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Enticing and Retaining Valued Employees

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Recruiting, hiring, training and developing employees is very costly and an endeavor that we all prefer to minimize, especially given the current tight job market and predicted shortage of upcoming talent. As Legal Administrators, most of you are involved in the hiring of legal professionals and staff, and you know how time intensive it is to identify, court and employ candidates who have the appropriate experience, education, and personality that meet your firm's needs and values. And, once you successfully hire the candidate, making sure that this employee succeeds and thrives in your firm becomes your next and most important challenge. All new employees require time and training to learn your processes, to develop and become productive, and become a valued member of your team. Consequently, retaining employees is very important and critical to your firm's growth and success. My Top 5 suggestions on how to address the challenge of Enticing and Retaining Valued Employees are as follows:

1. Marketing 101: Distinguish and Communicate.

Every employer is unique and has its own distinct culture, personality, and strengths that differentiate and distinguish it from its competitors. And every opportunity also has its own unique attributes and responsibilities that make it attractive to a prospective employee. And, yet, when I ask employers why someone would want to work at their firm and in their current opening, I often do not receive substantive responses to those very important questions. You need to sell your firm and your opportunities to prospective employees. You need to know why you are special and then you need to communicate this to applicants. And when marketing yourself as compared to your competitors, be sure to provide substantive examples that demonstrate why you are different and better (i.e., such as the specific type of deals and clients that employees can expect to work on and what you envision would be their role on these matters, your success rate for specific types of cases, your track record in developing your employees, specifics regarding your mentoring or training programs,

the expertise of supervising/mentoring attorney(s), etc.). Employees are shopping around and if you don't provide candidates with enough information as to why working at your firm is their best option, you will lose the candidate to employers that can sell and market themselves better. Make sure that your interviewers are not just interviewing the candidates but also selling your opportunity and firm truthfully and accurately. Also, during the interview process, be sure to keep the candidate in the loop on where they are in the process. If you don't touch base with them periodically, they will assume that you have no interest and will move on. Be considerate and let them know if they are (or are not) being considered, how long the process will last, and when they can expect to hear back from you further.

2. Pre-Hire Planning.

Before beginning a search for a new employee, determine your needs and also, most important, determine what you need to do to make this hire succeed once they come on board. The "Sink or Swim" approach is not the best way to indoctrinate a hire to their new position. Instead, consideration should be given to what you can do to ensure that the employee can, and will, swim and succeed. Most firms provide 1-2 days of training upon hire to new employees but don't have a "formal plan" in place beyond this initial training. Specifically, how will the new employee learn what is expected of them, will someone be responsible for providing the employee with on-going instruction, training and mentoring, how much time will the supervisor/trainer be able to devote to training and mentoring the new employee, will their supervisor(s) be required to provide the employee with feedback at specific short-term intervals (at 1 week, 2 weeks, 30 days, 60 days, 90 days, etc.), and what is the firm willing to provide to the employee (i.e., continuing education) to correct any deficiencies? These issues need to be considered and addressed prior to the new employee's start date, and should also be communicated to the prospective hire during the interview process (see No. 1 above).

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3. Competitive Compensation and Cherished Benefits.

It is very important to stay on top of the current compensation ranges of your employees. Don't lowball salary offers even when you know the candidate will accept it, because chances are you will pay dearly for it in the future. If you pay your employees at the going salary for their expertise, other prospective employers will not be able to attract them away from you because you foolishly underpaid them. And, make sure that yearly raises keep your employee's salary even with the current compensation range for their expertise. We all know that employees who make occasional job changes are earning a more competitive salary than employees who are loyal and stay put for long periods. Don't penalize employees for being loyal even if that means you need to "adjust" their salary periodically beyond your normal cost of living raises. Also, it is wise to provide bonus opportunities for valued employees, especially for "above and beyond," high billable hours, exceptional performance and for longevity.

Consider providing benefits that employees would not want to walk away from, such as summer hours (that allows employees to leave work early on Fridays during summer months), paid parking, more vacation time, long-term incentives that increase over time, or alternative work schedules, such as flex time or ability to telecommute, work part time or job share. We often hear that employees need help balancing their professional and home lives, and employers that can accommodate these needs can better retain top employees as a result.

4. Provide Challenging Work and Opportunities for Continued Professional Development

If an employee becomes bored or unchallenged, they will start looking around. Be cognizant of how engaged and interested your employee is in their current position. Provide employees with opportunities to advance, gain new experience and grow. At the very least, ask your employees at their yearly review if they would like to learn or do something different, and if you can, you should accommodate them and provide them with whatever training or mentoring necessary to enable them to successfully do so. Also, if you allow employees to cross train in different areas and gain new skills, you will have backup to cover vacations and leaves when needed. If possible, provide a career path or create new opportunities that your employees can aspire to and work towards (i.e., a supervisor position, a new technology-oriented role, etc.)

If you do not have a continuing education program at your firm, consider establishing one. Employees appreciate a caring, benevolent employer who is concerned about their professional growth and development. At the least, you should consider implementing minimum continuing education goals for all employee levels. Continuing education can be accomplished via periodic training

sessions by your experienced senior employees to allowing employees to participate in outside seminars or through distance learning options. Also, it is wise to encourage participation in professional associations and provide for a formal mentoring program that provides mentors with how-to training, suggestions, or guidelines, regularly scheduled meetings, and required feedback.

5. Make Sure That Your Employees Feel Valued!


a) One of the easiest ways to do this is to say "thank you" to employees for good work on a project or task to let them know that they are appreciated. At the very least, every manager should take the time to check in and say hello periodically, and upper management should also do the same with the employees who report to their direct reports.

b) Managers should recognize when their reports are over-tasked and provide help before the employee becomes burnt out. This can be accomplished by providing your employees with support...by providing them additional assistance from other employees, by contracting for outside temporary assistance, or by adding a new hire to help with the workload. Also, consider providing overworked employees with a bonus or special reward (i.e., an afternoon off) for meeting client demands and to thank them for the time they have spent away from their families.

c) All employees should expect to be treated with respect, and any disrespectful treatment of an employee by a manager should not be tolerated (this includes the top biller who enjoys bellowing and taking his report to task in public!)

d) Open Communication. Ask employees for their input and utilize some of their suggestions. All employees should be allowed the opportunity to visit the Legal Administrator to express any concerns and by doing so, the employee should not be chastised for going outside the hierarchal chain of command (we are not in the military and shouldn't be treated as if we have enlisted).

e) Provide for a "team" and "fun" workplace environment. Employees spend a large part of their lives at work and should enjoy their work environment and going to work. How-To Examples: host occasional firm-wide or department-wide celebrations that include all levels of employees (this emphasizes that we are all part of the team), Employee Appreciation Events (breakfasts, lunches, sundae parties, summer outings, holiday parties), and Retreats.

To recap, in order to prevent turnover, make sure that your employees are engaged and challenged, provided opportunities and avenues for professional growth, compensated appropriately, rewarded and appreciated! 

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