



# “Legal and Practical: Best Practices for You and Your Resident”

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# Introduction

- Focus on Legal and Practical Management of Residents:
  - Hiring
  - Management
  - Problems/Disciplinary Actions
- Our Mottos:
  - Hope for the best but plan for the worst
  - It's easier and cheaper to *keep* you out of trouble than to *get* you out trouble

# Hiring

- Contract
- Employment Policies/Employee Manual
- Training
- Set Expectations for Regular Communication

# Management

- Conduct regular “pulse checks”
- Conduct regular evaluations – self and 360 degrees
- Meet regularly to review compliments, questions or concerns
- Document meetings and resident’s personnel file

# Problems/Disciplinary Actions

- Document, document, document
- Review employee policies and resident contract
- Consult with human resources and legal counsel
- Develop approach depending on severity of problem
- Some problems may be simply a “teachable moment”
- If time granted for corrective action is permitted, be specific about when corrective actions must be taken, how they will be measured, when the resident’s performance will be evaluated again. Document, document, document

# Problems/Disciplinary Actions

- If no time granted for corrective action, review disciplinary actions pursuant to resident contract and employee policies with human resources and legal counsel
- Handle suspension and termination in appropriate manner per legal counsel. Document, document, document
- Be careful NOT to add in a claim for defamation
- Common Issues:
  - Substance abuse
  - Poor performance of duties
  - Sexual harassment
  - Social media
  - Theft

# What Else is on Your Mind?

**THANK YOU!**

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