



KILLER BEES AND SACRED COWS

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If you have more than two staff members you may have a killer bee or sacred cow in your employ. If you have a lot of staff members, you may have more than one of each. These are people who can and usually do destroy morale and cause the departure of other good employees. They are poisonous to your team environment. And they are often deceptively disguised as trusted and seemingly indispensable employees.

A sacred cow is not “born” that way. It is someone who is created by a particular set of actions and circumstances in the office. It starts with a bright and competent employee who becomes an indispensable assistant to an important partner at a firm. As often happens, the partner’s practice and quality of life at the office becomes increasingly dependent on the services of the employee. Whether that is the fact or just the perception of the partner is irrelevant.

Usually the partner goes out of his or her way to communicate to the employee just how important he or she is. And that is a good thing. But the next steps are not. Typically, the employee begins to “test” their importance by stretching the office rules or seeking exceptions to them. Or perhaps their compensation demands become unrealistic. They are looking for validation of their importance. They develop a need to demonstrate to everyone else around them that they are special, and that the rules don’t apply to them. And true to form, the partner continually comes to the “rescue” of their employee in order to keep him or her happy. And thus the sacred cow is born.

If the firm has an office manager or administrator, their job becomes increasingly difficult. First, the actions of the partner usually undermine the office manager or administrator, whose job is to watch out for *all* of the employees, and to make sure that office rules and compensation are uniformly and fairly applied. The manager becomes viewed as ineffective by staff, which makes it even harder to manage. The manager’s effectiveness and morale suffers. But even more dangerous is the impact on the morale of the other staff members.

When staff see that rules are not uniformly and fairly employed, it makes them feel devalued. It also promotes distrust and resentment toward the firm. Any chance of developing a solid team atmosphere evaporates in such a poisonous environment. And don't underestimate the need to have a highly developed team environment in order to deliver exceptional service to clients.

Those employees who work for other key partners will begin to vie for special treatment as well. This puts other partners in an awkward position; do what is right for the firm, or do what alleviates the pressure for themselves. It becomes an unfair and no-win situation for others. As a result, resentment toward the partner who created the sacred cow increases. Inter-office friction develops. Teamwork and communication among partners breaks down. If the other partners do the "wrong" thing they create additional sacred cows.

Sooner than one might expect the firm begins to suffer the consequences of the creation of one or more sacred cows. The staff management becomes chaotic. Rules no longer apply as staff begin to invent their own rules, and enforcement becomes virtually impossible. How can the firm discipline one employee for lateness, for example, when one or more others seem to make their own hours as they see fit? The partner(s) for whom the sacred cow(s) works doesn't see the problem. But the office manager or administrator knows all too well. Unequal application of the rules can result in lawsuits for discrimination.

Meanwhile, as the inequities in treatment and compensation of staff increase, the firm usually experiences an increase in staff turnover. [If you are not aware of the true cost of turnover, request a copy of my previously published article entitled "Calculating the True Cost of Turnover."] This can and often does lead to an increase in turnover of professional staff. Why? Without a reliable and stable staff to support them, attorneys become increasingly "cranky" about trying to maintain a high level of productivity under adverse conditions. Some also start to conclude that there must be something "wrong" with a firm which cannot hold onto its staff.

Killer bees are different from sacred cows in many ways. First, they are generally not made; they are already killer bees when they are hired. While on occasion a relatively normal employee can become "sour" on the firm and turn into a killer bee, most of the time the person comes to the firm equipped with their rotten attitude. A killer bee is someone who is never satisfied with the firm. They are openly critical of just about anything and everything at the firm. They are also exceedingly quick to point out the perceived greener pastures at other firms.



The thing about killer bees is that they create no win circumstances for the firm. There is just no way to satisfy a true killer bee. They will always openly find fault with the firm, and try to convince other employees to support their criticism. If the firm tries to satisfy them, it will usually fail. If the firm tries to silence them, the other employees interpret that as proof of the killer bee's dissatisfaction. Most of the time the result is that other staff members start to think that there really are deficiencies in the firm which they ought to find equally intolerable. They become increasingly dissatisfied and sometimes even leave the firm as a result.

The best way to deal with a killer bee is to be direct. Listen to what they have to say. If there is merit to the criticism, which is sometimes the case, make course corrections which are easily evident to the staff, or are pointed out. Try to point out the positive characteristics of the firm to the killer bee and any who are following his/her lead, and help them understand that all firms have positives and negatives. The reality is that there is no perfect firm.

However, when the killer bee refuses to be reasonable, the firm must be direct. Finish the discussion on the part of the firm, rather than leave it open to continual debate. Usually the killer bee doesn't know when to drop it, so the firm must eventually put its foot down. Although this article does not offer legal advice, and the reader is encouraged to seek qualified counsel when appropriate, it should be noted that the NLRB will not permit an employer to demand employees cease talking about issues which have an impact on their wages, benefits, or working environment. Likewise, you cannot fire someone for having such discussions. However, when an employee frequently indicates they are unhappy in the current environment, and when you know that change in the firm will not be forthcoming, a direct and frank discussion about that, and its impact on the happiness of the employee, will often produce a voluntary departure by the killer bee. Good riddance! If not, the firm may eventually have to terminate the killer bee. The ability to do so will depend on whether the position of the killer bee represents that of other employees, or whether the killer bee is just in a constant state of dissatisfaction not shared by others.

What should be done about the sacred cow? First and easiest, avoid creating the sacred cow in the first place. That means that all the partners agree that they will consistently deliver the message that their staff members should be model employees and team leaders, not exceptions to the rule. It means that all partners agree that their employee will be shown their value in ways which do not undermine the manager, or create disparate and unfair treatment. It means that the firm should have a policy handbook and clear rules, and they must be followed by all.



When a sacred cow has already been created, it requires the full cooperation of the key partner to turn the situation around. It requires counseling by the partner to define “success” to include a change in behavior to one more conforming to rules. The partner must convey that their vision of a successful assistant is one who not only thinks on their feet and helps effectively manage their practice, but is also a role model for others. If the partner has been undermining the office manager in an overzealous attempt to “protect” their employee, he or she must work to restore that person’s authority. This usually means advising the employee that the office manager or administrator is doing his/her job, and that the partner will no longer interfere in that area. And if that change in message and behavior does not produce the desired change in a reasonable length of time, then the partner may even need to consider that a change in personnel, even if temporarily painful or inconvenient for the partner, may be required to restore peace and teamwork to the office environment.

Maintaining an atmosphere of teamwork and high esprit de corp isn’t easy in an office which employs persons who are highly intelligent and demanding of excellence in performance of themselves and others. Don’t make it more difficult by inadvertently creating sacred cows, or allowing killer bees to poison the atmosphere. And trust me when I tell you that you will be better off keeping your nose out of human resource matters and letting your office manager or administrator handle things. In all likelihood they will do a better job of it. And you will have fewer headaches and higher profits in the long run.

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