

## **CHAPTER 7**

### **HANDLING THE WICKED IN YOUR WORKPLACE OR BUSINESS – PART ONE**

<sup>4</sup> *The Lord is in his holy temple,  
the Lord's throne is in heaven;  
his eyes behold, his eyelids test, the children of men.*

<sup>5</sup> *The Lord tests the righteous and the wicked,  
and his soul hates him that loves violence.*

<sup>6</sup> *On the wicked he will rain coals of fire and brimstone;  
a scorching wind shall be the portion of their cup.*

<sup>7</sup> *For the Lord is righteous, he loves righteous deeds;  
the upright shall behold his face.*

*Psalm 11:4-7 (RSV)*

<sup>24</sup> *He who says to the wicked, "You are innocent,"  
will be cursed by peoples, abhorred by nations;*

<sup>25</sup> *but those who rebuke the wicked will have delight,  
and a good blessing will be upon them.*

*Proverbs 24:24-25 (RSV)*

*If favor is shown to the wicked,  
he does not learn righteousness;  
in the land of uprightness he deals perversely  
and does not see the majesty of the Lord.*

*Isaiah 26:10 (RSV)*

#### **What if you have no choice but to be with certain foolish or wicked people?**

We should not enter into relationships whereby we are “*bound together*” with fools and with the wicked, such as in marriage or business partnerships. It is not possible to avoid such people entirely. They are all around us, which is why the Bible says we have to be *in the world but not of it*. At times we have no choice but to mix with people whom we would not choose as friends. They may be our colleagues, bosses, staff, clients, customers or neighbours. God will ensure you come across a lot of these, as they provide valuable training for you. In any case, He has little option, since the world is full of them.

You need to be on your guard to ensure you don't join in with their malicious gossip, swearing or dishonesty. It is not easy but the struggle involved in living alongside them does have its advantages. You will learn what the wicked are like and how they operate. The pressures and difficulties will also help to mature you and you will develop resilience, endurance and patience. You will also grow in wisdom and shrewdness from having to identify and respond to their schemes. The practice you get from resisting small pressures now will help you to resist larger pressures later.

#### **What about work relationships?**

Your job is the main situation where you can't choose whom you spend time with. Your colleagues are largely chosen for you, and even imposed on you. You should make the best of it and be friendly, but reserve your close friendships for that minority of staff who share your values. It may be that there are none at all who come into that category, even at the lower end. If so you may be better off seeking another job. In the meantime, avoid the wicked people at your workplace and the fools too.

Don't be drawn into their toxic conversations where people are attacked and undermined. Many go the other way and fear to be *absent from* such conversations. They worry that if they did not take part those savage remarks and lies would be spoken about them instead of someone else. That may be true but it still doesn't justify your joining in. If your absence from such conversations means you are the one criticised then so be it. You should still stay out of them. It is better to be undermined yourself than to participate in doing that to others, even if only as a passive listener.

This isn't easy. Taking a stand and distancing yourself from the evil cliques at your workplace will cost you. They will soon notice that you are not with them. Even if you say nothing, they will quickly sense your disapproval from your silence. Such people often demand your express approval and if you won't give them that they may attack you. But that is still better than joining in and becoming like them. I can speak from personal experience of many such situations when I was younger and had no power or seniority within my workplaces.

At times it was a real struggle not to conform, but it was worth it. In fact it was character-forming and helped to mould me into the person I became. Therefore when you are at work, especially when starting a new job, be careful about which staff you mix with socially or sit with at break times. Avoid anyone who is hostile to the boss, the supervisors, or the firm. If you don't keep out of their conversations, you will quickly become a scoffer like them. Sit at break times with those who are contented, sincere and loyal, if you can find any.

That said, I fully accept that it may not always be possible. Also such positive people will rarely be the loudest, most popular or best-known members of staff. Even so seek them out and avoid the negative cliques and 'in crowds'. In particular, avoid bullies and those who exert illegitimate control over the firm or its employees by manipulation or by creating alternative power-structures. Don't be part of what they are doing, no matter how much power they have, or what threats they make.

**If you are an employer or manager and have the power to choose your staff, then confront and dismiss *all* wicked employees. Don't delay or hesitate.**

If you are a manager or own your own business, never tolerate wicked people. If any staff are false, dishonest, cruel, unfaithful, lazy or manipulative get rid of them. Don't try to change them. I can assure you they won't. Just let them go and work for someone else. If you consistently remove the wicked from your team or business, it will eventually be transformed. But don't expect it overnight. Indeed, in the early stages, things will actually get more troublesome as they and their poisonous friends will resist you. But if you keep on removing them the eventual results will be remarkable:

***take away the wicked from the presence of the king,  
and his throne will be established in righteousness.***  
***Proverbs 25:5 (RSV)***

Due to the culture in Great Britain, many bosses think it is inherently wrong to sack anyone, almost regardless of what they do. It is assumed that an employer ought to tolerate bad attitudes, misconduct, laziness and poor performance. They think dismissal should be a last resort and that a boss should go to great lengths to avoid it. If that is what you believe you only have two options. Firstly you could try to get the wicked people to change by managing them better, in the hope that they will become more motivated and better behaved.

I have heard it said that "*All staff problems are ultimately down to poor management*". That may sound clever to some, but it is not true, and certainly not of the wicked. They cannot be '*managed*', at least not by a sincere and godly person, because they have so much malice. They would perform better if they were working for another wicked person, who isn't trying to get them to change. Therefore you are actually doing them a favour by sending them on their way. They can then find another boss elsewhere on their own wavelength.

