

What to do about Joe

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ABSTRACT

An aging male research scientist, managed by a younger, less experienced female, resents her treatment of his apparently declining skills and contributions. A very real conflict exists between his and his manager's perceptions of his performance and his contributions to the organization and to his team. A key issue is whether there was a valid, underlying decline in performance, and whether the "system" had simply failed to capture or manage this decline for too long. The situation leaves the manager with hard choices, choosing between longevity and professional expectations.

Keywords: performance appraisal, feedback, performance management, age discrimination, employment law,

INTRODUCTION

Robin Archilazi parked her car in the basement lot of the U.S. Propulsion Research Lab (PRL), walked the usual few steps to the elevator, pressed the “up” button and watched the illuminated numbers slowly tick down from the upper floors. As she waited, she resumed thinking about the issue that had preoccupied her over the last few weeks and which was the focus of previous conversations with Joe Cheevers. It was time for Joe Cheevers, one of her five Section Chiefs, to retire. Unfortunately, she wasn’t convinced that Cheevers agreed.

Archilazi knew Cheevers well. In fact, before her promotion to Branch Chief, she had worked for him. From her first day at the Lab, after she moved from a private sector R&D organization, Cheevers always had been attentive, helpful and appreciative of the skills Archilazi brought to the team. In fact, over the ten years she reported to Cheevers, he had been something of a mentor. Not allowing their twenty-year age difference to be a barrier, Cheevers eased her transition and showed her the ropes. With his coaching and guidance, Cheevers had contributed to Archilazi’s rapid advancement through the organization. Now, she found herself in the position of having to replace him.

Entering the empty elevator, Archilazi moved to the back, focused on the string of floor numbers over the door and prepared to ride to the tenth floor. She thought about the seemingly incontrovertible evidence indicating that Cheevers had not been managing his branch up to PRL’s standards and had been losing clients as a result of it. Mario Rocco, the Lab director and Archilazi’s boss, had made it clear that he expected her to convince Cheevers to retire, “to move him along.” At the same time, he cautioned her to do it in a way that provided Cheevers with the dignity and respect earned through his many years of valued government service.

As the elevator stopped at the lobby level, a large group of PRL employees got on, forcing Archilazi into the back corner. While it might have been expected at this time of the morning, she was still surprised to see Cheevers and his long-time friend, Terry McKenna, squeeze in as the last two in the crowded car. Archilazi was not a tall woman and while Cheevers and McKenna stood with their backs to the other passengers, she still prayed that they wouldn’t notice her. The situation with Cheevers was just too sensitive at the moment and the last thing she wanted to do was talk to him before things were fully resolved. As she tried to make herself as small as possible, Cheevers began to say something to McKenna in a low, but clearly discernable voice in the quiet elevator.

“Look, I don’t want to retire or work part-time. I don’t know why they want to force me out. Haven’t I given this place enough to earn some respect? I don’t know what the big deal is. So I missed a meeting or two. And, the Stevens project wasn’t going to get funding anyway. My other clients love me.”

As McKenna nodded, Cheevers continued: “I think I’ll take your advice. My brother-in-law is a labor attorney and I’m going to talk to him this weekend. I don’t want to stir up trouble but if this is the way they’re going to treat me ...”

Just then, the elevator doors opened on the fifth floor and Cheevers and McKenna walked off, still in conversation. Archilazi breathed a sigh of relief that she wasn’t seen, but now she had an even bigger problem.

JOE CHEEVERS' CAREER AT PRL

It was in 1972 that Cheevers had joined PRL, one of the government's premier research and development facilities. The scientists and engineers who worked at PRL were self-starters and motivated by the mission and values of the US Army. Intrinsic motivation, related to the work of PRL, was believed to be their primary motivation as opposed to salary and other fringe benefits. Upon joining the organization, Cheevers had retired from the U.S. Army as a Lieutenant Colonel, quite an achievement for a relatively young man. While in the Army, he served in the chemical warfare branch at Fort Frederick, Maryland; and, in addition to that background, he brought to PRL a PhD from MIT in chemistry. Cheevers was well respected for his sharp intelligence, publication record, and overall affability. Despite excelling and enjoying his work as lead scientist in the Surface Warfare branch, Cheevers reluctantly accepted a promotion to the section chief position in 2000. In truth, he was not particularly effective as a section chief, but as is true in many civilian and military R&D organizations, successful scientists are often promoted to management positions. Over the years, Cheevers had earned the wide respect of colleagues in PRL and in sister U.S. Army installations around the country. When asked to describe Cheevers, most people would talk about his quiet competence, dedication to PRL and pleasant personality. He never married and took great joy in his wilderness travels, especially those to the Canadian Rockies and Antarctica. This was particularly evident in his animated recounting of adventures to friends and colleagues.

PRL's leadership knew Cheevers well through his frequent attendance at meetings in which he represented his department as section chief. In addition, Cheevers had served on PRL's executive committee. Not all of this exposure benefitted Cheevers, however, primarily because of his tendency to remain relatively quiet in these meetings.

CHEEVERS' RECENT PERFORMANCE

About three years ago, reports of problems with Cheevers' work began to trickle in from PRL's clients. Tasks that were clearly Cheevers' responsibility were no longer getting done in the effortless and successful way they had in the past. These clients began to complain directly to Cheever's new boss and branch chief, Robin Archilazi. Not only were the negative comments directed at Cheevers, but his entire department had also come to be included in the complaints. Orders were being changed without client input, client concerns around quality and timeliness were being ignored, information was not filtering down to Cheevers' subordinates and he had begun to act in a unilateral fashion without department knowledge or input. When discussed with him, Cheevers simply attributed these complaints to customer shortcomings.

