

# Transforming Toxic Employees Into Positive Performers

---

**Essential and Effective Management Skills to Improve  
Employee Performance**

**Edward R. Mitnick, Esq.**

*Just Training Solutions, LLC*  
1331 Main Street, Springfield, MA 01007  
(413) 735-1773  
emitnick@justtrainingsolutions.com

© *Just Training Solutions, LLC. All rights reserved.*

---

# What is a “Toxic” Employee?



Employees who have problems with or cause problems between:

- ❑ Coworkers
- ❑ Supervisors
- ❑ Customers and Clients

---

# Symptoms of a “Toxic” Employee?

- A decrease in or lack of productivity
- A decrease in or poor morale
- An increased frequency in arguments between the employee and others
- A sense that the employee is increasingly frustrated because "things just aren't going right"
- A negative, antagonistic attitude
- An increase in negative comments and personal attacks
- An increase in hateful, harmful or nasty gossip and rumors
- An unwillingness to work overtime or stay late without reason
- An unwillingness to "go the extra mile" while encouraging others to refuse as well
- An unwillingness to help out others.
- Bullying

---

# Types of “Toxic” Employees?

## 1. The Passive-Aggressive Employee

- ❑ Masters of Manipulation
- ❑ Passive and/or friendly to your face; Aggressive and/or hostile behind your back
- ❑ Tactics used by the Passive-Aggressive Employee include:
  - Ambush
  - Break chain of command
  - Cheap shots
  - Gossip
  - Pouting
  - Revenge
  - Sabotage
  - Sarcasm
  - Stabbing you in the back

---

## Types of “Toxic” Employees?

### 2. The Whiner

- ❑ Constant Complaining
- ❑ Avoids Resolving Issues
- ❑ Feels powerless to actually do anything to resolve or eliminate situation that is unpleasant, so instead they complain.
- ❑ Based on employee’s lack of self-confidence – easily intimidated by something they don’t like or unfamiliar with

---

## Types of “Toxic” Employees?

### 3. The Arguer

- Always has to be right!
- Argues for the sake of arguing.
- Determined to change the other person’s view and won’t let up until they do.
- Challenges supervision

---

# Other types of Difficult Employees that can sometimes be “Toxic”

 Space Cadets

 Power Grabbers

 Loners

 Drama Kings and Queens

 “I’m Entitled” (believes deserves raises, promotions, etc, even though has not done anything to deserve it)

 Clingers

 Moody Blues

 “That’s good enough” (never completes a project)

---

Before dealing with a “Toxic” Employee,  
take a look in the MIRROR!

**Essential Supervisory Skill:**

Give credit when things go well;

Take responsibility when problems occur.

“It’s Me, Not You!”



---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Did you hire the best qualified person for the job?
  - Never hire a candidate simply because he or she is
    - Politically Connected
    - A Friend
    - The spouse or child of a good employee
    - Just like everyone else in the office (i.e., “fits-in”)

---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Did the employee have a good understanding of the expectations of the job?

Did you emphasize during interview and at time of hiring:

- The importance of employees working as a team and cooperating and assisting others?
- That all policies and rules relating to harassment and treating others with respect are strictly enforced?
- What the job entailed day-to-day?

---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Did you provide the employee with adequate training?
- Did you provide the employee with adequate and consistent evaluations?

---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Are you maintaining adequate professional boundaries with the employee?

You should never be an employee's

- Parent
- Buddy
- Shrink

- **The Three R's of Maintaining Appropriate Boundaries**

- Resist
- Resources
- Refer

---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Are you enforcing the rules of the workplace in a consistent and fair manner?
- Are you focusing on **PERFORMANCE**?

---

Before dealing with a “Toxic” Employee, take a look in the MIRROR!

- Are you meeting the “needs” and “wants” of the employee?

---

## What Do Employees Want?

- Feeling In On Things
- Full Appreciation for Work Done
- Good Wages
- Good Working Conditions
- Interesting Work
- Job Security
- Promotions/Growth Opportunities
- Personal Loyalty to Workers
- Tactful Disciplining
- Sympathetic Help with Personal Problems

---

# What Managers Thought Employees Wanted





---

# What Employees Actually Wanted



---

## *What Employees Actually Want!*

**So, have you provided the employee with:**

Interesting Work?

Full Appreciation for Work Done?

Feeling In On Things?

---

# Transforming the Toxic Employee Through Effective Performance Management

## Five Step Process

1. Identify the problem
2. Engage in an Interactive dialogue with employee
3. Listen to employee's reasons for poor performance
4. Identify your responsibilities as a manager for addressing the performance problem.
5. Collect and prepare the 3 D's:
  - Data
  - Document
  - Details

Five Step Process

Step 1. Identify the problem

What is the employee not doing that he or she should be doing?

