

***Hiring to Firing* Podcast — Cuts, Choreography, and Coaching: What *America's Sweethearts* Teach Us About Performance Management**

**Hosts: Tracey Diamond and Emily Schifter**

**Guest: Ann Hart**

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**Emily Schifter (00:00):**

Tracey today we picked *America's Sweethearts*, a reality television show following the Dallas Cowboys cheerleaders as our springing off point for our discussion and we picked it not just because it's an interesting TV show, but because it has lots of examples of behavior and conduct and things that are relevant to the workplace. Lots of topics that I think have a lot of relevance for our listeners today. Our focus is on giving feedback and we've pulled some clips and we're going to discuss some best practices and some tips arising from some of the situations in the show. But Tracey, have you seen any other parts of the show that might have some relevance in the workplace or for HR professionals?

**Tracey Diamond (00:33):**

I agree with you, Emily. This was a really good show to showcase some of the HR issues that come up in all sorts of industries. And one of the issues that we're not touching upon today, but we did touch upon in one of our previous episodes with the movie *Nine to Five* is the issue of pay equity and of course, there's a stark difference between what NFL players earn and what the cheerleaders of those NFL teams are earning, and that was addressed in season two of *America's Sweethearts* and it sounds like it resulted in a very large increase to the cheerleaders pay. So for those of our listeners that are interested in hearing about pay equity, tune into our *Nine to Five* episode and for really good tips about giving feedback, listen to this episode. Thanks for listening.

[INTRO]

**Tracey Diamond:**

Welcome to *Hiring to Firing*, the podcast. I'm Tracey Diamond, a labor and employment partner with Troutman Pepper Locke, and I'm here with my partner and co-host Emily Schifter. Together we handle all employment issues from hiring to firing.

**Emily Schifter (01:37):**

Today we are thrilled to welcome as our guest, Ann Hart, vice president of Human Resources at AmpliFi Loyalty Solutions. AmpliFi provides customized outsourced loyalty and rewards programs for financial institutions like banks and credit unions to increase cardholder engagement and loyalty. Welcome, Ann. Why don't you tell us a little bit about yourself and the company?

**Ann Hart (01:58):**

Thank you for having me. As you mentioned, we do focus solely on creating and managing loyalty programs for financial institutions like banks and credit unions across North America. Our programs offer these institutions a way to thank their customers for doing business with them. By offering personalized rewards, they have an opportunity to build trust, to encourage more spending and to gain customer attention. It's about creating real connections that help our clients stand out and grow sustainably. As a business and a preferred loyalty partner for Visa, we continue to evolve our products to meet the expectations for the cardholders. Our financial institutions support and choice matters to the consumer and we leverage our analytics to develop products that will meet and exceed their expectations. As for my role as vice president of human resources, I'm responsible for developing and executing the people strategy that supports our business objectives. That means everything from hiring the right talent to leadership development, to building a culture that keeps us and ready for whatever comes next. So my overall goal is to help build a team that's as innovative and forward thinking as the solutions that we deliver.

**Tracey Diamond (03:08):**

Where are you located, Ann, and about how many employees do you have?

**Ann Hart (03:12):**

We are located in Naperville, Illinois, but we do have resources across the country and we're about 173 and growing right now.

**Tracey Diamond (03:19):**

Great. Well, we're very happy to have you on. Thank you so much for joining us today and our topic for today is giving feedback, which is something I've actually been discussing with my clients a lot lately. I think maybe it's evaluation season in a lot of places. To illustrate this episode, we have pulled clips from the documentary TV series called *America's Sweethearts*, having just completed its second season on Netflix. The show follows the trials and tribulations of the Dallas Cowboys cheerleaders from auditions through training camp and into the NFL season as they compete against each other for a coveted spot on the team. During auditions and training camp, we get to watch as Kelly Finglass, the director and business manager of the cheerleaders, and Judy Trammell, head choreographer, rank and cut, various cheerleader hopefuls. Let's listen to our first clip.