PERFORMANCE APPRAISAL AT PRL

For years, PRL lacked a comprehensive performance appraisal system. Employees at PRL were not thoroughly appraised with respect to performance. They were only required to submit a yearly self-evaluation. Little or nothing was done with this information. This agency hired very talented and gifted employees motivated by the Army's mission and it was the culture of the organization to believe that all were driven by personal initiative, professional pride, and patriotic duty. Salary increases were determined primarily by longevity with the organization according to a wage grade level system. Generally, the longer you were there the more money

you made. Given the nature of the work and the motivations of the research scientists at PRL, money or any other external reward did not seem to play a powerful role as a motivator of performance. When hiring new scientists, the salary structure and system were quite clear; people did not join the Lab for the salaries or the prospect of big pay increases, although job security was probably an important consideration. Exit interviews with employees rarely surfaced money as a factor in their decision to leave.

Given the casual approach to performance appraisal, Cheevers had little reason to know or to believe that his performance had deteriorated since going to work for Archilazi. He had never worked with Archilazi or anyone to discuss his performance or develop a performance improvement plan.

ARCHILAZI'S INVESTIGATION

With increasing concern about the situation, Archilazi began to sit in on Cheevers' weekly section chief meetings. To her, he seemed ineffective, running the sessions on autopilot and often exhibiting mild indifference. Questions from staff were ignored and issues already discussed and acted upon were resurfaced as new material. Problems festered rather than being directly addressed. Cheevers reserved his managerial criticism for department members who arrived late to meetings. Archilazi also noted that Cheevers' subordinates were becoming increasingly truculent, expressing the concern that their careers were going nowhere under Cheevers' leadership. Requests for transfers from his department to other branches increased. Clients had begun to threaten to take their business to other labs. Finally, rumors about Cheevers' seemingly progressive performance decline began to spread across PRL.

In interviews with members of Cheevers' branch, Archilazi learned of his increasing habit of repeating himself, his tendency to blame others for problems and his failure to recognize issues that had already been handled. Some had commented that he appeared confused at times, even mentioning that his behavior seemed Alzheimer-like. However, Cheevers never appeared overly angry or unpleasant. Some were more tolerant of these mental lapses than others. Older colleagues saw this as "old Cheevers," while younger scientists were at times heard referring to Cheevers as "the old geezer."

Archilazi kept good records on all these changes and concerns, especially the client and employee complaints. Since Cheevers' explanations for them pointed back to the clients and their lack of clarity around their desires and expectations, she decided to talk directly with several important clients and some of Cheevers' direct reports. What she discovered was a decidedly mixed picture.

One respected client offered the following: "I've known Cheevers for a long time, now. I like him and his work is okay. It's true that his memory is not as good as it used to be, but whose is? My job is not to belittle or complain about Cheevers but rather to learn how to take advantage of his expertise to accomplish what I have to do."

Some of the older and more mature engineers in Cheevers' branch had few complaints about his performance as a section chief. They essentially told Archilazi that they considered it important to learn how to work with him. Those managers and customers who typically experienced the most success with Cheevers sent him repeated emails, kept copies of all work and tended to ask less questions and to learn more on their own. An engineer in his branch summed up this reasoning: "We know Cheevers is getting older and can seem to be more

forgetful; but, if you accept that as a given and take responsibility for your own learning, you will be successful.”

Archilazi also found additional support for Cheevers in the organization. His best friend, Terry McKenna, well connected within PRL and a highly respected PhD in magneto hydromonics, flatly denied performance problems existed with Cheevers.

ARCHILAZI'S TASK

Mario Rocco, PRL's Director, was well aware of the complaints about Cheevers and his diminished performance. From his perspective, while he clearly appreciated Cheevers' past contributions and even expressed a personal like for the man, the organization could not tolerate the loss of either clients or reputation. In no uncertain terms, he directed Archilazi to make a case to dismiss Cheevers, but to do it in a way that allowed Cheevers to preserve his dignity. Given the fact that earlier in the year, the head of PRL human resources had resigned and a replacement had not yet been hired, Archilazi felt very much alone with the problem. She knew she had access to legal counsel, of course, but the time had not yet seemed right to bring the attorneys into the discussion.

Within PRL, Archilazi was seen as creative, extremely hard working and could be trusted to have the good of the organization at heart. She was known as a competent person of true integrity and very generous with her time. She was keenly intelligent and a model of decorum in her relationships with all employees. For these reasons, she was often used as the "go to" person when difficult situations arose at PRL. This latest difficult assignment called for her to treat Cheevers with the utmost respect and dignity he deserved, while making a compelling case for his retirement.

Having researched the situation thoroughly, Archilazi began her task by meeting with Cheevers to discuss his documented performance problems and customer complaints. After a lengthy conversation that clearly laid out the situation and gave Cheevers an opportunity to respond, Archilazi offered Cheevers the opportunity to resign. He would be allowed to keep an office at PRL and was offered the opportunity to work part-time in a reduced role. With little enthusiasm, Cheevers seemed to agree to the retirement proposal. A few days later, however, he acted as if the meeting had never taken place, assuming he would remain full-time as section chief until he decided to retire. A second meeting was then held with Cheevers; this time with Mario Rocco present. At Cheever's request, his friend McKenna was also present. Once again, the same issues were discussed and Cheevers appeared to be resigned to the fact that he might be working part-time or not at all at PRL in the near future.

Given her experience after her first meeting with Cheevers, the conversation she overheard in the elevator came only as a partial surprise to Archilazi. The news that Cheevers was going to contact an attorney and had no intention of stepping down or reducing his workload may not have been as surprising as it was disconcerting. Archilazi wondered what she should do now and how she was going to find a balance between her responsibility to PRL and the human side of managing aging employees.

WHAT TO DO ABOUT JOE

Teaching Note

CASE SYNOPSIS

An aging male research scientist, managed by a younger, less experienced female, resents her treatment of his apparently declining skills and contributions. A very real conflict exists between his and his manager's perceptions of his performance and his contributions to the organization and to his team. A key issue is whether there was a valid, underlying decline in performance, and whether the "system" had simply failed to capture or manage this decline for too long. The situation leaves the manager with hard choices, choosing between longevity and professional expectations.

