

Workplace bullying when many gang up on one

Workplace mobbing hits at three levels

BY BONNIE KIRK
LAWSON LUNDELL LLP

In the last issue of *Topics*, I wrote about the detrimental effect workplace bullies can have on a firm's operation. (*How to deal with bullies in your midst.*)

This issue, I would like to address a close relative to workplace bullying: workplace mobbing.

By definition, mobbing occurs when a group of people inflicts psychological aggression towards one person with the intent of forcing that person out of the workplace. It is considered a 'status-blind' harassment because of its non-sexual, non-racial form. The characteristics of mobbing are similar to that of bullying in that it involves isolation and humiliation in addition to slanderous rumours, innuendo and meanness.

Mobbing can occur at three levels within an organization: the Co-worker level, the Subordinate level and at the Management level.

CO-WORKER LEVEL OF MOBBING

Mobbing at the co-worker level occurs when an individual feels threatened by another individual of equal status and initiates a crusade to have that individual removed from the firm. The initiator is usually a person who is well-liked, good at their job and one whose opinions are valued by others. The target, just as in cases of being bullied, is usually someone who is strong in nature and

possesses self-integrity. Being an influential person, the initiator draws in co-workers to assist in harassing and/or ostracizing the target.

What is worthy to note is that there have been many studies in psychology proving that people draw strength in groups and would do something in a group that they would never consider doing when alone. Take, for example, the 1994 riot in Vancouver after the Vancouver Canucks failed to win the Cup. People were horrified to see fellow Canadians behaving like animals.

SUBORDINATE LEVEL OF MOBBING

This form of mobbing occurs when a group of subordinates group together and use the power of their numbers to undermine their superior's authority. The superior ends up

having to justify his or herself to other employees at both the subordinate and upper management levels. This can have a negative impact on production as there is an impasse with respect to change.

MANAGEMENT LEVEL OF MOBBING

Mobbing at the management level takes the form of exclusion and making slanderous comments to other colleagues about a subordinate. There is usually a hidden agenda at a higher level unbeknownst to the individual.

All levels of mobbing have a severe psychological impact on the target. In all three levels, it begins with subtle comments and escalates as it spreads through the firm like a bad virus. At first, the targeted person cannot believe *Continued on page 2* →



Bonnie Kirk

Results of Membership Survey positive for publication

Members take a look inside Topics

BY STEPHANIE CORNELL
FASKEN MARTINEAU
DUMOULIN LLP

If you responded to the BCLMA's first annual on-line survey, you will recall that you were asked to comment on our *Topics* magazine.

As editor, I'm pleased to report that most of the feedback was extremely positive: 95% of members either always, or almost always, read *Topics*. Personally, I find it very rewarding to know that the efforts that the Editorial Board and I put forth are truly appreciated!

There were a few sugges-

tions for improvements, and I'd like to respond to those specifically.

Some members wondered if an index could be included either prior to publication in a separate e-mail or on the first page of the publication; an index would enable members to refer only to those pages in which they are interested.

Indeed, the editorial board has entertained this idea before but has always ended up voting it down for fear that members will miss other valuable content.

However, since the newsletter is in PDF for-

Continued on page 5 →



Stephanie Cornell

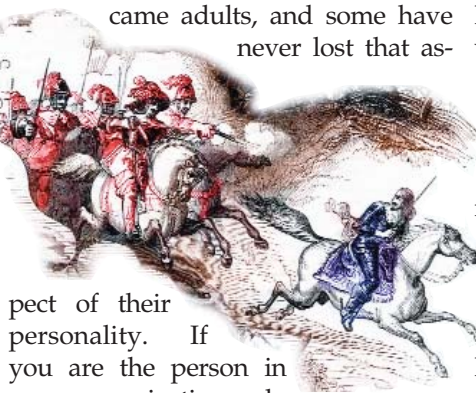
→ *Workplace mobbing: Continued from page 1*

that anyone could be intentionally cruel and may remain in denial that something is wrong. Once the target realizes that they are being unfairly 'ganged up' on, it is very difficult to reverse the situation.

Of the three levels, the management level has the most severe consequences since the person/people involved have the power to end the target's career. There are documented cases where individuals have lost not only their financial stability but also their home and family due to manic depression. In a study done by Professor Heinz Lehman surrounding suicides in Sweden, he found that 12% had been recently mobbed at work.

There will always be a certain degree of mobbing within an organization. It is the consequence of placing multiple personalities under one roof. The first step to curtailing its occurrence is to acknowledge the threat of mobbing and be attentive to situations around you. It has been found that although mobbing is not gender-specific, it occurs more frequently in organizations that are

predominantly female. Think back to those adolescent years. The girls at school could be brutal when they wanted to be. Unfortunately, those girls became adults, and some have never lost that as-



pect of their personality. If you are the person in your organization who has management or supervisory responsibility over others, consider what is being told to you. The grievance should be solely on performance issues without any personal content. If you are in a position where subordinates have bypassed their supervisor/manager and approached you with grievances, ask if they have tried to resolve the situation with the accused. Again, take note if the grievance has any personal connotations. Be objective when discussing the issue with the supervi-

sor/manager. Lastly, if you are the target of management mobbing, leave while you still have your self-esteem. Studies have found that targets at this level have never been successful in reversing the situation.