[BEGIN CLIP]

**Speaker 4 (04:09):**

Hi. Come on in. Have a seat, how are you feeling?

**Cheerleader Hopeful:**

I'm feeling good.

**Speaker 4:**

You are?

**Cheerleader Hopeful:**

Yes ma'am.

**Speaker 4:**

You're doing good.

**Cheerleader Hopeful:**

Thank you.

**Speaker 4 (04:18):**

First of all, I appreciate the fact that you tried out before and you get an A on persistence on trying out again. Making it to finals last year and then making it to training camp this year--

**Cheerleader Hopeful:**

Thank you.

**Speaker 4:**

--are solid steps to making this team, but some of these dances, you're not matching the style of the choreography. I would love nothing more than for you to make this team.

**Cheerleader Hopeful:**

Yes ma'am.

**Speaker 4:**

But we're just at the time where we are making cuts and we're starting tonight and you're going to be released from the team tonight?

**Cheerleader Hopeful:**

Yes ma'am.

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**Speaker 4:**

I would love for you to make this team. It's not going to be this year.

[END CLIP]

**Emily Schifter (05:02):**

Let's start by talking about the purpose of feedback. Obviously in this clip, the feedback was to inform the person sadly that she was not going to make the team, at least not that year, but feedback is used for a lot of other reasons. So Ann, what do you see as the purpose of feedback?

**Ann Hart (05:19):**

I think that's a great question and I think it comes with a simple answer. The purpose of feedback is growth. You are displaying a behavior I either want to encourage, amend slightly, or change altogether. At AmpliFi, we use three key feedback processes to achieve our objectives and our outcomes. We conduct annual performance reviews. That way employees can measure improvement over time and really look at outcomes against goals and objectives established by the business for that entire year of operation. They get an entire 10,000 foot view of what they've done. It drives a deeper connection to how their contribution impacts the overall corporate objectives. It gives an opportunity to reflect what was accomplished and to celebrate that. And it also encourages employees to think about what they will contribute and they can start to plan ahead for next year. They know this is coming. What are you bringing to the table?

(06:08):

Annual reviews though, however, can't replace the need for the second tool that we use at AmpliFi, which is ongoing real-time feedback, addressing concerns in real time, provide immediate resolution and course correction and provided professionally to the employee, allow for better outcomes for both of us. The employee gets improvement, the company gets improvement whether you're encouraging or you are correcting. The third tool that we do utilize is performance improvement plans. These PIPs as they're referred to in the marketplace, they're basically specific structured expectation management designed to allow the employee to focus on getting back to a path of success. So when used properly, it's the difference between continued successful employment or ultimately termination. So those are the three structured ways that we think feedback is essential in how we share it here at AmpliFi.

**Tracey Diamond (06:59):**

How do you do your performance review, your annual performance review process? Is there a 360 or do the employees do any kind of self-evaluation as part of it? What is your general practice with that?

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**Ann Hart (07:10):**

We do self-evaluation and then manager evaluation and then it's given up for executive review. So we actually have an opportunity at that point to go, what do you think? What does your leader think? And then we're sharing that information up the food chain as the strategic planning's taking place for going into the next year.

**Tracey Diamond (07:27):**

One of the things that I found has been challenging for my clients has been that HR knows the importance of feedback and they understand the why and what the process should be, but it doesn't always get to the managers in terms of them really understanding the why is feedback important, how it's creating a record of the employee's performance and really clarifying where the expectations are falling short. How do you get that message across to your managers?

**Ann Hart (07:53):**

For our managers, we have to take the time out to ensure that they have the skills necessary to provide feedback. It is coaching, it is a part of the responsibility of the HR department to ensure they have been given the tools to necessary to succeed. So that is a conscious effort by the organization to train, but giving feedback correctly is equally as important.

**Tracey Diamond (08:15):**

Yeah, so let's talk about that. So what are best practices in terms of giving feedback?