Your second option, if you aren't willing to sack people, is to let the wicked stay and merely try to contain the problems they cause. But I promise you, from many years of experience, that that won't work. The most you can hope for is to keep the lid on the situation, to stop it boiling over, but their malice will never go away. An appeasement-based approach to management, whereby you tolerate staff whom you ought to get rid of, is an abdication of your responsibility. As the owner, or even the manager, you have both the *right* and the *duty* to ensure that you only employ good staff.

It is actually better to have no staff at all than to have bad staff. That may be hard to believe, but it really is literally true. If you resolve only ever to employ good staff, and always to get rid of the wicked and the fools, you will have to make a big effort to recruit effectively and to discern each applicant's real nature. Even if you try really hard, you will never get it right all the time, or even most of the time. One reason is that, as a percentage of the population, the number of wicked people and fools is very high. The odds are therefore stacked firmly against you from the start.

Nevertheless, if you want to succeed in the long term, there is no alternative but to remove all the wicked, and preferably all the fools, from your team, department or business. Moreover, you must do it as quickly as you can, and *keep on* doing it, because there are so many of them. Also bear in mind that some people may not necessarily be wicked at the time when they are appointed, but they can degenerate and *become* wicked as the years go by. Therefore, you have to prune out the bad staff, *on an ongoing basis*, as soon as you become aware of them. The need to do this will never end.

It is like cutting diseased leaves or branches from your plants. It would be folly to delay doing that, because it will only spread and get worse. The same applies in a business. Unless you act decisively, and remove all the bad staff on an ongoing basis, your business or organisation will never be fully healthy or successful. There will never be any real peace either. Too many people will be wishing harm on you and on the business and obstructing your wishes rather than implementing them. Moreover, they will be doing all of that *from the inside*.

That causes far more damage and disruption than opposition which comes from outside. Therefore, if you are a manager, you have a duty to get the wicked out, not just for your own sake, but for the benefit of the whole *workforce*, especially the junior staff. The innocent, well-behaved staff would suffer the most by continuing to work under or alongside them. A manager has a similar duty to that of a King, though you will not find this in any management books, at least not in the UK. The boss must confront the wicked and remove them, *for the sake of all the others*:

***<sup>10</sup> Drive out a scoffer, and strife will go out,  
and quarrelling and abuse will cease.  
Proverbs 22:10 (ESV)***

***A wise king winnows the wicked,  
And drives the threshing wheel over them.  
Proverbs 20:26 (NASB)***

King David went further than that. In Psalm 101 he sets out his attitude towards the wicked. He refused to tolerate them in any way and was determined to confront them head on. This is his managerial approach:

***<sup>4</sup> A perverse heart shall depart from me;  
I will know no evil.***

***<sup>5</sup> Whoever secretly slanders his neighbor, him I will destroy;  
No one who has a haughty look and an arrogant heart will I endure.***

***<sup>6</sup> My eyes shall be upon the faithful of the land, that they may dwell with me;  
He who walks in a blameless way is the one who will minister to me.***

***<sup>7</sup> He who practices deceit shall not dwell within my house;  
He who speaks falsehood shall not maintain his position before me.***

<sup>8</sup> *Every morning I will destroy all the wicked of the land,  
So as to cut off from the city of the Lord all those who do iniquity.  
Psalm 101:4-8 (NASB)*

Even if you just *confront* a wicked person, in circumstances where you can't remove them, it can still improve conditions for everyone else. The normal state of affairs in a workforce is for the naive or simple staff to be influenced by the wicked. However, if a manager is brave enough to tackle the wicked firmly, *even if he doesn't have the power to remove them*, it opens the eyes of the naive staff. They may then choose other people to follow, instead of the wicked:

*When a scoffer is punished the simple becomes wise;  
Proverbs 21:11 (a) (ESV)*

If a manager is willing to stand up to the wicked at work and to impose justice from above, rather than allowing the strong to rule the workplace, it brings joy to the decent staff:

*When justice is done, it is a joy to the righteous  
but terror to evildoers.  
Proverbs 21:15 (ESV)*

Whether you waste your time trying to improve the attitudes of the wicked, or just do nothing and let them have their own way, the end result will be the same. Your best staff will eventually leave because the bad ones will always drive out the good ones. It is never the other way round. Bad staff don't leave a job unless they're forced out by those above them. They don't go voluntarily, unless you are willing to wait a long time, especially if you treat them well. Therefore weak managers who won't dismiss wicked staff simply end up causing the *good staff* to leave instead.

Just as many people will lose their jobs in the end, but it is the *good ones* who go rather than the bad ones. Those good staff may resign voluntarily and seek jobs elsewhere, but the reality is they have been *driven out* as the unintended result of the weak manager's failure to drive out the wicked. Sometimes that failure is due to misplaced kindness. More often it is just cowardice and selfishness on the manager's part. He chooses to do whatever *is easiest for himself*, not what is right for the business, its staff and its customers. The net effect is he lets all of them pay the price for his own neglect of duty.

**A disproportionate amount of harm is caused by wicked staff and a great deal of time and money is wasted in trying, forlornly, to deal with them.**

A vastly disproportionate amount of time is spent dealing with the problems caused by the worst employees. They therefore cost their employer a lot of money and it would actually be better if they all left, *even without being replaced*, than if they continued to work for the company. In the average business, 80% of customer complaints arise out of the worst 20% of the staff and 1% of the complaints will relate to the best 20% of the staff. The other 19% of complaints will come from the 'middle' 60% of staff.