Mobbing is not something that is normally discussed even though it can severely affect the well-being of an organization. It prospers in organizations that have inattentive or ineffective management. Many European and Scandinavian countries have incorporated psychological harassment/abuse remedies into their labour standards. They have realized that the harassment has caused irreversible trauma to some targets. The policies have allowed individuals some recourse when they have become a target. In the UK, several targets have sued their employers and won, the most recent being a judgment of £800,000 (C\$1.7 million) against a German bank. Obviously, this form of harassment is serious and it is only a matter of time before similar actions occur in North America.

So the question now becomes, do you ignore the *Continued on page 11* →

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Federal corporate procedural guide for paralegals published

The *Federal Guide to Corporate Records: Volume I The Basics* was published in September.

A valuable resource for lawyers and legal assistants, its genesis began a quarter century ago and since then, it has mushroomed into a wide range of useful publications today.

When Heather McKenzie wrote the *Guide to Civil Litigation* for Evin Ross Publications 25 years ago, (yes – it has been that long!), e-mails and the Internet did not exist for law firms.

Most firms of the day that had electronic precedents were using mag cards and Wang word processors. At that time, there were few procedural guides available for paralegals and there were no commercial databases or document-assembly software programs for sale.

When Gabrielle Komorowska wrote the *Guide to Wills and Estates* in 1994, most firms had automated and

were using *Word Perfect*, but the use of e-mails had not yet gained wide acceptance. All of the editing for the *Guide to Wills and Estates* was done by fax and courier. There were some document-assembly programs around but they were, by and large, unsophisticated.

It wasn't until 2002 when Komorowska approached Diana Haynes of Vancouver that a truly collaborative project was made possible by e-mail and advances in electronic publishing.



Diana Haynes

Together, they wrote the *Guide to Corporate Records, British Columbia Edition*. Publishing that document coincided with the enactment of the new *Business Cor-*

porations Act in 2004.

Haynes had been working with Paul Leitch of Leitch Systems Designs, the creator of Automated Legal Forms' corporate-management software, widely known as ALF. As a result, Haynes decided that the precedents contained in the *Guide to Corporate Records* be published as fully formatted *Word* documents and coded for assembly in *ALF*. That way, firms that did not want to spend the money to have their precedents coded to use in *ALF* could purchase the *Guide to Corporate Records*, and obtain a full set of off-the-shelf precedents to use with the software.

When the *Guide to Corporate Records* was launched by Evin Ross Publications, Haynes was working as a legal assistant at Miller Thomson LLP. That firm's National Director for Corporate Service, Elizabeth Gillis, had recently published her own procedural guide in Toronto, the *Advanced Corporate Legal Procedures* for Federal and Ontario corporations.

The two paralegals discussed the need for a com- *Continued on page 4* →

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→ *Selecting Counsel: Continued from page 3*

prehensive federal corporate records guide that included electronic precedents. They co-wrote the *Federal Guide to Corporate Records*, which they published this fall.

Evin Ross, which publishes practice manuals for British Columbia legal support staff, supported the idea of the new guide though it decided not to venture outside of British Columbia. DB Legal Publishing Inc., run by Haynes, is the publisher of the new guide.

The *Federal Guide to Corporate Records: Volume I The Basics* also features that same, major and useful component as the original guide. Leitch again agreed to code the electronic precedents for use with ALF software, and so the *Federal Guide* contains electronic versions of the



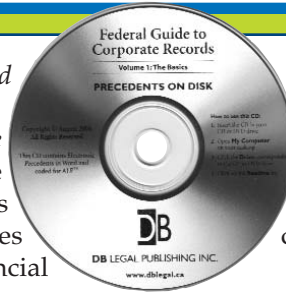
Elizabeth Gillis

precedents in both *Word* and *ALF* format.

The *Federal Guide* takes advantage of the fact that most law firms do not have the resources to maintain both provincial and federal corporate-records precedents, yet any serious practitioner of corporate law must be able to offer federal incorporation and maintenance as an option to clients.

Many law firms use provincial precedents for federal corporations, simply by changing 'Company' to 'Corporation'. With British Columbia's new *Business Corporations Act*, however, there have been many changes in corporate-records practice and procedures, and many of the provincial precedents are no longer appropriate to use for federal corporations.

In addition, *ALF* and other document-assembly applications are programmed to only use British Colum-



eGuide: The Federal Guide to Corporate records comes with a disk of Word and ALF-formatted precedents

bia precedents for British Columbia companies, so they do not assemble all of the documents required to maintain federal corporations.

The *Federal Guide* is also useful since it is difficult to find staff experienced in federal procedures. Few of the colleges teach federal corporate-records procedure, so it is primarily by on-the-job

experience that paralegals learn how to incorporate and maintain federal corporations. The *Federal Guide* does contain detailed explanations, checklists and precedents, so legal-support staff will be able to learn how to maintain federal corporations, reducing the necessity of providing costly training by senior staff members.