**Ann Hart (08:20):**

When we look at giving feedback, I always say you want to focus on the behavior that you're looking to change. So what in the equation versus the who, where, why? What is where we really want to put our energy? You want to ensure that the person receiving that feedback understands that the goal of providing it is to help and not to harm. I message consistently that when someone is willing to take time from their day to provide you with professional feedback, that's an investment in you. That's a gift, right? We should embrace every gift because oftentimes you talk to other companies, you'll hear I don't get any feedback when I have people coming to me going, oh no, this person gave me critical feedback. I go, oh wait, this person took time to care. They want to see you improve. That's something that you want to rise to that occasion and meet them where they are.

(09:08):

I message that investment in you as a person and in your career, even if you disagree with it, is something that you have to take into consideration. You have to take that in and go, hang on, here's a perception. How do I deal with that perception even if I don't agree with it, I need to recognize that it's there and now I have to think about how I'm going to amend that person's perception of whatever my performance may be. How you share it depends on the relationship and I don't pretend otherwise when you've got teams who hear they're right all the time, right?

When you've got teams who are constantly getting feedback when they do well, giving them critical feedback usually is pretty seamless because they already know where they stand, they have confidence in their day and so being able to stop the presses and go, hang on, this didn't work for me. We need to do this differently next time it's well received because you're consistently catching them doing something good,

**Tracey Diamond (09:57):**

You've already established that trust because it's really hard to find a way to give feedback in a way that employee will hear it and not get defensive and shut down

**Ann Hart (10:05):**

A hundred percent. And for those who don't have a close daily interaction, and that's not always possible, depending upon the size and scale of your department, the size and scale of your team, the way in which you conduct your regular sessions of interaction, you may not have had enough time to develop that closeness where they genuinely are getting constant impression backwards saying, Hey, here's how this is working. It may be consistently coming just not with enough volume to have that confidence. That's where you have to come into that conversation a little bit more nuanced. You want to bring the sandwich methodology for providing that information. Here's what I'm thinking. You're doing really well so far. Here's some things I'd like to see us improve. Here's some things I want to make sure that we keep doing. So you're basically not walking in and going, I haven't seen you in a month and now I'm going to tell you is what you did wrong and then I'm going to leave the room and leave you two stew about it until I see you next month. You're saying, I know who you are, I know what you do. I've appreciated this work. I want you to work a little bit more on this for me. And I appreciate that work. And the last thing I tell people is you need to make sure when you're talking to people, we are in this together. This isn't a you problem, this is a we problem. We have to work together to get you a resolution that works for the business. We are a collective.

**Emily Schifter (11:17):**

I think it's such an important point that there's so much to coach the people who are giving the feedback on and how to give it in the right tone or delivery method depending on the audience may be. But you're absolutely right that there is some coaching on the part of the people receiving the feedback too and how to appreciate it and understand it and even if their initial reaction is defensive and how to action it, I think it is a two-sided street, but I think sometimes that gets lost. So I think that's such an important point.

**Ann Hart (11:42):**

Focusing on the behavior is critical too because people can have an emotional reaction to something that went sideways. As a leader, you have to put yourself in check. You cannot walk in with all of how you feel. You need to walk in with how am I in service to this employee? How am I going? Sure this doesn't happen again for myself, for the business, for the client. And really doing that means you have to focus specifically on the behavior you're looking to amend as opposed to how it made you feel. I always tell leaders, if you can't walk in and have that conversation yet, then walk in and have a conversation with me.

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**Tracey Diamond (12:12):**

I've been doing a lot of looking into sort of how Gen Z absorbs feedback and Gen Z as a generation. Of course this is a stereotype, but they as a generation typically really crave feedback and crave a lot of it, but they also are more apt to internalize negative feedback as indicative of their own self-worth. So being able to give them the feedback they are wanting and they also actually as a group typically will be more accepting of constructive feedback and will actually take it in and do something about it, which I think is really admirable. It's so interesting, right? It's so interesting. So giving the feedback in a way that it will be heard and it won't affect their self-worth and that they could actually use it as actionable items like what Ann's just talking about, focusing on the behavior as opposed to the person I think is such an important point to emphasize. I think so too.