This disguised case can be presented open-ended without any specific questions or directed with several recommended questions. This case might also be used in undergraduate or graduate management, Organizational Behavior, Human Resources (HR), HR Law and Business Law courses. Because of the issues presented related to fair treatment of employees, it might also be useful in a graduate ethics class.

LEARNING OBJECTIVES:

After a discussion and analysis, students should be able to:

1. Assess the situation from the perspective of the key players
2. Propose a process for conducting an assessment of a person's job performance and a thorough diagnosis of a person's ability and/or willingness to perform specific job requirements.
3. Explain the importance and process of conducting effective formal performance appraisals (managing performance) and how to avoid common mistakes.
4. Given the dynamics in the situation, identify appropriate influence tactics to use.
5. Identify and evaluate courses of action available to managers concerned with managing declining performance.
6. Identify and apply employment laws relevant to the situation.

RESEARCH METHOD:

This is a disguised case. Extensive interviews, observations, and a review of company documents during a consulting engagement with an Executive MBA student were sources for the data in the case.

DISCUSSION QUESTIONS:

1. What is your analysis of the situation? (Learning Objective 1)
2. Why did the situation occur? (Learning Objective 2).
3. How would you evaluate/characterize Cheevers' performance? (Learning Objective 2)
4. Could Archilazi have done anything to prevent the negative aspects of the current situation from coming about? (LearningObjective 2).

5. What is the role and purpose of the annual performance appraisal? How was it used in this case? (Learning Objective 3).
6. How might Archilazi effectively use influence tactics to better manage her relationship with Joe? (Learning Objective 4).
7. What should Archilazi do now? (Learning Objective 5).
8. As an older worker, does Cheevers have any special protection under the law? Does it appear that he has been discriminated against? What laws do Archilazi need to be aware of as she contemplates her choices? Be prepared to outline the law and apply the facts of the case to the legal theory. (Learning Objective 6)

ANSWERS TO DISCUSSION QUESTIONS:

1. What is your analysis of the situation? (Learning Objective 1)

Archilazi had originally worked for Cheevers when she joined the agency from a private sector R&D organization and she was quite fond of him. He had been willing to show her the ropes in PRL, which was helpful for her entry into the organization. The performance appraisal process in the organization is non-existent or not functioning. Archilazi is Cheever's branch chief (Cheever being a section chief) and is responsible for the growth and development of all her employees. Although Cheever's performance began deteriorating in 2013, Archilazi has only been alerted fairly recently to the potential performance problems with Cheevers in his interactions with both internal and external customers; evidence suggests that Cheevers' section employees are disappointed with his management and leadership in the department. Mario Rocco, Archilazi's boss, is feeling the heat to take action about Cheevers' performance in order to improve the situation and he has tasked Archilazi to fix it.

Cheevers gets along well with Archilazi and there is a feeling of mutual respect. He helped her socialization process when she was a newcomer to his branch and harbors no ill will towards anyone in the organization. He does not believe his performance has deteriorated since the performance appraisal process in PRL is fairly lax and he has never worked with Robin or anyone in developing a performance improvement plan or even in discussing his performance until very recently. It might very well be that in certain white-collar professional R&D organizations, especially in the government, the formal performance appraisal process is not an issue of great significance.

As of late Archilazi has been collecting data about Cheevers' performance and has attended section meetings run by Cheevers to observe his performance for herself. In addition she has collected data from a sample of Cheevers' internal and external customers. Under Rocco's direction she has instigated actions with Cheevers to reduce his job responsibility but after initially agreeing to the change, he planned to meet with a labor lawyer to possibly void any agreement made with Archilazi and appears to be contemplating legal action.

Clawson (1987) has developed an OWNER-WANT-GOT-GAP model that works well for getting a clear, comprehensive picture of the problems in a situation. It allows for seeing the perspective of the situation from each stakeholder. We list US as a stakeholder (as an interested observer, a consultant, or the student in the protagonist's position as a change agent.)

From this analysis as indicated in Table 1(Appendix), it seems that Cheevers, Archilazi, and Rocco have not been particularly effective managers or leaders. Archilazi needs to develop a corrective action plan with Cheevers and hold him responsible for meeting the targets. Rocco

needs to offer tangible information, resources, and support to enable Archilazi to more effectively manage Cheevers. The lack of a useful performance evaluation system is causing dysfunctional effects throughout the organization.

2. Why did the situation occur? (Learning Objective 2).

For years employees in PRL were not formally appraised with respect to performance. They were only required to submit a yearly self-evaluation and little or nothing was done with this information. This agency hired very talented and gifted employees motivated by the Army's mission and it was the culture of the organization to believe that all were self-starters and driven by their internal motivation to do a superb job year after year. Merit increases were determined primarily by longevity with the organization. The longer you were there the more money you made, but given the nature of the work performed by the scientists at PRL, there is no strong reason to believe that money or any other external reward were a powerful motivator of performance.

Managers at PRL in a white-collar service organization (with strong explicit values) did not appear to have the same employee evaluation and development responsibilities one might expect in a comparable private sector organization. In fact the context or operating environment of PRL was in some ways comparable to a law firm or a college/university setting. Once a faculty member has tenure or an associate is made a partner in a law firm, performance appraisals and coaching seem to be relative non-issues if the individual in question is not doing a terrible job or not performing at all. Also it seemed that the scientists and engineers in PRL were more like volunteer employees working for a non-profit organization. The large majority appeared to be motivated by the mission and not by extrinsic rewards.

Cheevers apparently had not done anything intentionally that resulted in poor or inadequate performance. We know that in the last 3 years complaints about his performance and his section's performance have started to stack up. It is not clear that anyone has brought these potential performance problems to Cheevers' attention until fairly recently. We know performance appraisals are not done with any degree of rigor within PRL. We also know that those customers that are proactive in managing their relationship with Cheevers are fairly satisfied with his performance on their behalf. We also know that complaints and concerns about Cheevers' performance have been recently raised by employees as well as internal and external customers.