You will probably also find that the best 20% of the staff produce 40-50% of the profit and the next 60% of the staff might produce the other 50-60% of the profit. However, the worst 20% of the staff usually produce no profit at all. Indeed, it is likely that they would produce an actual *loss* if the management accounts were properly calculated, taking into account the true cost of absenteeism, fake sick-leave, customer refunds, shoddily produced goods and other wasted resources.

There is also the management time spent on handling complaints, extra supervision and wearisome investigatory and disciplinary procedures. Finally, there is the harm, disruption and demoralisation caused to the other 80% of staff by the bullying, lies, gossip and negative speech of the wicked ones. So if we drew a picture of a typical firm it might be like this:

The best 20% of staff	These produce 1% of the problems, complaints, misconduct and negligence claims. But they produce 40-50% of the profit
The middle 60% of staff	These produce 19% of the problems, complaints, misconduct and negligence claims. And they produce 50-60% of the profit
The worst 20% of staff	These produce 80% of the problems, complaints, misconduct, and negligence claims. But they produce zero % of the profit. In fact, they probably produce a loss in absolute terms. That is they actually lose you money.

The average business would therefore be better off, in every sense, and make more profit, if it sacked the worst 20% of its staff. Little or no profit ever comes from that bottom layer, whereas the vast majority of the problems, losses, write-offs and managerial headaches are due to them. The problem is very few managers know this, let alone have the courage to act on it. It seems to them that it can't possibly be true and that if that 'bottom layer' were taken away the business would be short-staffed. The reality is it wouldn't. The business would actually thrive and prosper more without them.

I grasped this truth, and began to act on it, when I was in business. That was one of the reasons why, in 20 years as a manager or owner, neither I, nor anybody working for me, ever generated a negligence claim from any client. It never happened, even though we acted for thousands of people. Whereas almost all law firms have to report a number of actual or potential negligence claims to their insurers each year, I never did. My firm's professional indemnity insurance renewal application was always accompanied by a certificate which read "*No claims notified against this firm*".

Even of the tiny number of client complaints that were made to the Solicitors' Regulation Authority, none were ever upheld. We were always exonerated. Those statistics were not a coincidence. They were partly due to our close supervision procedures, but mainly to my policy of getting rid of all *negligent, careless or dishonest* staff, before they could do any more harm. I strongly recommend that approach to you. As a manager, you will never be praised for firing wicked staff. Those looking on from the sidelines will mainly disapprove of you and misunderstand your motives.

Even the few who privately approve will be too afraid to support you openly. Nevertheless, grit your teeth and do your duty, even if you are misunderstood and criticised for doing it, as you certainly will be. My law firm, as it was in the end, was very different from how it was at first, when it had a large majority of wicked people. The change was due to my policy of consistently driving out the wicked. In the early years my firm was a cauldron of malice. However, after I began to remove the wicked, that reduced drastically.

It is a manager's duty to distinguish between the good and bad staff so you must learn how to tell them apart. Until you can do that you can't do anything. Therefore developing discernment is the starting point. However, you must also become sufficiently courageous to take action and *remove* the wicked where it is in your power to do so. A weak manager treats all staff the same whether they are good or bad. God does not. He distinguishes between different types of people and handles them very differently according to what they are:

<sup>20</sup> *The Lord preserves all who love him,  
but all the wicked he will destroy. Psalm 145:20 (ESV)*  
*The Lord lifts up the humble;  
he casts the wicked to the ground.  
Psalm 147:6 (ESV)*

**When you are unsure whether to sack a person, ask yourself this simple question: “If when I appointed this person I had known then what I know now, would I have appointed them?”**

I advise every employer to be bold and uncompromising and to get rid of *all* their bad staff. Although I did that for many years, I still hated sacking people. It felt like pulling out one of my own teeth, every time. I therefore had to *make* myself do it, because I never wanted to. I would urge you to do the same, no matter how difficult you find it. When feeling unsure whether or not to sack a person simply ask yourself: “*If instead of deciding whether to sack them, I was now choosing whether to appoint them, would I set them on as an employee today, given all that I now know?*”

Another way of phrasing the same question would be: “*If, on the day I appointed this person, I had known what I know now, would I still have appointed them?*” If you put that frank question to yourself your confusion will vanish and you will suddenly know what you have to do. Asking that question has helped me many times when I have felt unsure whether I was being “*unfair*” or “*too harsh*”. I would agonise over whether I really ought to sack them, given that they weren’t “*absolutely terrible*”. The very fact that you are agonising over it shows that the person is a dud and needs to go.

What is the point of keeping an employee merely because he isn’t “*absolutely terrible*”? It is hardly a resounding endorsement. You need to set the bar much higher than that if you want your business to survive, let alone prosper. So, asking yourself whether you would have appointed them if you had known what you know now is one important test, but it’s not the only one. Ask it *in addition to* doing all the other enquiries and assessments, *not instead of* them. Nevertheless, it can be a very useful ‘clinchier’. It concentrates your mind and can get you back to reality when you are feeling too indecisive, afraid or soft-hearted to sack the person.