**Emily Schifter (13:02):**

And one question I had for you too, Ann, is just thinking about you've got a big group of employees who are kind of all together in one physical location, but so many of our clients these days, you've got people all across the country. Do you have any tips or have you seen any particular good ways and maybe not so good ways to address giving feedback when the team is more distributed? When you don't see somebody day to day, when you're not able to talk face-to-face...

**Ann Hart (13:23):**

In the end it's about understanding what it is you're looking for from that partner. If we're not together every day, then we need to have even better expectation management. I can't see you, I'm not able to walk by your desk and have a quick pickup conversation. So whether it's having a regularly scheduled, which makes feedback flow more naturally because we're in a regular dialogue or having a natural reporting structure where I can stay up to speed and up to date on what you're doing, what you're encountering and what your challenges are, we tend to lose compassion for people we assume are not providing a hundred percent of their effort all the time. Well, when someone's remote, we don't have any way to look at and really clearly measure what that effort is. So I tell my leaders it's their responsibility to ensure they know what their team is doing, how hard their team is working and to make sure they're accolade in or rewarding the effort and correcting anything that could make them more efficient along the way. But really truly engagement is the difference with remote staff.

**Emily Schifter (14:17):**

So paving the way to be able to give the feedback, it starts long before performance.

**Ann Hart (14:22):**

If you are waiting for a performance review to give feedback, you've already failed. People who have had a longevity to their career have experienced that at some point where you heard nothing all year long and then you sit down and they want to tell you what you did wrong and you're looking at 'em going, why didn't you tell me that six months ago? Right, I've heard that



before too. Yeah. So I mean truly the annual review in my mind is really how you align the feedback to the business objectives more than anything else. Here's what the business asked of you this year and here's how you impacted the business that day to day, how you as an individual show up to do your job. That's in that continual feedback loop between leader and subordinate. Our responsibility is to get you ready for what's next and we can't do that by wishing and hoping we have to be engaged.

**Tracey Diamond (15:05):**

The wishing and hoping part is what we hear from managers a lot. I have to work with this person the next day. How can I tell them all these things they're doing wrong and then expect that they're going to still like me or still be willing to do the work I need them to get done. So how do you get past that choke point?

**Ann Hart (15:21):**

It's not easy. There are times where we have to give hard feedback to somebody we care about or I'm somebody we really like working with. But the truth of the matter is, is that if we don't, their opportunity will be limited. I need to care enough about you to want you to be successful. Me being liked can't be what dictates how I act.

(15:40):

Me being respected is important, but me being liked cannot be the consideration. I have to put that to the side and recognize that being a leader isn't something that is easy or everybody would do it. If approval is necessary for you to feel confident and comfortable advancing the people around you, raising people up, you're probably in the wrong role. So I tell leaders who struggle, right it out. Get organized. Use a smart methodology. Make sure that you put yourself in an orderly fashion so that when you're going into that conversation you can be intentional, make it easier on the other individual by being prepared to yourself going on, here's what I need you to correct, here's how we're going to follow up on it. Is there anything else I can support you with?

**Tracey Diamond (16:28):**

Really good segue into our next clip. So there's no question that Kelly and Judy can be harsh at times, particularly when discussing the candidates behind their backs and they're dealing with sometimes very, I hate to use the word shallow cause I don't mean it in a derogatory way, but let's face it, they're talking about how pretty somebody is or whether they're really standing out based on their looks, but it does seem like their hearts are in the right place and they do seem to try to speak to the candidates in a way that is empathetic while firm. So our next clip is an example of good feedback.



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[BEGIN CLIP]

**Speaker 4 (17:01):**

We wanted to give you the chance to know how you're doing and what we're thinking.