Archilazi was a top-notch scientist who was promoted to a managerial position with little or no formal training as a manager of scientists and engineers. We are not even sure that she views her position as one that involves developing and coaching her direct reports because given the culture of this type of organization, scientists and engineers are assumed to be self-starters. It is likely that she would be expected to tell a subordinate if her work was not satisfactory to customers but it is highly unlikely that Archilazi had the skill or had seen the necessity of having regular coaching and performance appraisal sessions with her direct reports. Even the term direct report is somewhat of a misnomer in that Archilazi typically would tell her section chiefs what the goals of the division were and leave it up to them to reach those as long as they are pursued in an ethical and legal fashion. She essentially would be managing the what and not the how.

3. How would you evaluate/characterize Cheevers' performance? (Learning Objective 2)

Until the last three years, Cheevers' performance was by all accounts commendable. Cheevers' work has declined, but opinions may vary as to the magnitude and nature of the decline. Clearly, some things have deteriorated. However, some colleagues are more forgiving and more willing to grant Cheevers credit for his history of success. The primary problem in summarizing Cheevers' performance is the history and complexity of his work, confounded by personal differences in and the absence of a comprehensive performance appraisal system for judging how his work is interpreted. Archilazi has an immediate, practical problem in documenting and corroborating her negative evaluation.

At this point, the student can discuss the extent to which Cheevers' performance is lacking and might also consider the age-ism presented by the critiques of Cheevers' performance. He has been characterized as "confused," and "Alzheimer's like." The members of his section characterize him as being opposed to new ideas; one of his clients calls him a "curmudgeon" and notes that he is "woefully behind on new cutting edge technologies." These comments suggest an issue with Cheevers' age. One question Archilazi must ask is whether Cheevers is current on cutting edge technologies, for example, or whether these perceptions are exacerbated by Cheevers' age. In other words, would clients and co-workers have made similar comments about a younger employee engaging in similar conduct? As will be discussed below, Archilazi must use the evaluation system to evaluate Cheevers' performance (where is it lacking and how much, if any, is due to client and co-worker bias) and to document his shortcomings.

Whether or not one is successful in a work environment and remains employed depends to a large extent on whether or not an employee satisfies those aspects of performance that are believed critically important to their boss (es) (Pfeffer, 2010, pp. 27-29). Since performance has many dimensions, it is important that any employee asks his/ her boss what is important to her. It is much more effective to ask those in power, on a regular basis, what aspects of one's job they believe to be most crucial and what they consider ought to be done. We know that Archilazi and Rocco, the Lab director, are not pleased with Cheevers' performance because he is causing PRL to lose respect and is bringing unwanted negative attention to his section. Moreover, clients are unhappy and PRL has been losing clients because of Cheevers' level of performance.

4. Could Archilazi have done anything to prevent the negative aspects of the current situation from occurring? (Objective 2).

Perhaps she could have if she was operating in an environment where performance appraisal, performance management, and subordinate coaching were believed to be important and practiced throughout the organization. The culture of Archilazi's present operating environment suggests that there are systemic problems within the organization with respect to managing employee performance.

Much of the material that follows is from Gabarro and Hill (2002). One can think of managing the performance process as consisting of three parts: 1) Evaluating performance and diagnosing problems, 2) providing feedback on performance, and 3) counseling employees to improve performance. In essence, the task for Robin is to systematically review Cheevers' performance given the requirements of the job. Evaluating and diagnosing performance problems involves carefully analyzing exactly what Cheevers is doing well, taking note of

exactly what he is doing poorly, and developing ideas for what can be done to improve performance. A key question for Archilazi to consider in this situation is can she make clear cause and effect linkages between Cheevers' (and her other subordinates) strengths and weaknesses and tangible outcomes or measurable results? One should always keep in mind whether there is a real problem with the subordinate's performance or is the real issue a stylistic one, i. e., does Archilazi believe Cheevers is not performing well simply because he does not accomplish his tasks the same way Archilazi would? Can she determine whether the issue with Cheevers' performance is due to ability, motivation, and/or the system in which he operates?

Archilazi should carefully consider whether she is a primary factor in the perceived problems with Cheevers' performance. For example, perhaps Cheevers is facing a scarcity of needed resources or perhaps he is unclear with exactly are Archilazi's goals, roles, and expectations for him, although the performance problems are not new and have been known in the agency for a number of years.

Providing feedback on Cheevers' performance should be ongoing and not yearly and should be descriptive and specific. The focus should be on specific behaviors and not global statements such that Cheevers is a weak leader or that Joe is not motivated. Archilazi should balance advocacy and inquiry, asking Joe for his perspective on the situation as well as explaining how she arrived at her conclusions. For an explanation of the appropriate use of advocacy and inquiry, please see Hill, 1996. Using inquiry she would invite Cheevers to challenge her way of thinking about his performance. Archilazi must be sure she reaches some conclusion at the end of the feedback session that entails an action plan for problem solving and proactive behavior to remedy /fix Joe's identified performance deficiencies. A well written performance evaluation sets the stage for coaching.

Coaching is the third component of the performance management process and logically follows performance assessment, performance appraisal, and formulation of a mutually agreed upon plan for improvement. Some aspects of coaching that Archilazi needs to attend to are:

- a) Cheevers should be sensitized to think more holistically with respect to outcomes he needs to meet as well as the process by which he produces the output. Archilazi should reiterate to Cheevers that he needs to be cognizant of both the internal and external stakeholders needing his deliverables.
- b) Archilazi should encourage Cheevers to conduct an After Action Review (AAR), a systematic "learning after doing" process (Darling, Parry, and Moore, 2005) after a significant performance-related event that Cheevers experiences. The goal is to ensure that Cheevers learns how to carefully process key lessons learned developed through the reflection process, in order to continuously improve future performance.
- c) Archilazi might send Cheevers to workshops or classes to strengthen his weaknesses and might encourage an open environment of development within her branch whereby employees feel able to observe, discuss with and learn from each other. If PRL has failed to provide Cheevers with the required training and development while providing younger employees with the needed training, this might (as will be discussed below) provide grounds for an age discrimination claim.
- d) Archilazi might consider adapting her coaching style to fit Cheevers' learning style. For example, it would be helpful if she knew that Cheevers learned best through observing a role model as opposed to hands-on doing.

