

Dealing With a Poorly Performing Executive Director

a guide for the president

by Nathan Garber

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Dealing with the executive director's performance problems is one of the most difficult jobs for the volunteer president of a nonprofit organization. Although the circumstances will be different for every organization, there are some general steps you can take to prepare yourself to address the problems and come up with solutions.

1. To improve performance and protect the board, you must act as soon as the performance problem has been identified. Failure to address poor performance may be seen by the courts as condoning the behaviour and may make it difficult to rely on the poor performance as "just cause" for termination.
2. Review your organization's policies, contracts, correspondence, motions, job descriptions, and reports for references to expectations, performance standards, objectives, or agreements related to the executive director's performance.
3. Consult a lawyer or HR expert knowledgeable in the employment law of your jurisdiction. Explain the situation and discuss your options. If you think the problem might result in termination, make sure you know what steps to follow.
4. Arrange a meeting of two board members with the executive director. One person should be the note-taker. If you feel that a third person is necessary, this person should be primarily an observer. As President, you should conduct the interview. Prepare yourself with clear, documented examples of the behaviours to be discussed.
5. At the meeting:
 - a. Begin by stating the purpose: to clarify what appears to be a problem; to come up with solutions together, to identify what the board members and executive director will do to remedy the problem, and to set dates for monitoring progress.
 - b. Describe the performance problem or issue in an objective manner. Wherever possible, give a specific example of the behaviour. Explain why it concerns you – how the behaviour is affecting the performance of others, how it impacts upon the organization. Avoid references to personality or character.
 - c. Ask the executive director for his/her view of the problem. Listen carefully without arguing, but probe for deeper understanding. Does the executive director recognize or deny the problem. How does the executive director analyse the factors and causes? Does he/she accept responsibility? Is he/she willing to change?
 - d. Explain that the board of directors has an obligation to ensure that the situation is corrected. You need and expect the executive director to be part of the solution. Ask for the executive director's ideas on how to solve the problem.
 - e. Discuss each idea. What help does the executive director need to implement the idea. How can the board assist? Decide on the actions necessary to achieve success. Clarify and agree on what each of you will do, when you will start, and when it will be completed.
 - f. Set a date for a meeting at which improvements in performance will be assessed. Set dates for any further discussion and/or progress reports.
 - g. Be clear about the consequences if the problem is not resolved.
6. After the meeting, document the discussion in a letter to the executive director stating the actions on which you agreed and the dates for monitoring progress.
7. If you observe changes in performance (both positive and negative) don't wait until the next scheduled meeting to respond. Reinforce positive performance. Keep notes of your observations and those that are reported to you. These notes will be important in the event of any future legal action.

* inspired by and adapted from *Dealing with the Poorly Performing Employee* by Sandra Safran. Sandra Safran HR Services: Human Resources Consulting, London, Ontario

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