Like the other manuals, the *Federal Guide* will be updated several times a year by subscription to keep law firms current with changes in federal procedures and *Continued on page 5* →

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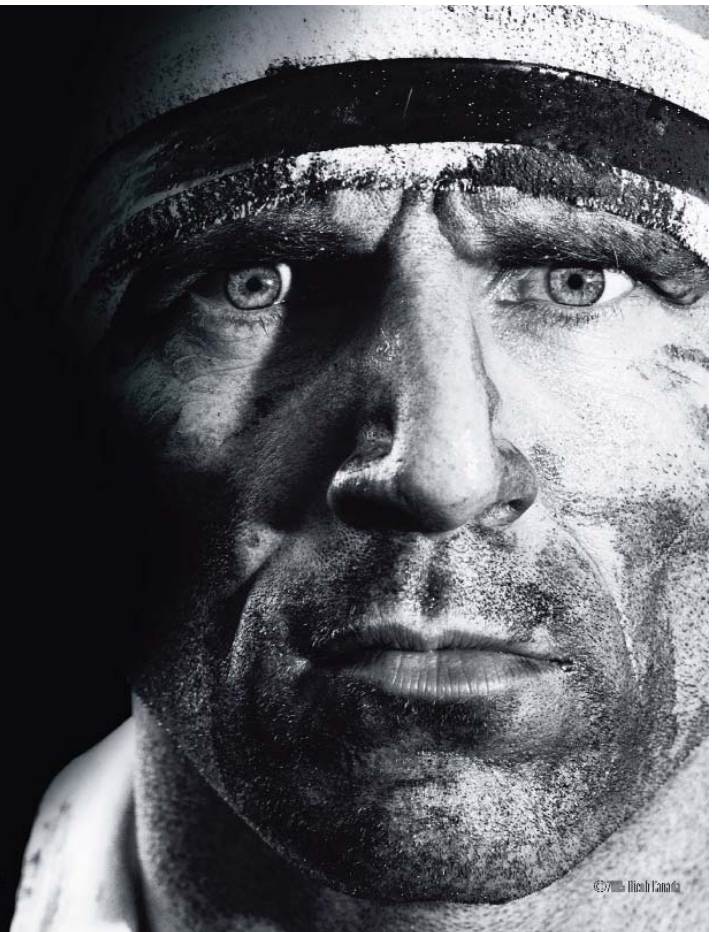
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We also encourage you to take an

extra minute to scroll through the entire issue, and scan the headlines for articles that especially interest you. Our vendors will also appreciate you reading their advertisements as you scroll along.

A reader asked that articles not be split between pages, or continued fur-

ther back into the publication. Actually, articles must be continued on later pages so that vendors enjoy the benefit of their advertising landing on the earlier and more popular pages, just like any magazine.

However, "hot spots" are created in the PDF file. If *Continued on page 6* →

**WRITING?
CONTRIBUTING?
WE'D LIKE YOUR HELP**

TOPICS would be pleased to welcome *you* to the Editorial Committee. Writers/contributors are desperately needed!

You need not be a professional writer, and *you* will be supported by an enthusiastic team that works well together and has fun doing so! (The food is good, too.)

Please contact Stephanie Cornell if *you* are interested in contributing to the BCLMA's interesting and informative magazine.

→ *Federal Guide: Continued from page 4*

precedents.

The federal precedents contained in the *Federal Guide*—there are more than 100 of them—have been developed from the authors' combined experience. *Volume I* contains all the precedents needed to establish and maintain federal corporations. *Volume II*, which will be published in 2007, will cover advanced procedures required for corporate changes. The *Federal Guide* is also being translated into French for Quebec, and the paralegals who are working on the translation are also writing a *Quebec Guide to Corporate Records*.

DB Legal Publishing is the new kid on the publications block, but several

new guides written by paralegals for paralegals are planned or are in development, including editions for conveyancing, the *Personal Property Registry*, non-profits and banking. An *Alberta Guide to Corporate Records* is near completion. Similar guides for Saskatchewan, Manitoba and Ontario are also being written.

The precedents used in these guides will all be coded for document-assembly using ALF, and Leitch Systems Design is developing a generic database document-assembly program to manage other areas of law, besides corporate records.

For more information, refer to these useful websites:

<<http://www.dblegal.ca>>

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→ Inside Topics: Continued from page 5

you click on the "Continued on page..." or "Continued from page..." that you find in the normal places in an article, Acrobat will snap you forward to that page, or back to it.

Another comment focused on advertising, specifically that there is too much. In fact, the Board is always looking for more ads, since advertising dollars subsidize our production costs.

Normally, trade magazines prefer to keep a ratio of 60% advertising, 40% editorial. Our ratio, to keep the publication from looking like it has too much advertising is the reverse: 60% editorial, 40% advertising. Occasionally it tightens to about 50-50, depending on article length and the number of ads we have.

Topics' advertising ratio is the reverse: 60% editorial, 40% advertising.

Keeping with the subject of advertising, I regret to inform the Association that Gordon van Horn, our Manager, Vendor Relations and Advertising, has stepped down due to other commitments.