**Cheerleader Hopeful:**

Thank you. Yes, I appreciate that.

**Speaker 4:**

First, we have been very impressed with just you as a person in this training camp, your appeal, your maturity, your poise, what you could offer to our organization as an ambassador, a teammate. There's no concerns there, but we are down to the last two weeks of this training camp.

**Cheerleader Hopeful:**

Yes ma'am.

**Speaker 4:**

And with the dancing, sometimes you're dancing, the word that's come up twice is more of a soft dancer as opposed to a powerful dancer.

**Cheerleader Hopeful:**

Yes ma'am.

**Speaker 4:**

You are the type of person we would love on this team. However, the dancing and where we are now, we don't see you making the team this year.

**Cheerleader Hopeful:**

Is there anything I could do to change that this year?

**Speaker 4:**

No.

[END CLIP]

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**Tracey Diamond (18:04):**

Ann, what do you think? Did they do well here and or do you see any opportunities for improving their method of giving feedback?

**Ann Hart (18:13):**

Again, I always have to take into account as a TV show, I tend to lead if we are done, if our relationship is ending, I'm going to lead with that. For me personally, that's how I handle it. No confusion.

**Tracey Diamond (18:24):**

They had to stretch it out a little bit, there wasn't any background music when you're normally letting someone

**Ann Hart (18:27):**

Yeah, no one's playing. Taylor's not in the background singing us out, but I genuinely do believe that gave very, very insightful information here. They were very specific in the things that they felt this individual had done well, what they thought they could do going forward. They told them, what do you got to do next? That's all you can ask for in a feedback session, especially one like this when the end result is that your time here is over and you have to go spend the next year working on it. But I don't think that that individual walked out not knowing what the expectation was for coming into the next season.

**Emily Schifter (19:00):**

It was clear. Yeah. So you mentioned before the smart methodology as part of a way giving feedback. Can you explain a little bit more about that?

**Ann Hart (19:07):**

It's not just a buzzword, although we like to make it one. It's actually a very practical way to give feedback. Essentially it's an acronym, right? We're giving smart, measurable, achievable, relevant and timely feedback. So what that means for us is we kind of break it down. It's going to be specific. We're going to be clear. We're going to say, your report was missing sales data we discussed. We're not going to say you need to do better, right? I'm giving you very specific information. We're going to make it measurable, we're going to make it trackable. So we want to aim for these particular goals. If I need you to make 20 sales calls a day, I'm not going to tell you make more sales calls. I'm going to say we're going to aim to make 20 sales calls a day so we can measure if that performance is having an issue, which is our next item.

(19:48):

We need to keep it realistic. Is it achievable? If it's not doable, it's not helpful. If you have never set a sales meeting and all of a sudden I'm telling you you need to have 10 by the end of next

week, I'm not helpful at this point. That's not reasonable, that's not realistic. So you need to make it something that they can actually achieve. It needs to be very, very relevant. So make sure it connects to their roles or their goal. Random feedback is not useful. You want to be coming in with something that they can action against, which is by the way, how you would also ensure that that feedback's not personal because the random feedback tends to be the personal stuff that really probably you need to go address and doesn't necessarily need to you pulling out to another person and timely, we wanted to make sure that we're giving that information, that real-time feedback.

(20:32):

If you wait weeks, it's not fresh. You lose the details and the specifics that you wanted to share, that the employee can't touch that moment as quickly as they could if you'd talk to 'em the next day or two days later or that same day. So you really want to keep it timely. Smart feedback helps people grow without guessing. They don't have to wonder what it is they're supposed to do. It makes it actionable, it makes the next steps measurable and then teams can kind of scale that together. So that's essentially how that works.

**Tracey Diamond (21:02):**

From a legal compliance perspective, the way you laid out the smart method sounds like the perfect type of documentation that you'll need to maintain legal compliance too. Emily, what are your thoughts on that in terms of the fact that it's actionable, measurable, specific, and how does that make your job easier in terms of litigation?

