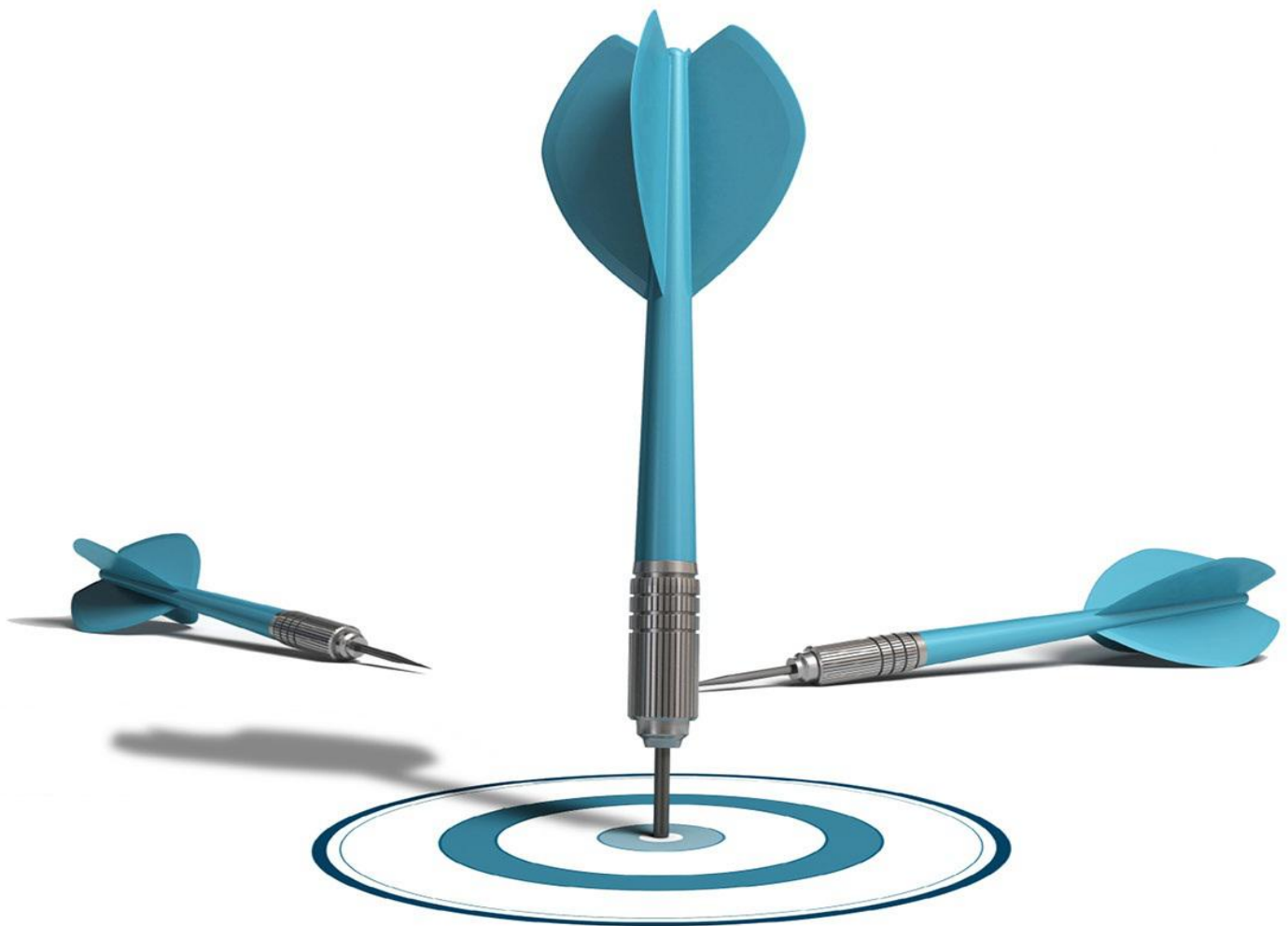


Eliot M. Wagonheim

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**FIRE, AIM...READY**  
**MANAGEMENT**



THE START AT THE END APPROACH TO  
CRUSHING COMPETITION, CRAFTING CULTURE  
AND CEMENTING RELATIONSHIPS

# FIRE, AIM...READY MANAGEMENT

A START AT THE END APPROACH TO CRUSHING COMPETITION, CRAFTING  
CULTURE AND CEMENTING RELATIONSHIPS

ELIOT M. WAGONHEIM

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# REVIEWS

"I was tired from a long day and, to be honest, had no intention of reading the entire book in one night. Then it happened... I became totally engaged! Loved it—the writing style, the humor, and above all the content. Now my wheels are spinning. Less sleep is definitely worth it!"

**Jonathan Kaufman, DVM**  
**Owner, Eastern Animal Hospital**

"Wagonheim presents lots of real-life examples in an easy-to-understand, conversational style. *Fire, Aim...Ready Management* is a valuable tool for business owners, managers, and executives and is worth reading and re-reading."


**Eric Brotman**  
**Principal, Brotman Financial Group**

"*Fire, Aim....Ready Management* should be on the business 'must read' list for business alongside *The E-Myth* and *Good To Great*. Eliot's wisdom and insights reveal a foundational missing link that causes so many businesses to struggle needlessly; and through his sense of humor and artful story telling, he makes this profound topic accessible and more importantly, easy to implement."

**Jodi Hume**

**Personal Strategist and Facilitator for local, regional and national companies and non-profit institutions**

# PREFACE



WHEN I WAS STUDYING for the Bar exam, I attended the same kind of Bar preparatory course attended by every other law school graduate. The course went over the substance of each area of law on which we were going to be tested. We reviewed Real Property, Torts, Contracts, Criminal Law, Business Associations, Constitutional Law, Evidence, and Secured Transactions in stadium-sized lecture halls every night, five nights a week. During the day, we pined over outlines and practice tests. It was exhausting.

I did all of the required work and more, but that's not why I passed on the first try.

I passed (and truth be told, found the exam to be surprisingly easy) not just because I had mastered the subject knowledge but also because I had taken a brief,

supplemental course dedicated solely to *how* to take the test.

The Bar exam in Maryland, as in most states, consists of two parts given over two days. The first part is multiple choice, and the second part consists of essay questions. The essay is where most people founder.

In the months before graduation, as everyone was really starting to sweat the prospect of studying for, let alone taking, the Bar exam, I heard about a course given by a practicing attorney named Daniel Shemer.

Dan taught the course at his home, usually in his living room and occasionally, if the weather was nice, at a wooden picnic table in his backyard. The course was not designed to impart knowledge. Dan figured you either learned that in law school or were using the standard Bar review courses to cram.

Dan Shemer's course had one purpose and one purpose only. It was designed to teach you a proven strategy for taking the test.

For every subject covered by the Bar exam, and for every facet of each subject, Dan taught you where to find the easy

points that others miss.

He taught you how to think through the essay in order to start it well – because many people, without proper strategy, mistakenly start in the middle.

To teach you a strategy for starting your endeavors well – that’s the same reason that I wrote this book for you.

I didn’t write it to teach you about your industry or even give legal advice for your business.

Rather, I wrote it to teach you how to start well, how to tackle projects successfully, where to find the edges unexplored by your competitors, and how to succeed where others merely trudge along.

To truly begin well, you have to start with the end.

Fire. Aim. Ready.



# THE EPIPHANY OF FIRE, AIM...READY



OVER THE COURSE of my career, I have started companies, served as chief operating officer for a hugely successful software company, and started, managed, and run law

firms. For 27 years, I have served as counsel for companies of every size and description from mom-and-pop stores to some of the most successful and recognized organizations in the country.

I have negotiated billions of dollars' worth of contracts. I have helped clients buy and sell huge companies as well as small, family-run concerns. I have worked to negotiate countless employment contracts, strategic alliances, partnerships, and buyouts.

In all of that time and in all of those transactions, I have never found a better secret to success in any endeavor than what I have come to think of as *"fire, aim, ready."*

That's the secret I'm going to share with you now.

Most people have it wrong. They think of firing as the end of the process. It's not. If you do it right, it's the beginning.

I didn't actually learn that lesson until recently. Looking back, I could have learned it much earlier, had I had the wisdom and life experience to pay attention. I could have learned it when I was nine.

Allow me to explain.

I wrote my obituary in fourth grade. It wasn't that I was a particularly morbid child. The teacher asked our whole class to write one. What would we do? What would we become? For what would we be most remembered?

Would we climb Mt. Everest or develop a cure for cancer? Would we get married and raise a family with enough kids to field a baseball team? Would we discover great things, sail around the world, or write the next great American novel? Would we be President?