I reluctantly accepted his resignation (*sniff!*) and I am currently recruiting for his replacement. If you, or someone you know, is interested, please contact me directly. You will find my contact information on the last page.

When I joined the Topics Editorial Board in 2001, there were seven members. We're been getting by on almost half and yet our publication continues to thrive.

I imagine the greater heights of success we could reach with more resources! I encourage you to contact me if you are at all interested in contributing to Topics in any capacity. Your participation will be gladly appreciated.

Thank you to everyone who responded to the online survey. We hope you enjoy this, our final issue for 2006!




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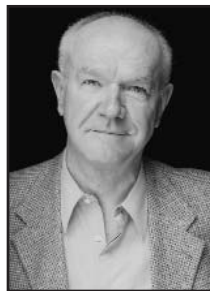
BCLMA-sponsored LMA session focuses on recruitment, retention

**DOUG AUSMAN
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The BCLMA, an enthusiastic sponsor of LMA Vancouver events, was pleased to have several of its marketing sub-section members attend the half-day September 28 session on associate recruitment and retention at the Four Seasons Hotel.

One of the speakers, co-founder and consultant Blane Prescott of Hildebrandt International, reports he has worked with more than 1,000 law firms, helping them with strategy, management issues, merger negotiations and assessments, compensation and practice management.

Consultants with Hildebrandt have interviewed and also conducted exit interviews with more than 13,000 lawyers in firms throughout the United States, Canada, Asia and Europe. In so doing, they have



Doug Ausman

gained broad knowledge and understanding of associates today.

Another speaker, Adam Pedarsky, began his career as a lawyer at the Calgary office of Fraser Milner Casgrain after

completing his articles there. He left FMC to join an international recruiting firm. Five years later, Pedarsky returned to FMC as in-house recruiter and consultant.

Prescott and Pedarsky shared their insights on associate recruitment and retention from different and interesting perspectives.

Prescott began by telling the audience about what he has learned are the top concerns of managing partners around the globe:

- ✓ Getting quality lawyers to work for them;
- ✓ Keeping them; and
- ✓ Making them happy.

Studies show that many young lawyers are not particularly happy with their profession nor the law firm for which they work. A costly 20% annual turnover of associates is usual in many large law firms despite the fact they earn record salaries and bonuses.

In fact, seven out of 10 managing partners are feeling quite desperate about finding and keeping quality lawyers. Globally, it is a major problem, but increasingly so in Vancouver.

Since Vancouver practitioners are high quality and are paid less, our city has become a pecking ground for other North American and international firms.

Associate retention is becoming a greater worry than attracting new clients, especially if your firm has a great reputation for providing top talent. Clients expect the best legal talent from their law firm. To protect your firm and its reputation, you must find and keep top talent. *Continued on page 8* →

We got stuffed on Thanksgiving. What did you do?

Whenever Thanksgiving arrives, we always stop and reflect on life and the things that we hold dear and are grateful for.

We are grateful to have so many amazing and wonderful clients whom we hold in the highest esteem.

Thank you!

We are thankful to have had the opportunity to assist you and get to know you. We look forward to helping you move forward and to meet your needs as they arise.

Our entire team is thankful to be working towards your continued success and we will continue to hustle our buns for you.

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→ Associates R Us: Continued from page 7

To be profitable, law firms require associates who love to work there, where they enjoy their environment and have some fun. The firm must earn the loyalty of their associates since it is not automatically tendered upon hiring. If they aren't passionate about their practice, associates can become resentful, their performance might suffer, and they may eventually leave.

Often, law firms unwittingly let their under-performing associates wither. Partners don't begrudgingly escort associates out the door with grace and dignity, nor do they help associates get established elsewhere. They just let 'em go.

When associates become in-house counsel with one of the firm's clients as a result, they may speak negatively of the firm.

It is widely known that a law firm's reputation is strongly affected by what former associates say about the firm. If the departing associate is a good performer, they'll be impressed when their partner keeps them busy until their departure date, and then says, "If it doesn't work out, you can return at any time . . . just call me."

So, why aren't associates happier and more inclined to stay at their law firm? A lawyer's loyalty and happiness is not primarily determined by their income, their desire to have a balanced work and personal life, or a desire to become a partner. In fact, 70% of Ivy League graduates do not want to become partners.

There are several major factors that generally contribute to unhappiness and a lack of firm loyalty among associates:

- ✘ The law firm didn't turn out to be what the recruiter described;
- ✘ Associates are not assigned challenging and meaningful work they love to do;
- ✘ Partners do not mentor or train the associates;
- ✘ Associates have little contact with partners on files;
- ✘ Associates do not receive much feedback from their partner on how they are doing, particularly positive feedback;
- ✘ Associates are treated more like employees (e.g. *Continued on page 9* →)

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→ Associates R Us: Continued from page 8

tracking vacation and sick time) than as valued lawyers;

- ✘ Associates are not told where the firm is heading, and assume the partners don't even know;
- ✘ The firm environment is not supportive;
- ✘ Associates have little direct client contact; and
- ✘ Associates don't know whether they're earning, or losing, money for the firm.

