



WHAT'S YOUR EXIT STRATEGY?

A trusted advisor can help smooth the transition after you quit – or are fired.

By Gail Sussman Miller

Think back to the last time you accepted a job offer and began your first day filled with promise, excitement and hopes for success. As we know, stuff happens. Sometimes we find ourselves in great jobs that are negatively impacted by messy mergers, a new mismatched boss or reorganization chaos. What do you do if they point you to the door or you see the writing on the wall? How can you make the most of your exit and come away with the best deal, peace of mind and your confidence intact? You need a trusted advisor.

Dan Felix, of The Executive's Attorney, is an unusual breed of lawyer. He uses a holistic, philosophical, humanistic approach, combined with legal knowledge, to help clients resolve employment issues. Whether negotiating on a new job, a difficult departure or discrimination issues, Dan helps his clients, mostly women, avoid heavy-handed use of litigation if possible. Dan says, "I coach, consult and empower women to get clear about what matters most to their futures and dreams, identify where they have leverage and how to take action on their own."

If you ever find yourself facing a difficult employment departure, have no fear. Our trusted advisor shares four critical steps below, with one bit of fine print, naturally: "This information does not constitute legal advice," Dan says. "It's offered to educate. You'll be surprised to find you have more choices and greater personal power on the job than you think." Here, we break down how to work through your own crisis.

FOUR STEPS TO A SMOOTH EXIT

First, breathe. The moment you get the bad news that you're being fired, forced out or you choose to leave, you'll feel a rush of emotions: anger, grief, sadness, fear about the unknown and "why me?" thoughts. Acknowledge and allow your feelings, then get support and comfort outside the workplace. Detachment and clear-headed thinking are critical.

Maintain professionalism and ask, listen and gather information to digest later to get the whole picture. This is not the time to take action or say things you might regret. The situation probably isn't even about you. As you seek support, consider that while your friends are great comfort, they're not a good substitute for a legal counselor. Get advice early on.

Second, analyze and prioritize your needs and desires. To help you take responsible action you can live with, ask yourself a few questions to determine what's important to you and if your goals are consistent and congruent. Financially, how might litigation impact future earnings, getting positive references, expenses and long-term savings? Career-wise, what is the impact if you want to stay in the same firm or industry? What is your ideal scenario and the type of results you can live with? What's your comfort level with risking money, reputation, having adversaries and tolerance for the legal world of contracts and agreements? Lastly, what's your sense of justice and your need to cure the wrong doing?

Next, analyze your leverage points. What trump cards do you have in your hand?

We also assume legal leverage is our only leverage, but others can be just as effective. Look at your business leverage. Know your employer's personality and likeliness to go to court. What might they negotiate on and agree to? Moral leverage is a bargaining chip you might not think of; if your employer's brand is based on morality, being wrong might give you leverage. Personal leverage may include relationships with those with clout, like a mentor or advocate at the C-level, who can offer insight and information. Lastly, legal leverage covers your obligations to your employer and theirs to you in a non-compete or disclosure. Has there been any violation of the law?

Lastly, plan and execute a strategy. There are several choices, from low-key and low-cost on up:

1. Act on your own, with counsel or coaching.
2. Use a legal representative to write a letter or call the company and engage in negotiations, based on you doing your homework.
3. When there is a legal case and you have the appropriate tolerance and resources, and negotiations fail, a lawsuit may be required.

THE TALE OF THREE WOMEN

These steps may seem easier said than done. To see them in action, we talked to Dan about three real-life stories from his clients.

Val Berry, entrepreneur: Val's company reorganized and planned to let go of nearly 600 people, 90 in her department alone. Val was slated for a new job within the same company as a result. She thought about how stressed

she was after 12 years of sacrifice and related health problems, and decided it was time to leave. She asked to be included in the volunteer program, but her new manager would not let this high-performing Black employee go.

Val's Goal: To be added to the mass layoff list. Dan helped Val weigh her options, especially the worst case scenario. "I didn't realize the huge leverage and resource I had in a manager who championed my career," Val says. Dan coached her on how to gather executive-level insider information from her manager and how to use that information. Val got her name on the layoff list and received the severance package she thought she deserved. "I got empowered and really clear about what is most important to me at this stage in life," Val explains. As of this writing, she's partnering on the launch of a new security guard service.

Ann Anderson*, senior executive with a professional services firm: While on top of her game as a successful, 50-year-old leader in the local office of a male-dominated consulting firm, a man from another office (with less experience) was promoted and brought in to take over. They were opposites, and tension built. As the office's performance declined, Ann was made a scapegoat and asked to leave.

Ann's Goal: Negotiate a better severance than offered and get her side of the story told. Together, Anne and Dan looked at what was best short-term and in the long run to heal and move on. Dan advised Ann to find the most neutral party to speak with (which was HR), how to factually state events and to allow HR to draw their own conclusions about the obvious differences in the way she was treated. "If things aren't going well in a job, it's not likely about you," Ann advises. "Set aside your pride, avoid getting entrenched in being right and move on sooner rather than later." She negotiated a better deal and is now working in the same industry, wiser and much happier.

Valerie Coorlas, sales, marketing and events professional: Valerie was happily doing sales work, which she loved, when her music company made a merger decision. Confusion about what roles were needed and who would stay or go ensued. Everyone was asked to sign either the voluntary severance package or retirement waiver, based on age.

Valerie's Goal: Understand the impact of the severance waiver and how signing it might impact her reputation and future with the firm. "We can feel powerless with the tug and distraction of emotions, doubts about self-

worth and how to operate while isolated in the old boys' club," she stressed. Dan set her on the right path by taking things to the human level, looking at the politics of the relationships involved and understanding the legal responsibilities of her employer. A big insight is that you can start out with one attorney and possibly switch to a different specialty if needed later. In the end, Valerie signed the agreement and was let go one year later. Today she's testing new career options within the world of jewelry, a lifelong passion, while investigating possibilities in the field of entertainment.

WHAT'S THE VERDICT?

Keep alert and aware of changes around you and how they impact you. In any difficult situation, separate out and get support for your emotions, get clear about what is most important to you, realize you have leverage, power, choices and access to trusted advisors. Case closed! ■

Gail Sussman Miller, of Inspired Choice (www.inspiredchoice.com), helps women solopreneurs and small women-owned companies learn how to overcome business obstacles. Dan Felix can be reached at www.the-executives-attorney.com.

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