Would we be happy?

It was just another writing assignment in a year full of them. As kids, we either allowed our imagination to take flight or just tried to write enough words to meet the requirement. Either way, once the paper was turned in, we moved on to the next one. Other than looking at the grade, I don't think any of us really gave those few paragraphs much thought after we got them back.

I would like to say that I was different. I would like to say that I, unique among all of my nine-year-old peers,

realized the significance of writing one's own obituary while still young enough to determine what it would say.

I would like to, but I can't.

It wasn't until I was firmly ensconced in my professional career, having run companies, established my own law firm, and presented more than a few Closing Arguments to juries and judges alike, that I realized the importance of that assignment.

It was only then that I understood what it meant and why it mattered, in almost every endeavor, to start at the end.

The first thing every trial lawyer is taught is to "write your Closing Argument first." That's essentially what my fourth-grade teacher asked us to do.

Why write the end first?

*Because once you write your Closing Argument, you know what you need to build into your case to support it.*

You have to be able to tell the jury that "witness A said this," "the letter said that," or "the contract said the other thing"

so that the jury will find in your favor. You won't be able to make your Closing Argument, let alone get what you're hoping for, unless you lay the proper foundation.

The first thing you say to the jury is called the "Opening Statement." In presenting it, you are restricted to reciting the Evidence that will be presented during the trial. The Evidence serves as the factual underpinning, but it is by no means the end of the story.

That's why the recitation is called an Opening Statement and not an Opening Argument.

In contrast, a Closing Argument is just that – an argument.

In your Closing Argument you attempt to persuade the jury to reach certain conclusions based on the Evidence presented at trial.

Perhaps the most memorable line from Johnny Cochran's Closing Argument in O.J. Simpson's criminal trial, "if the glove doesn't fit, you must acquit," encapsulates the difference between an Opening Statement and a Closing Argument.

The Opening Statement might be “we will show that the glove didn’t fit.” The Closing Argument goes further by saying “because we’ve shown you that the glove didn’t fit, you will have to vote for acquittal.”

Opening Statements are more or less a guided tour through the Evidence. Closing Arguments answer the “so what?” question.

Whether we’re talking about writing a Closing Argument, writing an obituary, managing a project, running a company, or planning a career, the lesson is the same:

*Write your ending. Then chart your course from the beginning of the journey in order to get you there.*

“Fire” is normally thought of as the end of the process – what you do after all the precursors have been accomplished. “Aim” is what you do right before pulling the trigger.

What writers, leaders, and business pundits tend to focus on most is the “ready” part – getting in the right position, assembling the right team, finding the right materials, and so on.

The problem is that those pundits and leaders and writers are wrong. They assume too much. They assume that if you focus on being ready, you've already determined the right target. They assume, in other words, that you know what you're aiming at.

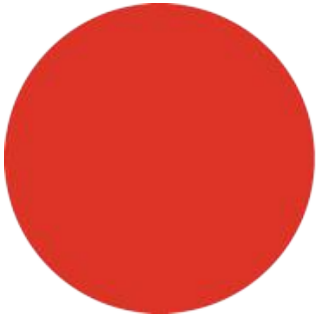
That's a huge assumption to make, when you think about it.

The fact is that most people start in the wrong place. You can't get ready – really ready – until you see the end of the story first. You have to envision the shot hitting the target and walking through the aftermath. Only then can you see whether you selected the right target in the first place.

Fire first. See the shot. Envision the target. Once you know, in your heart of hearts, that you have mastered the art of target selection, only then should you aim. Then, and only then, will you be truly ready.

Let's get started.

# PART I: FIRE





## CHAPTER 1

# YOUR BEST SHOT STARTS WITH A STORY



I ONCE HEARD a comedian say that whenever his wife asks him to guess how much something costs, he always gets it

wrong. “That’s because,” he explained, “the answer’s not a number; the answer is a story.”

People love to tell stories. And their best and most often told stories are about other people or things that happened to them.

But what if the question weren’t something so ultimately inconsequential as “guess how much I paid for this shirt?” but rather something that could really affect you like “why should I work for your company?”

When someone asks an employee of your company what it’s like to work there, the answer is rarely “good,” or worse, “fine.” The answer is a story.

And these are the stories that matter a great deal.

Let me tell you a few.

## FIRING THE FIRST ROUND: WHY WOULD I WANT TO WORK FOR YOUR COMPANY?

What would you want the answer to be? That your company treats its employees well? That’s an answer that’s given and

forgotten in ten seconds. It's a bumper sticker – something the HR department puts on memos and on page 3 of the employee handbook.

Lucky for you, the answer, if given by someone other than a PR firm or a company suit, isn't a slogan. It's a story.

By firing first, you tell the story before you even lay the groundwork for the tale. Your target is *that* story, being told by *that* person to *that* audience.

You have to picture the story being told by flashing forward in time and bearing silent witness to the scene as it plays out. Then examine the aftermath.

Is the audience – the one you had hoped would hear the story – inexorably drawn to the conclusion you want them to reach? If not, keep looking for your story. If so – if the audience moves in exactly the direction you had envisioned – your next task is to aim by creating the environment that will cause that story to get told.

## MIKE'S "FIRE FIRST" STORY: THE GAMEBOY AND THE MARCH

One of my clients, Mike, is a huge supporter of the SPCA. Over the years, he has adopted three dogs, rescued a cat, and served as a foster home for just-rescued animals in transition. Not only does he open his checkbook, but also he donates his most valuable resource – time.

Every year, Mike encourages his employees to participate with their families in the March for the Animals. In Baltimore, the March takes place in Druid Hill Park. Parking is at a premium, especially on nice days.

This particular day, in 2010, was gorgeous. The turnout was huge, and most of Mike's employees showed up with their pets and children in tow. One of his employees, a part-time secretary named Susan, came with her husband, twin teenage girls, and Labrador puppy. They parked a considerable way away from the event, but since the weather was nice, they didn't mind the walk.

After the March, they returned to their van only to find that it had been broken into. The girls' new Gameboy 3DSs, that each girl had just received as a birthday present, had been stolen. Needless to say, the family was devastated. They may not have been poor, but they certainly didn't have

the money to spare to repurchase electronics for the girls.

The March was on Sunday. Mike heard about the theft on Monday morning. By 10:00 a.m., Mike was at a local electronics store purchasing two of the latest Gameboy 3DSs, two cases, and two \$50 gift cards so that the girls could pick out some new games. He gave them to Susan that afternoon.

Mike believed that no one should ever have cause to regret attending a company event, especially one in which the company enlisted employees to help a charity. He didn't put this story on his website, call a meeting to tell the other employees about this great thing that he had done, or even tell anyone else about it at all, with the possible exception of his controller, who otherwise would ask why he had spent hundreds of dollars at Best Buy.

A long time ago, Mike told me that he wanted everyone who ever worked for him to think to themselves, in a moment of absolute clarity, that their decision to work for him was the best decision they ever made in their professional careers. He felt that if his employees honestly felt that way, the best people in their fields would line up around the block just to ask if he had any openings.

Mike figured that if he had the best people and if they were as devoted to the company as the company was to them, he couldn't help but be successful. He knew, however, that it would gain him nothing if all he did was tell people "we put our employees first" or "our company really cares about its people." That's just white noise. Everyone says that. Drive down the highway and every other truck has some slogan like "quality is our middle name" or "no one cares more than us!" Who even pays attention to that stuff anymore?

Mike understood his endgame. He knew what he wanted said about him and the company he had built. More than that, he knew that those statements – those stories – couldn't come from him if they were to be effective. They had to come, unbidden, from other people.

When someone asks Susan what it's like to work for Mike, her answer would never be "good" or "fine." Her answer would be a story.

What Mike did, whether he tried to do it or not, was write a good part of it. To put it in legal parlance, the facts of that episode would be the Opening Statement, and quite a

good one at that! The Closing Argument would build on those facts – *“and that’s why,” Susan would tell all who would listen, “anyone would give a left kidney to get a job here!”*

## BDWK’S “FIRE FIRST” STORY: THE GUNSHOT HEARD ‘ROUND THE COMPANY

We opened BDWK in 1995 as a business and litigation firm. I was the “W.” Less than one year after we opened, we hired Jennifer as our receptionist. There was no way we could have known then that she was just two months away from getting shot, but that’s exactly what happened. Two months to the day after she was hired, Jennifer failed to report for work. She called a day later, explaining that she had been with friends the night before when her husband decided to show everyone the new gun he had just purchased.

I’m sure you’ve already guessed the rest of the story. The gun he thought was unloaded went off and the bullet struck Jennifer’s ankle. Needless to say, it could have been worse, but this proved to be bad enough.