Ironically, law firms are in constant denial that an associate's departure has anything to do with the firm.

Associates are happiest where partners are open, honest, and tough but fair in performance feedback. Typically, partners don't express their concerns about an associate's performance since they worry about getting a critical response from the associate. So what to do?

- ✓ Mentor;
- ✓ Include associates in key discussions and decisions;
- ✓ Delegate;
- ✓ Solicit and provide feedback that is fair and honest;
- ✓ Bring junior associates to client meetings, even if unbillable;
- ✓ Make sure that employees treat associates respectfully, as if they were partners.

Some major firms have established programs to give partners the necessary skills to manage associates in these ways. Associates will return their effort, take responsibility, and work hard to not disappoint partners and fellow teammates.

Pedarsky shared many more ideas to keep associates happy and engaged.

Recognition programs can be effective. Fraser Milner Casgrain's *Fusion* award provides for an associate to be nominated by a peer for doing something extraordinary. The prize: a weekend get-away for two. After hearing all of the associate's highs and lows about the firm, the associate's spouse will be thrilled with the offer of a free trip.

Unexpected recognition is most effective whereas a generous bonus paid to an associate in an amount less than was expected can actually make the associate unhappy.

Quarterly or annual firm sessions

to celebrate successes and to provide an overall "State of the Firm" summary will let everyone know where the

Associates are happiest where partners are open, honest, and tough but fair in performance feedback

firm is headed and what is expected of associates.

Present the firm's financial statements at quarterly meetings; associates are potential investors, after all. Show them the performance assessment that partners will be completing about them seven years down the road. It's never too early to get associates, and even students, thinking about key attributes of partnership, such as self-generated work.

Encourage, and even require Con-

tinuing Legal Education development of associates, and consider having speakers come to your office for sessions with all lawyers, including management and financial performance subjects.

Set revenue targets for associates. Give them the tools and support they need to achieve them and don't sugarcoat it. Make it clear that reaching their goal is important. Letting associates know that the firm loses money on them for the first several years but sees that as an investment for the longer term will return their commitment.

If it takes five years before an associate starts to turn a profit for the firm, and may be absent for one or two maternity leaves, that still means 23 profit-contributing years if the associate stays for 30 years.

Junior associates and students typically do not have long-term career plans, rarely beyond just a year or two. That presents the firm with a great opportunity to mold a long-term career at the firm for these associate by treating them the right way. ■■

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Planning on going to the US in the next three years? Pay close attention

PETER MORGAN

This story may change tomorrow. It might even have changed today. It changed twice while it was being written.

Right now, most Canadians can travel to the United States with a driver's license to prove your identity. All that is about to change, but the constant shifting of dates of when it will change or what will suffice doesn't matter as long as you remember one thing. If you're thinking of going to the United States at any time in the next year or two, spend the \$87 and get a Canadian passport. Applications take 10 working days if processed in person or 20 if processed by mail, not including mailing time. Don't give it another thought for its five-year life span.

That's because the time when

you'll need one will probably show up sooner than you think, the rush to get passports is already piling up, and waiting for a cheaper alternative is like playing Russian Roulette with your foot.

For the last few years, there has been a major tug-of-war in the US. Politicians, particularly those in the middle and southern states, who want to be seen as hard on border security, are clashing with US citizens of states that share a border with Canada. Those states also want to be seen as hard on border security but do not want to harm tourism and commerce flows over the Canada/US border.

Specifically, the American's Western Hemisphere Travel Initiative requires all citizens of the United States, Canada, Bermuda and Mexico to have a passport "or other designated

secure document" to enter or re-enter the United States at airports, seaports and land by specific dates.

That tug-of-war, and the fact that Canada has waded deep into the fray, with even prime ministers urging US President George Bush to delay the measures, coupled with the idea of figuring out a system that would be as safe or safer than a passport, but cost less and be less hassle to get, has meant that the US keeps pushing the implementation dates back like a drunken bulldozer operator.