Refer to:

- policies
- job description
- emails and other written instructions
- evaluations, prior corrective action, and other performance documentation

---

# Transforming the Toxic Employee Through Effective Performance Management

## Five Step Process

### Step 2. Engage in an Interactive dialogue with employee

- Effective communication is **ESSENTIAL!**
- Confront the issue head on – do not ignore issue or hope problem will go away.
- Let the employee know that his or her behavior or poor performance is causing a problem.

e.g., This job requires \_\_\_\_\_.

You are not doing \_\_\_\_\_.

How can we work together to resolve this problem?

---

# Transforming the Toxic Employee Through Effective Performance Management

Five Step Process

## Step 2. Engage in an Interactive dialogue with employee

### Examples of initiating interactive dialogues:

#### 1. Employee frequently late

This job requires you to be here at 8:30 am

You did not show up today until after 8:45 am

How can we work together to resolve this problem?

---

# Transforming the Toxic Employee Through Effective Performance Management

Five Step Process

## Step 2. Engage in an Interactive dialogue with employee

Examples of initiating interactive dialogues:

### 2. Employee using profanity in office

This job requires you to act professionally and refrain from using profane and vulgar language

You acted unprofessionally and used profane and vulgar language when you said “f---” and “s---” in front of a coworker in the file room this morning.

How can we work together to resolve this problem?

---

# Transforming the Toxic Employee Through Effective Performance Management

Five Step Process

## Step 2. Engage in an Interactive dialogue with employee

Examples of initiating interactive dialogues:

### 3. Not Helping Co-workers

The job requires you to assist the Payroll Clerk in entering all the data [specify] by the end of the work day.

You are not assisting the Payroll Clerk in entering all the data [specify] by the end of the work day.

How can we work together to resolve this problem?



Five Step Process

**Step 3. Listen to employee's reasons for poor performance**

- You must give employee the opportunity to tell his or her side of the story
- Listen attentively
- Take good notes
- Remain calm
- Recognize potential legally protected rights (i.e., possible disability, medical, or FMLA issue)

---

## Transforming the Toxic Employee Through Effective Performance Management

### Five Step Process

#### Step 4. Identify your responsibilities as a manager for addressing the performance problem.

If potential legally protected right involved (disability, medical, or FMLA issue) refer to HR or appropriate person.

If **NO** legally protected right involved, engage in effective performance management

- coaching
- referral to Employee Assistance Program (“EAP”)
- training
- mentoring
- corrective action (e.g., warning, suspension)
- performance improvement plan (“PIP”)

Five Step Process

## Step 5. Collect and prepare the 3 D's:

**Data:** Collect any and all examples of poor work performance (e.g., offensive emails, documents with mistakes, time cards, etc.)

**Document:** **Carefully!** Do not cite any legally protected rights (disabilities, medical and FMLA issues) in performance documentation.

**Details:** Be specific. Avoid general and vague phrases such as “frequently late,” “poor performer,” “constant complainer,” or “poor team player.” Cite specific dates, times, quotes. Also cite policies being violated and job requirements not being adequately performed. Lastly, cite employee’s excuses or reasons for poor performance.

## **VERBAL COACHING FOR OPTIMAL EMPLOYEE PERFORMANCE**

- ❑ **Fundamental to building effective work relationships, motivating employees, and increasing performance.**
- ❑ **It is the most recognized and cost-efficient tool for improving employee performance.**

VERBAL COACHING

**To be effective, coaching should be used by a Manager on an ongoing basis**

- ❑ **to recognize the employee for his or her efforts,**
- ❑ **to help the employee gain greater competence in the job, and**
- ❑ **to overcome barriers to further improvement of performance.**

**VERBAL COACHING**

**There are generally two types of verbal coaching strategies:**

- ❑ **On-the-spot coaching** to recognize and compliment good work; and
- ❑ **One-on-one coaching** to improve and/or correct employee performance. One-on-one coaching requires planning in order to be effective.

**VERBAL COACHING**

- **Coaching should be direct and timely and give constructive feedback and reinforcement about the employee's performance.**
- **When done frequently and consistently, it will impact the bottom line by increasing employee morale, job satisfaction and, ultimately, productivity.**

---

## Transforming the Toxic Employee Through Effective Performance Management

One-on-One Verbal Coaching – Plan Ahead!