**Emily Schifter (21:19):**

Yeah, and it's definitely something that comes up with clients all the time when we don't have that documentation. Because so often somebody will say, a manager might say, I really don't want to keep working with this employee. We need to separate their employment. They're just not performing well. And you kind of push them on that and what does that mean and well, I don't know, they're just not a fit or they don't seem to be engaged. Something that's very vague. Okay, well have you talked to 'em about this as this something that you've documented? Is the employee going to be surprised to hear this and well, I didn't want to offend them or it was a tough conversation kind of to the point we talked about earlier. And so if we decide to move forward with any kind of adverse action against that employee and they look at it and say, this came as a total surprise to me, this feels unfair.

(21:59):

It makes it really hard for us to defend that decision to show that we made it based on a legitimate business need or data point as opposed to a protected class or some recent leave that somebody took or a complaint that they raised. Even if it is in fact not connected to any of those things at all, if we don't have anything clear to show this is what we told you to do, you didn't do it and now therefore we're going to separate employment or do something else adverse that maybe you don't like, we have a much harder time justifying that from a legal perspective.

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**Tracey Diamond (22:28):**

So good bit best practices are helpful from an HR perspective and just from a managerial perspective, but also from a legal perspective, legal defense.

**Ann Hart (22:37):**

Absolutely agree.

**Tracey Diamond (22:39):**

So shifting gears for a minute, Ann, to the how are there any best practices and how feedback is given?

**Ann Hart (22:45):**

My first how my step one and how that I tell all my leaders, it is my golden rule. If you've ever worked with me, you've heard me say it a hundred times, we praise in public and we correct or we confront in private. So my a number one is that because nobody learns anything when they're embarrassed and at the end of the day the point of feedback is to learn something and you do not learn when you are embarrassed. So I always kind of teach my leaders. If somebody comes in and says, someone called me out in a meeting, I'm already like, I don't really care what they called you out about because I knew talk to that person. I got to go and have my own private conversation and I'll be back to you. What I always tell managers is that you need to gather the facts and you need to be very careful about what you know for sure.

(23:25):

Which Cy Wakeman, who was a published author, HR specialist is the one who coin that phrase. So I got to quote her, I got to give credit where credits to you, I'm allowed to do that, but says in her 12 rules, you be very careful about what you know for sure and I encourage my leaders to do that. Really gather the facts. What is the actual event that took? What's the actual situation or circumstance that happened when go into have that conversation? You want to focus on those behaviors. You do not want to assume the motivation or the why it's not relevant to your correction and you could end up in a very wrong place as you're trying to actually help somebody make an improvement. And then I always try to encourage them to document what it is that they've discovered in that conversation. Ensure that they've set clear expectations for how we're going to make change and you got to follow up. I've told you this, now I need to check in with you. Did it work? Are we getting someplace? Are you making approved? Do you need help? So that's kind of how I structure and encourage them to give that feedback process. Whatever you discuss should come back to them in written instruction. They don't have to question, did I misunderstand you? Do I know what to do next? They may be nervous, they may not be absorbing all of the data. If I give it to you verbally, I give it to you written, I'm covering my that.

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**Emily Schifter (24:38):**

Yeah, I think that's right. You leave room for that discussion of feedback rather than just here's a written, I'm giving you a five on this and a three on that. But at the same time, documenting once the discussion is over so that it's there and it's clear and they can go and process it on their own after the conversation is over. And obviously there's going to be depending on the type of feedback, if it's informal every day versus a performance improvement plan or , performance evaluation. But I think that's exactly right, kind of that balance of having that documentation but leaving room for discussion

**Ann Hart (25:06):**

And hearing what they have to say. You're walking into corrected behavior based on your knowledge. You could get into a conversation and uncover that, whoa, wait a second. That was the appropriate response based on what you just informed me of that I was unaware of. If you're a leader and you haven't had that happen, you're not having enough conversations around correct direction. Because there are times where we go, wait, nope, actually that's exactly what I would've done. Thank you for taking the time to explain it to me. And that also resonates because when you show taking ownership, you're modeling taking ownership for behavior, they're going to do the same.

