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THE EDITOR'S CORNER

Some Thoughts About Firing

One of my first and best friends in orthodontics was Henry Hulan, who to this day remains a valuable colleague and the source of much of my professional knowledge. The summer I entered Baylor's orthodontic program, Henry began his career as a sales representative for one of the large orthodontic supply companies. Henry's first boss was considered an entrepreneurial genius by many and is still the youngest graduate to receive an MBA from Harvard Business School. Henry tells me that while his boss possessed many skills, he had one unsurpassed talent—the ability to fire employees quickly, efficiently, and unconditionally. When the decision was made to terminate someone, Henry's boss never had any hesitation, equivocation, or remorse. It was done with a precision that left all spectators in awe.

Professionals can read many articles and editorials about the process of hiring and retaining competent personnel, but they seldom see advice about terminating those who remain incompetent, surly, or lazy despite doctors' best efforts to turn them into first-rate employees. Truth be told, there are times when the ability to terminate employees is as important as that of hiring them, but I have not known too many orthodontists who were very good at it. I know I am not.

Gavin de Becker offers some excellent, common-sense suggestions for handling this distasteful chore in his new book, *The Gift of Fear* (Little Brown & Co., New York, 1998):

- Protect the dignity of employees by firing them with courtesy, understanding, and a minimum of embarrassment.
- Remember the element of surprise in your timing; late Friday afternoon is best in that it allows employees to keep their dignity and have a weekend to cope with the situation.
- Choose the setting carefully: a room out of the mainstream and definitely not in the employer's office, since the ability to leave is needed once there is nothing more to say.

- Choose your cast: a co-worker outside the room but within hearing distance is desirable as a witness, and a video recording of the event can be valuable.
- Make the termination complete; do not offer a gradual separation, which is similar to a life-support system that cannot prolong life, but only the process of dying.
- Be direct and brief, and do not allow any misunderstanding about the reason for the meeting.
- Cite general rather than specific reasons for dismissal so as to avoid a lengthy discussion; simply tell the employee that the job does not offer a chance to excel.
- Do not negotiate, since this is not a discussion about changing things, improving things, or starting over.

Firing may not solve all problems with an employee, because the terminated person can sue for wrongful dismissal and challenge the firing through the state unemployment commission—which nine times out of 10 will rule against the employer. Over the past few years, in fact, the chore of dismissing an employee has become so difficult that even Henry's old boss might be challenged beyond his considerable capacity to deal with it. The jurisprudence system of this country, abetted by the Equal Employment Opportunity Commission and the Americans with Disabilities Act, has now classified as illnesses many behaviors that previously were recognized as simply boorish or antisocial.

Since orthodontics is still pretty much a cottage industry without union representation, no one I know has yet participated in a high-profile wrongful-dismissal case. Still, there is no reason for orthodontists to think they will be immune to such actions. You have only to remember some of the early OSHA suits against dentists to realize how terrible an opponent a government bureaucracy can be.

Better pre-employment interviews and testing can help, but orthodontists to date haven't done much to develop dependable systems of

employee selection. According to JCO's April 1999 Readers' Corner, less than a third of U.S. orthodontists do any kind of pre-employment testing. Most orthodontists apparently operate by intuition, which in my own case is fairly faulty. Again, I would recommend de Becker's book, which has a list of interview questions that will help you avoid hiring people who will only have to be fired soon thereafter.

In the distant past, an orthodontist could simply dismiss incompetent employees, and everyone would benefit—the employees, who would learn they did not have the personality or skills required in our specialty; the patients, who did not have to suffer under the care of incompetent or careless assistants; and the doctors, who could quit wasting time and money trying to train people who clearly could not or would not learn their jobs.

Nowadays, it is much neater, more pleasant, and altogether more satisfactory for everyone when unsatisfactory employees quit on their own. If curative chats about their limitations to advancement do not encourage them to quit, then perhaps a transfer to an area of the office they despise will do the trick. Another technique that is somewhat costly, but quite effective, is to give everyone a raise *except* the person who needs to resign. This almost always causes the designated employee to angrily confront the employer and threaten resignation unless a similar raise is forthcoming. At this point, the employer can reluctantly but graciously accept the proffered resignation.

Our current politically correct environment has made simple and reasonable solutions almost impossible, severely limiting employers' rights to work with whomever they please while encouraging a great deal of hypocrisy. Clearly, orthodontists will need to answer this challenge with far more creativity and innovation in their hiring and firing than they have ever used before.

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