It is especially difficult for someone relatively younger than Cheevers like Archilazi to provide him with effective coaching. One reason is that our models of coaching tend to be based on the parent-child and student-teacher models, with knowledge and wisdom expected to flow from the more seasoned individual. Managers such as Archilazi need to carefully explore their own developmental needs and seek out resources that enable her do her job better, like attending a workshop on dealing with older worker. Older workers like Cheevers are likely to need more autonomy and respect than younger workers. It is ironic that older workers like Cheevers tend to get less specific feedback perhaps due to the belief that older workers are extremely resistant to change. Given these circumstances it is important for older, more experienced workers like Cheevers to be sensitive to “soft” signals about their performance coming from top levels of management.

In dealing with Cheevers, Archilazi might also have considered the Hershey and Blanchard (1977) Situational Theory of Leadership. This approach is a strategic contingency theory using a two-dimensional grid with Task Orientation and Relationship Orientation axes. They argue that the maturity of the subordinate (followers) determines what mix of people versus task orientation is appropriate for that subordinate. Immature subordinates require a more directive, task-oriented leader, while mature subordinates who are more willing to take responsibility will respond better to a more relationship and people-oriented leader. The four leadership styles with this approach are directive, managing, coaching, and delegating (from leading less mature to more mature subordinates). Table 2 (in the Appendix), depicts this relationship.

If followers are *unable* and *unwilling* to do a task, the leader needs to give clear and specific directions; if they are *unable* and *willing*, the leader needs to display high task orientation to compensate for the followers’ lack of ability and high relationship orientation to get them to “buy into” the leader’s wishes. If followers are *able* and *unwilling*, the leader needs to use a supportive and participative style; if they are both *able* and *willing*, the leader does not need to do much. Following this model, Archilazi might be best served by approaching the situation with Joe in a high task orientation - low people orientation approach, leading in a directive fashion..

Hence, Archilazi must consider the possibility that Cheevers might be unwilling or unable to address his performance weaknesses. If that is the case, she has a few options: move Joe to a job that capitalizes on his strengths and minimizes his weaknesses, for example, a supervisor who moves employees to a position that is a better match for their particular skill set might design a stretch assignment or provide more autonomy. The challenge with any reassignment is with the implementation. Alternatively, she might keep Cheevers in his present slot working around his limitations and correcting areas that are correctable. Her last option is to fire him.

Certainly the possibility exists for Cheevers’ reassignment to another position. He might express relief and be eager to go to a new/different position where his limitations are less likely to impact performance. The case says that he “reluctantly” accepted the managerial assignment; maybe, he would be happy to return to his non-managerial position. On the other hand, Cheevers might express resentment. As we see in the case, his self-concept of being a productive contributor to the PRL’s mission is challenged and his reputation is likely to be tarnished. If Archilazi eventually decides to cut back on Cheevers’ responsibilities, it is important that she does it in such a way to ensure that his dignity and self-respect are maintained. Moreover, she must be careful to comply with all employment laws.

5. What is the role and purpose of the annual performance appraisal? How was it used in this case? (Learning Objective 3).

A good performance appraisal system both develops and manages performance, while engaging the employee in meaningful contributions to the substance and review of his/her career, goals, tasks, and contributions.

A good performance appraisal system is systematic and transparent. Both management and the employee must understand the role and importance of performance appraisal. Appraisals need to be scheduled on a regular, predictable basis, with no surprises in the timing. A good, basic process for performance appraisal includes (1) establishing a vision and goals for the work, (2) creating metrics, milestones and intermediate checkpoints for feedback and review, (3) providing financial and personal support for employee development, (4) having a candid review of accomplishments and shortcomings, (5) taking corrective actions, if necessary, (6) providing appropriate, merit-based rewards, and (7) repeating the cycle. Ideas here are from Latham (2010) and from [Performance Appraisal \(2009\)](#).

The annual performance appraisal process as used in the PRL was not used to develop and manage performance and it did not engage the employee in meaningful contributions to the substance and review of his/her own career, goals, tasks, and contributions. It failed to provide any specific examples of how Cheevers failed to meet the performance standards set and no suggestions for improvement.

6. How might Archilazi effectively use influence tactics to better manage her relationship with Cheevers? (Learning Objective 4).

Archilazi might use the strategic application of certain influence tactics beginning with a soft approach gradually advancing to harder approaches.(Yukl, 2005). Suppose Archilazi wants to encourage Cheevers' active attendance and participation on a cross functional section chief steering committee meeting at the PRL and suppose she has been troubled by his lack of attendance without notice from previous meetings. She might begin with the following progression (Drury, 1984):

- 1) Pressure Level 1 is a polite request: "I'd like you to let me know when you can't come to a steering committee meeting."
- 2) Pressure Level 2 is a request that is stronger in word choice, voice characteristics, and body language: "When you don't let us know that you are going to miss a meeting, we sometimes end up meeting without a quorum, which is useless. I need to know when you can't make a meeting."
- 3) Pressure Level 3 is a statement of consequences if behavior doesn't change. "If you can't let us know when you'll miss a meeting, we will have to ask you to resign from the committee, thus leaving your section unrepresented on important recommendations developed by this committee."
- 4) Pressure Level 4 is the application of the consequences stated on Level 3: "Because you have not been keeping us informed about your attendance, I will have to ask you to leave the committee and leave your section unrepresented in our deliberations."

7. What should Archilazi do now? (Learning Objective 5).

Archilazi needs to develop an action plan whereby Cheevers is provided with an opportunity to improve his performance. Primary considerations are that whatever action she takes must be taken in a respectful manner that allows Cheevers to keep his dignity intact and that complies with employment laws. Until the last few years at PRL, he had been a good performer. His research and publishing were strong and he had advanced the Army's mission as his position required. He also had been very loyal to the Army and PRL. As an example, he had accepted his first management position as section chief. He did this with some reluctance, more to be a good soldier than to advance his career. Since 2013 however, colleagues and customers throughout the PRL noticed a definite drop off in Cheevers' performance and that of his department.