**Even if you aren’t a boss or manager yourself, you still need to know about the wicked, and understand their methods. Then you can help those who are in positions of authority.**

Many of the things I am saying presuppose that you have enough authority to discipline and remove wicked staff. But you may not actually have such power. You might be in a large company, with layer upon layer of management, such that you can’t do what you’d like to. Therefore the wicked staff remain in place. If so, you will have to apply the same general principles, but also recognise where your limits are. Even so, you can still do a lot to protect yourself and your team and you can restrain the wicked, even from an intermediate position in the company.

The key is to be aware of how the wicked operate and to get in the way of their schemes. Therefore, even if you don’t have complete authority, you still need to know the methods of the wicked so that you can resist them. You can also give valuable help to those who are in authority because the people at the top generally know the least about the wrongdoing of the employees. They see the least, and are told the least, precisely *because* of their senior positions, not despite them.

It is actually the people lower down who get to see what really goes on. Therefore if you are a sincere person you could be of great value to a godly manager. Bosses may want to do what’s best, but they lack accurate information from trustworthy people who are courageous enough to tell them the real truth about what’s going on. Such a person is a great asset but they are very rare, whereas there are plenty of liars and manipulators seeking to benefit themselves or to harm others.

There is also no shortage of sycophantic ‘groupies’ who love to be around bosses and lie to them. But sensible, incorruptible truth-tellers are hard to find. Most bosses therefore have nobody who is willing and able to tell them the real facts, without hiding or exaggerating anything, and who has no selfish private agenda. So they have to make their decisions as best they can, based on a mixture of half-truths, rumours and lies.

Such managers therefore make many needless mistakes and misjudge people and situations. When they do so, it is mainly the good staff who suffer from it. You could therefore make a valuable contribution in the company you work in if you put the true facts into the hands of the right person. However, that can't be just any boss chosen at random. It needs to be one who is trustworthy and sensible himself, because just as many bosses are malicious and dishonest as junior staff are.

He must also be senior enough to be able to do something about it and discreet enough to guard the information you give, to make sure you are not persecuted for speaking up. That is important because providing information to managers is dangerous. Therefore, you need to spend time weighing up the character of that boss before you tell him what you know. If he is devious himself he will tell others what you have said, so they can attack you. Or, if he's just careless or insensitive, he may disclose it accidentally.

Either way the same vengeance will be taken by those whose wrongdoings you have reported, or against whom you have given evidence. So make sure you speak to the right boss. Spend time beforehand observing and listening to him, especially when he's talking to others rather than to you. Does he say one thing to one person and something else to another? Does he keep his word, even when it costs him? Does he care about people? Does he have a strong conscience? With whom does he mix? Does he enjoy the company of fools, or even the wicked? Or does he shun such people?

Those questions will help you to assess that boss's integrity, discretion and trustworthiness. However, you also need to form a view of the *other people* who work *under him*? It's one thing for that boss to keep what you say confidential and protect you, but if his secretary or assistant is careless or untrustworthy and leaks it, you are no better off. The next question is whether he has sufficient strength of will and courage to *do* anything about it. If he doesn't he will not succeed anyway, so you will have taken a major personal risk for no purpose, because he won't tackle the wicked people adequately, or at all. They will then remain in place without getting sacked, disciplined or demoted.

However, if all these conditions are met, and you are willing to take the *risk*, go to that boss and tell him what you know about any wrongdoing, bullying, dishonesty, neglect of clients/patients, unsafe practices, corruption, etc. If you do, some really nasty people could be removed from that business because of you, even though you may not be a boss. Imagine what good could have been done if even one Christian had managed to get a job at FIFA and had been brave enough to speak up about the appalling corruption in that organisation. Those wicked men at the top of FIFA could have been removed years ago.

### **Most employers are far too afraid of being sued for unfair dismissal.**

My experience is that most employers are far too afraid of Employment Tribunals and of a finding of 'unfair dismissal'. In reality, in the UK, the damages that are usually awarded are modest, even assuming you lose the case. There are many reasons for that. Firstly, a redundant employee will already have received his redundancy payment. That sum is equal to the '*basic award*' that a Tribunal orders where a dismissal is held to be unfair. So, much of the sum that may be awarded to him has been paid already, by another name, and doesn't have to be paid twice.

Secondly, the '*compensatory award*', which is ordered over and above the basic award, to reflect actual and anticipated losses, is usually limited to about six or, at most, 12 months net pay. Plus the compensatory award is also subject to a "duty to mitigate". That means the Claimant must prove he has taken, and is still taking, reasonable steps to seek a new job and is accepting lower-paid, less attractive jobs if they are available. So they will struggle to justify a loss of earnings claim of more than a few months, especially in a generally buoyant economic climate where jobs can be found.

Lastly, most claims are settled or abandoned anyway. If so, you pay the Claimant nothing, or only some lesser figure by way of a compromise, usually for commercial reasons. Therefore, on average, there is

far too much fear about the prospect of being held to have unfairly dismissed someone. A wise employer will not make any decisions based on the fear of being sued. He will even see the 'silver lining' in a redundancy situation. It is actually an opportunity to get rid of those staff who don't come up to the required standard.

By that I mean *all* of the bad staff, not just the very worst. That needs to include all those who ought never to have been employed in the first place, and whom he would have sacked earlier, if he'd only had more courage and/or been better advised. Another reason why employers over-state the dangers of a finding of unfair dismissal and, even more so, of discrimination, is that legal advisers and HR departments tend to exaggerate the risk of losing at a Tribunal. They often also over-state the likely damages that would have to be paid out even if you do lose.

