

Business & Careers

Volatile partner exacts heavy toll on associates



David Namkung
The Headhunter

A previous article explored the broad impacts a volatile lawyer can have on his or her partners and their bottom line. It prompted numerous discussions and reactions from students, associates, partners and professionals within our industry—unsurprisingly and unfortunately, many could personally relate.

While it can cost other partners financially to tolerate a toxic partner's presence, as an associate, it costs you even more to work under one. All too often, associates suffer quietly under

abusive lawyers for the perceived sake of saving their careers without appreciating the full immediate and long-term costs of this working relationship—while current unhappiness is obvious, you may be killing yourself and your career by staying too long under a work tyrant.

It's common to casually hear lawyers say that it "kills them" to go to work, and there is actually some truth to this grievance as your lifespan could shorten due to workplace-related stress. Increased cortisol, the stress hormone, directly impacts almost all of your body's processes (digestive, immune, cardiovascular, etc.), and studies show that stress induced by workplace relationships can have particularly damaging effects: cortisol lingers for 50 per cent longer when tied to social interactions than from perform-

ance-related tasks and you are 30 per cent more likely to develop heart disease when working for an abusive boss.

One associate described to me how he lost close to 100 pounds after moving on from working under a highly demanding and unreasonable partner under whose leadership he was tied to his desk working 13-hour days, and thus he was unable to find the time to prepare meals or exercise. Beyond losing weight, this associate has become more focused, productive and positive thanks to his new working relationships.

Binding your career to a notoriously difficult partner can lead to a number of unintended career consequences. One of the key characteristics of a star lawyer is their ability to consistently go over and beyond the expectations of their clients and part-

ners. Lawyers who work in tense environments, however, are less inclined to put in those extra hours to perfect their work product or gather new files as they are more focused on simply surviving their day.


The practice of law is challenging enough, but if you work for someone you fear or do not respect, you're less likely to engage them or their clients proactively, which in turn impacts your hours, the amount of files you work on, your performance reviews, future references, skills development, internal partnership prospects and marketability to future clients and employers.

Moreover, when lawyers have to operate with an underlying sense of fear, they are more likely to constantly second-guess themselves and to forgo the opportunity to attempt creative

approaches to problem-solving. Not only does this inhibit a lawyer's ability to refine their technical abilities, it stifles their capacity to develop entrepreneurial skills—now one of the most regularly sought-after skills by legal employers.

In his article, "The No. 1 Enemy of Creativity: Fear of Failure," published in the *Harvard Business Review*, noted management writer Peter Sims explains that in order to be a successful entrepreneur, you must be given the opportunity to take "little bets," the smaller calculated risks required for creative solutions. If you are working under a partner who demands perfection, more specifically their version of perfection, you will seldom get the chance to take such leaps to develop your entrepreneurial skills.

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Business & Careers

Assess: Bad boss reputation can hurt your job prospects

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Like it or not, the more time you spend being mentored by a challenging partner, the more likely you are to inherit their habits. In *The Trickle-Down Effect of Good (and Bad) Leadership*, also published in the *Harvard Business Review*, leadership professionals Jack Zenger and Joseph Folkman explained the results of their study, which examined 360-degree performance assessments matching certain behaviours and overall performance of 256 pairs of executives and their mid-level manager direct reports.

Their study found that 30 behaviours were contagious and trickled down from executives to middle managers (and in turn from middle managers to sub-

ordinates) — “consideration and co-operation” was among the most contagious behaviours. Unsurprisingly, the direct reports of the lowest performing (and the least considerate) executives also were below-average performers.

While there’s a common saying that “A players hire other A players,” as many of the high performing middle-managers were not directly hired by their immediate bosses, there was a clearer case that employees were more apt to be formed by their leaders, for better or for worse.

Accordingly, being associated with a certified ornery lawyer can impact your job prospects. We have worked with several candidates who were summarily passed over by prospective

employers owing to their associations with notoriously difficult partners; these employers assumed that the candidates were cut from the same cloth as the partners they worked under.

A gregarious associate explained to me how there was camaraderie and a sense of solidarity among his peers in his former working environment as they collectively suffered under a particularly unstable partner. However, after a few years of practising in these conditions, he started to notice how he and his peers would unintentionally snap at their junior associates and dismiss their work. He realized he was gradually becoming what he loathed — this was the final straw that ultimately prompted his move to a new work-

place where it is unacceptable to shout at your subordinates. His practice is now flourishing.

So, what do you do if you are working under a toxic lawyer? Consider the full impact that this working relationship is having on you and your career — it could be worth persevering in the right circumstances, but be sure to thoroughly weigh the associated short, medium, and long-term costs and benefits.

As you undertake this process, it’s important to audit your assumptions — common assumptions include the belief that there are no other viable options available for you, the perceived need to wait until you have a few more years of experience, and the perception that the partners you work with are

without equals in your market. In order to properly weigh these assumptions, ask trusted confidants and market experts for their professional opinion regarding your particular situation.

In the end, only you can determine whether the costs of a challenging boss are outweighed by benefits of your practice environment. In order to do so, be comprehensive in your analysis, challenge your assumptions, then establish your plan.

David Namkung is a partner with The Counsel Network in Vancouver, vice-president of the Federation of Asian Canadian Lawyers (B.C. chapter) and board member/volunteer of WorkingGear.ca. You can follow him on Twitter @DNamkung.

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