There is a need to determine exactly what Cheevers' problems are. While no professional opinion has been developed yet, Cheevers' behavioral issues seem to indicate that they may be neurological, related to the natural aging process. Archilazi must gain Cheevers' cooperation and take the necessary steps to assist in answering this question, both for Cheevers' sake as well as the integrity of the PRL.

There is also a possibility that Cheevers' issues are not physical. Clawson (2001) discusses the importance of understanding why people behave the way they do. He offers the notion of values, assumptions, beliefs, and expectations (VABEs) as a conceptual framework for understanding ourselves as well as our employees. VABEs are developed early in one's life and usually remain intact unless individually challenged and clarified. One can tell of the importance of a VABE when it is described as preceded by "it should or ought".

For example, in this case, Cheevers' VABEs might be:

- One should give the maximum effort to the organization
- One should be able to choose when and if to retire if one is in good health
- Past experience and service to the organization should mean something to those in power
- If subordinates have problems with my management style they should approach me directly and not do an "end around"
- Relationships developed at work over the years should not be dismissed as if they mean nothing.
- "What have you done for me lately" perspective is a poor way to run an organization if the organization's focus is on long term sustained effective performance.
- It is natural for one's performance to gradually decline as one gets older; it is not unexpected, it is a fact of life.

For real depth of understanding of this situation, it also may be of value to identify Archilazi's own motivations in performing her responsibilities. Under these circumstances, Archilazi's VABEs might be:

- Organizations should have specific procedures to follow when difficult personnel decisions need to be made.
- There should be professionals available to give counsel when discussing the diminishing performance of subordinates.
- One should always treat people with dignity and respect.

- Sometimes difficult conversations and tough decisions have to be made for the good of the organization (but not by me.)
- Cheevers is my friend and I should not have to be the bearer of bad news. It is upsetting and distasteful and nothing I signed up for.

It would be helpful in analyzing some of the complex and interconnected issues involved in determining a course of action for Archilazi to think in systems terms. Dr. Deming, one of the premier advocates of systems thinking in a management environment (Scholtes, 1999) would recommend that Archilazi try to understand the system in which Cheevers operates. For example Cheevers might not know what the problem(s) is impacting his performance, how to describe it, or even not realize that there is a problem. Archilazi might initiate a conversation with Joe like "what gets in the way of your doing your job"? It would be useful to think within a statistical framework to help understand what is going on in this situation (Scholtes, 1999). It is critical to determine whether Cheevers' performance lies within or outside of the system. For example if it is determined through careful analysis that Cheevers' performance over time lies outside the lower control limit of the system, then he is in need of special help. It is then Archilazi's job to find out why exactly Cheevers' performance falls outside of the system. Perhaps due to changing technology he has not been trained properly for the present task he is asked to perform. Perhaps he no longer has the ability to perform at a level that falls within the system. It is useful to conceptualize performance as being a multiplicative function of ability x effort x support. It is Archilazi's responsibility to help Cheevers perform the task. If after providing all available support, Joe still cannot perform then he needs to be transferred to a task that he can be successful performing and, perhaps, removed from managerial responsibilities.

The following discussion tracks from the ideas of Latzko and Saunders (1995). It is important to keep in mind that in any task or performance situation, half of the people will perform at a below average level and half will be above average. Hundreds of factors (common cause variation) outside of an individual's control allow this circumstance to occur. Rather than singling out Joe, the manager's job is to see the entire system.

It is like the difference between seeing the forest and seeing the trees. Some trees will be taller, some will be shorter. Some will be above average and some will fall below average, but they are all part of the forest. There is no sense in punishing some trees or rewarding others. If, however, upon closer inspection, one notices that a tree is outside the control limit, one might want to examine the circumstances of that tree's growth or lack of growth much more closely.

A powerful model of understanding and managing employee performance is provided by Schemerhorn, Gardner, and Martin (1990). They posit the familiar notion that performance can be considered a multiplicative function of ability, effort and support. A manager can do a number of things when focusing only on the support component. In order to be a truly effective manager, one strives to create a supportive environment by: clarifying performance expectations, understanding employee VABEs, communicating your VABEs as a manager and the organization's VABEs, enhancing job designs to maximize challenge, providing immediate feedback, fostering better interpersonal relationships, and in general removing unnecessary performance constraints. In many cases, a marginal employee like Cheevers performs at that level due to the failure to provide needed support (the system) to complement one's ability and motivation.

Archilazi needs to work with Cheevers (and all her employees) in setting SMART goals. These are goals related to work performance that are specific, measurable, attainable, relevant,

and time-bound (Latham, Almost, Mann, and Moore, 2005) . For example suppose you have a car salesperson Linda who has been selling half of the number of cars you believe she should be selling, and also selling too many fuel efficient cars while leaving the gas guzzlers in the back of the showroom. Setting a SMART goals with Linda might entail the following conversation: “By the end of this June, 2 months from today, you need to sell twice the number of vehicles than you’ve sold in the last two months. Three –quarters of these must be from the less fuel-efficient models we have in inventory.”

9. Cheevers indicates that he is consulting an attorney.

As an older worker, does Cheevers have any special protection under the law? Does it appear that he has been discriminated against? What laws does Archilazi need to be aware of as she contemplates her choices? Be prepared to outline the law and apply the facts of the case to the legal theory. (Learning Objective 6)

One of the choices that Archilazi is contemplating is to terminate Cheevers’ employment. Although the case does not explicitly say so, because PRL is a government entity, Cheevers is likely a civil servant protected by the Civil Service Reform Act of 1978 (CSRA). While most private sector employees are at-will employees with no right to continued employment, as a federal government employee, Cheevers is afforded greater job protection than most private sector employees. Nevertheless, Archilazi should feel free to terminate Cheevers’ employment if she decides that is the best course of action. Under the CSRA, job retention and discipline are explicitly tied to employee job performance. However, Archilazi must be careful to follow the detailed rules for job termination as administered by the Office of Personnel Management. Moreover, to terminate a government employee for poor job performance, the poor job performance must be properly documented in formal performance review and the employee must be provided with an opportunity to correct his/ her behavior. Herein lies Archilazi’s problem. Because the performance evaluations fail to adequately document the deficiencies in Cheevers’ performance, Archilazi must carefully document all problems going forward and direct Cheevers in ways to correct his behavior. Even if his performance problems are well documented and termination is identified as the best course of action, Cheevers will be given a right to appeal the termination decision to the Merit Systems Protection Board.