One reason for this is that a blanket policy of advising extreme caution makes sure that very few cases ever go to Tribunal. Advisors expect to be judged by that measurement so it suits them to urge you to be overly cautious. If so, hardly any staff will ever get the sack anyway. Then the advisor can never be blamed because, if nobody is dismissed at all, it can't be said that they were unfairly dismissed. The advisor himself may also be politically correct, left wing, or 'anti-employer' in his instincts and values.

If so, that can heavily prejudice their advice. I remember once speaking to a Solicitor, who was also a Christian, and who worked in a law firm which did a lot of work for trade unions. Over the years he became so one-sided in his thinking that he basically thought that all employers were automatically bad and that all employees were good. He sounded like the sheep in 'Animal Farm' who chanted: "*Four legs good, two legs bad*".

Advisors also tend to be risk-averse and blame-averse themselves, and so are the law firms they work for. They conclude that they won't be blamed if you do nothing about wrongdoers and get rid of nobody. On the whole, they would be right to assume that. Lastly, it creates additional work in HR departments, and therefore more jobs for HR staff, if employment law and its procedures can be portrayed to managers as being more complex and dangerous than they really are. Therefore, if you do face a redundancy situation, be bold and decisive.

See it as an opportunity to clear out the bad staff and to improve your business. Do what you *want* to do, rather than what other people, *who don't have to live with the consequences*, think you should do. Remind yourself also that paying out a few thousand pounds, or even several thousand, is far better than allowing the wrong employees to continue working in your business. The average sum awarded at actual tribunals in the UK, as opposed to out of court settlements, is about £8,000. At least it was in 2012 when I last practised. If you pay that, or even a lot more, it is still worth it.

Even one bad employee can cost you a fortune in complaints, problems, unrest, bullying, inefficiency, wasted management-time and so on. Moreover, the cost of continuing to employ them goes on *year after year*, whereas the payment of damages for being held to have dismissed them 'unfairly' is a *one off* cost. Therefore parting with one or more of your bad staff will dramatically increase the success and harmony of your business. It will also save you a lot of wasted time and emotional stress and aggravation in the years that follow, because they won't be there to cause any headaches later on.

**Many staff are wrongly classified as *incapable or incompetent* when the truth is they are lazy, indifferent or malicious. Those are *misconduct* issues and must be viewed as such.**

There is a profound difference between incompetence and misconduct. The former is a matter of *ability*, whereas the latter is one of *character and attitude*. A man is not wicked, and may not be at fault at all, if he is simply incapable of doing something, or unable to do it well enough, due to lack of knowledge, skill or experience. His lack of those things could not, ordinarily, be blamed on him, as it is not 'wrongdoing'. However, many employees are wrongly classified as being incompetent when the real issue is misconduct.

Imagine something has gone wrong and a client, patient or project has been harmed or let down as a result. That may not have been because the employee lacked knowledge or ability. It may have been because he simply *didn't care*. If so, you are dealing with misconduct and you must treat it as such. That may sound obvious, but it is not the way that a high proportion of managers think, at least in the UK. They are so blinded by political correctness and liberal ideology that they don't see indifference, neglect or carelessness as "conduct issues".

That matters because there are many employees in all sectors, and at every level, who just don't care. Such staff aren't interested and don't want to become better at their job. The needs of the client or patient, and the interests of their employer, are of little or no importance to them. If you are the employer, supervisor or senior colleague of such a person, you must begin to realise that "*not caring*" or "*not being interested*" are issues of misconduct, not incompetence or incapability.

When a person doesn't care whether a task is done well or can't be bothered to learn how to do his job properly, it is not ability that he lacks - it is character. You need to treat these two situations entirely differently or you will never succeed in even identifying, let alone tackling, the wrongdoers. Indifference, neglect and laziness need to be seen as misconduct, for which *no tolerance at all* should be shown. The person doesn't need more training, as they would if they lacked skill, ability, experience or qualifications.

Training is of no use at all to a person who doesn't care. The only remedy is dismissal, and it needs to be done straightaway, because they won't change. You will only cause further damage to clients, colleagues and the business, if you delay. Therefore, identify the real nature of the problem. Don't try to 'cure' bad attitude, laziness, indifference or malice by giving more training. No amount of coaching or counselling will do any good. It will only make things worse, by turning their disrespect for you into outright contempt.

**When a person is sacked don't let them work out any of their notice period. Also, when a wicked person or a fool resigns voluntarily, remove them from the building immediately.**

I spoke in chapter two about Tracey, a deceitful secretary, who lied about her colleagues. If she had not resigned I would have sacked her immediately for gross misconduct. On that basis she would not have been entitled to any notice period. However, if I could not justify summary dismissal on the evidence, I would still sack her. The only difference is she would be entitled to notice. Nevertheless, even if I had done that, I would just have *paid her* for her notice period in cash, *without allowing her to actually work it*. I would have just sent her straight home that day.

Then she would still be paid for her notice period, but she would not be allowed back into the building. That is essential when you discover such a person is working for you. Get them straight out, that very minute, before they can spread any more lies or do any further damage to your staff and to the files, clients, computers and equipment. Don't even let them return to their desk to log off. You never know what they might hide, send, alter or delete, even in a few minutes, if given the chance. Send them straight home, whatever the reason may be for the dismissal, not just in cases of misconduct.

Even if a person is dismissed for reasons of redundancy, incapability or "some other substantial reason", they still need to go straightaway. Whatever your reasons were, and no matter how justified the dismissal is, they will still feel resentful and may seek for vengeance during their notice period. Don't give anybody that opportunity because a resentful employee is a danger to any business. Even if he was not previously guilty of any misconduct, there will probably be plenty of it during his notice period, whether you ever discover it or not.