When we first heard that it was her ankle, we breathed a

collective sigh of relief. Then we found out how bad it was. Her ankle was shattered to the point where there weren't even two parts large enough to anchor a pin. Jennifer was going to require extensive rehabilitation, and there was even consideration of whether amputation would be the best route to take.

After a few days, the doctors were able to reach consensus on a prognosis and a course of treatment. Jennifer would not be able to return to work for at least six months. She was the firm's only receptionist and we had hired her out of need. Now, we were once again forced to go without.

Jennifer hadn't accrued any vacation or paid leave. Not only was she not due any money, but also we could have let her go. We knew her family needed the money, as her husband was in an entry-level position, but that wasn't our problem.

We decided to keep paying Jennifer, as if she were reporting to work, throughout the duration of her recovery. It actually took close to eight months. There were two surgeries and what I'm sure was excruciating and exhausting physical therapy.



When she finally came back to work, limping slightly, smiling from ear to ear, she didn't stop at her desk until she had hugged everyone in the office. I think she even hugged the FedEx guy. By the time she sat down at her station, all of our employees (and one fortunate vendor) knew more about the culture of our firm than ever could have been learned by reading a handbook.

## THE FIRST ROUND IN ACTION

The question, if you recall – possibly posed by your next star recruit to one of your employees – was, “why would I want to work for your company?”

The Opening Statement, if one were to be given, would be something like “you would want to work for our company because our company really cares about its employees.”

But it's not the Opening Statement that matters. It's the Evidence presented in support of the Opening Statement and the Closing Argument made by the story that matters. If there's an answer given, it's by the person who asked the

question in the first place. The story allowed him to draw his own conclusion – which is exactly the way you want it.

*Question: “Why would I want to work for your company?”*

*Opening Statement: “You’d want to work for our company because our company really cares about everyone who works here. Let me tell you a story that will explain why I say that....”*

The Gameboy and the March

The Gunshot Heard 'Round the Office

*Closing Argument: “No one cares about its people like we do.”*

*Conclusion: “You’re right. Anyone would give her left kidney to work there.”*

**FIRING THE SECOND ROUND: WHY SHOULD I HIRE YOUR COMPANY INSTEAD OF ONE OF YOUR COMPETITORS?**

This is important because, as we all know, there are any number of answers to this question, each of which, no matter how genuine, sounds like it came straight from the brochure

factory:

“Because we really care about you!”

“Because quality is all we think about!”

Even something specific doesn't hit its mark such as, “Our chains are 15% stronger than our closest competitor's products!”.

The problem is, you still haven't answered the question because the response is not phrased from the customer's perspective. Instead, it reads from the first person: *We, We, Our.*

If I'm a customer, my concern isn't you. My concern is me.

Instead of simply making statements about how great your company is, look for the evidence of your greatness in customer stories and use those stories to help you craft your answer in a way that puts the focus on the customer.

Here's an example:

*“We Keep Working After Closing”*

I once was charged with the responsibility of buying a new company headquarters for the hardware and software development company of which I was Chief Operating Officer. I began working with commercial real estate broker Jeff Ludwig of The Michael Companies in Prince George's County, Maryland.

Early on, Jeff told me that I would find out that he gave his best service after the sale. It wasn't a slogan. He was just telling me what he saw as a fact. He worked hard to help each of his clients obtain the right property, and he didn't stop working just because they had obtained their property and the check for his commission had cleared.

I didn't believe him. Not that I thought he was dishonest. I just knew him for the salesperson that he was. By telling me that he gave his best service after the sale, he was simply saying that he really cared about me, that he wasn't in it for the money, that quality was job one, blah, blah, blah.

I went with Jeff because he knew the area, had connections and experience, and seemed like a nice enough guy from a reputable company. As for his *after the sale* spiel, I didn't give it more than two seconds' thought...until he

showed me.

We had already closed. Jeff and his company had gotten paid handsomely. And why not? They did a fine job. But some months after closing, Jeff heard about an opportunity for us to pick up some furniture and equipment from the former owners. He had heard that they didn't really have any use for it, and he figured we could get it cheap.

Jeff made the deal happen. He got no commission for it. It benefited him not one bit. After all, we weren't going to be buying another building soon, if ever. The seller didn't pay him either.

To be honest, I had a hard time wrapping my head around the fact that Jeff actually did want to help. Normally, that just doesn't happen. But Jeff saw an opportunity to be of service to us, and he went out of his way to take it. Why?

Because Jeff knew the story he wanted told. He wanted people like me to be able to say that Jeff keeps giving his best service after the sale. If he says it, it's empty. If his company prints it on a brochure, no one cares. If I say it, as a former client, it gives one pause. Why would someone give great

service even after he got paid for a one-time sale? Maybe it's because it's not just about the money. Not to Jeff or his company. Maybe it's because he's one of those people who actually takes pride in what he does and wants to help people.

Everything Jeff did supported his Closing Argument. Unlike most brokers who allow their clients to slip off their radar screens after closing, Jeff keeps up. He doesn't crowd their inbox with useless newsletters touting his latest successes, he just quietly looks for opportunities to help when he can.

It's Jeff's actions, not his words, that support his Closing Argument. And look who's making it. Me, a former client.

## THE SECOND ROUND IN ACTION

The second question, if you recall, possibly posed by your next major customer was, "why should I hire your company instead of one of your competitors?" The Opening Statement in a tagline on a brochure or business card might be "hire us because we never stop working for you." Yawn.

What you want, and what Jeff worked his tail off to ensure was told, is the story that makes your Closing Argument for you.

*Question: “Why should I hire Jeff’s company instead of one of his competitors?”*

*Opening Statement: “Because at Jeff’s company they actually care so much about their clients that they keep working for them even after closing. Let me tell you why I say that...”*

Jeff Ludwig and the Furniture Story

*Closing Argument: “I’ve never seen a company that cares about its clients the way Jeff’s company does.”*

*Conclusion: “Neither have I.”*

## IT’S A QUESTION OF POWER

How much more powerful are these types of discussions over an elevator pitch or a recruiting brochure?

Extremely. And the power is in the story.

Your job is to figure out the questions you want people to

ask and what you want the story to be and then to make it inevitable that people tell that story.

It's typical of leaders to focus more on themselves than on others: Where will *I* lead? What kind of leader will *I* be? What will *my company* achieve?

The focus, however, should be on those whose perceptions you seek to capture and mold – your employees, both current and prospective; your customers; and your team. What do you want *them* to see and tell others?

People will talk about your business. It's human nature. But you can act purposefully, in ways that will guide the stories that inevitably will be told about your business.

Having that kind of influence over your company's reputation is powerful.

*Empathy – the vicarious experiencing of the feelings, thoughts, or attitudes of another – is the most powerful force in business. Few business leaders have it; fewer still tap into it. For those who*



*can, it provides an endless power source. With it comes the ability to discern the small and mundane aspects of one's business and use them to transform the organization into a juggernaut. True empathy, and the will to tap its power, allows a management team to create a company for which recruitment is not nearly as necessary as nicely worded rejection letters.*

## CHAPTER 2

# YOU ONLY HAVE ONE SHOT AT THE STORY YOU WANT TOLD



BEFORE YOU BEGIN any business endeavor, whether you're

about to create your company website, your employee contracts, your personnel manual, or your next big partnership, for example, you need to figure out the end of the story you want told. That is, discover the Closing Argument you want your customers and employees to give when asked about that aspect of your business: *“Yes, you’d want to work for that company because....”* or *“Of course, you should hire that firm because....”*

Only then can you determine how to build the story you want told.

## HOW CAN YOU FIGURE OUT WHAT STORIES YOU WANT TOLD?

The process of figuring out what you want customers and employees to say about your business starts by considering why you launched your company in the first place and what makes it meaningful:

Why are you in business?

Why have you chosen *this* instead of any of the other options available to you?

What is your purpose?

Why should people join you?

One of the best discussions I have ever heard on the subject was a [TED Talk given by Simon Sinek](#) entitled *Start with Why*. Simon Sinek's talk is mandatory viewing for any business owner seeking to discover and articulate the purpose at the very heart of his or her business.

The answer to any of these questions is not “money.” The money is a means to an end.

Instead, what is it about what you're doing that is a labor of love? Not everything, of course. I don't care what business you're in, some things are a complete soul suck.

But there are those times, when you are absorbed in what is clearly your highest and best use – what Mihaly Csikszentmihalyi, director for the Quality of Life Research Center at Claremont Graduate University, defined as “flow” – that you understand innately what you are meant to be doing. Also known as being “in the zone,” this is the mental state of total engagement, focus, and enjoyment in the activity of the moment – and it holds the keys to finding

your why and, by extension, the stories you want told.