**Emily Schifter (25:39):**

I think that's right. And that idea of coming into these conversations with, hey, maybe I can coach this employee and we can have a positive change as opposed to we're just paving a path toward termination, I think is a good mindset shift for leaders to have sometimes and maybe some incentive to have the tough conversations when they don't want to.

**Tracey Diamond (25:56):**

Well, and also particularly important with performance improvement plans or PIPs that you go into a PIP with the idea that you're going to in good faith try to turn this employee's performance around. Because too often companies will use pips as just a way of papering off over the file but not give realistic metrics and clear expectations and a reasonable amount of time for improvement. And that actually is worse than not giving a PIP at all. So if you're going to give a pip, you have to be committed to seeing the PIP through providing the coaching, giving measurable goals so that you can really measure the outcomes and see whether the employee has a chance to improve before you go to the next step.

**Ann Hart (26:35):**

Agreed. And I think it's the responsibility of business to hold their leadership accountable. Did you work that with your team member? Because if you dig and they still elected not to participate or contribute, that's on them. Then they own that out. But at the end of the day, it's your job to make them successful too. So it's a partnership. You have to jump in there and you have to help because I'm going to measure you on that. I don't need you to necessarily cut the issue before it took place, but I do need to know that you're an active participant in the

remediation or whatever the issue is. That's a reflection on your leadership skills. I celebrate it when people come off a PIP and they go through an entire calendar year and they have not been put back on and we're seeing that performance improvement. That's the story I tell internal.

**Tracey Diamond (27:14):**

It's a wonderful story to tell when it happens. Before we get to our last clip, Ann, I want to just flesh out something you said before about not thinking about the why someone's not performing. Why is it so important to not ask about the, why do you avoid that issue?

**Ann Hart (27:30):**

I think the why takes us down paths that aren't really relevant to the business outcome. The motivation could have nothing to do with work. I don't like that person. I didn't like the way I was. It's not relevant and it's subjective. So your why today you could come back and give me a different why tomorrow, but the end of the day, this was the outcome. This is the action I'm coming to you about the behavior, the action is not negotiable. This is what took place. This is what everybody agrees took place. This is what I need you to change why you did it. You can take care of that outside of the workplace if it's something that's going to consistently bug you, here's my access to my employee assistance program. I'm happy to give you three counseling sessions. You need to go work that out. We'll encourage you. We'll gain time off for it, but the behavior here, this is what we actually have influence over that's in our span of control.

**Tracey Diamond (28:15):**

That's so true, and frankly, it could actually lead to legal compliance issues. If you do start delving into the why or speculating as to the why, speculating someone has a mental health condition, for example, could lead to a perceived disability discrimination claim. I guess the one caveat I would say is if an employee comes to you and says, I'm struggling here because I have some kind of physical or mental health condition or a disability, then that's a different story. It doesn't excuse the bad performance, and you may continue to go down the performance improvement plan or other type of performance documentation, but you also will then have an obligation to see if there's an accommodation you could give the employee that's not an undue hardship that would enable them to do their job, but other than that, you shouldn't be speculating as to why an employee is acting the way they're acting. You just want to let them know they're not acting the way you want them to act.

**Ann Hart (29:07):**

A hundred percent, a hundred percent, and people are human. Yet we work closely with people. We may have some insights into the why or think we do. If anything, it should just breed compassion. If you know someone's struggling, it just breeds compassion, but it can't be any more than that. You can have compassion, but you still have a job to do. That's exactly right. Absolutely.

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**Emily Schifter (29:25):**

Moving to our last clip here, Kelly and Judy have to give some bad news to a candidate whom they know quite well. Kind of to your recent point, Ann, as she is the daughter of one of the employees of the cheerleading squad, so they have a tough conversation. Let's listen in.

