

THIS IS THE BOOK BOSSES DON'T WANT YOU TO READ!

WHO'S AFRAID OF THE
BIG, BAD BOSS?



How to Survive 13 Types of
Dysfunctional, Disrespectful,
Dishonest Little Dictators

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HR UNABLE TO STOP QUESTIONABLE PRACTICES

"I currently work for an entrepreneurial company that has doubled in size. The company has never had an HR Dept. and as the HR Manager I try to provide professional guidance to the CEO regarding his work practices. We have a major problem within our dress code especially with females. He does not want any restrictions in the dress code with the female co-workers. He enjoys it when the female co-workers wear halter tops, tank tops and show cleavage. I tried to express my concern to him that other co-workers may feel uncomfortable with this but he seems to ignore the fact that we could face legal ramifications. Because we are a young work force, he feels that the dress code is not interfering with the job performance and therefore, allows the flexibility.

"Furthermore, there are unethical practices such as setting precedence and favoritism. We have employees that are in supervisory roles and yet are not allowed to exercise their judgment as it relates to hiring employees for their departments. The norm would be to bring on board employees that have the skill sets for that particular position and department. The CEO takes it upon himself to make the decision and in transferring another employee from one department to the other department regardless of their skill sets. Therefore, the supervisor has no say so.

"I try to explain to the CEO that there could be complications but he comes back with his response: I make the decisions of the company that is why I am the CEO. What bothers me is that here I am trying to establish the proper procedures and guidance and it is not taken seriously. I have seen many EEOC claims against employers and he does not think it will happen to him. Furthermore, I am weary about the dress code and what my liability as an HR professional will be if something were to occur in a harassment or sexual harassment law suit.

"Instead of having a win-win solution there is none. It is a good company with great potential but the CEO is creating an empire of his own without really looking at the consequences from the other side. He refuses... whatever he says is the bottom line.

"I hope you can help!"

Dear HR Manager,

You are in a tough situation but you have a great opportunity to make a difference. Before I offer any advice, I'd like to clarify something. You mention that you work for an entrepreneurial company, yet you also mention a CEO. I think of an entrepreneurial company as one that is fully owned by a single individual or partners—in that case, there is no CEO, there is an owner or principal. Companies that are publicly owned (incorporated and owned by stockholders) have CEOs. Your approach will be different depending on which of these two types of organization you work at. I'm going to assume that your employing company is privately owned (not a corporation)—if it is a corporation, get back to me and I will offer you a different strategy.

You did not mention how long you've been with this company, so I'm also going to assume that you were recently hired to create an HR department where none existed before. Please tell me if this is incorrect and I will give you a different approach.

The first thing you need to do is determine your assigned level of authority. You were hired to fulfill a purpose, so you need to point back to the reason(s) your position was created. Do you have anything that even remotely resembles a job description? If there was no HR department you probably don't, so start by piecing one together using the job ad you responded to, any pre-employment or early-employment correspondence or other documents that mentioned what your job responsibilities were supposed to be, and any guidelines or goals you were given when you first started the job. Using this information, create a formal job description (I'm assuming you know how to do this because you're an HR professional—if you are new to HR, you'll have to learn this first. Check out the Society for Human Resource Management—SHRM—at <http://www.shrm.org> – it would be good for you to become a member of this organization if you aren't already.)

Now you need to establish your level of authority. Your boss may see you as more of a hands-on tactical manager than a strategist. You need to clarify whether he hired you to oversee the administrative aspects of HR or whether he hired you as an HR strategist for the company. In order to accomplish the things you are trying to implement, you must have the appropriate level of authority.

Once you have that authority, you must first educate the owner(s) so he understands why you are suggesting changes and establishing practices. You must convince the boss that he is inadvertently putting his company at risk. Since he is not listening to you, bring in someone else to help with this. Contact the EEOC (<http://www.eeoc.gov>) discreetly and ask if they have a representative who can meet with your boss (they probably don't, but try anyway—the government has more clout). Alternatively, see if the EEOC can recommend an organization that provides this service—for which you will pay a fee (I assume you have a budget). SHRM may be able to help you find an appropriate organization, too. You will not be able to make necessary changes in your organization until your boss buys into to them and gives you the appropriate level of authority, so this must become your highest priority.

Next, start documenting all of the recommendations you make to your boss—send them to him in memos. If he responds to you orally rather than in writing, write another memo back to

him quoting his response, then ask if you have understood him correctly. These memos should be matter-of-fact business documents leaving out all personal opinions and including only facts excerpted from reliable sources. These documents, or your summary of them, will become the company's HR policies (even if they're not good ones)—so prepare a binder by topic and file these memos in it (also keep a hard copy in a safe place away from your work location). Seeing his words and your explanations in writing might give your boss a different perspective and get him to pay closer attention to you. Keep doing this—it's time consuming, but it can help to exonerate you from liability in the event that an employee files a harassment or discrimination claim. You probably won't be technically liable unless you are the offender or unless an employee complains to you and you do not intervene. When trouble comes, your boss might try to blame you, so you'll have evidence with which to defend yourself.

If your boss sees you as an overseer of tasks and not as a strategist, and if you want to stay with this company, negotiate for a promotion. If your boss is not receptive to this idea, start searching for another job—this company is headed for trouble and you don't want your professional reputation to be linked to it.

Please let me know whether this is on target for you and keep me posted about how it works out. I wish you success.