Bad staff usually do their worst damage to a business, and neglect clients the most, *during their notice period*. That is when their resentment, justified or not, is at its highest. It is also a time when they feel they have nothing to lose, so they will do things they may not previously have dared to do. One would

imagine that all of this would be obvious to employers, but it isn't. Many let staff work their full notice period as a standard policy. Some even *require* it, in the misguided belief that they are saving money, even where the person has been dismissed for misconduct.

The same point applies when an employee resigns voluntarily but, in your view, they may be wicked, or even a fool. (See Book 5). Even where a wicked person, or a fool, resigns of their own free choice, you still must not let them serve out their notice period. Those who resign are just as capable of doing harm to your firm and to the clients and other staff as they would if they had been sacked. Indeed, they might well have been sacked in the end anyway, if you had known the full facts about their character and conduct.

Also, although it may technically be voluntary, their resignation may actually be because they knew you were on to them. Or it could be that they knew that customer complaints were about to be made. So, the very fact that a person resigns should cause you to ask yourself whether they are really doing so because other problems are about to emerge that *you* don't currently know about, but which *they* do. Often, after a person resigns, you discover that if you had only known the full facts, you would have had every reason to sack them.

Besides all that, a person who is resigning is likely to be feeling almost as resentful as one who has been sacked. If so, they may use their notice period in the same way. They could well see it as an opportunity to hit back at you or at other supervisors and to settle scores, even where you aren't aware that there are any 'scores'. Or it is just a chance to sow discord and discontent generally. Try to look at it from the perspective of a person who has just resigned, and is about to go to a new job elsewhere.

Even if they are not wicked, they may be feeling a lot of inner turmoil and uncertainty as to whether they have done the right thing in resigning. One of the coping mechanisms that people have is to persuade themselves that they made the right decision. They need reassurance that they are better off leaving rather than staying. It is known as "sour grapes", from the children's story, where a person told himself that the grapes that he wasn't able to reach were probably sour anyway and thus no real loss.

They will therefore talk themselves into seeing all that is negative about their current workplace. That's unhealthy for them, but it's even more unhealthy for you and for your *other employees*. They will hear him 'bad-mouthing' the firm for a month, or even three months, while he serves his notice. All of that moaning, criticism, and very often lies, can do real harm by lowering morale but also by inducing others to leave.

Thus you have a lot to lose by letting anybody work their notice period, even if they have not been guilty of any misconduct beforehand, *or any that you know about*. Moreover, it is more than just a 'potential' outcome. It is a likelihood. On the other hand, you have little to gain by letting them stay anyway. Even if they are not malicious, people who are serving out their notice tend to reduce their work-rate, and their motivation levels go down drastically. Even for that reason, it is wise to send them straight home, immediately after handing in their resignation letter.

**There is a reluctance to sack bad employees in the UK. It is thought to be wrong. Overcome that feeling in yourself and disregard it when others criticise you.**

To dismiss the secretary, Tracey, for her lies would have been entirely justified, both legally and morally. However, not many people would share that view and even fewer would act as decisively as I now would. Most would not classify such lies as being sufficiently serious to warrant dismissal. They just give a long series of warnings, send the person on training courses, alter their role, or put them in a new team. Weak managers will do just about anything to avoid sacking a person. Sometimes that is due to strong trade unions or because the organisation is publicly owned.

That is part of the reason why the National Health Service in the UK hardly ever sacks anybody, despite having over a million employees. That is the case almost regardless of what their staff do, even if they endanger the lives of patients through wilful neglect. However, it is not only the public sector which operates like that. Many employers, even in the private sector, would not dismiss someone until the misconduct had occurred repeatedly, if even then. For example, a friend of mine who owns a medium sized firm caught a member of staff in the act of stealing goods.

The items were worth about £60 and she was caught red-handed with them in her bag, as she was leaving the office. Indeed, she even admitted stealing them, but he let her off and did nothing about it. That was partly because he didn't realise the seriousness of having a thief and a liar working for him and how much damage she could cause. But it was mainly because he simply lacked the courage to sack her. Although he was the owner, *he* actually feared *her*. I told him he would regret that decision one day and that he must get such people out of his business or they would do him great damage.

Sadly, I was proved right. His business declined and was on the brink of closure before he eventually took some long-overdue steps to deal with her, and a number of others, and sacked them all. One reason for the decline of his business was that he seriously under-estimated the damage such people can do and how vital it is to tackle them head on and immediately. If you catch a person lying, stealing or bullying others, but let them off with a mere warning, they will not be grateful for your mercy. Neither will they change their ways.

On the contrary, they will despise you all the more for what they can only see as your weakness or indecision in failing to tackle them. They will then do even bigger things to cause harm from then on and more often than before. The very fact that they got away with it emboldens them and makes them feel they can do whatever they want. They therefore lose their fear of you and 'cast off restraint' as the Bible says. They will even feel that you deserve it for having rebuked them and also for being so weak and naïve. Those are characteristics that the wicked despise and of which they will take full advantage.

**When interviewing someone for a job, or a position in a church, get them to tell you about themselves before you reveal your own nature and values to them.**

I have learned from interviewing job applicants, over two decades, that it isn't wise to let them know about *your* values, principles and priorities before you find out what *theirs* are. It's best to ask them questions, and even to set little tests and traps for them, to find out what they are really like, before revealing what characteristics and values you are looking for. If you tell them what you want and expect they will just change their answers to match whatever you have told them. Thus you will learn nothing because they will pretend to be whatever you say is important to you.

