that the "history" is erased from the browser
- 11 ____ You notice that the person works late behind closed doors.
- 12 ____ You notice that the person is not participating in organizational social functions or, if participating, will leave early.

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