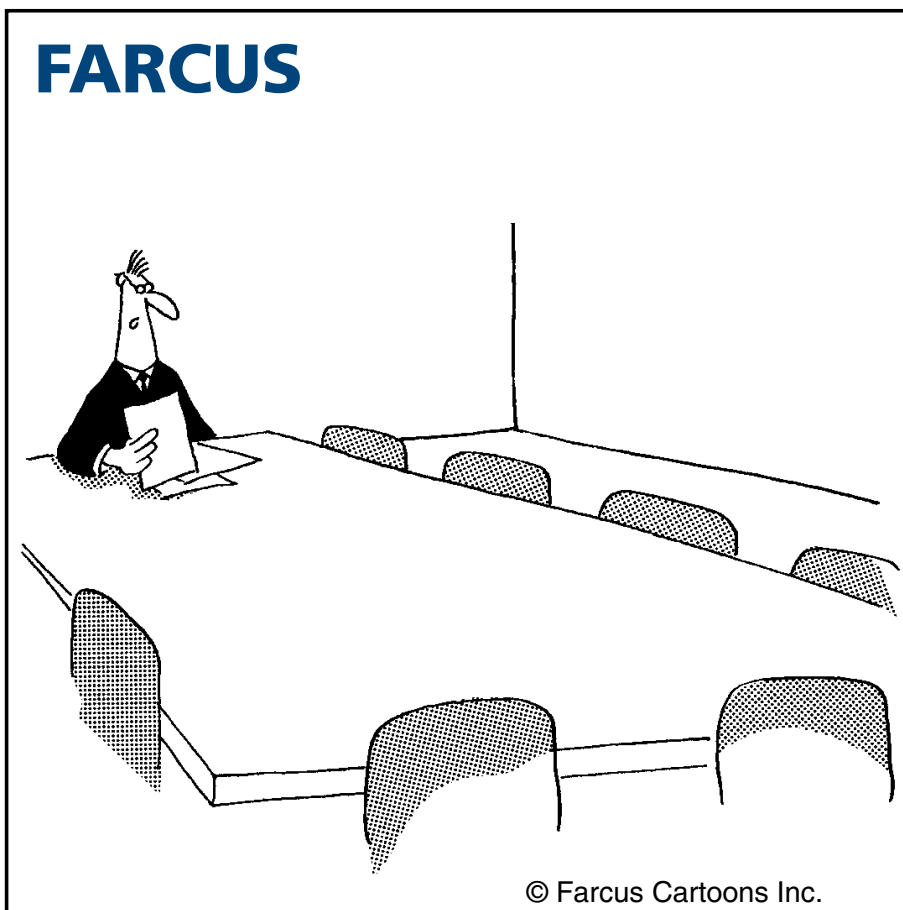
And just the concept of requiring a passport or equivalent has already cut into corporate tourism, such as conferences coming to Canada as a destination. Surveys show that only about a third of American adults have a US passport (about 40% of Canadians have them). After all, organizers argue, if it's going to cost two-thirds of their conference attendees extra in dollars, time and bother to get a US passport to get back into the states, that will cut down on the number of people going to the conference in the first place, so maybe the whole conference should be held inside the United States instead of, say, Vancouver. And conferences or symposiums are booked several years in advance—particularly the big ones—so that kind of decision making by their organizers has already begun.

The US currently plans to require passports at airports and ferry terminals on January 8, and the similar requirement for all of its land border crossings has now been postponed until no later than the middle of 2009, from the original target of Jan. 1, 2008.

The key to those latest instructions is the phrase "no later than"; it means that although officials have granted up to 17 months delay in implementing the requirement for the new land-cross-border documentation, there still remains considerable political pressure to get the work done on the new security document in Canada before that time is up, preferably well before.

You can get information about applying for a Canadian passport here:

<<http://www.ppt.gc.ca/can/in dex.aspx?lang=e.>>



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"I'd like to welcome the Canadians here to Washington to discuss how well the new passport card is doing."

Russ Balcome and Janet Kine: It's the end of an era at McCarthy

**BY STEPHANIE CORNELL
FASKEN MARTINEAU
DUMOULIN LLP**



Russ Balcome



Janet Kine

Law firms today are experiencing a significant sea change. Partnership boards are beginning to run their firms the way their clients run their companies. The corporatization of law firms is not just a Vancouver phenomenon. It is a business model that is reaching regional, national and even international heights.

One Vancouver law firm, however, will be feeling the tremors of its own particular transformation. Employees at McCarthy Tétrault (MT) are preparing themselves for the departure of their administrative monarchy. Russ Balcome and Janet Kine are retiring.

Russ, Director of Administration, and Janet, Director, Human Resources, have worked together at MT for almost a decade. Theirs has been an unmistakable partnership. Together, they have seen many changes. The corporatization of law firms is but one.

"Twenty-five years ago, there was no structure in law firms," explains Russ. "I was a bank manager for many years. In the financial sector, there was plenty of structure. There were instructional manuals and policies and procedures and guidelines for everything. That structure steered the organization. Law firms, on the other hand, were, and for the most part, continue to be, entrepreneurial environments. Totally different."

Janet agrees. Her prior experience had been in the head office of a crown corporation, where there is typically plenty of bureaucracy and just one boss.

"Not so in a law firm," says Janet. "There are not too many places of employment where you find yourself reporting to 50 bosses with equal power, authority and interest."

Janet notes another interesting feature of working in this type of environ-

ment: "Reporting to so many people certainly determines the level of service you provide: consistently high."

They both have many good memories and lessons learned from their tenure together. "Say less; think more!" is a tune they share.

If you think their most memorable moments are those of wild Christmas

**Both say mentoring
most memorable event**

parties or a partner's roast, think again. Both agreed that their most memorable experiences are those of mentoring others and helping employees to succeed.

"It's easy to terminate employees," says Russ. "It's a lot harder to make people succeed, and a lot more rewarding."

Both have worked hard over the years to make MT an environment of and for everyone. They have always endeavoured to empower people and respect the staff particularly.

When asked about their own mentors, Janet quickly credited Russ as her own mentor while Russ lauded Ron McGregor, the former Director of Administration at Russell & Dumoulin.