Too often, I see people who are really good at what they do start companies that manage to get them further away from their “why” than ever before.

An excellent chef starts a restaurant, only to become absorbed with HR problems and shift coverage.

A woman who loves landscaping becomes the founder of a commercial landscaping contractor, only to spend her time poring over contracts and cost reports.

The challenge, then, is often one of remembering – of bringing yourself back to the beginning. Connect to your “why” story, and you’ll more easily discover the stories you want told.

*Over the years, I’ve become really good at drafting contracts. That is not, however, my highest and best use. There are other lawyers in my firm who are just as good and, more than that, enjoy the art of creating an agreement that perfectly fits the*

*situation and the client's needs.*

*My highest and best use is realized when my clients ask me to answer strategic questions or to problem solve issues that are causing them to lose sleep. "Let me bounce this one off you" is my favorite way for a client to begin a conversation.*

## CASE IN POINT: HOW MY OWN HIGHEST AND BEST USE HELPED ME FIGURE OUT MY COMPANY'S STORY

Knowing that helping my clients from a strategic perspective is my highest and best use, I faced the challenge of figuring out a business model that encourages people to allow me to do my best work.

The primary problem is that lawyers are traditionally tied to the clock. They bill for their time and make their money in increments of billable hours.

There is, of course, an inherent disconnect in this

business model in that it assumes that a telephone conversation that consumes eighteen minutes is twice as valuable as one that consumes nine and that a contract which took six hours to prepare is somehow three times as good as one that took two.

In a lawyer's world, the goal is to bill every minute. That is not, however, how relationships are built. More to the point, a strategic advisor's best value can only be conveyed from a solid foundation of a developed relationship. The advisor must have taken the time to get to know the client – to understand the small things that are important to her and the large things that may not be.

Relationships are built painstakingly. They cannot grow strong when either side is continuously watching the clock and reluctantly doling out time. Unfortunately, that's exactly what happens in my world, where the billable hour is the prevalent business model. For that reason, my challenge was to create a business model that emphasized the value of a relationship over the monetary value of time.

My solution was to develop the [Empty Hourglass Program \(EHP\)](#), a business arrangement that builds

relationships and allows for much more meaningful discussions by taking time out of the lawyer–client payment equation. I charge clients a small monthly fee in exchange for which they can make use of unlimited phone calls and unlimited correspondence.

Because of this, EHP clients stopped thinking “I better not call him because we’ll get a bill” and started thinking “why not bounce this off of Eliot?” EHP allows me to receive the calls I was not getting.

I never viewed EHP as a profit center, but rather as a communication tool. I thought that an open line of communication would enable me to develop a relationship with my clients that would serve them exceedingly well and that they would be reluctant to leave.

In other words, I changed my business model in order to allow me to reach my highest and best use – and, in the process, I found the story I want others to tell about my company.

**WHAT’S THE END OF EACH STORY?**



Your Closing Arguments are at the end of each story someone tells about your company:

*“So you see, that company truly cares about its employees.”*

*“Obviously, that business values its long-term relationships with its customers.”*

*“In that organization, the claim about valuing employee input isn’t just lip service.”*

*“That company’s commitment to conduct its business with care is evident in every contact with every employee there.”*

As demonstrated earlier, it’s from these Closing Arguments that the listeners (the prospective star employees or clients, for example) draw their conclusion.

Because you consciously created the stories you want told, the listeners will draw the conclusion you want them to draw – and they will have arrived at that conclusion in a way that is impactful and lasting.

**WHAT’S NEXT?**

Of course, it's not enough to write the concluding chapter. You must envision the entire story.

Here's how:

## STEP #1: BUILD YOUR STORY FROM THE LAST LINE FIRST

If you're reading for fun, it's cheating to skip to the last chapter. The fun lies in taking a journey with a good author. It would cheapen the experience if you already knew who lived, who wound up behind bars, who got married, or who rode into the sunset.

Business isn't like that – particularly business done well. The key to aligning your company around what truly matters is to start crafting your story from its Closing Argument.

A commercial cleaning company that hasn't articulated its story may start with a "we" statement that is more like brochure copy:

*"We create spotless environments!"*

But for the cleaning company that knows the story it wants told, the statement becomes:

*“I could sense the difference as soon as I walked in the door.”*

Which do you think would matter to the cleaning company’s customers?

The first tells what the cleaning company does. It’s all about them. The second is what the cleaning company hopes its customers would say. What it hopes its customers will share as their Closing Argument.

This is the true test of your story – it should turn your mission statement 180 degrees so its approach is from the outside looking in.

## STEP #2: WRITE THE STORY THAT LEADS UP TO YOUR CLOSING ARGUMENT

If a cleaning company could put words in the mouth of its customer, it might sound something like this:

*“You know how you can tell something about a place the*

*instant you walk in? The reflections off the surfaces, the clean smell, whether the floors shine? So many businesses seem like they don't care. The entry mat is dirty, the windows are streaked, there's dust on the counters. You can just see that they don't pay much attention to detail.*

*"Here, I could sense the difference as soon as I walked in the door."*

Do you see how starting at the end makes a difference?

This is the kind of story you want your customers to know *their* customers are going to tell about them if (and only if) they use your service.

### STEP #3: MAKE YOUR STORY TRUE

Everything about your company should be designed to tell this narrative. This narrative (and any others you choose) is your North Star – which brings us to the topic of taking aim.

Everything you say and do should be measured against how true you remained to the stories you want told.

In other words, with your Closing Arguments decided,

you'll need to build Evidence. In every situation presented to you, you'll need to look for opportunities to take actions that support your Closing Arguments. You need to show who you are as a business, not just say it.

After all, you can't say you care about your employees and make it impossible for them to live balanced in-office / out-of-office lives and have anybody believe that you care about your employees.

In short, you need to be who you say you are. You need to "walk the talk."

Your actions have to be performed and your systems have to be created with one purpose in mind: to inspire others, when asked, to tell stories that embody your mission. All your words and actions need to support your Closing Arguments.

This is what I call taking aim.

The question is, how do you do it?

## PART II: AIM



## CHAPTER 3

# MAKE SURE YOUR CUSTOMERS' EXPERIENCE TELLS YOUR STORY



**TAKE A LOOK** at your company through your customers' eyes. You want your customers to be able to look at every aspect of your organization and know what you stand for without having to be told. This means micromanaging the details. When you craft and scrutinize these aspects, you must look at them through the eyes of your intended

audience.

Everything you say and do should be measured against how true you remain to the stories you want told.

Again, those stories – those Closing Arguments – are your North Star.

No detail is too small.

As your vision becomes more focused, you sharpen your ability to tell your story everywhere. For example:

Your marketing materials can feature customer stories

Your business model and contracts can include a guarantee that ties your reputation to your story

Your employees can be included in a system that offers incentives for *if* and *how* this story is told

Your offices can reflect the first impressions you make it your business to create

**CASE IN POINT: THE MOST DIFFICULT WEBSITE**



[Rob MacDonald](#), an absolute artist when it comes to telling a company's story, once told me that every piece of marketing material, especially websites, should be like mirrors in which your best customers can see themselves.

Sounds great, right?

As with most advice, my problem with this advice was not in appreciating it; my problem was putting it into practice. I couldn't figure out how to do it. Everything on my site was about us – *our* practice areas, where *our* lawyers went to school, *our* experience, *our* philosophy – everything.

How could we make our website about our clients and not about our firm?

We deliberated for months until we finally hit upon the solution. Have our clients tell their stories front and center on our website. Don't use models, shells, or made-up testimonials. Use real people talking about what's important to them in their own words.

After all, if our clients weren't inspired to say the things we wanted them to, whatever marketing slogan we came up with wouldn't mean a thing.

# CREATE A PHYSICAL SPACE THAT REINFORCES YOUR STORY

Imagine walking into your office and removing every trace of your signage, name, and logo. Leave the furniture, the layout, the people, and the equipment as is. Just remove the marks which expressly identify your company.

Would people still know they were in your place or could it be the office of any one of your competitors?

This does not mean you have to have a cascading waterfall behind the receptionist's desk or a one-of-a-kind mural by an aspiring artist running down your hallway, but it does mean that your office should reflect what you consider to be important – it should reflect the story you want told.

Most every adult in our society visits thousands of different businesses in a course of a year. Whether you are walking into a Jiffy Lube<sup>®</sup> or the Ritz Carlton<sup>®</sup>, you know what pleases you and you know what irritates you. The vast majority of business owners, however, do not stop to scrutinize their own operations for those very same

attributes.

