

# I've hired the wrong person for my practice. How do I get rid of them?



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This is a question that has been asked countless times by my clients. Terminating an employee can be difficult, but is an essential part of business when the need arises. Firstly because it's an unpleasant aspect of running a business, but more so as the laws surrounding unfair dismissal, or more importantly, the manner in which they are executed, sends mixed messages about what is, and isn't allowed. You call the industrial relations hotline and you can't get the same answer twice, and quite often the same court case can produce a different result purely because someone different has heard the case. So how as a business owner can you do the right thing and ensure that you stick to the rules?

Firstly, there are couple of simple laws that give you some timeframes to work with. If you have less than 15 employees, you have up to one year to decide if you have made the right hiring decision. Twelve months is enough time to see if someone has performance issues so you need to make the most of this time to assess how they respond to your management style. If you have more than 15 employees, then the timeframe is six months. Once again you should be able to assess someone during this time. Six or 12 months can pass quickly and you might be stuck with someone who is not right for your business. Someone good at making excuses will find a way to get over the line. Even larger corporations we deal with who have an active HR department will find employees slipping under the radar from time to time.

Most of the time, if you're not happy with someone they may also be feeling that the job is the wrong fit for them. One or two frank conversations will usually do the trick and both parties can move on to pursue other things that work for them. There is also a difference between a poor performer and a toxic employee. If you have a performance issue on

your hands then there are some simple steps you can take to work with the employee to improve their performance.

If a previously good performer has started having issues, you know they are capable of working to a reasonable standard. A change in workplace dynamic or someone having personal issues are usually situations that be retrieved. If you find a new hire is not picking things up as fast as you would like and you're concerned about missing the deadline, it can be worth putting a bit of extra effort and training in as you will have an excellent long term employee. As a general rule, with patience and a good performance plan, you can fix these issues, in fact, it can be financially rewarding to do so.

If you have been stuck with a toxic employee then a different strategy is required and terminating can be worth the gamble. Quite often the cost of retaining someone toxic can out way the cost of litigating. In most situations, candidates such as this can rarely be rehabilitated, and will serve no other purpose than to tarnish your reputation publicly, damage your business and existing relationships within your practice. You need to take action quickly and stick to the following guidelines;

- ◆ Document your conversations and keep them brief
- ◆ Clearly outline how that have violated your practice polices
- ◆ Outline the behaviour they need to adopt to improve
- ◆ Give them things to do which they can be held totally accountable
- ◆ Provide a timeline for improvement
- ◆ Provide a consequence for not complying

Keep in mind that toxicity spreads like an infection and needs to be managed as it will affect others.

Don't be afraid to hand out written warnings out and terminate when the opportunity arises. Toxic employees will know how to play the game and more than likely will be have been through similar situations before. You need to stay on top of the situation and act fast to ensure your work place stays harmonious. ◆

**Pam McKeen** is a Director of AB Dental Employment Agency. The company has been in operation for over 15 years. Over the last 10 years AB Dental has grown into one the country's leading recruitment agencies for the dental industry, servicing all sectors from government, corporate and private practice.

Currently, AB Dental services over 1,200 businesses with recruiting services including supply of temporary, contract and permanent employees. As professional recruiters, AB Dental can manage as much as little of the recruitment process as required, even if only providing advice.