

## **A Business New Year's Resolution**

*By*

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If you are a small business owner, then this is the time of year you are probably reviewing 2009 results and expenses and preparing budgets for 2009. With the economy as it is and as it is likely to remain for at least the next twelve months, you will be looking closely at how to cut expenses even more than you did this year. You'll be exploring ways to make yourself and your employees more productive next year than you were in 2009.

Some changes may be obvious such as reducing unnecessary meetings so that your staff can spend more time on sales calls or changing how much time is allotted to each sales call so that the number per day can be increased.

But there is one area where your employees and perhaps you yourself may be distracted from company business and actually be wasting valuable company time, losing sales and lowering productivity and that is the challenge of personal and corporate related litigation.

If you and your business have ever been involved in a lawsuit, then you know what a time waster they can be. At a minimum, you and your people waste time collecting documents, meeting with lawyers, sitting in courtrooms and stressing out at night worrying about the suit. You probably think this is just the price of doing business and to some extent it is.

But what about the loss of productivity and possibly lowered employee morale if a key worker is involved in a personal lawsuit such as a divorce or a family battle over an estate or parental care or even just a neighborhood dispute? How much company time is wasted by that employee on the phone to lawyers or advisors or out of the office at depositions? And how much time does the employee spend at the water cooler hashing over the latest development with your other workers? When they're in meetings or sales calls are they thinking about their jobs or about the fight with the husband, wife, or family?

This can be a significant hidden expense for you. I have a friend, an eye surgeon, who had a very stressful six month period because his surgical nurse was so deeply involved in a personal dispute that it was affecting the timing of his surgeries and was giving him ongoing concern that she might "mess up".

We all know lawsuits can be time consuming, expensive, and stressful, but you probably have not considered how someone else's lawsuit and disputes can cost you and your business significant money and lost productivity.

I have written before, ( Enterprise-Online February 2009), about the benefits to your business of going to mediation instead of litigation, but here I want you to consider the possibility of offering mediation to an employee who is involved in a personal dispute.

My eye surgeon friend wished it had been available when his nurse was stressed out by her lawsuit. Mediation wasn't available at the time of his problem. The doctor said he would have gladly paid for the mediation himself if it would have helped her resolve her problem and get her back focusing on her work.

Even at about two thousand dollars to complete the mediation, the expense would have been significantly lower to his medical practice than the lost time and productivity for the drawn out and ugly lawsuit.

You may not want to be as directly involved in helping an employee as the doctor was willing to be, but you can still offer your workers an employee benefit regarding mediation through your insurance program. Call your insurance broker and find out if any of the carriers he or she represents offers employee mediation coverage as part of an employee assistance plan.

In the meantime, give yourself this quiz:

1. Have you ever had an employee in your company or department whose productivity has been negatively affected by being involved in a legal dispute or family conflict situation? Describe the problem
2. How much work time do you think was lost because of the dispute?
3. How did this dispute affect the overall working environment?
4. How much would you have been willing to pay as an employer to "have that employee back at work", instead of in a stressful lawsuit: \$200, \$500, \$1000 or even \$2000?

You have a choice, which works for you?

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