## CREATE AN IN-OFFICE EXPERIENCE THAT REINFORCES YOUR STORY

Have you ever been a guest in your own office or a first-time caller ringing through to your receptionist? What is that experience now, and more importantly, what would you want it to be?

Your job is to micromanage the client experience:

How does the receptionist greet clients?

Does she know they have an appointment, or is she treating them like cold callers?

Are they being asked to wait?

You improve your client experience not simply by providing a comfortable chair and offering a cup of coffee. Think about what your customers do while they wait. Think about what *you* do while you wait. You check your phone, you catch up on emails, maybe you surf the web or check Facebook. Chances are, the things you would find

convenient are the things your customers also would appreciate.

Do you offer free wifi and make the password readily apparent? Do you provide a private space for people to make a phone call while they are waiting?

What are you doing to ensure that clients, once they have begun waiting (and assuming they have completed any phone calls) are using their time in the way you would want them to? Are they placed in a Spartan room with some artwork and a bare table, or do you have something designed to catch their eye while telling more about your company culture?

A lot of time passes from the point at which someone opens your door to the point at which his or her meeting starts. Why would you let that time pass in a generic environment when the visitor could be absorbing some of the approach that makes you special in the first place?

You may think that these details are less important to a law firm than they might be to a retail establishment. You'd be wrong. It does not matter what trade or industry you are

in. All customers, consciously or unconsciously, gauge their willingness to enter into a business relationship with you by their level of fulfillment during their initial client experience.

If people call your office and cannot immediately be put through to their intended destination, you lose a point. If they are stuck in “voicemail jail,” you lose several. If they are asked to spend their time to spell out names on the phone, you lose another. Have you ever wanted to get in touch with someone and given up because the voicemail system is too complicated or involves too many steps? I have. I called one of their competitors instead.

Every time you find yourself not just satisfied but overjoyed by your experience at a company, make a note of the reasons you feel that way. It doesn't matter whether you are a commercial landscaper admiring a Lexus<sup>®</sup> dealership or a Hyatt<sup>®</sup> manager appreciating a merchandise booth at a youth sporting event. Figure out how you can turn those touches into your own.

*“And why do most automated attendants have to tell you what number to dial if the person's name starts with “q”? Don't all of the keypads now include “q” at #7?”*

## A FEW CASES IN POINT

### SOMETHING AS SMALL AS A COFFEE MUG

Several years ago, I realized that once we made clients comfortable in our conference room while waiting for their appointment, we handed them a cup of coffee and left them to wait (hopefully for just a minute or two). I didn't have any desire to leave brochures on the table as I believe most brochures are nothing but white noise. I did, however, want to use that time to our advantage.

What struck me was the coffee cup. We had cups with our logo on them, but that was about it. I decided to design our own mugs.

Now every mug has our rules of business. Some are funny, some are puzzling, and all are true. I even included a url for people to check out a special page on our website to see what the rules mean. We receive hundreds of hits on that page every year. More importantly, even first-time visitors start off their initial conversation with us by asking questions about our approach that they never would have

considered had it not been for the mug. People actually ask for the mugs now.

(Visit [www.wagonheim.com/rules](http://www.wagonheim.com/rules) to take a look.)



DO MORE THAN JUST TALK ABOUT WARMTH

Brotman Financial Services is exactly the business you'd think it would be. It is a wealth management firm that caters specifically to professionals, wealthy individuals, and families with multigenerational wealth.

As with every wealth manager, the Brotman Financial Services wealth managers seek to engage with their clients on a personal level and require a full understanding of their clients' goals, fears, and aspirations in order to do their best work.

These are, of course, the things one learns through relaxed conversation. But relaxed conversations do not generally take place around a conference table.

For this reason, the interior of Brotman Financial looks more like an old-fashioned gentlemen's club (the good kind) than it does a sterile office. Most of the light comes from sunlight or lamps rather than overhead fluorescent bulbs. Warmth pervades the entire office space. One cannot help but feel relaxed when entering.

More to the point, this office space does not look anything like that of most wealth managers. When you're in



Brotman Financial's space, you know that this company takes informal and intimate conversation seriously.

## LIVE YOUR NARRATIVE

The Walt Disney Company originally sought to differentiate its theme parks by using strolling actors dressed up like animated movie characters. Themed rides followed along with special events and tours unique to Disney. The architecture was changed, as were the hotels on the properties. The parks were continuously redesigned to keep the “working” functions hidden so that each park operated as if by magic. People who worked at the parks were no longer employees, they were “cast members” because each and every one was part of the performance.

As The Walt Disney Company perfected its vision, the details on which it concentrated became smaller and smaller. Forget the signage and even the identity of the individual strolling characters, and you still would never confuse a Disney park with any other. Six Flags may look like a thousand other parks, but Disney never will.

It's all in the details.

## CREATE A VOICE THAT REINFORCES YOUR STORY

The phrase “find your voice” is in vogue now. Particularly when people give advice about creating a blog or developing a company's social media presence, the mantra is repeated: “Find your voice. Find your voice.”

But what does that mean, and more importantly, how does one go about finding a voice that reinforces your story?

Your company's voice is simply the tone and style through which it and its employees (including you) communicate. It's also what is communicated – the types of topics your company covers in its blog and in social media, for example.

To develop your tone and style, think back to your company's Closing Argument and ask what tone and what style would best reinforce that argument? Equally as important, how does your intended audience talk, let alone expect to be addressed?

To discover what your company talks about, think back to your “why” – the foundation on which your company’s story was built. What your company talks about needs to be related to that “why” – to its purpose, its reason for existence.

Whatever voice (tone, style, and content) you decide best tells your company’s story, stay true to it and make it unmistakably yours.

## TO THINE OWN SELF BE TRUE

*I remember the first time I cross-examined a witness in front of a jury. I had an image, probably from having watched too many TV shows, of what I was supposed to be – rude, somewhat sarcastic, edgy, perhaps a little mean. A lot of attitude.*

*Only that’s not me. It’s not who I am. I soon realized that I couldn’t pull off a performance with someone else’s personality. I had to be true to myself and figure out how to win while doing it.*

*It was the most valuable lesson I learned as a trial lawyer.*

## CREATE DOCUMENTS THAT REINFORCE YOUR STORY

### YOUR BILLS

Your company invoices are your most important marketing asset. They are the only things you send out that are guaranteed to be read by the people most important to your business – those ready to pay you.

So, instead of settling for the basics (*Are they accurate? Can customers easily figure out what they owe you? Do they have the correct payment terms?*), use your bills to emphasize your story.

Giant Food in Pennsylvania, along with many other large food chains, keeps a running tally of the money you saved by shopping there. It prints out right on your receipt. You may have paid them \$106, but you would have paid a

competitor \$121.

What about the descriptions of products or services? Do they just state the obvious or do they use the names and descriptions you would place in a marketing brochure? If you bill for time, do the entries use the impersonal tone of “telephone conference with client” or do they describe “consultation with Mr. Wilkenson about employment contracts and the uses of non-competition agreements”?

In the first description, Mr. Wilkenson has been dehumanized to be just “the client.” The second description, which only took a few more keystrokes, showed the attention to detail and personal service the firm would no doubt want attributed to them.

## YOUR CONTRACTS

If you’ve ever taken out a loan, you know how this works. You have a series of congenial conversations with the bank’s relationship manager, who works his hardest to show you that the bank is part of your community and deeply cares about you, your business, and your success. The term sheet

is aggressive and all your questions are answered. You say “yes.”

The loan is then turned over to underwriting and then to legal. What you get back are a series of forms written front and back in two columns in 9- or 10-point font. Do they really want your business? Do you really want to give it to them or are you just resigned at this point?

More than customer service and certainly more than sales calls and brochures, your contracts speak volumes about who you are and how you do business (your story). If your best customers hate your contracts, you’ve failed.

The truth is that you’ve probably spent years building your business and building up trust with your customers. But when it comes to the most important thing that will pass between the two of you, you’ve ceded control to the lawyers. Why is that?

And not only have you ceded control to the very people you believe have no idea how a real business runs, but also you have paid dearly for a product that you probably do not fully understand. You send this collection of impenetrable

pages to the customer with whom you've been hoping to build a relationship in the hope that he:

Understands it and finds it to be reasonable (doubtful)

Trusts you enough to give it only a cursory glance before signing it (optimistic, but doubtful)

Hands it off to his lawyer and looks upon the expense and tedium of the negotiation to follow as a business inevitability that does not carry any implication or hold over for his business relationship with you (possible)

Sighs, chastises himself for thinking that you were different, then hands it off to his lawyer and looks upon the expense and tedium of the negotiation to follow as something distasteful that he's willing to see whether your future relationship can overcome (probable)

Never calls you personally to discuss contractual terms, forcing you to admit that you don't fully understand your own company's document that you just asked him to sign. (Of course, he will call and the conversation that follows will be as awkward and revealing as you had feared.)