Cheevers’ lawyer will also look to see if PRL’s behavior was in violation of employment discrimination laws. Although there are a plethora of federal and state employment laws, students should be expected to use this case to discuss the following relevant laws:

1) The Age Discrimination in Employment Act of 1967

Because Cheevers is over the age of 40, the question arises as to whether any action on the part of PRL constitutes age discrimination. The federal Age Discrimination in Employment Act of 1967 (ADEA) makes it unlawful to discriminate against people 40 years old or older with respect to the terms and conditions of their employment. This includes hiring, firing, promotion, layoff, compensation, benefits and training. The goal of the statute is to “promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.” In general, the law recognizes that there are negative stereotypes associated with age and makes it illegal to take

action relying on those stereotypes. It applies to employers with 20 or more employees including state and local governments. Although the case does not state the number of PRL employees, from the organizational chart outlined, it appears unlikely that there are fewer than 20 employees. That means that the ADEA applies to Cheevers' case.

The case as written provides several questions with respect to violations of the ADEA. This case affords students the opportunity to address both disparate treatment and disparate impact questions. Disparate treatment claims typically arise when there is intentional discrimination based upon age. For example, the makers of acne cream used by teenagers might require that a model advertising the cream be less than 40 years of age. The ADEA does provide a defense for employers when age is a legitimate and bona fide occupational qualification (BFOQ). In such cases, the discrimination is permissible. In this case, questions of disparate treatment will arise if Archilazi attempts to demote, transfer or terminate Cheevers. The ADEA makes clear that it is not unlawful to take action that is "based on reasonable factors other than age," or to "discharge or otherwise discipline an individual for good cause." Thus, you may still terminate or discipline an older worker for good cause, such as poor job performance or misconduct. However, proper documentation of the reason for the decision is crucial. Hence, the question will revolve around Cheevers' performance. Archilazi and PRL have left themselves open to claims of age discrimination because of their failure to provide regular performance evaluations and to document any deficiencies in Cheevers' performance. Cheevers will argue that any action taken against him is because of his age rather than because of his poor performance. In addition, some customers both within and outside of PRL found Cheevers' performance to be acceptable. There has been little formal documentation of Cheevers' poor performance until recently and there is no evidence that attempts were officially made to develop SMART goals or an action plan with Cheevers to improve his performance.

On the other hand, Archilazi has been collecting data with no attention to Cheevers' age from multiple sources in order to determine whether Cheevers is satisfying the requirement of his position. This includes responsibilities around customer attention and the coaching and development of his reporting personnel. Evidence suggests that quite a few internal and external customers find Cheevers' performance unacceptable. Complaints are numerous but not unanimous. Cheevers' employees are unhappy with him as a section chief and Rocco, the Lab's director, is very concerned with the damage being done to PRL's reputation in the external community. In addition, PRL has no known history of discriminating against workers over the age of forty. In fact, the case suggests just the opposite - that PRL favors older (male) workers so much so that they feel entitled to keep their jobs, no matter whether they can perform the essential functions. Other employees, especially the older employees, apparently embrace this concept and enable Cheevers.

There are also issues presented surrounding questions of disparate impact. Disparate impact means that the employer is adopting a standard or practice that, while neutral on its face, has the unintentional consequence of adversely impacting a protected class. In other words, the question is whether PRL has adopted practices that disproportionately affect older employees to their detriment. One question raised above concerns the availability of training and development. One of the criticisms of Cheevers' performance is that he is "woefully behind on new cutting edge technologies and research." The question arises as to why Cheevers is so behind. He is certainly academically qualified, with substantial experience and a PhD from M.I.T. One question that Archilazi should ask and the students should raise

is whether training and development was made available to Cheevers. If training and development was reserved for the new hires (i.e., younger employees), this gives Cheevers a viable claim of disparate impact. You cannot deny someone training because of his age and then punish him for that lack of training.

Even if Cheevers can prove disparate impact, if PRL can demonstrate that they were motivated by a “reasonable factor other than age” (RFOA), they have no liability. However, the language used in the case strongly infers the presence of age discrimination. It seems like age related comments were made in PRL about Joe; some workers referred disparagingly to Joe as the “old geezer”, although we do not know if this was a wide spread occurrence or acceptable organization practice. The question arises as to whether similar performance by a younger employee would be considered deficient.

2) The Older Workers Benefit Protection Act

The Older Workers Benefit Protection Act (OWBPA) amended the ADEA to specifically prohibit employers from discriminating against older workers in denying benefits, including severance benefits. If Archilazi decides to terminate Cheevers or offer him early retirement, she must be careful to comply with OWBPA in all aspects. OWBPA does allow the employee to waive his/ her rights under OWBPA, but if Cheevers waives his rights, Archilazi must be careful that the waiver complies with the statutory provisions. She should consult the PRL lawyer in this case.

3) Hostile Work Environment

Unlawful harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964. Age, like other protected worker classifications, may be the basis of a harassment claim. Although the U.S. Supreme Court hasn't ruled on whether an employee can sue for age harassment under the ADEA, some federal appellate courts have found that such a claim does exist. Age harassment claims tend to arise because of an employer's age-biased comments — comments such as looking for “new blood” or weeding out the “old guard” — or tolerance for similar coworker comments.