Therefore, do it the other way round. Find out about *their* opinions, values, methods and standards first, before telling them what you want or believe. For example, if you say that honesty is crucial to you, they will claim it is very important to them as well. But if you had said nothing about honesty, neither would they. Indeed, they may have tripped themselves up by indicating that they are willing to 'cut corners' if need be. That is not as unlikely as it might sound because people come from all sorts of other firms which may have totally different values from yours.

For instance, during interviews, many people have offered to call in sick at their present employers so as to be available for a second interview with me. They thought that making suggestion would impress me because it shows they are keen, have initiative and are willing to do what is needed to get results. With many employers, such proposals would go down very well and would match their own approach to business. Many dishonest managers prefer to have 'dodgy' people in their team because they will do whatever is needed and won't object if asked to lie on behalf of the firm.

If said to one of those managers, such a comment could get the applicant the job. With me, it always brought the interview to a swift end and I cancelled any second interview that may have been offered.

But it's not just in the interview itself that you need to be careful about what you disclose. Afterwards a job applicant will begin to relax and let their guard down and their real character may start to emerge. I remember a young woman who had had an interview with me and I had asked her to stay for the rest of the day on a paid trial. She could do that because she wasn't in a job at the time.

At lunchtime she was with several other staff in the staff room and she suggested that the female staff ought to organise a night out with a male stripper. The staff looked at each other and smiled. They knew that would be the end of her application and it was. I paid her for the day and did not ask her to return because her values didn't match mine. If she had stayed she would have been a disaster. But the point is I wouldn't have found out about her real nature until much later if, during the interview, I had told her all about what I stand for and what matters to me.

If I had told her those things, she would then have kept her own very different values hidden, at least until she had got through her probationary period. So don't tell people what you are looking for in a member of staff if they are still at interview stage, or if they are on a trial day or trial week with you. We used to offer many such trials to young graduates who hadn't yet got any job. However, it is different if you have done all that and are at the stage where you are going to offer them a job, especially if that will mean them leaving a job elsewhere.

At that stage it really is your duty to spell out *exactly what you require* and what your values are. Otherwise, they could give up a job to join you, only to find out later that your standards are totally different from theirs. That would be unfair if you'd never told them about your requirements. Therefore, I changed tack and became very frank indeed with those to whom I was *actually offering a job*. I went through a detailed list of my requirements and told them they must show total integrity, put the clients' interests ahead of their own and never bully, manipulate or control any of their colleagues.

I also said I had sacked many people for doing such things and would not hesitate to do so again. I also emphasised that I really meant it. Having laboured all those things, my conscience was clear if they later turned out to be lazy, malicious or dishonest because I had spelled it all out for them. Strangely, in all those years, nobody ever declined a job offer when I told them of my stringent criteria and requirements. They must have assumed, despite all I said, that I didn't really mean it. Many found out later, to their cost, that I absolutely did mean it.

**Don't tell job applicants that you are a Christian or discuss your beliefs, or theirs, when interviewing them. It could be used against you at a Tribunal if you then reject them, or if they don't get through their trial period.**

Due to modern 'equality' legislation, it is very unwise to tell any job applicant at an interview, or during their trial period, that you are a Christian or to discuss faith or morals at all. Also, when setting out your requirements do not use any 'Christian' phrases. Use neutral words like honesty, integrity, unselfishness etc. Then it cannot be said that you are requiring people to be Christians or 'discriminating' against non-Christians. If you are too open about what you believe people may use the things you say as a basis for a Tribunal claim, if they aren't given the job.

Even if an applicant spontaneously makes some unsolicited comment about *their own* beliefs or lifestyle, don't respond to it. Don't pass any comment, or be critical, and don't argue with them. Just listen quietly, without responding in any way. Simply take careful note inwardly, *without writing anything down*, and steer the conversation on to other things. But don't bring the interview to an abrupt halt at the point when they tell you something you don't like. For example, they may say they are involved in witchcraft or perform séances or are a transvestite. Or they may say something which reveals they are promiscuous.

It is surprising what people say in interviews as our generation is ashamed of virtually nothing. If they do, then say nothing at all to criticise or contradict them, even if what they have said means that you

would never want to employ them. Just keep a straight face and give no impression at all of being concerned. Then carry on with other questions, at least for a while, as if nothing significant had been said. You could otherwise give them a basis to make an application to a Tribunal at which they might allege: “*As soon as I said that I am a practising witch, he ended the interview*”.

That would then be portrayed as ‘discrimination’, which it is, by the world’s definition. The law says you must not treat them differently because of their religious beliefs, sexual orientation etc. If you reject them, or even react adversely, when they reveal what they are, or what they believe, or when they say something you don’t like, that is how it is likely to be seen by a Tribunal. To illustrate that this is not a purely hypothetical scenario, I will tell you of a conversation I had with a man recently. He told me of a “close escape” he had had when interviewing a job applicant.

‘James’ was an accountant and a strong Christian and it emerged in the interview that the applicant was a psychic. James told me of this and explained how he then spent some time explaining to the lady that he was a Christian and would be very concerned at employing a person who was involved in the occult. Then he told her what was wrong with being a psychic. He told me all about this very calmly, having no idea that he had made himself liable to be sued for religious discrimination. Do also bear in mind that the damages for any form of *discrimination* are *unlimited*, whereas there is an upper limit for *unfair dismissal*.

