

Tough Talks

HOW TO HAVE UNCOMFORTABLE
EMPLOYEE CONVERSATIONS

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PAYROLL AND HR SOLUTIONS

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AGENDA

- Introduction
- The Psychology Behind Avoidance
- Preparing for the Conversation
- Conducting the Conversation
- Escalating to Employment Actions
- Legal Pitfalls and Compliance
- Q&A

Introduction

What is a Tough Conversation?

- Dealing with:
 - Attendance and punctuality
 - Lack of performance
 - Behavioral issues
- Personal hygiene or dress code issues
- Interpersonal conflicts
- Harassment allegations
- Disciplinary meetings
- Terminations



Why Tough Conversations Need to Happen

- Prevents bigger issues
- You're literally paying for it until things change
- It won't fix itself
- Silence sends messages – your team sees it
- Delay weakens your credibility as a leader
- Resolution promotes growth and teamwork
- Solving issues protects the business
- Practice makes perfect



The Reality We're Faced With

California is a stormy
and challenging
workplace
environment

Workforce rights
awareness has
increased dramatically

Increasing employment
related litigation and
employee complaints

Talking is a simple and
effective way to
protect your business
and improve morale



The Psychology Behind Avoidance

Why are Tough Conversations so...Tough?



- We don't like conflict
- Desire to be liked
- Uncertainty & anxiety
- Low confidence
- Short-term peace vs. long-term resolution
- Lack of emotional IQ
- Lack of training
- It's uncomfortable

How to Overcome Avoidance?



- Reframe conflict as an opportunity for growth
- Being respected is better than being liked
- Prepare, know the facts, know what outcome you want
- Build confidence through training and mentoring
- Focus on the results of continued avoidance
- Invest in emotional intelligence training
- Learn about conflict resolution and performance management
- Go beyond your comfort zone – this is business!

Timing - When to Step In



- Performance has declined
- Behavior is disruptive
- Standards or policies are being ignored
- The issue has become a pattern
- Coworkers are affected
- You're actively avoiding the conversation
- It's keeping you up at night (Literally or mentally)
- There's a risk to safety, legal compliance, or culture
- You've given hints, but they haven't worked

The Conversation

Emotional Intelligence (EQ)

- Self-Awareness – Know your triggers to stay grounded
- Self-Regulation – Keep calm; your tone sets the tone
- Empathy – Acknowledge their view to build trust
- Social Awareness – Read the room and adjust as needed
- Compassionate Communication – Be clear, direct, and kind
- Conflict De-escalation – Use insight to diffuse tension
- Relationship Management – Disagree respectfully but protect trust



Before you set the meeting



- Do your homework – gather facts and context
- Get guidance – two brains better than one
- Have handy your relevant policies or value statement
- Timing – as close as possible to the event or behavior
- Choose the right tone – use AI if necessary
- Plan or script out your message
- Leave your emotions at the door

How to Start the Conversation



- Choose a neutral, non-threatening environment
- Use language: "I've noticed...", "I'm concerned...", "Help me understand..."
- Stay calm and focused, don't overtalk or sugarcoat
- Speak clearly and avoid rambling
- Don't make it personal - stick to facts and expectations
- Give them space to speak and respond
- Acknowledge the employee - then get back to the point

Seeking Closure

- Recap the key issues and corrective actions discussed
- Ask the employee to confirm
- Allow the employee to respond again
- Reconfirm next Steps
- Close the conversation on a professional note
- Document Everything – even email is sufficient
- Have both parties sign if appropriate



Escalating to Employment Action

When the Talk Requires More Serious Action



- Verbal → written → performance improvement plan
 - Verbal warnings for first-time or minor issues
 - Written warnings when patterns emerge
 - Formal PIP when performance needs measurable, time-bound improvement.
- Final warnings and terminations
 - Handle with legal and emotional care
 - Consult HR/legal

Legal Pitfalls and Compliance Tips

Legal Pitfalls and Compliance Tips

- ✓ Always be aware that we're in CA
- ✓ Always consider discrimination, protected categories, retaliation and consistency in all actions
- ✓ Before making final decisions, consult HR or legal
- ✓ Document Everything
- ✓ Beware of "constructive discharge" (forced termination)
- ✓ Train Supervisors Properly



Thank you!



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- ✓ **HR Automation** – Streamlined onboarding, timekeeping, compliance, benefits, and more.
- ✓ **Employee Relations & Best Practices** – Proactive guidance to minimize risk and enhance workplace culture.

Whether you need day-to-day HR support, payroll solutions, or proactive compliance strategies, Infinium HR is here to help.

Contact Mike Hayden for more information

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Q & A