**STEP 1: OPENING THE MEETING**

**STEP 2: GETTING AGREEMENT**

**STEP 3: EXPLORING ALTERNATIVES**

**STEP 4: GETTING A COMMITMENT TO ACT**

**STEP 5: CLOSING THE MEETING**

---



---

## Transforming the Toxic Employee Through Effective Performance Management

### One-on-One Verbal Coaching – Plan Ahead!

#### **STEP 1:            OPENING THE MEETING**

- ❑ Always start by saying something positive about the employee
- ❑ Refer in a friendly manner (without evaluating) to a specific reason for the meeting.

#### **STEP 2:            GETTING AGREEMENT**

- ❑ Cite specific examples of employee's behavior.
- ❑ Clarify performance expectations.
- ❑ Ask for agreement on issue.

#### **STEP 3:            EXPLORING ALTERNATIVES**

- ❑ Make suggestions.
  - ❑ Acknowledge and/or ask for employee suggestions.
  - ❑ Discuss benefits and drawbacks of suggestions.
-

One-on-One Verbal Coaching – Plan Ahead!

**STEP 4: GETTING A COMMITMENT TO ACT**

- ❑ Encourage employee to talk by asking questions.
- ❑ Agree and praise to reinforce what employee says.

**STEP 5: CLOSING THE MEETING**

- ❑ Consolidate what was discussed.
- ❑ Thank employee for contributions.
- ❑ Let employee know you plan to follow up.

VERBAL COACHING

## **HANDLING EXCUSES THROUGHOUT THE COACHING PROCESS**

- **Address the excuse.**
- **If employee perceives your remarks as blameworthy or accusatory, reword your remarks so that you encourage the employee to examine his or her own behavior.**
- **Communicate understanding of employee feelings and point of view.**

## FOSA

Facts that define a problem.

Objectives that explain the problem to the employee.

Solutions to help the employee meet the objectives.

Actions you will have to take if the problem is not resolved.

## FOSA

Facts that define a problem.

- Describe the problem
- Include name, dates, times (i.e., details!)
- Identify the standard, expectation or work rule not being met
- Prior related incidents (e.g., warnings, corrective action)

Objectives that explain the problem to the employee.

- Tell the employee what you want the employee to do
- Identify the skills and areas of improvement needed
- State the results expected for improved performance

## FOSA

Solutions to help the employee meet the objectives.

- Include expected timeframes
- Describe specific suggestions by employee for improving performance
- Describe specific suggestions by manager for improving performance

Actions you will have to take if the problem is not resolved.

- Identify actions agreed to by supervisor and employee
- Indicate immediate and long-term steps
- Clearly state consequences if performance expectations are not met (e.g., “Failure to comply with the work rule will result in further disciplinary action up to and including termination.”)

---

## Drafting a Corrective Action Notice or PIP

**Group Exercise:** After reading the following summary, how would you document the matter? Use the template on the following page.

**Lee is a competent and hard-working DPW employee who is never late or tardy and performs her job well. However, several co-workers have recently complained that Lee is not a team player. She is rude and abrasive when they ask her for help and she will not assist them with anything unless she is directed to do so by a manager. Two weeks ago, Jamie stated that he will no longer work with Lee because “Lee is a moron.” Jamie also stated that he and other employees believe Lee is an alcoholic and has “fallen off the wagon.” Other employees have also spread rumors that Lee suffers from some sort of mental illness. During your meeting with Lee regarding these allegations, she adamantly denied having an attitude problem and she believed that her co-workers, particularly Jamie, are all out to make her look bad because she does better work. Lee has also never mentioned anything related to an alcohol problem or suffering from any mental illness.**

**After completing your investigation, you have determined that sufficient credible evidence exists to substantiate the allegation that Lee has been rude and abrasive to co-workers and customers and has not cooperated with or assisted her co-workers in carrying out their job responsibilities.**

---

## FOSA

Facts: \_\_\_\_\_

\_\_\_\_\_

Objectives: \_\_\_\_\_

\_\_\_\_\_

Solutions: \_\_\_\_\_

\_\_\_\_\_

Actions: \_\_\_\_\_

\_\_\_\_\_

**Helpful Hint:** The first thing you should always do is identify the problem. So ask yourself: *“What should Lee be doing that she is not doing?”*



---

Edward R. Mitnick, Esq.

*Just Training Solutions, LLC*

*Skilled Investigations*

*Experienced Employment & Labor Consultants*

*Professional & Effective Training Solutions*

1331 Main Street

Springfield, MA 01103

(413) 735-1773

Email: [emitnick@justtrainingsolutions.com](mailto:emitnick@justtrainingsolutions.com)

Web: [justtrainingsolutions.com](http://justtrainingsolutions.com)