I asked if he had any knowledge of equality legislation, and that he could be taken to a Tribunal for what he had said. His jaw dropped in amazement because he had been totally unaware. He had been pleased with himself for avoiding employing her, and had even seen it as an opportunity to witness to her. Yet he had had no idea at all about the legal implications of speaking so openly. I advised him as to his future conduct and urged him to say nothing and to show no reaction if such a situation ever arose again, but just to quietly reject the candidate *for other reasons*.

You don’t need to employ every witch or transvestite who applies to you for a job. If you don’t want somebody to work for you, then don’t have them. Just don’t be so naïve and unwise as to *reveal* by your reactions, facial expression, tone of voice or, worst of all, your express words, that you are rejecting them *because* of that factor to which you object. Do nothing. Say nothing. Express nothing. Reveal nothing. Imply nothing. As I told James, *keep all your private thoughts entirely to yourself*. Do not even confide in any of your colleagues or fellow managers.

Then simply find some other *legitimate* reason to reject them, based on non-contentious issues, such as their qualifications, experience, personal skills or attitude. It could even be about spelling errors or grammatical mistakes in their CV. There are always plenty of such things, if you look for them. So, take another close look at their CV and covering letter or at any written test you might set and highlight any deficiencies you can find. That will give the impression, if you are subsequently challenged, and if your handwritten notes are examined by a Tribunal, that those must have been your reasons for rejecting them.

Indeed, those may well be genuine *additional* reasons for your having rejected them. Those other factors may well have caused you to reject them anyway, even if they hadn’t been a witch, psychic, transvestite, or whatever else. You can then simply decide, in your own mind, that you *are* rejecting them *for those other reasons*, not because of any feature which is protected by equality legislation. Do also bear in mind that there may have been dozens of applicants. Therefore one or more of those others may have been better in all sorts of other ways.

You don’t actually need to have a specific reason to reject a person. You can simply reach the subjective conclusion that they aren’t good enough. Why you came to that view is entirely up to you, *provided* the Tribunal doesn’t conclude that you did so for some ‘discriminatory’ reason. Even if that was the case, they probably can’t make such a finding unless you speak or act unguardedly. So make sure that you never do and that your stated reasons are always valid and uncontroversial. It could be because they lack skills or experience or that they aren’t eloquent enough or don’t write well enough and so on.

You can even conclude that there was nothing wrong with them, but that some other candidate was just better, for any number of reasons, including your own intuition. You can also decide that none of the applicants were good enough and you are not going to recruit any of them. All of those things are perfectly OK. The only thing the law prohibits is for you reject or discriminate against the person on a basis, or for reasons, or because of characteristics, beliefs or practices, *which are protected*. If you reject them for characteristics or deficiencies *which aren't protected* by the laws of discrimination, then you have no problem.

As long as you steer clear of saying or writing anything which refers to any of those things, people will struggle to bring any claim against you. So far, there are no laws to protect people who lack skill, education, qualifications, experience, charm and who perform badly in interviews. Until such features become protected, make sure your official reasons for not choosing a person had to do with some of those things. So, to be clear, discriminating on the basis of a person's skill, ability, knowledge personality etc is allowed because the law doesn't call that discrimination, even though that's effectively what it is.

We discriminate every day in favour of talented and energetic people and against untalented, lazy people. But the law, at the moment, is content for us to do so. Having said all that, you are not actually required to state the *reasons* why you didn't appoint a particular job applicant. The only time you might need to do so is if a Tribunal claim is actually made, or if a discrimination questionnaire is sent to you as a prelude to making such a claim. Therefore I strongly advise that you should never explain to candidates why you didn't select them, even if they ask why they didn't get the job.

They refer to it as seeking "*feedback*". However, the wisest thing to do, in all cases, is to say "*It's not the policy of the firm to give feedback to applicants*". That is a shame, because it means genuine people, who just want advice on how to do better next time, or where they are going wrong in their interview technique, will not be able to get help. The problem is it just isn't safe nowadays to engage in such a conversation. Even if you weren't discriminating against them on the basis of some protected characteristic, or at all, your words could still be twisted to make it look as if you were.

That is especially likely if you are speaking to them on the phone, purely from memory, and don't have their CV and details in front of you. Do also bear in mind that any such phone call, or even a face to face meeting, is possibly being *taped*. Modern technology makes that extremely easy for anybody to do. You are therefore best to assume that every conversation or meeting you ever have is being recorded. Even if it isn't, the point is *it could be*. But you'll never know which conversations are, and which aren't, until it is too late.

An acute awareness at all times of the possibility that you could be being taped will make you much more careful about what you say. That is all to the good, because we live in dangerous times. There are even people who will seek to entrap you by applying for a job, or asking for feedback, when their only objective is to bring a claim against you. One such person whom I read about had made dozens of Tribunal claims, against firms he'd never worked for, simply because they had not offered him a job when he applied to them. But he only applied in order to entrap them.

His CV deliberately drew attention to features such as his race or religion or sexual orientation. He then claimed, when not appointed, that he had been rejected for that reason. Yet, in most cases, those factors played no part in the decision. Dozens of companies just settled out of court and paid him agreed damages, to avoid the costs of a hearing. He was eventually exposed and declared to be a 'vexatious litigant' and prohibited from making any further claims without prior permission from a Tribunal. So remember that such people do exist and handle every conversation as though you were speaking to one of them.