

# Problem Employee Questionnaire

This questionnaire is designed to assist partners and firm owners in determining whether or not to release an existing team member from a position they now hold.

## **1. Has the employee's job description changed?**

- a. If yes: Consider whether or not they lack the training and experience to fulfill their new duties. If so, plan to increase their training, then measure their results.
- b. If no: Consider whether or not an outside influence is distracting them and contributing to their low performance. Refer to the sections on Short Term Personal Issues to determine if the employee is permanently or temporarily distracted.

## **2. Has the employee demonstrated the ability to fulfill their job description in the past?**

- a. If yes: The employee obviously does not lack training. Consider whether or not they are performing poorly due to personal relationship or health issues; personality conflicts with their co-workers; or a change in the way they are being managed or delegated to.
- b. If no: Their poor performance may be due to a lack of training and experience. Supply them with appropriate training in the form of mentoring, job shadowing, workshops and seminars, supplying them with training videos or books. Once they have the training, monitor their job progress and test their results after 3 months.

## **2. Has the way that the employee was managed or delegated to, changed?**

- a. If yes: The employee may be unclear about the expectations of their new manager or supervisor. Additionally, they may be overwhelmed by additional responsibilities.
- b. If no: Consider behavioral and personal issues that may be distracting them. See below.

## **3. Has the employee had to assume additional responsibilities due to down-sizing?**

- a. If no: Consider behavioral and personal issues that may be distracting them. See below.
- b. If yes: Consider whether or not training in the new responsibilities has been supplied. Consider also that there may be resentment as a result of the down-sizing efforts that could be affecting their efforts. If you suspect resentment, discuss this with the employee and acknowledge their

additional responsibilities – don't just expect them to pick up the slack if there is a lot involved.

- 4. Behavioral and Blame Issues. Answer the questions below either true or false. A score of one "true" response is serious. Two or three "true" responses is cause to consider termination for personality issues that may be outside your ability to impact.**
  - a. Does the employee consistently blame someone or something outside of themselves, for anything that goes wrong?
  - b. Does the employee consistently wait too long to bring problems to your attention?
  - c. Does the employee usually avoid completing assignments until the last minute?
  - d. Does the employee appear unconcerned with urgent deadlines?
  - e. Does the employee fail to seek clarification on tasks that they don't understand, leading to errors and deadline issues?
- 5. Attitudinal Issues. Answer the questions below either true or false. A score of one "true" response is serious. Two or three "true" responses is cause to consider termination for attitudinal issues that may indicate the employee is a poor fit for the job.**
  - a. Does the employee frequently speak negatively about the firm?
  - b. Does the employee act rudely or inappropriately around clients?
  - c. Does the employee frequently tell you how much they need you?
  - d. Does the employee frequently arrive late in the morning?
  - e. Does the employee leave at 5:00 no matter what is needed of them?
- 6. Personal Issues – Short-term issues are temporary distractions that will affect the performance of the employee for 1 to 3 months, but not permanently. If the employee has been a valued contributor in the past, they should return to their former level of contribution once the distraction is over, unless the employee has one short-term crisis after another. A single "true" response will indicate that the employee will be suffering from significant outside stress. Two or more "true" responses will indicate that the employee is tremendously stressed and the quality of their work will be questionable. Under certain circumstances, time-off may be advisable.**

- a. Is the employee getting married or divorced?
- b. Has the employee suffered the recent loss of a family member or friend?
- c. Is the employee trying to sell and/or buy a house?
- d. Is the employee temporarily ill or recovering from a minor accident?
- e. Is the employee dealing with aging parents, or family members in crisis?
- f. Is the employee going to school or other training that takes most of their productive energy?

**7. Likelihood of a Lawsuit. To assess whether or not releasing an employee will bring a lawsuit, review the following questions. Even one “true” response will increase the likelihood that the employee will sue. More than one “true” response indicates there is a high probability of suit. Review the employee’s file to ensure that the proper documentation is in place including documentation of verbal and written warnings. Then review the matter with an employment lawyer before proceeding to ensure that you are taking the appropriate actions.**

- a. Is the employee a member of a protected age, gender, or minority group?
- b. Does the employee have a mental or physical handicap?
- c. Has the employee ever been injured on the job?
- d. Has the employee sued a previous employer?
- e. Has the employee even humorously suggested he or she would sue if ever let go?