In this case, Cheevers would most likely be claiming that the comments characterizing him as a “curmudgeon,” an “old geezer,” and one with “Alzheimer's-like” behavior, created a hostile work environment. When comments based on age unreasonably interfere with an employee's work performance they can be actionable. However, in order for Cheevers to prevail, he will have to demonstrate that the conduct was so severe or pervasive that it altered the conditions of his employment. The Supreme Court in *Harris v. Forklift Systems, Inc.*, 114 S.Ct. 367 (1993), at 370 outlined the factors relevant to determining whether comments are sufficiently hostile: “These may include the frequency of the discriminatory conduct; its severity; whether it is physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interferes with an employee's work performance.” In this case, it seems unlikely that the comments noted in the case would rise to this level. It is more likely that PRL can demonstrate that these comments were trivial and isolated. Nevertheless, going forward, Archilazi should be careful to inform the other employees that such comments will not be tolerated. Just as stereotypical comments about

someone's race and/ or gender are inappropriate in the workplace, so are comments about one's age.

4) American with Disabilities Act

Because the cause of Cheevers' deteriorating performance is unclear, the lawyer might suggest that Cheevers is disabled and entitled to the protections of the Americans with Disabilities Act (ADA). The ADA applies to employers who employ 15 or more employees and protects employees with a recognized disability. A disability includes a physical or mental impairment that substantially limits one or more major life activities. Under the ADA, an employee is afforded protection if he/ she can demonstrate that he has a disability but can, nevertheless, perform essential functions of the job. Under the ADA, employers must provide reasonable accommodations to allow disabled employees to perform their job. Reasonable accommodation is not required if it would impose undue hardship on the employer.

In this case, the burden is on Cheevers to advise PRL of any disability, provide medical documentation of the disability, and seek reasonable accommodation. Even if Cheevers is able to provide medical documentation of a disability, PRL is under no obligation to retain Cheevers or to retain him in his current position. In fact, one example of a reasonable accommodation might be to reassign him to a position that he is better able to perform. If Cheevers is able to document a disability, PRL management should be careful to document their actions and the reasonable accommodations undertaken.

10. What rights does Cheevers have in this situation to maintain the status quo and to be left alone? (Learning Objective 6).

The answer here is clear: given the facts provided in the case, Cheevers does not have any rights to maintain the status quo and to be left alone. The organization can (and should) provide more support and/ or reassign or fire, employees who cannot perform the critical functions of their jobs. The possibility of a lawsuit should not affect the decision to fire Cheevers any more than any other managerial issues, i.e., the organization needs to weigh the risks and assess the benefits. In essence, Cheevers can sue, but he has a weak case, so the risk is comparatively low.

This situation should inspire PRL to make sure it has well-crafted job descriptions that state the essential functions of the job. Any employee who is no longer capable of performing the essential functions of the job should be terminated, as professionally and humanely as possible. If Cheevers is allowed to continue, pretending he did not accept a retirement deal, this action will have a negative impact on the morale of the other employees, especially those who could possibly resent Cheevers' continued employment, even as he is failing.

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APPENDIX

Table 1 OWNER-WANT-GOT-GAP model (following Clawson, 1987)

STAKEHOLDER	WANTS	GOTS
Archilazi	<p>Cheevers to perform effectively as a manager and leader</p> <p>Cheevers to admit existence of performance problem so that a corrective action plan can be initiated</p> <p>Would like to be seen as an effective manager and leader within PRL</p>	<p>Cheevers' diminished performance since 2013</p> <p>Cheevers denies existence of problem.</p> <p>Archilazi is losing credibility as problem with Cheevers continues</p>
Rocco	<p>High performing organization recognized within DOD</p> <p>Archilazi to "fix" problem with Cheevers.</p>	<p>Reputation is taking a hit with Cheevers' difficulty in providing high quality service to customers.</p> <p>Archilazi is not making the situation better as Cheevers' manager.</p>
Cheevers	<p>To be left alone.</p> <p>To be recognized and appreciated for his previous accomplishments</p>	<p>Archilazi is trying to change his role in the organization either through reassignment, reduction of work hours, or termination.</p> <p>Organization seems to have short memory and only wants to focus on what have you done for me lately.</p>
Employees in Cheevers' section	<p>To learn and grow in their job</p> <p>For Cheevers to be more open to their ideas</p> <p>To promote advertise their contributions to the rest of PRL</p>	<p>Cheevers seems petty at times and rarely if ever recognizes or acknowledges their good performance.</p> <p>Cheevers seems very close minded to their ideas and approaches to doing things.</p> <p>By being associated with Cheevers as an ineffective</p>

		leader, their status and future promotability in the organization is seen as diminished.
Internal and external customers	<p>Their needs to be met in an efficient, timely and high quality fashion.</p> <p>Smooth and personal relationship with Joe to facilitate getting their work done</p>	<p>Cheevers is for the most part not providing what they need.</p> <p>Brusqueness and emotional tension when dealing with Cheevers, feel like you need to walk on eggs.</p>
US	<p>Cheevers and Archilazi to function as effective managers and leaders</p> <p>Archilazi to develop a corrective action plan with Cheevers in order to hold him accountable</p> <p>Rocco to step up as a resource for Archilazi in dealing with an extremely difficult situation.</p>	<p>Neither Archilazi nor Cheevers currently acting as effective managers and leaders.</p> <p>Like “Groundhogs day” – the same meeting and agreements happen/take place but nothing changes.</p> <p>Rocco seems to be shirking his responsibility in helping Archilazi to learn and grow as a manager.</p>

Table 2 The Relationship Between Leader Behavior and Follower Readiness (maturity) after Hershey and Blanchard (1977)

Leader Behavior			
Relationship Orientation (Supportive Behavior)			
Hi	Coaching Lo Task – Hi Relationship S3	Managing Hi Task-Hi Relationship S2	
Lo	Delegating Lo Task – Lo Relationship S4	Directive Hi Task-Lo Relationship S1	
Lo		Hi	
Task Orientation (Directive Behavior)			
Follower Readiness (maturity)			
Able and willing (S4)	Able but unwilling (S3)	Unable but willing (S2)	Unable and unwilling (S1)