Is the bullet point list printed above exhaustive? No. To be sure, there are other results you may see after sending over your contract to the person you hope will become a new customer.

But here's the real point: Few of those outcomes are good.

Hundreds of thousands, perhaps millions, of companies everyday engage in the same exercise that is all but guaranteed to fail. Why? Because they created their contracts by looking through the wrong sets of eyes.

## GIFTS AND HOLIDAY GREETINGS

How many times do you attach any significance at all to the holiday cards your company receives? Every year, we get up to a hundred cards – from law firms, court reporters, office supply companies, vendors of all shapes and sizes, and clients or guests we've featured on our podcast or at one of our [Drink 'n Thinks](#).

I'm not trying to be mean here, but most of them are



indistinguishable, one from the next. Trite cards offering “best wishes” for the holidays or a Merry Christmas. Sometimes they’re signed by people within the company. Sometimes the company name is printed.

They are all, in a word, worthless. They don’t spread warmth. I don’t feel they’re a tribute to any kind of relationship. They just signify that we’ve either been included on a list from which someone has yet to remove us or that a CRM program spit out our name and address label.

Does anyone really believe that we would take our business elsewhere if we didn’t see a card from a particular vendor? Does anyone think that a computer-generated card, perhaps with a legal pun or some other computer-generated witticism, would inspire an increase in business?

If the answer to each of these questions is “no,” why send it?

Additionally, imagine that you cloned your small part of the world. Your business, its vendors, and all the people in it existed in two worlds at once. In the first, you sent your cards. In the second, you did not.

Would there be any noticeable change between the two? If not, the cards impact nothing and should not be sent.

Everything you do should reinforce your story in an impactful way. If it doesn't, then whatever it is you're doing should either be changed or ended.

Think of the alternatives:

Start sending out Thanksgivings Day cards rather than Christmas cards, in keeping with the notion of thanking clients for their business.

Observe something of more significance to your client such as an anniversary, a milestone in their own development, or something meaningful in your relationship with them.

Create something that screams personalized – something your client could not help but study upon receipt.

*Last winter, I received one card that I couldn't wait to read. I kept it on my desk and actually referred*

*back to it long after the holidays had passed. It was sent by my web designer, Ken Kinard of Accent Interactive. Inside the card was an infographic featuring data from Google Analytics about my website – visitors, features that were most popular, number of views, even comparisons with other companies similar to mine.*

*Who doesn't like reading about themselves? I was enthralled. I scrutinized the information and began thinking about what I could do to surpass my competition. Ken's card highlighted the business we did together the past year and what we could look forward to doing in the future.*

*I thought it was brilliant.*



## CHAPTER 4

# MAKE SURE YOUR EMPLOYEES' EXPERIENCE HELPS THEM TELL YOUR STORY



DO YOUR EMPLOYEES gratuitously tell the Closing Argument about working for your company that you would like them to tell?

Here's a scenario you might like played out at your business:

*"Why would I want to work for this company?"* (Question)

It's relaxed; they allow me to do my best work; they ask for my input; and they really care about me. (Opening Statement)

In fact, every year, I meet one on one with the owner of the company. It's not an evaluation in the typical sense. It's more like a chance to talk about what I'm doing, what I see from my perspective, and any suggestions I have. I've had four of these meetings, as I've been there a little over four years. Our conversations are always different, but each year he asks me the same questions:

What can we do to make it easier for you to do your best work?

How are you going to be better at what you love to do next time we have this conversation?

The questions make me think. First, I appreciate that he really seems to care about what I think. I've made a few

suggestions that were put into place right after our meeting.

It's the second question that's the more important one, though...at least to me. Last year I answered that I wanted to attend a particular workshop. It was out of state, but I thought it would open up a whole new side of my field for me. Damned if the company didn't pay for it, as long as I promised to come back, present what I learned to my team, and work hard to apply the new knowledge to my job.

(Evidence)

How many other companies would care enough to do that? Of course, I want to keep working here! (Closing Argument)

Remember, you need to know your company's purpose in order to know what you want your employees to say (the Closing Argument) and in order to take actions (build Evidence) to make your inside-the-walls story a reality.

## CREATE YOUR INSIDE-THE-WALLS STORY

When we talk about "finding your voice," much of our discussion is focused outward; we tend to scrutinize and

micromanage what is said to customers, vendors, and prospects.

Even in companies that describe their employees as their most important asset, the thinking tends to be limited to (1) recruitment, (2) salary, (3) annual reviews, and (4) raises and bonuses. In other words, the tools employed to reach those inside the walls are pedestrian at best.

The essence of this book, however, is that there is no difference in tone, message, or intensity of passion between what is being communicated to the outside world and what should be instilled in those working to live the story the company wants told.

Ultimately, the question that every current or prospective employee in any company in the world will find himself asking is, “why would I want to work for this company?”

How you handle the following aspects of your business will influence the inside-the-walls story that your employees tell.

## RECRUITMENT



Every position worth having equates to a flood of resumes from people looking to fill the vacancy. Certain positions carry such specific requirements that candidates can be weeded out based upon what is revealed in standard resume format. If the position requires certain certification or fluency in specific languages, a candidate who did not bother to list those qualifications on his or her resume does not deserve consideration.

The difference between a good performer and a rock star in many positions, however, is often determined by softer, non-certified skills such as communication, empathy, leadership, dedication, a desire for continuous improvement, and a belief in work that matters.

In his wonderful and insightful book, [\*Drive\*](#), Daniel Pink wrote that successful employees tend to value these three things above all else, even money:

Mastery – the opportunity to improve one’s skills and achieve the highest level of excellence

Autonomy – the freedom, even within certain boundaries, to exercise control over one’s work product

Purpose – the opportunity to be part of something larger than just a workplace

Your inside-the-walls story – the story you would like to hear coming from the mouths of your employees – must speak to your employees' need for fulfillment as much as it can and should be manifested within your organization.

In other words, for your best employees, what turns you on should turn them on. There should be a kinship among everyone who works there built upon a core understanding of what you are doing and why.

How are you going to ascertain this from a resume or a canned, stilted thirty-minute interview? Would an office tour or maybe a lunch enable you to see beyond the rehearsed answers to get a glimpse of the person underneath?

Greg McKeown in *Essentialism* boils down the question to “what makes your heart sing?” He tells the story of his conversation with a spokesman for the California Strawberry Growers Association in which he asked the question “what is your passion?” In response, the gentleman responded that

his passion was promoting the interest of strawberry growers in the state of California. When asked, however, “what makes your heart sing?” the same person responded with a deeply felt description of what small business and the family farm mean to him and why he wanted to help them in the first place.

What is it in your recruitment process that is designed to define exactly where the passion of your employees and your prospective employees lies? It can't be just a help wanted ad. It can't be just a Craig's List posting or an announcement on [Monster.com](http://Monster.com) or one of the thousands of trade-specific websites that will happily take your posting. It's got to be more than that.

College admissions offices have made both an art and a science of trying to pierce the exterior to touch the person underneath. Questions range from the sublime to the ridiculous. Some are generic, such as *Recount an incident or time when you experienced failure. How did it affect you and what lessons did you learn?*

Some are fanciful:

*How are apples and oranges supposed to be compared?*

*Winston Churchill believed “a joke is a very serious thing.”*

*Tell us your favorite joke and try to explain the joke without ruining it.*

Some simply try to get to the heart of the matter by asking *what drives you and why?*

These are all valid attempts. Depending upon the applicant, some may work better than others.

Most companies, however, tend to shy away from the *if you were a tree, what sort of tree would you be?* question. After all, there is a limit to the amount of useful information that would come from any responsive essay.

Regardless of which tact you use, the point is that there should be something beyond the request for a resume.

In our case, we cull the pile of resumes down to a manageable few and ask questions before the interview to find out what drives someone beyond the promise of a salary.

Beyond the questions, my recommendation would be

that applicants for key positions be asked to watch Simon Sinek's TED Talk *Start with Why* or Larry Smith's talk [Why You Will Fail to Have a Great Career](#) and tell you in one or two paragraphs why the position they are hoping to fill meets the challenges presented by those two lectures.

The bottom line is that the people you select for your organization should not be offered a position simply because they were better than the alternatives. That is a *good enough* solution.