Both spoke fondly of the BCLMA and praised its collegial culture. "Throughout the years, someone was always there to answer the call and provide honest feedback, support, and ideas," says Janet.

But perhaps where Russ and Janet

have come from is not as important now as where they are going. Each is looking forward to their retirement with considerable enthusiasm.

There is no shortage of plans on Janet's register. "Travel is at the top of the list!" Since her daughter lives in London, England, she and her husband are looking forward to spending more time there. Additionally, she is planning on doing more hiking, scuba diving and sailing. In her downtime, she'll be chronicling her family's story through the popular pastime of scrapbooking.

Russ and his wife have already had a head start on their travel itinerary. Three years ago, they had an early taste of retirement during the firm's sabbatical program. They spent three months in Australia, New Zealand and Arizona. This may have been the beginning of Russ' winding down of his 20-year tenure at MT and more than 31 years in law firm administration in Alberta and BC.

Interestingly, both Russ and Janet are extremely keen on health and nutrition. Both have been placing significant focus on their own health and the health of their partners. "Younger Next Year!" is Russ' new mantra, taken from the book of the same name.

A recent survey showed that 30% of the population resist change, but the staff comments about Russ and Janet's departure seem to indicate it's approaching 100% at McCarthy Tétrault, though I am certain that everyone at MT as well as the entire BCLMA membership wish Russ and Janet continued success in all of their planned ventures. *All the best!*

→ Workplace mobbing: Continued from page 2

situation and wait for the rude awakening when you are sued? Alternatively, do you take a proactive approach and ensure any episodes of mobbing or bullying are taken seriously by incorporating it into your policy on acceptable behavior in the workplace?

I have often heard colleagues refer to their firm as a 'big happy family' and it's nice that they have achieved that atmosphere. But as most of us know, you should always be aware of changes in the family to ensure it doesn't become a dysfunctional one.

How to deal with interruptions and other office time-wasters in your day

SHARON ADAMS

Every workplace has them: the chatterboxes, the complainers, the borrowers, the interrupters, the favour-askers.

Their behaviour eats up a lot of their time—and when they amble over to your desk or office, they can waste your time, too.

But it doesn't need to happen.

Nearly two-thirds of respondents to a recent online poll at US job-search site www.truejobs.com said their work was negatively affected by co-workers' annoying behaviour. And 40% of the 2,200 respondents said they have changed jobs because of it. Yet more than half said they hadn't even considered confronting their colleagues.

Changing jobs to get away from co-workers is an extreme example of the 'flight-or-fight' reaction we have to stress, says Lisa Peters, an instructor at 3e Training Inc. in Victoria. The company delivers courses on developing such workplace skills as managing time, measuring performance, setting goals, managing contracts and finances.

To someone without problem-solving skills, changing jobs might seem like a good choice. Problem is, they'll likely encounter similar behaviour at their next job, too.

"You can't change other people," Peters notes.

But you can change the way you think about these interruptions—and change the way you handle them.

"Some interruptions by co-workers are our work—but we don't view them that way," says Peters, who leads workshops that train people how to get along in the workplace. "We often see serving external customers as so important, but discount our internal customers," she says. Also, we develop our daily agendas without accounting for office interac-

tions. "You know what you have planned for the day, but forget to plan to react to the environment."

Result? We reach the end of the day without getting to the end of the to-do list, and we're resentful of the minutes frittered away by interruptions from co-workers.



The first step in changing your attitude about time-wasters is to be realistic about your time demands. Few of us have jobs where 100% of our workday is spent accomplishing our personal goals. "If you're an administrator, 70% of your day might be set aside for reacting [to staff], and 30% to your planned agenda," says Peters. For office workers, the ratio could be reversed. And for line work or customer service, there may be only small slices of time available for interacting with co-workers.

When we set aside time for colleague interaction, just like time for answering e-mails or voice-mail messages, our to-do list may be

shorter, but also more achievable—without resentment. Also, sometimes wasting time isn't necessarily a waste of time.

"A lot of work happens informally," says Peters. "Some frivolous conversation may not seem related to your primary goal, but is valuable for building personal relationships and team-building." And remember, you are part of a team, even if you don't feel that way.

Off-the-wall comments during a chat can also offer solutions to real problems—suggestions that would never be made in a more formal meeting.

Many of us spend more hours in the company of co-workers than with members of our family. It's natural to want to share life's joys, such as wedding and baby pictures or vacation snaps, with co-workers. And when things go wrong at work, it's handy to have someone safe to vent to, or to offer a supportive shoulder to cry on.

In moderation, these behaviours build relationships, and good relationships make teamwork possible. Without moderation, though, it can affect productivity—your own, your team's, the division's, even the whole company's.

Once you've budgeted a realistic amount of time for co-worker interactions, the next step is sticking to the budget. This requires two skills: Getting co-workers to respect your time limits, and saying "No" more often.

Peters says most work falls into one of two categories: Tasks that can be done in short bursts of time, when interruptions aren't as bothersome; and work requiring more time or concentration, when interruptions disrupt productivity.

In an open office, you can physically move when you don't want to be interrupted—book a meeting room or borrow an office when you're facing the deadline for a report. Close the door. If necessary, post a sign saying *No interruptions, please*.

