

If it wasn't for employees, running a business would be easy. How many times does that thought go through a manager's mind each day? In an ideal world, employees would learn their job and execute it well -- but it's not an ideal world, especially in the pet industry, where there's the added complication of taking care of livestock. Firing employees is probably the most dreaded task in a manager's job description, but there are concrete steps to take to minimize the occurrence and the pain of termination.

PREVENTATIVE MEASURES

“Not checking my CFO's references cost my advertising agency \$350,000 in IRS taxes and penalties,” admits Susan Jones Knape of Dallas, TX. “I just assumed that because he had worked for other agencies he knew what he is doing. I was just too busy for details like that.” Later, Knape learned that he had a track record of financial fiascos at the other agencies listed on his résumé. Not spending a few hours doing her homework proved very costly.

Checking references is the single most effective way to reduce the chance of having to fire someone down the road. It's not optional.

THEY DID WHAT?

Pet industry entrepreneurs fire staff for a multitude of reasons – consistently showing up late, poor performance, and laziness, just to name a few. Some employees get creative like the assistant manager of a Dallas pet store who stole thousands of dollars by voiding transactions after they had been rung up and pocketing the money herself.

Steve Lane, owner of Steve's Wonderful World of Pets in Williamsville, NY, has a similar outrageous story. “I had one employee would go take things from the shelf up to the cash register and return them for cash. One of the items was something we had never sold!”

When you suspect fraud or theft, the best course of action is to take a little time to assess the situation and bring in professional help, like a private investigator, or even the police. The Dallas pet store owner, Carol, fired the manager within 24 hours of catching her stealing, but Carol had not collected enough evidence to satisfy the court and obtain a conviction. Lane wishes he had called the police on the young lady who was stealing from him to teach her a valuable life lesson.

Stealing is just one offense. A disgruntled, vocal employee can also spread misery around like poison through a bloodstream.

“One worker was unhappy and convinced the other employees that many of my birds should be pets instead of breeders, she got a list together and they presented it to me as a demand -- almost the entire crew had been very non-productive the whole month prior,” said Susanne Cochran, owner of Avalon Aviary in Loveland, CO.

When you discover an employee bad-mouthing management or fellow staff, excessively complaining, or tossing around a rotten attitude, immediate action must be taken or the morale of the entire staff will suffer.

PLAN FOR A POSITIVE OUTCOME

Turnover is extremely costly, so resolving problematic behavior is one solution to an employee at risk of being fired. Harvard Business Review reported on a successful program implemented by U.S. Plywood that significantly reduced both turnover and legal action against the company:

1. **A WRITTEN PLAN:** Meet with the employee and develop a short written plan, about four sentences, explaining exactly what is expected. For example, “Come in on time for 30 days.” Be realistic, but without exception. Criticize the performance, not the person. Most employees want to do a good job, so brainstorm possible solutions together. Offer some kind of reward if they correct the behavior.

2. **COUNSELING SESSION:** If the problematic behavior continues, have a “counseling” session, supplemented with a letter summarizing all of the disciplinary actions that have been taken against the employee. Let the employee know how serious the situation truly is. Detailed documentation is key to protecting a business against legal and insurance liability..

3. **24 HOUR PAID LEAVE:** If problem is still not corrected, put the employee on a 24 hour paid leave. Tell him or her that this will be a possible precedent to termination. Tell the person to bring in a notarized statement that promises to correct behavior, without exception. If not, then a resignation letter must be submitted or he or she will be fired.

This plan will result in the termination as a decision of the employee. Offering choices to an employee at risk of termination not only helps keeps the situation legal, but also minimizes the chance of a successful worker’s compensation claim. Studies have shown that 80% will correct poor behavior before the 3rd step; 15% will be fired, and less than 1% bring in the notarized statement.

MANAGING THE TERMINATION PROCESS

If termination is required, meetings should be *brief*, usually lasting less than 15 minutes.

Set the Stage. Welcome him or her into the conference and immediately communicate the rationale for why the termination is occurring. This should be preceded by a warning, as in, “I’ve got some bad news.”

Deliver the Message: Tell the employee clearly and succinctly that he or she is being terminated and the reasons for this termination. This statement is presented as clear and final. Unless you have just caught the person in an illegal or fraudulent act, there will be

little surprise.

“If I have to fire someone and it’s a surprise to them, then I haven’t done my job,” said Lane.

Meet with remaining employees: Schedule a group meeting with the remaining employees as soon as possible. Communicate honestly and authentically about what just transpired, being careful not to downgrade the terminated employee.

One of the wisest entrepreneurs I know once told me that the best piece of advice she could give on the topic was “Fire early and fire often.” Cochran couldn’t agree more.

“A couple of them I would have fired sooner rather than repeatedly asking for behavior changes. I think morale would have gone up quicker on the remaining crew. Even though the situation was painful in the short term, each time the business bounced back stronger than ever.”

In other words, consider the termination process as short term pain for long term gain.

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FIRE “AT WILL”

“All states except Montana follow an 'at will' rule, which means that, absent an employment contract, the general rule is that an employer in the private sector can fire an employee for any legal reason or no reason at all,” says John Crouch, an attorney at Kilgore and Kilgore of Dallas, TX.

“The 'any legal reason' exception can be a big one, though,” he said. “Employers generally aren't allowed to discriminate on the basis of race, religion, age (over 40), gender, disability or national origin, for starters. Nor can employers retaliate for exercising rights such as protected FMLA leave, worker's compensation injuries, or reporting unlawful discrimination.. Unless the termination is for something obviously wrong for an employee to be doing, the best practice is to call an employment lawyer before taking any action. Even then, a termination can turn into a lawsuit if the particular rule or practice used to justify the termination is enforced sporadically.”

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Susan Jones Knape's quote came from ***“Do as I Say, Not as I Did! Gaining Wisdom in Business through the Mistakes of Highly Successful People.”*** By Carol Frank.
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