Instead, they should be offered a position because they are people who you believe from instinct and input will be inspired to tell your story the way you want it told.

## EMPLOYMENT CONTRACTS

Whenever people are asked to sign an employment contract, their blood pressure rises.

Employment contracts are serious things. They are written by lawyers, reviewed by lawyers, and enforced by lawyers. The language is stilted at best and impenetrable at worst. Employment contracts speak of penalties and the

wrath that may be visited upon you in the event of a breach.

Employment contracts, in other words, tend to be barriers that must be overcome if you are to travel the path desired by both sides.

Why not write it that way?

Don't get me wrong, there are certain legal provisions that are necessary to include in order to protect both parties should a parting of the ways occur. The contract does not have to eliminate the thou-shalt-nots or do away with the restrictions. It does not have to be warm and fuzzy. It just has to be fair.

Fairness in a contract requires two things:

Substantive fairness in which neither side is asked to commit to anything unreasonable

Transparent fairness in which restrictions and penalties placed in the contract are clearly explained to all parties

From a quarter-century plus as a business attorney, I can state with confidence that the provisions of an employment

contract most likely to sow the seeds of resentment and discord are the restrictive covenants. For the uninitiated, these are the non-solicitation and non-competition provisions that govern the employee's conduct and limit his or her options after he or she leaves the company.

Typically, once the employment contract is slid across the table, there is a hush. The congenial tone that had marked the recruitment to that point gives way to concerned study of long paragraphs of legal construction. The prospective employer has to bite his tongue to keep from trying to explain away the provisions or from putting a softer spin on them.

At some point, however, the temptation will become too great and the employer will mumble something like "well, we never really enforce that" or will provide a frank explanation of the need for these restrictions.

Why not put the explanation directly in the contract? Why not have the contract answer all of the questions so that no soft-pedaling or justification outside of the four corners of that document are necessary in order to explain the company's rationale for sliding the document across the

desk in the first place?

Drafting a contract like this is an exercise in transparent fairness. Rather than sowing seeds of resentment and discord, a contract like this plants the seeds of the story you want told.

## EVALUATIONS

The first thing I should tell you about personnel evaluations is that I hate them. I see them as destructive in several significant respects.

Conversely, having spent the past quarter-century working with companies of all sizes and descriptions, I can say with confidence that I have never seen them done well or in a fashion that is more than nominally helpful to the organization.

My primary objections to personnel evaluations are these:

They are not well conceived

They are rarely handled well



They are not the opposite of communication; they're worse than that

## POORLY CONCEIVED

When I say that personnel evaluations are not well conceived, I mean that, more often than not, organizations have them just to have them.

Somewhere along the line, it became HR orthodoxy for organizations to schedule personnel evaluations on a yearly or semiannual basis to the extent that it borders on heresy to turn away from the practice.

Management believes you have to have them. HR departments do not feel free to ignore the practice, but rather spend time creating elaborate policies supporting the practice. What's more, employees expect them (for all the wrong reasons), and even front line managers see personnel evaluations as a necessary evil.

With the angst that typically surrounds personnel evaluations, the fact is that they do not tend to be meaningfully tied to the organization's critical goals.

Instead, they normally are job-specific to the point of ignoring the organization as a whole. One could imagine an employee being praised and photographed as Employee of the Month for producing the greatest number of concrete life jackets over the past year. Rarely, if ever, are employees in anything other than outside-facing positions judged on things like customer satisfaction, responsiveness, client retention, teamwork, internal leadership, or anything else that truly matters to the organization.

**Rule #1:** Ask anyone in my firm what “Rule #1” is and they will tell you: “Make it easy for someone to do what you want them to do.” This is a rule that applies to any situation and is the one rule that has never failed us. One of the things I’m sure your business wants people to do is pay you. If you provided that they could only do so by certified funds or wire transfer, you would be violating Rule #1 (and probably experiencing severe cash flow problems). Rule #1 provides one of the key “soft” standards by which personnel in every position can be measured. Consider the following questions.

How easy do employees make it for the company to do what it needs to do?

How easy do they make it for customers to do what you want them to do?

How easy do they make it for coworkers to do what you want them to do?

Instead, what normally happens is that HR departments grab a form off the internet or use something that had come in handy in previous places of employment. To be sure, the areas explored are generally pertinent to the position, but they are rarely big picture. They are, as a rule, poorly conceived.

## POORLY HANDLED

Equally as disturbing as the construct of the evaluation is the fact that the people who perform the evaluations have rarely been trained to be effective in that role.

Take an engineering company, for example. An engineer might rise to a supervisory position due to her experience, expertise, and tenure at the firm. She might be perfectly well equipped to mentor younger professionals in their craft, but possessing engineering skills has absolutely nothing to do

with the ability to perform a meaningful personnel evaluation. Typically, a supervisor will pull out the requisite company form and dutifully cover the areas of inquiry with each employee in his or her charge. The problem is that no context is given by the management team, and there are rarely any companywide standards for evaluation.

Supervisor #1 may rate someone as an average performer, a three, because he has fulfilled all of his job requirements as expected. Supervisor #2, perhaps having been saddled with underperformers in the past, may bestow a rating of four upon the same employee because he actually fulfills *all* of his job requirements. Supervisor #3 may give the same employee a two because she expects employees to do more than just their job requirements, and this particular employee never looks for opportunities to contribute in that way.

Then there is the problem of what those ratings actually mean. Is there an algorithm that ties them to raises or bonuses? Is there carryover from one evaluation to the next or does an employee start every new term with a clean slate? What do the evaluations actually *mean* in the real world?

The final handling error is by far the most dangerous.

Most people, even those in a supervisory position, are nice people who want to be liked. For most (though not all) it is very hard to sit across the table from someone and tell them that they are doing a bad job. So what happens?

Most of the time, even the worst employees are told that they are meeting expectations. Not a glowing review, to be sure, but nothing that is going to accomplish the real purpose of personnel evaluations – to advise management of inadequate performers and to set off alarm bells within employees who are able to use that as motivation.

So, bad employees settle in, content in the knowledge that they are “meeting expectations,” excellent performers are not incentivized to meet the real goals of the organization, and all employees are subjected to uneven standards.

## COMMUNICATION IN DISGUISE

Whenever I speak with HR departments about the subject, my opinions are met with the argument that personnel

evaluations provide a valuable, scheduled checkpoint for a frank discussion about job performance. I've already given my views on whether or not the conversation is actually "frank," but just as important, it is nonsensical to think that anyone's performance can be enhanced by a scheduled one-hour conversation every six months or so.

The HR people who make the argument for personnel evaluations are the same ones who will state, without hesitation, that their workplace is built on teamwork and communication. If that is the case, why would a meeting be necessary to discuss a job performance that is witnessed every day?

In point of fact, the scheduling of these meetings does the opposite of ensure communication – it prevents it.

Supervisors who would otherwise be inclined to sit down with an employee when a problem is noticed will instead put the conversation off until the employee's regularly scheduled review. Often, the incidents that would have given rise to the initial conversation have long since been forgotten or superseded by other concerns by the time the evaluation takes place.

Rather than foster communication, evaluations destroy it.

## A LOOK THROUGH THE EMPLOYEES' EYES

All of the above criticisms regard evaluations from the organization's perspective. Personnel evaluations do not serve organizations well for the reasons described above.

But what about the employees? What do they see?

In many cases, employees see the evaluations as directly tied to raises and bonuses. Even if the organization has not established a direct link between evaluations and compensation, employees do just that. A superior evaluation means that a raise and/or a bonus is coming. The very fact that an evaluation has taken place means, in the eyes of many employees, that the annual raise is coming.

In either case, employees tend to draw conclusions from the evaluations that tend to be significantly out of sync with the company's view of evaluations.

How might all of the above affect the story your employees tell?

# EMPLOYEE HANDBOOK

Over the course of my career, I've drafted hundreds of personnel manuals for companies ranging from nationwide industrial distribution companies to landscapers, car dealers, and veterinarians. To be honest, they all blur together. *This manual does not constitute an employment contract, blah, blah, blah.* Few and far between are those infused with personality or with passion. Only a few stand out.

And why should they? Isn't a personnel manual destined to be read once, put in a file drawer, and only dusted off when an employee is trying to figure out if he gets Arbor Day off or has used up all of his vacation?

The answer is: only if you let it.

A client recently asked us to review and revise her company's manual. For once, our assumption that this was one manual just like all the others was mistaken. The manual began with a section called *We Hold These Truths to be Self-Evident* and described the few tenets that really mattered to the company's founders.