[BEGIN CLIP]

**Speaker 4 (29:40):**

I don't know what to say to make this conversation easy on any of us at this table. Here's where - you're down here in our scoring, and the consistent word that keeps coming up with your performance in this year's training camp is that you are struggling. I think it'd be a disservice to have you make this team and the struggle be all year or if we just did this because you're Dayton and you deserve it, because you do. We want you to be successful here.

**Dayton (30:31):**

I want to too, but not if it's – if I'm not ready for it.

**Speaker 4 (30:42):**

Right. It's hard to say you're not ready because you've been around this your whole life. You know what I mean? But if you haven't trained for this intensely the past year or two, I would give yourself some grace...

**Dayton (30:55):**

To be honest, I stepped away from dance for maybe three years just because I felt like my heart wasn't in it. When I started dancing about a year ago, I just wanted to do something I was passionate about. I really wanted to come back and do something to make myself proud, which I do feel like I have done because made it this far.

**Speaker 4 (31:32):**

And we've seen a lot of growth in you. I feel like you are a different person now to talk to, and that's harder for us because - we are really attached to you. Do you want to talk to your mother or would you want...

**Dayton (31:41):**

(Crying) Sorry. I can tell her.

**Speaker 5 (31:49):**

It's hard when you have to put your heart aside and do the job you're hired for. I mean, we wouldn't be doing our job,



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**Speaker 4 (31:59):**

Yeah, but at what cost? At what cost is heartbreak?

[END CLIP]

**Emily Schifter (32:06):**

This is a good illustration of how giving feedback can be hard on the giver, just like it is on the receiver. Do you have any thoughts on how to make these types of hard conversations any easier?

**Ann Hart (32:16):**

Giving feedback, particularly when it's negative feedback can be tough and take a personal toll on the person giving that feedback. For sure. It's always best to plan out what you're going to say ahead of time and practice preparation is the difference between getting through that with professionalism and struggling to complete to an outcome when it's finished is really where I have my tips and tricks. Personal care, if it is your job to be the person providing the hard information or handling a termination, you need to make space for yourself. The individual that you are impacting in that moment gets all of the room. That's the job. When you're done, that's where you need to make sure you're giving yourself room. Grace is key. It's a hard job. Not everybody can do it. You need a support network of your own to kind of come through those difficult days. Have them.

**Tracey Diamond (33:04):**

It could be lonely at the top. Being a leader is not always the easiest thing in the world. That's right. To what we were talking about before. Your employees are not your friends, and you need to have that space so that you can have the difficult conversations.

**Ann Hart (33:16):**

Correct, and there are times where leaders will be faced with having that conversation with a peer. It's another leader, one of those people who is supposed to be a confidant and an ally where you can have more of those conversations, but their opportunity at your organizations come to an end for whatever reason. Now, you're really in it, right? And again, you have a job to do, do the job, do the job. When the job is over, that's where you got to kind of take a step back, and a lot of HR professionals have HR networks of other professionals that they lean on to get tips, to get tricks, to get counsel and to be able to say, Hey, it's just a really bad day. Those peers aren't going to ask what happened. They conclude just they already know they've been there, so they're just going to sit there and encourage you and make you laugh and remind you that you have to make a decision based on what's best for the collective. That's the hardest part about leadership is the decisions are based on what's best for the collective, and at times it does have individual impact, so they remind you that you took care of all the others today.

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**Tracey Diamond (34:11):**

That's right. It's good to have a support system for sure. That's right. The Kelly to Judy. Yeah. Well, I want to thank you so much for joining us today, Ann. This was a really insightful discussion about giving feedback. Thank you to our listeners for listening in. Emily and I both do a tremendous amount of training on performance management best practices, as well as giving feedback both for HR departments and for managers. So if your company could use that training, please feel free to reach out to us, shoot us an email, give us some ideas from future topics, and listen into our other podcast episodes. Thanks so much for listening.

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