But even *Continued on page 13* →

→ *Workplace mobbing: Continued from page 12*

when you're available to colleagues, you'll want to control the amount of time you spend oohing over baby pictures or listening to a complaint.

When the chatterbox appears, state clearly how much time you have right now to talk, suggests Peters. "I'm kind of busy, but have two minutes to talk."

If you're being truthful, show respect for the other person by giving them your undivided attention (don't delete things from your e-mail list or shuffle papers when they're talking). Make eye contact, react to what they're saying. At the end of that two minutes, give the listener a physical clue the conversation is drawing to a close. In an office, says Peters, get up and start walking toward the door—the co-worker will automatically follow.

Or give a verbal clue: 'I have to prepare for that long-distance call' or 'I've got to get back to that report.' If you don't have time to talk, say so—and suggest a time that's more convenient, says Peters.

"I'd love to talk about it, but I'm pressed for time right now. Can we talk over lunch? Can I call you at 3:30? You need a repertoire," says Peters.

To make it clear it's not a brush-off, validate the co-worker's feelings. Saying "I have another important thing to do right now—can we talk later?" lets them know you consider them important, too, says Peters, and gives you the opportunity to set up a conversation when you're more in control of the time and place.

Part of that repertoire has to be saying no—to the co-workers who ask favours that subtly shift workload from their desk to yours, to the chronic interrupters who want your advice or input on seemingly every task, and especially to the Negative Norms and Normas.

"Instead of saying to yourself, 'I don't have time for this,' ask yourself 'what is this person's need?'" suggests Peters. Understanding their motivation gives you clues about handling the persistent problem.

For example, if you can see the root of the complainer's problem is a need to be recognized, you can make a

point of informally thanking them for their contributions. "Thanks for getting the data to me. It really helped me meet my deadline for that report."

If you seem to be the regular target of the complainer or advice-seeker, ask yourself if it's because you are taking on the problem or work for them.

If so, teach them problem-solving behaviour. Ask for a clear statement of the problem, and alternatives.

Ask for pros and cons of each. Commiserate with them over the difficulty of the decision—then hit the ball back into their court. "I can see it's going to take time to mull over. Let me know what you decide." Then, change the subject, excuse yourself gracefully and leave or walk them to the door—and let them get on with it.

But what if you're trapped by a negative colleague who drones on and on about what's wrong with the job, the assignment, the department,

the company? Make it clear you disagree, then change the subject.

Statements such as "We don't see eye-to-eye on that," "I've always been treated fairly by so-and-so" and "I guess we're going to have to disagree," or "I prefer to focus on the positive," let the complainer know you will not lend a sympathetic ear.

Changing your attitude and behaviour can change the focus from putting up with a problem to "creating a culture of productivity," says Peters.

Yes, there are websites that purport to offer anonymous messaging to alert your co-workers by e-mail about their annoying behaviour. Do not use them. Develop your own problem-solving and coping skills instead. Trust me, you'll feel better.

Now, let's all get back to work. ■

Sharon Adams is a freelance writer <sharon@businessedge.ca>. This article was originally published in Business Edge Vol. 6, No. 18.

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MEMBER SNAPSHOT...

Sonia Kenward (formerly Iida) is the Human Resources Manager at Fasken Martineau LLP. Sonia has more than 20 years in the legal industry with 17 of those spent at McCarthy Tétrault. Sonia and her husband are avid travellers. This year, they enjoyed a three-week honeymoon in Greece and last year, they spent three weeks in Tanzania on a volunteer trip with World Vision working on a schoolhouse construction and renovation project. ■



Sonia Kenward

MAKING THE MOVES...

John Hawke left Harper Grey Easton to join the structural engineering firm Read Jones Christoffersen... Allison Milroy has joined Lindsay Kenney as Human Resources Director... Cindy Hildebrandt is the new Manager of Human Resources at Richards Buell Sutton...She'eli Mullin left Davis & Co to join Lang Michener LLP as Applications Trainer...**WELCOME NEW FIRMS TO BCLMA:** Roper Greyell, Vancouver, Tracey MacLean, Administrative Assistant to the Managing Partner; Campbell, Burton & McMullan LLP, Langley, Cheryl Scott, Administrator. ■



John Hawke

Has there been a promotion or management changes in your office? Send the details when they occur (while you're thinking of them!) by e-mail to <SCornell@Van.Fasken.com>.

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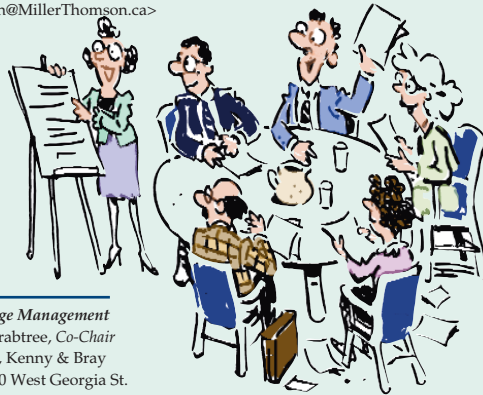
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