Since that time, I've worked with companies to take these actions to improve their manuals:

Create a personnel manual in the form of a series of YouTube videos

Make a podcast series for internal consumption about the company's rules, policies, and culture

Update personnel manuals on a regular basis from employee input

Simplify personnel manuals by relegating the legal boilerplate to less prominent places so the company can emphasize what is truly important.

Personnel manuals, like invoices, are guaranteed to be read at least once. They should be designed carefully and presented in the way your employees consume information.

With so many options, your failure to make sure that your true message is remembered is inexcusable for a company that considers itself one of distinction and downright criminal for any company that understands that that message is actually its story.

# THE CONTINUING CONVERSATION

If annual or semiannual personnel evaluations aren't the answer to improving employee performance, inspiring employees to contribute to your business, and prompting employees to tell the story you want told freely, what is?

The answer is a continuing conversation based upon your responses to the questions we asked at the outset of this book:

What is it like to work at your company?

Why are you in business?

Between them, these two questions are your company's guiding lights.

They provide the basis for real, substantive discussions with your employees about your organization's mission, philosophy, and approach. These are the themes that should be woven into routine interactions, rather than postponed for companywide meetings or scheduled conferences. Supervisors who observe performance that does not align with the answers to those questions, as formulated by the

company's owners and management, should feel compelled to discuss those issues *at the moment*.

Believe it or not, most employees, and certainly those coming of age in the workforce today, would vastly prefer immediate feedback. Before long, a significant number of your employees will be people accustomed to posting status updates and then checking back in a matter of moments to count their "likes."

This is a generation of people nourished by immediate feedback.

We waited *three days* for feedback! Imagine today's generation doing that. Imagine asking them to wait six months. How could a policy like that possibly make sense? Imagine how it could kill the inside-the-walls story you want told.

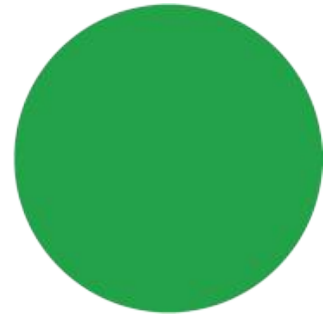
## THE COMPUTER WITH NO KEYBOARD

*I took a computer course in my freshman year at*

*college. It was 1981 and everyone knew that computers were unquestionably the future. The only problem was that the computer to which my classmates and I had access did not resemble the computers of today. It was a wall unit into which one would feed cards. A stack of cards would comprise a program. It was the students' job to color in numbers on each card, line by line, which, when combined with all the other cards, enabled the program to run.*

*The class was held once a week. Every student knew that homework had to be done immediately because once the cards were turned in, it would take three days to get a result. If there was an error, you only had one shot at fixing it in order to get your second set of results back before the next class convened.*

# PART III: READY



## CHAPTER 5

# MEET THE CHALLENGE



WHAT WILL YOU DO in your company so that your employees have your Closing Argument top of mind?

Reimagine your evaluation procedures to ensure input? Sure, that's an obvious one. But go back farther. You will have to ensure that your employees are prepared for the meeting and are not blindsided by the questions.

Go back farther still – back to the hiring process. You will have to look for candidates interested in improvement and motivated to share their ideas. The kind of person that punches in and punches out each day for a paycheck is different from the one that counts improvement as a primary goal.

What hiring procedures will you have to change in order to locate these people? Some employers turn to personality testing or use recruiting firms to tailor their search to a certain personality type.

You will have to see that your company puts procedures in place so that someone who wants to improve is encouraged, rather than stifled, by the company culture. You can't bring these types of people into a "well, that's the way we've always done it" type of company.

## FOR THOSE INSIDE

Will you change your personnel manual?

Will you alter job descriptions to include mentoring?

Will you create actual teams or departments?

What about company events? Will there be more regular meetings?

How will you ensure that company meetings aren't simply monologues by management but rather are fully participatory?

Will you incentivize personal growth and team development by factoring them into bonuses or promotions?

One of the most important questions concerns what happens after any meeting (company, team, or other).

Anyone who has ever been asked his opinion can attest to the frustration that arises when that opinion is summarily ignored. Multiply that frustration by 10, 100, or 1,000 and you have the typical company.



Skepticism in most companies is like original sin; it's there from the beginning. Removing it takes work.

The reason most companies fail is not because management fails to appreciate the amount of work involved but rather because the initial plans for a policy change, forged amidst all of the excitement of a new idea, are too ambitious. They roll out on too large a scale.

What most companies need are a few small changes that build momentum. Small, but noticeable steps, help convince a cynical workforce that change can occur.

The job of management, therefore, is not to cull a bold, new vision from employee input but rather to find something that is easy to roll out, takes little planning, and is immediately visible. These steps can't be the symbol of change, such as team formation or a new written policy, but rather they must be actual change that people can see.

Want to act on the suggestion that sales representatives in the field have immediate access to company forms? Roll out iPads to a trial team with marching orders to streamline order taking in the field. Passing out those

boxes will do more to show serious intent than a room full of policy memos and job descriptions.

Want to show that the company really does value systems input from all departments? Ask a few people to create a small team to go to an off-site conference and bring back ideas.

## FOR THOSE OUTSIDE

Will you ask your customers and vendors for their input – one on one, not just through a survey sent via email blast?

Will you risk giving your lawyers heartburn by insisting on rewriting your contracts to clarify confusing, overly legal language?

Will you alter your business practices to make ordering and payment more convenient?

Will you increase your online presence to provide customers with a voice 24/7?

Will you provide your customer-facing employees with

latitude to solve problems without the delay of running everything up the chain?

As I mentioned earlier, we have a rule in our firm known as Rule #1. Rule #1 is “make it easy for people to do what you want them to do.” We follow it religiously.

When I first started my firm, clients paid us by check. I thought that since we represented companies, most would want to put out bills in line for their monthly check run. I found out, however, that quite a few wanted the option of paying by credit card. Not only did it help them from a cash flow perspective, but also it allowed some company owners to use their cards to collect points or miles. I wanted clients to pay me, so I made it easy for them. We began accepting credit cards and receive about one third of our revenue that way.

There's another side note to this story. Other lawyers often ask me whether I make credit card-paying clients reimburse us for the two to three percent fees charged by the credit card companies. The answer is no. That's a cost of doing business. I want clients to pay me promptly, and I


want to make it easy for them do this. Why would I penalize them for that?

In order to follow Rule #1, you first have to ask your customers about their pain points. How can you make things easy for them if you don't know what they currently find difficult?

Your job is to pick out the customers you really like – those you would duplicate in a perfect world – and ask them directly. Now, I know that there are many fine online and email survey tools, and they all have their place, but there's nothing like picking up the phone or picking up a lunch tab to ensure full feedback.

Of course, the problem with asking the questions of your customers is exactly the same as the problem caused by asking your employees. By asking the question, you create an expectation of action. If you don't intend to act, don't ask.

# CONCLUSION: BECOME A FIRE, AIM, READY ORGANIZATION



During his tenure as head coach of the University of Oregon football team, Chip Kelly adopted the mantra “Win the Day.” Win the Day isn’t about setting goals; it’s about reaching them, one manageable step at a time. No one can lose 100 pounds in one day. The best anyone can do is set a goal, figure out a plan, and strive each day to move closer to the goal. A dieter may win the day if he eats salad instead of pizza or drinks water instead of soda.

Once you know the story you want others to tell – once you have written your Closing Argument for each aspect of your organization – your job is to win the day.

Support your narrative every day.

Keep it top of mind.

Do the little things to create an organization true to your vision.

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# ABOUT THE AUTHOR



Eliot Wagonheim is a lawyer, writer, educator, speaker and strategist.

He has built a successful law practice by exceptional client service, a track record of success in persuading judges and juries, negotiating acquisitions, crafting contracts, writing HR policies and publishing within the legal field.



Eliot has taken the expertise and acumen that earned him industry accolades, numerous awards and a reputation as a pre-eminent business attorney and made them accessible to organizations of every size and description. Through his [Outlawyer](#) platform and his unique [Fire, Aim...Ready](#) approach, Eliot has moved beyond the traditional lawyer's

role to teach entrepreneurs, innovators, and creatives how achieve their goals, manage risks, and overcome real life obstacles.

*Fire, Aim...Ready* shows organizations how to embrace, rather than inhibit, innovation. *Fire, Aim...Ready* facilitates growth by helping organizations hone in on their true purpose and protect themselves without sacrificing vision and overcome institutional entrenchment.

Eliot says fully engaged with his community of entrepreneurs and business leaders through his [Business 3.0 podcast](#), [his blog](#), and on social media.

[Twitter: @wagonheim](#)

[Facebook: OutlawyerBusiness3.0](#)