

# Good Supervisory Skills Avoid Employment Discrimination Lawsuits



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**W**ith employment discrimination litigation on the rise, even lawyers need to be reminded of how to avoid such claims by their own employees. One of the best ways to avoid employment discrimination claims is to properly train supervisors. Furthermore, if you are just starting out and are the only “supervisor,” harkening to these tips may keep you out of

the defendant’s chair.

Supervisors can lack experience for a number of reasons. For instance, many times employees are promoted internally from a non-managerial position where the individual excelled to a supervisory position with little or no training on how to be a good supervisor. This scenario, or one in which you’ve just hung out your shingle and law school provided no guidance on managing people, can lead to employment discrimination lawsuits.

Being a good supervisor or training employees on how to be good supervisors is easy. It’s simply a question of:

#### Having self control

- Understanding the viewpoint of others
- Making others’ interests your own
- Admitting it when you are wrong
- Never making promises you can’t keep

#### Reasoning— not arguing

- Explaining thoroughly
- Leading—not driving
- Avoiding snap judgments
- Taking care of the little things
- Informing people of the changes affecting them
- Observing and listening with understanding
- Never criticizing in public
- Stressing rewards

Additionally, use the following steps in building relationships with your employees and advise your supervisors to do the same:

1. Supervisors must remember that every employee is an individual, with individual needs, desires, attitudes and problems. Not all employees can be handled in the same manner. Supervisors must be able to determine the most effective method of motivating and dealing with each employee. But the supervisor should always deal with the employee fairly and with respect and dignity.
2. Nothing can be more frustrating for an employee than trying to do a job well but not knowing how to do it. The supervisor must make sure that her employees are adequately and properly instructed and directed in their work assignments. The supervisor must help them develop their strengths and overcome their weaknesses. The time a supervisor spends in helping an employee will greatly improve the employee’s job performance – and make the supervisor’s job easier.
3. The supervisor must be available to the her employees to help them and to answer their questions. Too often, supervisors are “too busy” to help or to listen to their employees. When this happens, the supervisor ceases to function as a supervisor. Remember, when the supervisor is not available to discuss matters with the employees, the employees may seek out someone else who will. One of the major responsibilities of a supervisor is to listen to and be responsive to his or her employees.
4. The supervisor needs to remember that not all employees will come to their supervisor when they are having difficulty or when they are unhappy. A good supervisor must anticipate problem areas or work difficulties the employees may be experiencing and help the employee to eliminate the problems.

5. Supervisors must always answer employees’ questions truthfully and as quickly as possible. If the supervisor does not have the answer to the employee’s question, then the supervisor should find the answer as quickly as possible and get it back to the employee. If the employee has a problem the supervisor cannot solve, then the supervisor should see that the employee gets to the right person in management who can help the employee.

6. Supervisors must remember that no employee likes to have attention called to his or her shortcomings. No one likes to be ridiculed. Any time an employee is ridiculed or called down publicly, an enemy is made. When discipline is necessary, the supervisor must make it a private, individual discussion away from the sight and hearing of the employee’s coworkers.

7. A supervisor’s recognition of an employee’s good work goes a long way. A compliment from a supervisor on a job well done is important compensation to an employee.

8. The supervisor must remember at all times that his or her attitude will, to a great degree, mold the attitude of the her employees. For instance . . .

. . . If the supervisor creates the impression that she is only doing what is told by someone higher up or that the supervisor is just relaying messages, then the employees will lose respect for the supervisor and the supervisor will not be able to function with authority. If the supervisor disagrees with the company’s procedures or policies, the supervisor should deal with the problem with her supervisor and not discuss it with employees.

. . . If the supervisor gripes or complains in front of employees about the company, then the supervisor can expect the employees to do the same thing – maybe even about the supervisor.

. . . If the supervisor always seems unhappy on the job, she can expect that the employees will follow the her lead.

9. A supervisor must know and understand the company, its rules, its policies and its procedures that affect the operations and employees of the company. Lack of knowledge, and the indecision it causes, hurts the supervisor’s confidence and ability to act and function as a member of management.

10. Supervisors must always be consistent and impartial in dealing with their employees. No playing favorites!

11. Supervisors should keep their employees informed about all matters that affect the employees and their jobs.

12. Supervisors must remember to always treat others as they would want to be treated. There is no better way to manage.

In addition to providing training and guidance, a company can work with its supervisors to avoid employment discrimination litigation by:

13. Properly documenting employment problems and handling discipline and termination with dignity;
14. Reviewing all applications, employee handbooks, and pay plan agreements in order to avoid any statements that would indicate the employee is employed any differently than “at will;”
15. Not utilizing phrases like “annual salary” or “permanent employee,” or otherwise indicating that the employee will be only terminated “for cause;”
16. Monitoring all annual evaluations to make sure the employment evaluations are consistent and no supervisor is over rating the employees;
17. Establishing an internal appeal procedure where employees can take what they believe to be unfair employment decisions to another member of management;
18. Establishing a procedure to monitor what reasons have been given to employees for termination; and
19. Ensuring that the basis for the termination is consistently stated.

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